

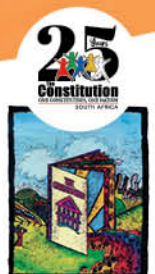


# REVISED ANNUAL PERFORMANCE PLAN 2023-2024



**the doj & cd**

Department:  
Justice and Constitutional Development  
REPUBLIC OF SOUTH AFRICA





Department of Justice and Constitutional Development

ANNUAL PERFORMANCE PLAN 2023/2024

RP 385/2023

ISBN: 978-0-621-51665-4

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[www.justice.gov.za](http://www.justice.gov.za)

## LIST OF ACRONYMS

ACRONYM	MEANING
ACHPR	African Charter on Human and People's Rights
ADR	Appropriate Dispute Resolution
ADRM	Alternative Dispute Resolution Mechanism
AGSA	Auditor General South Africa
APP	Annual Performance Plan
BAS	Basic Accounting System
B-BBEE	Broad-Based Black Economic Empowerment
BPF	Budget Prioritisation Framework
CARA	Criminal Assets Recovery Accounts
CAT	Convention Against Torture
CAVS	Courts Audio-Visual Solution
CJS	Criminal Justice System
CPED	International Convention for the Protection of All Persons from Enforced Disappearance
CPI	Consumer Price Index
CSD	Central Supplier Database
CSO	Civil society organisation
DDG	Deputy Director-General
DDPA	Durban Declaration and Programme of Action
DG	Director-General
DMP	Disaster Management Plan
DNPP	Deputy National Director of Public Prosecutions
DoJ&CD	Department of Justice and Constitutional Development
DPME	Department of Planning, Monitoring and Evaluation
DPSA	Department of Public Service and Administration
DPWI	Department of Public Works and Infrastructure
DR	Disaster Recovery
EME	Exempted Micro Enterprise
ENE	Estimates of National Expenditure
EXCO	Executive Committee
GBV	Gender-based Violence
GBVF	Gender-based Violence and Femicide
GDP	Gross Domestic Product
HR	Human Resources

ACRONYM	MEANING
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention for the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMS	Integrated Case Management System
ICT	Information and Communication Technology
ID	Investigating Directorate
IJS	Integrated Justice System
IT	Information Technology
JCPS	Justice, Crime Prevention and Security
JYP	Justice Yellow Page
Legal Aid SA	Legal Aid South Africa
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual
MOU	Memorandum of Understanding
MOVIT	Masters' Own Verification Technology
MP	Member of Parliament
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NAP	National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance
NASP	National Annual Strategic Plan
NDP	National Development Plan
NDPP	National Director of Public Prosecutions
NGO	Non-Government Organisation
NHRCMRFC	National Human Rights Coordinating, Monitoring, Reporting and Follow-up Committee
NICTIP	National Inter-sectoral Committee on Trafficking in Persons
NPA	National Prosecuting Authority
NPS	National Prosecutions Service
NRSO	National Register for Sex Offenders
NSP	National Strategic Plan
OCSLA	Office of the Chief State Law Adviser
OSG	Office of the Solicitor-General
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PDI	Previously Disadvantaged Individual
PEAS	Paperless Estate Administration System

ACRONYM	MEANING
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act
PIC	Programme Implementation Committee
PLEAJ	Programme for Legal Empowerment and Access to Justice
PPPFA	Preferential Procurement Policy Framework Act
PTT	Provincial Task Team
PVS	Person Verification Services
PWD	People living With Disability
QLFS	Quarterly Labour Force Survey
QSE	Qualifying Small Enterprise
RAF	Road Accident Fund
RRM	Rapid Response Mechanism
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
SCCC	Specialised Commercial Crime Courts
SCCU	Specialised Commercial Crime Unit
SITA	State Information Technology Agency
SIU	Special Investigating Unit
SMS	Senior Management Services
SOC	Sexual Offences Court
SOGIESC	Sexual Orientation, Gender Identity, Expression and Sex Characteristics
SP	Strategic Plan
TCC	Thuthuzela Care Centre
TIP	Trafficking in Persons
TMS	Technology Management Services
TRC	Truth and Reconciliation Commission
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
WCAR	World Conference Against Racism

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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, Mr Ronald Lamola, MP;
- was developed in line with the current Strategic Plan of the Department of Justice and Constitutional Development;
- was prepared in line with the Revised Framework for Strategic Plans and Annual Performance Plans
- accurately reflects the outcomes and outputs that the Department of Justice and Constitutional Development will endeavour to achieve in 2023/24 financial year;
- is aligned with the National Development Plan 2030 and the Medium-Term Strategic Framework.

**Ms T.C Mametja**

**Signature:**



DDG: Corporate Services

**Mr R Isaacs**

**Signature:**



Acting DDG: Court Services

**Ms S Masapu**

**Signature:**



Chief State Law Adviser

**Ms P Roberts**

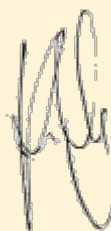
**Signature**



Acting Chief Master

**Ms K Pillay**

**Signature:**



DDG: Legislative Development

**Adv. L Lotz**

**Signature:**



Acting DDG: Constitutional Development

**Mr T. Thiti**

**Signature:**



**DDG Institutional Development & Support**

**Ms R.I. Singo**

**Signature:**



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:**

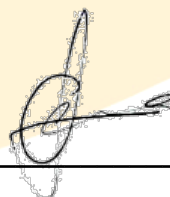


Deputy Minister: Justice and Constitutional Development

**Approved by**

**Mr R Lamola, MP**

**Signature**



Minister of Justice and Correctional Services

## FOREWORD BY THE MINISTER

The 2023/24 Annual Performance Plan (APP) afforded the Department of Justice and Constitutional Development an opportunity to review the 2019-25 Strategic Plan and all government policies relevant to the Department such as the National Strategic Plan on gender-based violence (NSP on GBV), Medium Term Strategic Framework (MTSF), the Performance Agreement I have signed with President His Excellency Cyril Matamela Ramaphosa, the 2023 State of Nation Address commitments and the Estimated National Expenditure. The purpose of the assessment was to assess progress in the implementation of the abovementioned policies and commitments as well as determine if there are any misalignments. Since this is the last APP for the term, we are committed to heightening efforts fast-track the implementation of the Medium-term Strategic Framework (MTSF) priorities that are relevant to Department of Justice and Constitutional Development and our strategic objectives over the five successive financial years are met.

Earlier this year I had the opportunity to address both the general staff and the Senior Management of the Department. The core of emphasis of my address was to highlight the importance of acting with purpose and making it our responsibility to improve our citizens' interface with the Department and by extension the government. This is what I said, "I am deeply honoured to address all of you in this building and those of us who connected. I am honoured because I am speaking directly to the government.

When people outside of our buildings and our walls speak of government it is you, they are referring to. More pointedly when people say they want the justice system to work, it is comment which is directed at you they want you to pull the strings of the system so that justice can be seen to do be done. In other words, wherever you are at a service delivery point, such as magistrate's court, or at the Masters office you and only you are the last hope for our fellow citizens. If you choose to be combative and rude, the feedback will not be Lamola is rude, it is instantly this government does not care about us. If you choose to shut the door in a widow's face, because lunch is approaching, the feedback will be this is government that does not have compassion. I am raising this because we all come from a society wherein most of us were treated like second class citizens directly and indirectly". This Department is at the center of implementing the Constitution which is meant to breathe new life into our society, it is here where society must be reconstructed.

As much as we are an intersectional Department at the heart of the dispensing justice the past four financial years we experienced many interruptions such as COVID-19 pandemic, ransom attack and now load shedding which impacted negatively the performance of the Department.

Whilst appreciating these difficulties we did not settle, the Department put a number of interventions such as the turnaround plan in order stay on course to achieve APP set targets irrespective of such interruptions. As a result of these interventions, the Department's overall performance has started to show some improvement, from 51% recorded in 2020/21 financial year to the estimated performance of above 80% in the 2022/23 financial year. This is an increase of 60% as compared to the Department overall performance recorded in 2019/20 financial year. Not only must this performance be sustained but it must also be accompanied by a positive audit outcome or unqualified audit opinion.

At the start of the sixth administration the Department's performance was very low and the management of the Department planned to implement different interventions that included a Turnaround Strategy and approved Organisational structure to ensure that it achieves and sustains unqualified audit outcome and improve its performance to above 85% by the 2022/23 financial year. Although we did not get unqualified audit, the Department has put into place the Audit Action Plan that is closely monitored to ensure mitigations.

When we conceptualised this plan, we were mindful of the impact of protracted load shedding that disrupt services delivery. However, we are putting efforts to use alternative electricity sources, modernising and digitalising the Department to ensure continuation of service delivery and to keep up with the fast growing technology. When we joined the Department in 2019, we committed to modernise and digitalise the Department. This commitment still stands and perhaps is lot more urgent, its implementation has been hamstrung by information and technology infrastructural challenges as well as the ransom attack in September 2021. This has caused a backlog on service delivery services enabled by technology and delays in the modernisation and digitalisation program. However and irrespective of such delays the Department will at the end of the term roll out , the 14 services such as Maintenance (4): application for maintenance, tracking of maintenance application status, tracking of maintenance payments, application for emolument orders; Masters (5): application for Deceased Estate, application for Trust, online appointment booking for Deceased Estate services, tracking of application status for Deceased Estate, online validation and verification of Masters documents (i.e. Letter of Authority/Letter of Executorship); Protection Orders (1): application for Domestic Violence protection orders; Expungement (1): application for expungement of criminal record; NRSO (2): application for sexual offense clearance certificate; application for removal from sexual offense cases; Civil (1): application for civil cases (including divorce) which will be available through online channels and facilities provided to 170 courts to enable virtual court proceedings. As a modernised and digitalised department we will broaden access to justice even further by making all efforts to ensure that different solutions and mobile application are put in place to make services available to people.

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 ensure that its procurement spend to advance historically disadvantaged persons by giving preference to Exempt Micro Enterprises (EME) and Qualifying Small Enterprises (QSEs).

We will continue taking into consideration the level of corruption in South Africa which is unacceptably high in both the public and private sectors including money laundering and organised crime. Money laundering is globally spreading and causing a huge harm to the society. South Africa is now under increased monitoring by the Financial Action Task Force (FATF) due to certain deficiencies in its anti-money laundering and combating the financing of terrorism. As the Department we commit to implement the FATF recommendations. The Department will also develop bills and regulations that will strengthen the anti-corruption architecture of South Africa.

The National Prosecuting Authority (NPA) plays a critical role by ensuring that fraud or corruption matters recommended for prosecution are enrolled in court rolls. Organised crime in South Africa has become a huge threat to the safety and health of people as well as the economy. As the Department we are compelled to strengthen governance, stakeholder relationships, investigations and prosecutions among other strategies or interventions to ensure the safety of our people. This includes capacitation of the Investigating Directorate (ID) which is charged with the responsibility to address matters emerging out of several public commissions of enquiry, such as the Nugent Commission, Mpati Commission and the recently concluded Judicial Commission of enquiry into allegations of fraud and corruption in the public sector.

The Department will continue to conduct public education and training sessions to enhance access to justice services. This will be conducted in collaboration with other departments and role-players on different Sexual Orientation, Gender Identity, Expression and Sex Characteristics (SOGIESC) matters to empower communities and officials at service points with the aim of enhancing, protecting and promoting the fundamental human and constitutional rights education. We will continue with the implementation of the National Strategic Plan on Gender-Based Violence and Femicide (NSP on GBVF) in order to afford greater protection, particularly to the vulnerable groups (women and children). To ensure that there is access to justice for victims of sexual offences, we will issue NRSO Clearance Certificates within 10 days from date of receipt of the application and will ensure access to justice for victims of sexual offences by maintaining a conviction rate of 70%. We will continue to coordinate and contribute to the implementation of the National Action Plan to Combat Racism, Racial

Discrimination, Xenophobia and Related Intolerance (NAP). This entails providing ongoing secretariat support to the NAP Ministerial level Governance Structure that was established to lead and coordinate the implementation of the plan, setting up the next level multi-sectoral Programme Implementation Committee that will ensure coordinated and effective implementation of the NAP and its programmes, developing a virtual repository for disaggregated statistical data for the measurement of racism, racial discrimination xenophobia and related intolerance and operationalising the rapid-response mechanism for incidents of racist and xenophobic offences or hate crime, that will be linked to an Early Warning Mechanism to be developed.

We have previously stated that 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. There are numerous pieces of legislation that were passed during the colonial and apartheid era that remain in our statute book. Although overtly discriminatory laws were repealed, there are several remaining pieces of legislation that emanate from this era. These pieces of legislation are not in keeping with our constitutional democracy and neither does it suit modern day challenges. Some of these pieces of legislation include the Trust Property Control Act, 1988 (Act No. 57 of 1988), the Riotous Assemblies Act, 1956 (Act No. 17 of 1956), the Insolvency Act, 1936 (Act No. 24 of 1936), the Criminal Procedure Act, 1977 (Act No. 51 of 1977). The statute book, therefore, should be cleansed of these pieces of legislation to align it with our constitutional democracy. We have commenced a project with the SALRC to review and replace the Criminal Procedure Act. During the 2023 legislative process, we will introduce a Bill to replace the Riotous Assemblies Act. Bills have been drafted in other areas, and these will be published for public comment during the course of 2023. In so far as the management of State Litigation is concerned, to date we have developed and implemented six policies to implement the State Attorney Amendment Act, 2014 (No. 13 of 2014) and to 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.

For the advancement of constitutionalism, human rights and the rule of law, the Department commits to have the National Framework for Participatory Democracy updated. Furthermore, the Department will commence the implementation of the Programme for Legal Empowerment and Access to Justice (PLEAJ), which is a 36-month pilot project, funded through National Treasury's General Budget Support Programme, to be implemented in a partnership with the Centre for the Advancement of Advice Community Offices of South Africa. PLEAJ's primary objectives are to provide financial support to Community Advice Offices (CAOs) to help them deliver free, basic legal advice and other required services, while employing the lessons learnt from the funding programme to develop a policy for the sustainability of the sector. In line with

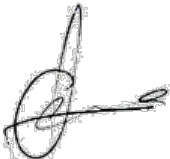


this, the Department plans for 200 Constitutional Rights Awareness sessions to be conducted in communities nearest to the CAOs funded by PLEAJ and 85% Percentage of valid requests for extradition and mutual legal assistance in criminal matters will be processed within 20 working days from the date of receipt.

As a signatory to many international and regional human rights instruments South Africa continues to comply with its obligations relating to these instruments. The Department will submit its third periodic country report under the Con International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT) to the United Nations in May 2023, and will submit its second periodic country report under African the African Charter and Human and People's Rights by the end of the financial year. As we continue the fight against corruption and transnational crime, South Africa continues to strengthen its bilateral relations, and actively participates at various multilateral international fora to strengthen international cooperation.

The plan is conceptualised after the Department has just held the National Conference to commemorate the 25th anniversary of the Constitution and review how far we have come as a nation in achieving the ideals of the Constitution. The commemoration will be used as a base for the 30 years of celebrating democracy.

It is my pleasure to endorse the APP of the Department of Justice and Constitutional Development for the 2023/24 financial year.

A handwritten signature in black ink, appearing to be 'R Lamola', with a stylized flourish at the end.

**Mr R Lamola, (MP)**

**Minister of Justice and Correctional Services**

## FOREWORD BY THE DEPUTY MINISTER

As we enter the last year of the current Administration, there is a renewed commitment and sense of urgency to finalize and complete all the outstanding initiatives and programmes which we had undertaken to do when we took office in 2019.

Service delivery and access to justice for all remain an utmost priority for our Department and therefore we continue to support and strengthen our Magistrates Courts as best we can.

Our Magistrates Court face a number of challenges on a daily basis. These contribute to backlog cases. There is the well-known saying that “justice delayed is justice denied” and therefore we need to continue to focus on eradicating the backlogs.

Backlog cases are cases which are on the roll for more than six months in the District Courts and more than nine months in the Regional Courts. There are many different reasons why cases are postponed, such as loadshedding, water outages, foreign interpretation services, postponements for further police investigations, outstanding DNA reports, plea and trial, malfunctioning court equipment and other factors. Some of these factors fall within the area of responsibility of our Department, whilst others are the responsibility of other criminal justice stakeholders.

All of these postponement factors are continuously being tracked and monitored so that appropriate interventions can be made and where these factors are the responsibility of the Department of Justice and Constitutional Development we are indeed improving.

For example, to combat the challenges of loadshedding and water outages, the Department has introduced a National Facilities Project for the installation of inverters, generators, solar systems, boreholes and water tanks in our courts. We have also requested that measures be put in place so that loadshedding takes place outside court hours and court days, so as to not interrupt justice services.

With regards to repairs to court equipment, a contract for the repairs of equipment was secured with specified turnaround time for such repairs. Weekly progress meetings are held with the relevant stakeholders to manage all outstanding repairs.

A number of inter-disciplinary governance structures of court role-players exist at different court levels to create an integrative response to the elimination of backlog cases - of sexual offences, in particular. Special attention is being given to provinces, and specific courts, which have the highest number of backlogs.

Another aspect which is crucial to the work of the Department is its legislative programme. In the coming financial year, we aim to introduce the following critical Bills -

- The Decriminalisation of Sex Work Bill – known as Criminal Law (Sexual Offences and Related Matters) Amendment Bill - which aims to decriminalise sex work, which is in-line with the National Strategic Plan on Gender-Based Violence as well as with the South African National Aids Council (SANAC) National Sex Worker Health Plan.

- The International Co-operation in Criminal Matters Amendment Bill which seeks to create a legislative framework in terms of which South Africa may also provide mutual assistance to international entities in criminal matters, to ensure that our domestic law provides certainty in giving effect to our international obligations.
- The Extradition Bill, which aims to modernise the entire current Extradition Act.
- The Criminal Law Amendment Bill, to be called Conspiracy, Instigation and Incitement to Commit Offence Bill, which will repeal the Riotous Assemblies Act, which the Constitutional Court described as a remnant of the apartheid era in the *Economic Freedom Fighters v The Minister of Justice* judgment.
- The National Prosecuting Authority Amendment Bill which will aim to establish the Investigating Directorate: Corruption as a permanent unit within the National Prosecuting Authority.

These Bills, once introduced, will all play a pivotal role creating safer communities and strengthening our criminal justice system.

Our Department is also, as was stated by the President of the Republic of South Africa in his State of the Nation Address, tirelessly working to capacitate the Witness Protection Unit and to introduce amendments to the Protected Disclosures Act, 2000 and the Witness Protection Act, 1998 to strengthen protection for whistle-blowers. Work is also already underway to improve access to the witness protection programme for public servants that expose maladministration, corruption and unethical conduct.



**John Jeffery, MP**

**Deputy Minister: Justice and Constitutional Development**

## FOREWORD BY THE DIRECTOR-GENERAL

The 2023/24 financial year marks the final year of the 6<sup>th</sup> administration, however, most importantly it forms the foundation for the 7<sup>th</sup> administration. This financial year calls for reflection on the commitments made in the 2019-24 Medium Term Strategic Framework (MTSF), 2019-24 Strategic Plan for the Department of Justice & Constitutional Development, and other relevant government priorities. The unprecedented times of COVID-19 called for the revision and reprioritisation of key priorities in the MTSF. It is no doubt that the deleterious impact of COVID-19 destabilised the justice system in the country, however greater strides were made to ensure that access to justice remains uncompromised.

The Department supports the realisation of National Priority 6: Social Cohesion and Safe Communities and has included the indicators set out in the MTSF in its 2023/24 Annual Performance Plan (APP). Through this APP, the Department is committing to several key deliverables for the financial year.

COVID-19 reaffirmed the urgent need to modernise the justice service and therefore this remains the key strategic focus for the Department. We do acknowledge the slow pace of modernisation and that has been largely attributed to several challenges which include aging our aging IT infrastructure. The process to upgrade the IT infrastructure is already underway to ensure that justice services are modernised to increase access. To this day, the Department has automated 6 of its services. This financial year, the plan is to automate additional 8 services and roll out Court Audio Visual Solution to 170 Courtrooms which will enable court proceedings such as testifying and interpreting to be done virtually.

The fight against Gender-Based Violence and Femicide (GBVF) and attacks and unfair discrimination directed at people from the LGBTIQ Plus communities remains at the top of the Department's agenda. Sexual attacks and murder of women, children and all other vulnerable persons have risen drastically, something which we have at all times indicated cannot be tolerated in this country. To address these obnoxious acts, the Department will continue to implement the Gender-based Violence and Femicide National Strategic Plan (GBVF-NSP) as well as the three GBV Acts (Criminal and Related Matters Amendment Act, 2021 (Act No 12 of 2021), Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2021 (Act No 13 of 202) & The Domestic Violence Amendment Act, 2021 (Act No 14 of 2021)). The Domestic Violence Amendment Act, 2021 (Act No 14 of 2021) will be brought into effect from 01 April 2023. The Minister will also designate 14 sexual offences courts and strengthen the NRSO machinery to protect women and children against sexual predators and strengthen the national and provincial structures to promptly respond to any form of an attack against the LGBTIQ Plus communities.

To strengthen the fight against racism, racial discrimination, xenophobia and related Intolerance, the Department will continue to implement the deliverables of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP).

Increasing access to Masters' Services continues to be the pivotal focus for the Department. The aim is to ensure that the services offered by the Masters' Office meet the needs of the public and are easily accessible without one having to directly visit the office. For this financial year, the plan is to ensure that the Online Deceased Estates and Trust are fully functional and that PEAS and MOVIT are further rolled out to more service points.

The Department remains resolutely committed to fighting crime and corruption through effective prosecution at various court levels. In giving effect to the Zondo Commission report, the NPA has enrolled 32 state capture and corruption cases to date. Additional 12 state capture cases will be enrolled during this financial year.

The Department will continue to implement the policies to operationalise the State Attorney Amendment Act of 2014. The intention is to transform the state legal services predominantly around the coordination of state litigation, reduction of state legal fees as well as the overall management and reduction of the state contingent liability register.

The review of justice-related colonial and apartheid-era legislation will continue in 2023/24 financial. This is in line with redressing the apartheid legacy thereby ensuring equal access to justice services for all including vulnerable groups.

In working towards transforming the Criminal Justice System of the country, the Department has completed 27 KPI on the Integrated Justice System dashboard and has maintained connectivity and exchange of information with 11 member departments/entities. In the current financial year, the Department will complete the final KPI on the Integrated Justice System dashboard.

The Department's turnaround plan has been instrumental in improving the performance thereby addressing issues raised by the Auditor General of South Africa. However, it should be borne in mind that the ultimate aim of the Department is not only to obtain a clean audit but to improve performance coupled with a high level of satisfaction from the people who consume our services.

As a Department, we have a role to play in building a capable, ethical and developmental state. Several interventions are put in place to capacitate and support officials in the Department to be able to do their jobs, including the provision of specialised training programmes which are offered by the Justice College.

The year 2023 marks 26 years of existence of the Constitution of South Africa. The Department will use this opportunity to not only celebrate the milestone but to also prepare for the celebration of 30 years of democracy which will take place in 2024.

The impact that the Department desire to achieve of improved public perception, confidence in the justice system and respect for the rule of law is strongly dependent on its ability to effectively and efficiently provide justice services to the public and bringing to book those who are found to be on the wrong side of the law. Concerted efforts will be made to ensure that this is realised.

As we start the final year of the current administration of government, we are of the conviction that the implementation of the Annual Performance Plan 2023/24 of the Department of Justice and Constitutional Development will continue to contribute to the 2030 vision of building safer communities and fighting corruption.

My greatest appreciation goes to the Minister of Justice Mr. Ronald Lamola and the Deputy Minister Mr. John Jeffery for their continuous support and leadership. Of course not forgetting the senior management of the Department and the rest of the staff for their commitment and dedication.

It remains an honour for us as the senior management of the Department to have been given an opportunity to serve our beloved country.



**Adv. D. Mashabane**

**Director General for the Department of Justice and Constitutional Development**

## INTRODUCTION

The Department of Justice and Constitutional Development (DoJ&CD) held its strategic planning session from 10-12 October 2022. The purpose of these session was to review the Department's Strategic Plan (SP) and the Annual Performance Plan (APP). 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 session, the Department's impact statement, outcomes, outcome indicators and key performance indicators were reviewed.

The revision of the SP and APP was prepared in line with the revised 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 DoJ&CD has developed ten (10) departmental outcomes statements. The outcome statements are:

Outcome 1: Modernised and digitised justice services platforms

Outcome 2: Improved organisational capabilities and good governance

Outcome 3: Improved awareness of justice services and constitutionalism

Outcome 4: Increased access to justice services

Outcome 5: Improved and transformed Masters services

Outcome 6: Colonial/apartheid era justice related legislation reviewed and replaced

Outcome 7: Transformed state legal services

Outcome 8: Transformed legal profession

Outcome 9: Advanced constitutionalism, human rights and the rule of law

Outcome 10: 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 2,3, 5, 6, 7, 8, 9 and 10
- 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 has included outcomes and indicators in its SP and in this APP 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 medium-term, 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 Services
- 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 SP.

## **PART A: OUR MANDATE**

### **1. Updates to the relevant legislative and policy mandates**

#### **1.1 Constitutional mandate**

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"

#### **1.2 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:

**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)

**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)

**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)

**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).

**Legislation providing for the administration of estates:**

- (a) Insolvency Act, 1936 (Act No. 24 of 1936)
- (b) Administration of Estates Act, 1965 (Act No. 66 of 1985)
- (c) Trust Property Control Act, 1988 (Act No. 57 of 1988)
- (d) Intestate Succession Act, 1987 (Act 81 of 1987)
- (e) Wills Act, 1953 (Act 7 of 1953)
- (f) Companies Act 71 of 2008 incorporating Chapter XIV of the repealed Companies Act 61 of 1973
- (g) Mental Health Care Act 17 of 2002

**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)

**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)
- (d) Protection of Personal Information Act, 2013 (Act No. 4 of 2013)

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

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

**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)

**Legislation providing for the best interests of children in divorce, children whose parents are married or living together but separated, matters of children born outside wedlock, guardianship, parental rights and responsibilities.**

- (a) Section 28 of the Constitution of the Republic of South Africa No. 108 of 1996;
- (b) Mediation in Certain Divorce Matters Act 24 of 1987 has been further extended by the following legislation, which has not been costed at promulgation and still so remains:
- (c) The Recognition of Customary Marriages Act 120 of 1998;
- (d) The Divorce Act No. 70 of 1979 (as amended);
- (e) Maintenance Act 99 of 1998 (as amended);
- (f) Domestic Violence Act 116 of 1998 (as amended);
- (g) Jurisdiction of Regional Court Amendment Act 31 of 2008;

### **1.3 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:

#### **List of policies:**

- (a) Policy on Judicial Governance and Court Administration
- (b) Court Interpretation Foreign Language Policy
- (c) Guidelines on the appointment of acting Judges in the Republic of South Africa
- (d) Policy on Insolvency
- (e) National Policy Framework on the Prevention and Combating of Trafficking in Persons
- (f) National Intervention Strategy on the Promotion and Protection of the Rights of LGBTIQ+ persons

#### **Some of the Bills that the Department plans to introduce into Parliament during the MTSP period<sup>1</sup>:**

- (a) The Regulation of Interception of Communications and Provision of Communication Related Information Amendment Bill
- (b) Judicial Matters Amendment Bill
- (c) Decriminalisation of Sex Work Bill [Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill]
- (d) The International Co-operation in Criminal Matters Amendment Bill
- (e) Extradition Bill
- (f) Conspiracy, Instigation and Incitement to Commit Serious Offence Bill
- (g) National Prosecuting Authority Amendment Bill

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<sup>1</sup> This will run on a normal calendar months from January to December.

## **1.4 Updates to relevant Court Rulings**

### **1.4.1 Women's Legal Centre Trust v President of the Republic of South Africa and Others [2022] ZACC 23**

On 28 June 2022, the Constitutional Court of South Africa handed down judgment in the above matter. This judgment recognises the validity of Muslim marriages and protects the rights of people who marry according to Muslim rites, especially women, and the children born of these unions.

The Constitutional Court found that the Marriage Act, 1961 (Act No. 25 of 1961) (the Marriage Act), and the Divorce Act, 1979 (Act No. 70 of 1979) (the Divorce Act), are inconsistent with rights entrenched in the Constitution of the Republic of South Africa, 1996 (the Constitution) as they fail to recognise marriages solemnised in terms of Sharia law (Muslim marriages), which have not been registered as civil marriages (as valid marriages) and to regulate the consequences of such recognition.

The upshot of the Court's finding is that the Marriage Act and Divorce Act unfairly discriminated between people who marry in terms of the Marriage Act and people who marry according to Muslim rites, because it deprives Muslim women and their children of the remedies and protections that they would be afforded if the marriage had been concluded in terms of the Marriage Act. The President, Cabinet and Parliament were given 24 months to remedy the defective Acts by either amending existing legislation or initiating and passing new legislation.

Pending the finalisation of this legislative process, the following regime will apply in the interim to Muslim marriages:

Muslim marriages subsisting at 15 December 2014 (being the date when this action was initially instituted in the High Court) or which had been terminated in terms of Sharia law as at 15 December 2014, but in respect of which legal proceedings have been instituted but not been finally determined as at 28 June 2022 (the date of the judgment), may be dissolved in accordance with the Divorce Act as follows –

- (i) All the provisions of the Divorce Act shall be applicable but Muslim marriages will be treated as if they are out of community of property (except where there are agreements to the contrary).
- (ii) Section 7(3) of Divorce Act shall apply to such a union regardless of when it was concluded.
- (iii) Where a husband is a spouse in more than one Muslim marriage, the court will consider all relevant factors and make any equitable order it deems just and may, mero motu, order the joinder of an interested party.
- (iv) From 28 June 2022, section 12(2) of the Children's Act, 2005 (Act No. 38 of 2005), applies to a prospective spouse in a Muslim marriage concluded after that date and for this purpose, the provisions of sections 3(1)(a), 3(3)(a) and 3(3)(b), 3(4)(a) and 3(4)(b), and 3(5) of the



Recognition of Customary Marriages Act, 1998 (Act No. 120 of 1998), shall apply, mutatis mutandis, to Muslim marriages.

#### **1.4.2 Relebohile Cecilia Rafoneke and others v Minister of Justice and Correctional Services and Others [2022] ZACC 29**

The applicants have challenged the constitutionality of section 24(2) of the Legal Practice Act, 2014 (Act No. 28 of 2014) (the LPA), to the extent that it precluded foreign national who are neither citizens of South Africa or permanent residents from being admitted and enrolled as non-practising legal practitioners. The applicants are either Lesotho or Zimbabwean nationals who have satisfied all the requirements for admission and enrolment as legal practitioners in terms of section 24(2) of the LPA, save for the citizenship and/or permanent residence requirement.

In a unanimous judgment, the Constitutional Court held that Section 22 of the Constitution preserves the rights of citizens to choose their trade, occupation or profession freely and that it also empowers the State to enact legislation to regulate freedom of trade, occupation and profession. The Constitutional Court held that section 24(2) of the LPA is legislation that regulates the practice, legally related occupations and the profession in general. The Court reasoned that through the enactment of section 24(2) of the LPA, the regulatory competence of the state has been exercised in a manner that is consistent with a citizen's right to choose their profession. The Court concluded that the regulatory competence exercised cannot be said to extend to non-citizens and their choice of profession. The Court held that the fact that non-citizens do not have rights that accrue under section 22, does not mean they are not entitled to enter into certain categories of professions in South Africa.

The Court held that the differentiation between citizens and permanent residents on the one hand and foreign nationals on the other, does not amount to discrimination which is unfair. The Court held that citizenship is not one of the listed grounds in section 9(3) of the Constitution nor was the Court convinced that citizenship may be classified as falling under the listed ground of social origin. The Court held that the limitation created by section 24(2) is narrowly tailored to the admission of legal practitioners and does not operate as a blanket ban to employment in the profession. It further does not fall within a sphere of activity protected by a constitutional right available to foreign nationals such as the applicants. As a result, the Constitutional Court dismissed the application of constitutional invalidity on its merits.

#### **1.4.3 Centre for Child Law v Director of Public Prosecutions, Johannesburg and Others [2022] ZACC 35**

This matter stems from a special review concerning 4 minor children who tested positive for cannabis during a school-sanctioned drug test. During the proceedings, the High Court of South Africa, Gauteng Local Division, Johannesburg (the High Court) considered the question of the constitutionality of section 4(b) of the Drugs and Drugs Trafficking Act, 1992 (Act No. 140 of 1992) (the Drugs Act), to the extent that it criminalises the use and/or possession of cannabis by a child. On 31 July 2020, the High Court handed down judgment, in which it held that because Minister of Justice and Constitutional

Development and Others v Prince [2018] ZACC 30) (the Prince matter), does not apply to children, they are left in a position where they are treated as criminals and criminally prosecuted for behaviour, whereas adults are not held criminally liable. The High Court further held that the impugned provision singles out the child and amounts to unfair discrimination.

The Constitutional Court considered the following three issues:

- (a) Whether the Constitutional Court should follow the same approach as in the Prince matter considering the constitutional invalidity of section 4(b) of the Drugs Act to the extent that it criminalises the use and/or possession of cannabis by a child;
- (b) the impact of the criminalisation on a child; and
- (c) whether the criminalisation places any limitation on a child's right, and if so, whether the limitation is justified in terms of section 36 of the Constitution.

The Constitutional Court emphasised that the matter before it was about the consequences of the use and/or possession of cannabis by a child and whether those consequences should be located in the criminal justice system which is different from what was decided in the Prince matter. The Constitutional Court held that the legalisation of private possession and/or use of cannabis by an adult does not require the use and/or possession of cannabis by a child also to be legalised, but rather that it must be decriminalised. Moreover, the reasoning in the Prince matter should not be imported to this judgment without cognisance of the difference between an adult and a child. The Constitutional Court made it clear that this case does not concern the legalisation and condonation of the use and/or possession of cannabis by a child.

The Constitutional Court handed down judgment on 29 September 2022. The CC confirmed the High Court's order in which section 4(b) of the Drugs Act was declared unconstitutional to the extent that it criminalises the use and/or possession of cannabis by a child. The operation of the order was suspended for a period of 24 months to enable Parliament to finalise the legislative reform process. During the period of suspension, no child may be arrested and/or prosecuted and/or diverted for contravening section 4(b) of the Drugs Act insofar as it criminalises the use and/or possession of cannabis by a child. A child apprehended for the use and/or possession of cannabis may be referred to civil process, including those found in the Children's Act, 2005 and the Prevention of and Treatment of Substance Abuse Act, 2008. Where a court has convicted a child of contravention of section 4(b) for the use and/or possession of cannabis, the criminal record containing the conviction and sentence in question of that child in respect of that offence may, on application, be expunged by the Director-General: Justice and Constitutional Development or the Director-General: Social Development or the Minister of Justice, as the case may be, in accordance with section 87 of the Child Justice Act, 2008. If administrative or practical problems arise in the implementation of paragraph 5 of the order, any interested person may approach the High Court for appropriate relief.

## **PART B: OUR STRATEGIC FOCUS**

### **2. Vision**

An accessible justice system in a vibrant and evolving constitutional democracy

### **3. Mission**

- To enable Access to Justice
- To promote Constitutionalism, Rule of Law, Respect for Human Rights and
- To coordinate the State Litigation and Legal Advisory Services

### **4. Values**

- Batho Pele
- Ubuntu
- Patriotism
- Social Justice
- Human Rights
- Good Governance
- Collegiality

### **5. Updated Situational Analysis**

#### **5.1 The Strategic focus over the medium term for the Department**

**Constitutionalism, respect for Human Rights and the rule of law:** during the past two years the Department has been actively leading the programme on the celebration of the 25<sup>th</sup> anniversary of the Constitution, which included conducting several planned activities, as well as the commemoration of key milestone to reignite the common vision for unity in diversity and strengthen the culture of respect for human rights and the rule of law in South Africa. Some of these activities included provincial dialogues which culminated into the National Conference on the Constitution: Reflections on the Constitution and the Road Ahead: under the theme: “Rule of law, accountability, social and economic justice”, held in 2022/2023 financial year.

The next milestone ahead of the country is 30 years of constitutional democracy which the department intends to commemorate with build-up activities throughout 2023/2024.

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 these instruments. Over the

medium term, the Department will table country reports in compliance with its international obligations arising out of core human rights treaties such as the African Charter on Human and People's Rights (ACHPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); the International Convention Against Torture and Other Cruel or Degrading Treatment or Punishment (CAT).

**International and regional treaty obligations:** The Department has submitted its fourth Universal Periodic Review (UPR) country report to the United Nations in line with its international reporting obligations, and successfully led an interdepartmental team that presented the report at the United Nations Human Rights Council Working Group in November 2022 . The report of the working group together with South Africa's addendum on the UPR recommendations were adopted on the 28 March 2023. The DoJ&CD will lead the implementations of the recommendations that enjoy the support of the government.

The Department is currently finalising the country report on the International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT) due to be submitted to the United Nations in May 2023. The Department tabled the Convention on the Suppression and Punishment of the Crime of Apartheid (ICSPCA) and International Convention for the Protection of All Persons from Enforced Disappearance (CPED) in Parliament in 2022 and is currently awaiting confirmation of approval and shall transmit the ratification instruments to the UN. During this financial year , the Department will embark on the process of acceding to the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial matters (Hague Judgement Convention).

To improve compliance with international and regional treaty obligations, the Department will table in Cabinet for approval the Terms of Reference establishing the National Human Rights Coordinating, Monitoring, Reporting and Follow-up Committee (NHRCMRFC) in South Africa. This Committee will serve as a national public mechanism or structure that is mandated to coordinate the preparation of reports, engage with international and regional human rights mechanisms (including international and regional treaty bodies, the UPR and special procedures) and coordinate and track national follow-up and implementation of the treaty obligations and the recommendations emanating from these mechanisms.

**Extradition and Mutual Legal Assistance:** The Department will continue to review, modernise and improve the Extradition regime and the Mutual legal assistance framework to strengthen effectiveness and enhance collaboration with other States and entities in the fight against crime. The re-established Inter-departmental Committee on Extradition and Mutual Legal Assistance, led by the Department, will assist in improving coordination between all the relevant stakeholders. The Department will introduce amendments to the Extradition Act and continue to process and finalise bilateral agreements on extradition and mutual legal assistance in criminal matters under negotiation with various countries, and prioritise the relevant recommendations from FATF in this regard.

**Programme for Legal Empowerment and Access to Justice (PLEAJ):** The Department contribute towards the Government of South Africa's programmes for eradicating poverty, promoting inclusive growth, reducing inequality, and improving access to justice to vulnerable, rural communities through the implementation of the PLEAJ programme. The programme is aimed at ensuring that vulnerable and marginalised, rural communities in selected provinces have access to free basic legal advice and other services offered by community advice offices; possess broad knowledge of their constitutional rights and participate effectively as active citizens towards their socio-economic development.

The programme will be piloted in a 3 years project and will be funded through National Treasury's General Budget Support Programme. The implementation will be done in partnership with the Department and the Centre for the Advancement of Advice Community Offices of South Africa. For the current financial year, the Department will provide financial support to 50 Community Advice Offices to deliver free basic advice services. The funded Community Advice Offices will conduct constitutional rights awareness/education sessions in their respective provinces.

**National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP):** As the NAP focal agency, the Department will continue with the implementation of the NAP deliverables, which includes the development of a virtual repository for the collection of disaggregated statistical data for the measurement of racism, racial discrimination, xenophobia and related intolerance. During the previous financial year, the Department hosted a National Conference to commemorate the 20th Anniversary of the World Conference Against Racism (WCAR20), on 23-24 May 2022, under the Theme: "Progress made towards the implementation of the Durban Declaration and Programme of Action (DDPA) on the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance in South Africa – reflecting on the WCAR20, in the context of the 25th anniversary of the Constitution". The conference highlighted various recommendations for consideration in further implementation of the DDPA on a domestic level to ensure effective implementation of the NAP.

The Rapid Response Mechanism (RRM) to respond to incidents of racist and xenophobic offences/hate crimes in support of the NAP, as well as the Rapid Response Task Team was established during 2022. In 2023/24 the Department will conduct 6 sustained and visible anti-xenophobia campaigns in collaboration with other departments and role-players. The Minister will continue to chair the Apex structure that is currently composed of 8 other Ministers. In addition, Technical Task Teams that report to the NAP Programme Implementation Committee (PIC) and support the implementation of various NAP anti-discrimination programmes will be established according to the thematic areas such as: Implementation of the NAP; Data User Group on the methods of data collection on incidents of racism, racial discrimination, xenophobia and related intolerance and Monitoring and evaluation (international and national reporting).

The DoJ&CD will continue to be responsible for providing secretariat services for all levels of the NAP Governance Structures. It will also continue to conduct anti-discrimination programmes in collaboration with key stakeholders and partners to promote awareness of the NAP and anti-discrimination issues.

**Review of justice-related colonial and apartheid era legislation:** The Department will continue with 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 for all, so as to create a transformed society which is freed from the divisions of the past. The Department will further ensure that all pieces of legislation declared to be inconsistent with the Constitution are amended within the deadlines set by the Constitutional Court.

**Budget Prioritisation Framework (BPF):** The 2023/24 BPF outlines key government priorities and commitments. The BPF sets out four pillars and interventions which are geared towards achieving stabilisation, recovery and reconstruction. The Department of Justice and Constitutional Development contributes to Pillar four “*A capable state to deliver*” which aims to enhance the state's capacity to deliver. In response to the interventions set out in Pillar 4 of the BPF the Department will do the following:

- **Gender-Based Violence and Femicide (GBVF):** Over the MTEF period, the Department will focus on addressing the scourge of GBVF against all vulnerable persons. The rampant sexual attack on innocent women and children have gone beyond tolerable levels in our country. Women and children cannot walk freely as they live under constant fear of rape and murder. According to the South African Police Services crime statistics report for the third quarter of 2022, the rate in rape increased by 9.8% as compared to the third quarter of 2021. The murder rate increased by 10% in the third quarter of 2022 as compared to third quarter of 2021. This is despite the fact that rape is believed to be underreported for various reasons. In 2022/23 financial year, 2 of the 3 GBV Amendment Acts became operational, i.e. the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act, 2021 (Act No 13 of 2021) became operational on 31 July 2021, whilst the Criminal and Related Matters Amendment Act, 2021 (Act No 12 of 2021) was operational on 5 August 2022. It is anticipated that the date of commencement for the implementation of the Domestic Violence Amendment Act, 2021 (Act No 14 of 2021) will be fixed early in 2023/2024 financial year. The Department has advanced in the execution of its plan towards achieving readiness for the implementation of the Domestic Violence Amendment Act. The training of our administrative court personnel on this Act and its amended Regulations is ongoing. The Domestic Violence Process Maps have been developed to give our clerks a step-by-step guide when processing applications for protection orders. As indicated above, Phase 1 of the development of the Online Web Portal for Applications for Protection Order has been finalised to ensure the provision of administrative functions in the processing of these applications. With this solution in place, our courts will be able receive online applications for protection orders. The aim is to provide remote services to survivors who prefer not to physically come to court. Phase 2 of this online solution is planned to provide end-to-end administrative and judicial functions in the processing of the protection



orders, and is expected to be finalised in 2023/ 24 financial year. It must be noted that the 3 GBV Amendment Acts are the Department's progressive achievements of the GBVF NSP Pillar 3 indicators.

The Governance, Public Safety, and Justice Survey<sup>2</sup>, conducted in 2020/21 financial year also found that majority of South African citizens are of the view that GBVF has either increased or stayed the same<sup>3</sup>. The Survey also found that the three leading groups of perpetrators of acts of GBVF are known to the victims. These are spouse or intimate partner, previous partner and relative or family member that is not part of the household. Addictions or substance/alcohol abuse was identified as the leading cause of violence against women and children, followed by financial stress, unemployment and relationship/family/marital issues<sup>4</sup>.

In an effort to address the scourge of GBVF the government has introduced National Strategic Plan (NSP) on GBVF. The strategy seeks to address the needs and challenges faced by all, especially women across age, sexual orientation, sexual and gender identities and specific groups such as elderly women, women who live with a disability, migrant women and trans women, affected and impacted by the gender-based violence. During the 2022/23 financial year, the Department commenced with the amendment of section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No.32 of 2007) to permit the designation of sexual offences courts. The NRSO machinery is functioning to protect all vulnerable persons against sexual predators. The services will be decentralised to the 9 provincial offices to bring justice services closer to the people and issue clearance certificates within 10 working days for all new applications received.

However, the Department still has backlog on applications for clearance certificates that were received and not processed in the previous financial year and those received when the NRSO system was still under development. Discussions with key departments dealing with vulnerable persons have been held to request them to submit applications for the clearance certificates before appointments of staff is concluded.

- **Modernisation and digitisation to increase access to justice services:** Modernisation and digitisation will still be the key strategic focus during this strategic plan cycle for the improvement of the quality and speed-up of the provision of services. In 2021/22 the Department developed and piloted Phase 1 of the solutions that will provide the following online services, namely, Maintenance, Trust, Expungement, Deceased Estate, and NRSO. Phase 1 of the online services will enable clients to do online registration and application submission.

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2 The Governance, Public Safety, and Justice Survey is an updated version of the previous long-running Victims of Crime Survey designed to include themes on governance (Statistics South Africa, 2022).

3 Statistics South Africa. (2022). Governance, Public Safety, and Justice Survey.

4 Statistics South Africa. (2022). Governance, Public Safety, and Justice Survey.



During the same period, Protection Order online services was developed and tested, however, the piloting did not take place as planned due to the pending commencement date for the implementation of Domestic Violence Amendment Act 2021 (Act 14 of 2021) which is planned to be set in April 2023.. It is therefore anticipated that that Phase 1 of online services for the application of protection order will commence in Quarter 1 of 2023/24 financial year. In the 2023/24 financial year, the Department further plans to develop Phase 2 of the above mentioned online services to include transacting capabilities. Parallel to the institution of this Phase 2 will be the development of the Integrated Electronic Repository (IER) for the Domestic Violence Protection Orders. The establishment of the IER is planned to take a phased-in approach which will commence with the upgrading of the internal system, and thereafter progress to systems integration with the external stakeholders relevant to the management of the domestic violence protection orders. Additionally, the Department is also addressing the challenges relating to the roll-out the Courts Audio-Visual Solution (CAVS) to identified courtrooms. The roll out of the court audio visual system will enable court proceedings, including testifying and interpreting, to be done virtually by the 2023/24 financial year.

- **Strengthening the fight against fraud and corruption:** Over the past two financial years, 9 Specialised Commercial Crime Courts (SCCC) were established. This is a milestone achievement since every province in the country now has at least one. In the new financial year, the Department will continue with the capacitation of SCCC established in provinces to deal with corruption and fraud cases that are continuing to grow. A separate roll of cases handled by the SCCC will be maintained. This is with a view to monitor the success of these courts as well as to make necessary interventions quickly where required.

The final instalments of the Zondo Commission reports were officially handed to the President in June 2022. In line with the reports, the Department developed and submitted to the President the plan for the implementation of the recommendations of the Commission on State Capture. Over the MTEF, the NPA will enrol 45 state capture matters.

- **Conviction rate in cable theft:** Cable theft has a significant negative impact in the economy of South Africa which costs billions. In the 2021/22 financial year the National Prosecuting Authority recorded 92% (193 out of 210 verdict cases) conviction rate in cable theft. Over the MTEF period, the NPA plan to achieve 80% conviction rate in cable theft.

**Transformation of the State Legal services:** In the previous financial year the Chief State Law Advisor was appointed to ensure the effective provision of legal advice to the national executive, and other organs of state on request. OCSLA also renders legal opinions to organs of state to help government conduct its business lawfully and avoid unnecessary litigation against it.

In 2022/23 financial year, the OCSLA certified 20 Bills, scrutinised 182 international agreements, and rendered 406 legal opinions to the national executive and other organs of state. In the new financial

year the Department will continue to certify Bills, scrutinise international agreements and render legal opinions within 30 working days from the date of receipt of instructions.

**Transformation of the State Legal services and the Legal Profession:** Various challenges/shortcomings in the management of State litigation have been highlighted through various court judgments and responses thereto have been on-going since the advent of democracy. The State Attorney Amendment Act came into effect on the 7th February 2020 giving traction to the formulation and implementation of critical policies and monitoring which are imperative to transform and rebuild the State legal services, legal profession and curb legal/litigation costs in order to fit the current constitutional setting. This in part is achievable through coherent and impactful policies that provide for the promotion of an integrated, policy driven, professional, empowering, cost-effective, efficient coordination and management of all state litigation.

There are 13 offices of State Attorney with 800 personnel reporting to the Solicitor-General, who is the Executive Officer of these offices. There are an average of 228 185 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. It is anticipated that vacant posts will be filled in the 2023/2024 financial year.

The Office of the Solicitor-General has since developed in line with the State Attorney Amendment Act, policies on the (1) Management of State Litigation; (2) State Mediation; (3) Briefing and Outsourcing of State legal work; (4) Initiating, Defending and Opposing of matters; (5) State Legal Representation; and State Litigation Contingent Liability. These policies seek to redress the imbalances of the past by transforming the state legal services as well as the legal profession; improve service delivery and stakeholder engagements; introduce uniform procedures, standards and directives in an effort to reduce the State contingent liability as well as State liability.

The aforesaid policies served, after wide consultations with various stakeholders, before the JCPS DG's and Minister's Clusters, have in the 2022/23 financial year been approved by Cabinet Committee and tabled in Parliament for noting. These policies will be implemented in the 2023/24 financial year. The implementation thereof will represent a staggered approach to transforming the state legal services as well as the legal profession in that it recognises that solutions are required to the current challenges encountered.

To standardise the procurement of state legal service, the Branch developed the Standard Operating Procedure and a Bid Evaluation criteria. The Branch was not granted extension on the deviation on procurement of legal services and by way of playing oversight role, the OSG established the National Briefing Committee in order to monitor and assess the briefing patterns issued by State Attorney Offices across the country. The committee will also provide guidelines on the criteria and processes to be followed on briefing patterns and protocols.

The Office of the Solicitor-General has, under the auspices of the Legal Practice Council, also participated in the development of the Legal Sector Code, which was published on the 20 July 2022 after Cabinet considered and granted the approval. The Legal Sector Code is intended to transform briefing patterns and protocols in both Public and Private environment and to capacitate legal practitioners. The Legal Sector Code shall therefore be applicable within the State Attorney environment and is complementary to the policy developed by the OSG relating to “Briefing and outsourcing” of state legal work. Therefore, the policies together with the directives and standards are intended to be binding measures that will professionalise the operations of State Attorneys and improve operational efficiencies and turnaround outcomes in the entire State litigation in so far as losses in courts and increasing legal costs are concerned.

**Improved and transformed Masters Services:** Masters offices successfully rolled out the Paperless Estates Administration System (PEAS). This is being used by all 15 Masters’ offices countrywide, as well as 290 magistrates’ offices linked with the relevant Masters’ offices. Further rollout of the PEAS and MOVIT in 2023/24, to more service points, will ensure that citizens receive the same quality of Masters’ services within Magistrates’ Courts, and can lodge their Guardian’s Fund applications in the area where they reside, without the need to travel long distances.

The Guardian’s Fund maintained a clean audit for the 2021/22 financial year. The Guardian’s Fund has grown exponentially by approximately 35% over the past 5 years and it is now the custodian of over 800 000 beneficiaries administering approximately R17 billion on behalf of beneficiaries. There needs to be considerable investment into systems and personnel, to ensure the continued safeguarding of funds as well as service delivery to the beneficiaries.

A new administration system and financial system for the Guardian’s Fund is being developed together with ISM. The development commenced in the 2021/22 financial year and it is envisaged that it will be finalised and the system rolled out in the 2023/2024 financial year. The new system will be a full financial system which will ensure accurate financial statements and management. The move to a fully financial system will guarantee accurate records and reports while simplifying processes of the Master’s office in Guardian’s Fund matters.

The Masters office has been in the forefront of automation with regards to deceased estates and trusts.

Development of the Master’s online Deceased estates and Trusts systems provides for a modernized and digitized Masters services platform and easy access to all. The online deceased estates registration will cut across the population as both rich and poor would and are affected by death. The development and roll out of online registrations 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.

An SMS functionality has been created in the ICMS system used by the Master to register estates and trusts. This entails that an SMS goes out to the applicant the moment the estate has been registered, when a query sheet for outstanding requirements have been issued and when the appointment has been issued and is ready for collection. This will reduce unnecessary visits, correspondence and phone calls to the offices and also give the applicants peace of mind that their matter has and is being attended to.

The process to revisit and amend the Administration of Estates Act 66 of 1965, in totality to allow for modernization and keeping up with electronic developments in the country, which was not available at the time the Act was last amended, has already started in the 2021/22 financial year and is set to continue in the 2023/24 financial year. Due processes to be followed in Legislation amendments will be adhered to however, owing to the lengthy nature of the such processes, sufficient time must be allowed for all engagements and approvals.

The process to revisit and amend the Trust Property Control Act 57 of 1988, in totality to allow for modernization and more control by the Master is already in an advanced stage. This new Trust Bill will also assist in the rating of the country in the next Country Peer review as it will allow the Master to obtain and keep more of the information needed to curb fraud and money laundering through possible beneficial ownerships.

**Improve performance and Audit outcome.** The Department has put the improvement of audit outcomes as pillar 8 in its turnaround plan. The 2021/2022 financial year began with building the capacity to address financial management internal control deficiencies which contributed to the qualification on contingent liability over the years. In the new year the Department will build on the previous year's improvement by putting a system in place and scanning of supporting documents to gradually eliminate the manual process which results in errors and delays in collecting revenue due to the Department for the services rendered.

**Procurement from designated groups:** 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).

**Trafficking in Persons (TIP):** South Africa's response to trafficking in persons is at a critical juncture where a National Policy Framework (NPF) and Implementation Plan on TIP have been finalised by the Department. The NPF seeks to ensure all government departments and other engaged stakeholders from civil society are collectively coordinated in the implementation of anti-trafficking responses and of their statutory responsibilities. In particular, the NPF intends to support the implementation of the Prevention and Combating of Trafficking in Persons, 2013 (Act No. 7 of 2013) which aims to ensure that the criminal justice system is effective in prosecuting the criminals and protects the victims of trafficking in persons, promoting a cooperative and aligned response among all government

departments, as well as with civil society organizations engaged in assisting and supporting trafficked persons. In order to fight this scourge, the Department will work with other departments and organizations to raise awareness and educate the public against trafficking under the auspices of the National Intersectoral Committee on Trafficking in Persons (NICTIP). The campaigns will focus on schools, unions and public transport ranks to encourage communities to report suspicious activities to the law enforcement authorities.

**LGBTIQ+:** Our society continues to unfairly discriminate against people from the LGBTIQ Plus communities. Others have also been fatally attacked for simply being of a different sexual orientation or being more comfortable with a difference gender identity. We will seek better and more protection for such vulnerable people by pursuing legislative amendments to criminalize hate speech and conduct. Our national and provincial structures working within this sector of society will be strengthened to respond promptly any attacks against the LGBTIQ Plus community. Within the department, our employment policies will be revised to deliberately target the employment of people from of different sexual orientation, gender identity or expression so that they are integrated into the mainstream of work. In the 2023/24 financial year, the department will implement interventions to strengthen the effectiveness of the established Provincial Task Teams and train officials at service points on LGBTIQ plus matters to address the issue of secondary victimization experienced by victims of hate crime and unfair discrimination. In the 2023/24 financial year, the Department will implement interventions to strengthen the effectiveness of the established Provincial Task Teams and train officials at service points on SOGIESC matters to address issues of secondary victimization experienced by victims of hate crime and unfair discrimination.

**Increase access to justice services:** The court system that existed in South Africa prior to the democratic dispensation was largely still intact. In our quest to undo the Colonial and apartheid based courts jurisdictions and to increase access to justice for the previously marginalised communities, the Department commenced much earlier in the MTSF period to convert branch courts into full service courts and to rationalise the areas of jurisdictions of the magisterial districts and the alignment thereof with the District Development Model (DDM) . The implementation of this transformative process started in earnest in 2014 and was completed on 31 March 2022, . What remains is to re-align within a few provinces and conclude the process. In line with the the rationalised magisterial districts, a Committee has been established to look into the rationalisation of the Judicial establishments of the lower courts, . Similarly,, the Minister appointed a Committee chaired by Justice Dikgang Moseneke, to investigate and make recommendations regarding how the areas of jurisdiction of the the High Courts and their judicial establishments can be rationalised with a view to resolving the unjust situation and comply with the constitutional injunction to rationalise the jurisdictions of all courts and to establish a judicial system suited to the requirements of the Constitution. Increasing physical access to justice services will be done through refurbishment of court facilities through minor capital works. The refurbishments will improve the conditions of the courts and ensure that the infrastructure is maintained and fit for the intended purpose. The target identified for 2023/ 24 financial year is 70 projects. The projects will be implemented

through the newly approved delegation threshold of R1 million per incident. These projects will include day to day maintenance; paintwork; installation of carpets or tiles; partitioning; plumbing work; etc. The country is facing a challenge of electricity load shedding and water shedding. In order to minimize lack of service delivery at the service points and court backlog, the generators and boreholes will also be installed using the same delegation.

The Department has taken heed from the disability sector that has been crying out for access to the courts for a number of years. A disability-centric framework document has been rolled out and creates minimum standards for what people with disabilities can expect when they visit the courts. A significant number of courts have been modified so as to be accessible to people with disabilities. The numbers achieved have already exceeded the targets set in the MTSF.

The Department will promote the Sign Language to its rightful place of being recognized as one of the officials' languages in our country, we will increase our capacity of Sign Language Interpreters and work with NGOs in the space to train our local Interpreters in various forms of signing. Our focus as we get nearer to the end of the current administration will be to put into place a mechanism to capture, measure and correct complaints by people with disabilities relating disability within our environment.

The future of our country lies with the children and how this future will pen out will largely depend on how we treat the children today. We have identified a gap in the delivery of justice services within the children's court and the Department will work with the Department of Social Development and the Judiciary to facilitate the issuing of various orders that will protect the livelihood of the young ones. In cases where young people go astray and breach the law, the child justice courts are fully functional and will work with NGOs to try and correct their ways and avoid exposing them to hard and harsh realities of the criminal justice system at such an early age by using diversion programmes.

Section 28 of our Constitution demands that the courts should always act in the best interest of children. In response to this imperative, various amendments have been made to the Maintenance Act to try and obtain children's dues from those who have a duty to support them. The Office of the Family Advocate is currently the only section that addresses children in Litigation and Alternative Dispute Resolution matters to facilitate resolution of disputes. The constraints of the colonial apartheid legislation of its Principle Act will be amended. The offices in the provinces extend their services to facilitate greater access to justice and social cohesion for children in families. The Department will develop and implement a Maintenance Defaulters Plan to strengthen the enforcement of maintenance orders. This will also include increasing maintenance orders against respondents whose financial income is drawn from the informal economy as these respondents have always evaded their parental responsibilities.

Our first prize in maintenance matters will also be to mediate in order to avoid lengthy and expensive litigious processes. However, in applications where agreements are not reached amicably between the parties, we will, in order to improve the success rate in this court, sharpen skills of Maintenance Officers and Maintenance Investigators through training. The Maintenance Investigators will also be armed with the necessary tools of trade to do their work efficiently and effectively.



The office of the family advocate will revise its current narrow approach by adopting the broader approach of using Alternative Dispute Resolution Mechanism to facilitate the resolution of family disputes. Satellite offices for such offices will be extended to the district courts in order to increase access to justice services.

**Strengthening civil law:** The Department has taken stock of our delivery model in the Court Services branch and noted one glaring gap in our support to the courts and noted that the Department is short on civil law services. To this extent, as part of the broader organizational re-design, the Department will strengthen and capacitate the civil law section.

**Addressing case backlogs:** The Department has developed a case backlog reduction framework, in consultation with key stakeholders such the lower court judiciary, the NPA, Legal Aid SA and SAPS in 2021/22 financial year. The framework commits all stakeholders to determine a uniform percentage by which the backlog in the criminal roll will be reduced over the MTSF period. The Department will continue to pay attention to reducing case backlogs by working with all JCPS Cluster departments to sign an MoU that will compel them to have performance indicators in their APPs that support criminal cases backlog reduction initiatives and improve the performance of the courts.

**Social Compact:** The 2019 -2024 MTSF 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 finalisation of a social compact will strengthen 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. For the 2023/24 financial year, the Department plans to submit the Social Compact discussion document to the President for adoption by the three Branches of State.

**Description of the strategic planning 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 revision of the Annual Performance Plan branches were engaged to reflect on its strategic direction and to ensure that they are in line with the revised planning framework on strategic plans. Subsequent to that, the Department held its strategic planning sessions on 10-12 October 2022 and 07-08 March 2023. The purpose of these sessions were to allow senior management of the Department an opportunity to have strategic discussions that will inform the finalisation of the 2023/24 APP. During both strategic review sessions, the Executive Authorities provided their reflection of the draft APP as well as the strategic and operational direction for 2023/2024 financial year. The Department was able to assess progress relating to the implementation of the Medium Term Strategic Framework, Minister’s Performance Agreement and its Strategic Plan and proposed interventions to be included in the APP.

In developing the 2023/24 APP, the theory of change as a planning tool was used to map out interventions that will assist the Department to achieve the desired outcomes and impact

**Table 1: Theory of change**

<b>MPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW</b>			
<b>OUTCOMES</b>	<b>INTERVENTIONS</b>	<b>ASSUMPTIONS</b>	<b>OUTCOME MEASURES</b>
<b>Modernized and digitized justice services platforms</b>	<ul style="list-style-type: none"> <li>Develop online systems that will increase access to justice services provide online services platform.</li> <li>Amend legislation to allow virtual court proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Development of online system will be completed</li> <li>People will have access to internet</li> <li>Users will use the system</li> <li>System is developed in line with the business process</li> <li>Legislations will be amended to allow virtual court proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Number of justice services provided online</li> <li>Number of sites providing court proceedings virtually.</li> <li>Number of KPIs completed on the Integrated Justice System dashboard</li> </ul>
<b>Improved organisational capabilities and good governance</b>	<ul style="list-style-type: none"> <li>Improve finance management</li> <li>Skills development and capacity building</li> <li>Improve governance and compliance with prescripts</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>Procurement prescripts will be followed</li> <li>Workplace Skills Plan (WSP) developed and implemented.</li> <li>Employees to take park in the training programmes</li> <li>Qualifying females, people with disabilities and youth will apply for the advertised vacancies</li> <li>Vacant posts will be filled timeously</li> </ul>	<ul style="list-style-type: none"> <li>Unqualified audit opinion on all accounts and pre-determined objectives achieved and sustained</li> </ul>
<b>Improved awareness of justice services and constitutionalism</b>	<ul style="list-style-type: none"> <li>Conduct public education, communication activities and campaigns to raise awareness of justice services</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>People will attend the awareness sessions</li> <li>All relevant stakeholders will co-operate</li> <li>Funding will be available</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of people who are aware of justice services and Constitution</li> </ul>
<b>Increased access to justice services</b>	<ul style="list-style-type: none"> <li>Address the scourge of Gender-Based Violence and Femicide (GBVF) and against women and children and implement the National Strategic Plan on GBVF.</li> <li>Finalise matters timeously</li> <li>Increase access to physical court infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Co-operation by relevant stakeholders (e.g. DPWI)</li> <li>Dedicated and committed staff</li> <li>Sufficient capacity</li> <li>Budget will be available</li> <li>There will be alternative energy source to avoid disruption of court proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Number of approved service standards increased for justice services</li> <li>Number of justice services footprint increased</li> <li>Number of courts providing full services increased</li> </ul>



**MPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW**

OUTCOMES	INTERVENTIONS	ASSUMPTIONS	OUTCOME MEASURES
	<ul style="list-style-type: none"> <li>Upgrade buildings to ensure that they are in good condition and accessible by all including people with disability</li> </ul>		
<b>Improved Masters' services</b>	<ul style="list-style-type: none"> <li>Finalise all Masters matters within the required timeframe</li> <li>Develop online system that will increase access to masters services</li> <li>Review of prescripts used in the management in the Masters Services</li> </ul>	<ul style="list-style-type: none"> <li>The systems are developed and functional.</li> <li>All applications will be submitted with all the required documents</li> <li>Dedicated and committed staff</li> <li>There will be adequate infrastructure</li> <li>Network stability</li> <li>Stakeholder collaboration</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of Masters' services accessed online</li> <li>Master's matters finalised within the required timeframes increased</li> </ul>
<b>Colonial/apartheid era justice-related legislation reviewed and replaced</b>	<ul style="list-style-type: none"> <li>Develop legislation and repeal or repeal and replace apartheid and colonial era legislation.</li> <li>Develop rules and research papers</li> </ul>	<ul style="list-style-type: none"> <li>Review reports will be completed on time</li> <li>Draft Research papers approved on time</li> <li>Proposed legislation instruments approved</li> <li>Availability of financial and human resources</li> <li>Court orders relevant to DoJ will be address in planned review prescripts</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of constitutionally-sound legislative instruments that withstand court challenges</li> </ul>
<b>Transformed state legal services</b>	<ul style="list-style-type: none"> <li>Develop set of regulations in terms of legal practice Act</li> <li>Settle litigation cases</li> <li>Finalise legal opinions, suggested bill and international agreement within the set timeframe</li> <li>Implement the State Amendment Act</li> </ul>	<ul style="list-style-type: none"> <li>Regulations to be developed will be finalised and approved speedily</li> <li>Clients and applicants will cooperate</li> <li>Clients will provide quality instructions and all relevant information timeously</li> <li>Policies will be endorsed by Parliament</li> <li>Stakeholders will fully implement the policies</li> </ul>	<ul style="list-style-type: none"> <li>Percentage decrease in state litigation liabilities annually</li> <li>Percentage reduction of successful legal challenges on the constitutionality of legislations and international agreements considered by OCSLA</li> </ul>
<b>Transformed legal profession</b>	<ul style="list-style-type: none"> <li>Empower PDIs by increasing the allocation of briefs in terms of numbers and value</li> </ul>	<ul style="list-style-type: none"> <li>Regulations are approved</li> <li>PDI legal practitioners are available</li> <li>Female legal practitioners are available</li> <li>Client departments will implement the policies and Litigation Management Strategy</li> <li>There will be no political interference in the allocation of briefs</li> </ul>	<ul style="list-style-type: none"> <li>Percentage increase of previously disadvantaged individuals (PDI) legal practitioners briefed</li> <li>Percentage increase annually of previously disadvantaged individuals legal practitioners conferred as senior counsels in line with the Policy Guideline on the conferral of Senior Counsel</li> </ul>

**MPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW**

OUTCOMES	INTERVENTIONS	ASSUMPTIONS	OUTCOME MEASURES
<b>Advanced constitutionalism, human rights and the rule of law</b>	<ul style="list-style-type: none"> <li>• Compliance with international and regional treaty obligations</li> <li>• Enhance collaboration with other States in the fight against crime in general (e.g. timeous processing of valid request for extradition and mutual legal assistance in criminal matters)</li> <li>• Timeous submission of Country Reports on Conventions to Treaty Bodies</li> <li>• Conduct dialogues and engagements on constitutional and human rights education</li> <li>• Continuous engagements with stakeholders</li> <li>• Facilitate the ratification of relevant International Human Rights Instruments to fulfil its obligations and contributes to development of international norms and standards.</li> <li>• Implement National Action Plan Programme of Action activities applicable to DOJ&amp;CD, coordinate implementation of the NAP by other departments and role-players including providing secretarial support to the NAP Governance structures</li> </ul>	<ul style="list-style-type: none"> <li>• Department will procure legal services through the state attorney offices</li> <li>• Policies will be approved</li> <li>• Comply with international obligations</li> <li>• Stakeholder support, commitment participation and co-operation</li> </ul>	<ul style="list-style-type: none"> <li>• Percentage of people who have knowledge and awareness of the constitution and human rights</li> <li>• Number of engagements and dialogues on constitutional and human rights education held</li> <li>• Percentage compliance with international obligations</li> </ul>
<b>Crime and corruption reduced through effective prosecution</b>	<ul style="list-style-type: none"> <li>• Capacitation of Dedicated Specialised Commercial Courts (Serious Economic Crimes Court)</li> <li>• Develop Bills, Regulations, notices and proclamations</li> <li>• Effective prosecutions conducted</li> <li>• Fraud and corruption dealt with</li> <li>• Freezing of money and assets that are the proceeds of crime</li> <li>• Recovery of money and assets that are the proceeds of crime</li> </ul>	<ul style="list-style-type: none"> <li>• Sufficient resources will be available</li> <li>• All relevant stakeholders will cooperate</li> </ul>	<ul style="list-style-type: none"> <li>• Level of satisfaction with the prosecution of identified crime types</li> <li>• Percentage of identified high impact corruption prosecutions instituted</li> <li>• Level of customer satisfaction with NPA services</li> </ul>

## 5.2 External Environment Analysis

**Demographics:** The 2022 mid-year population estimates show that South Africa's population is estimated to have increased from 59.62 to 60.6 million. The mid-year estimation indicates 0,8% growth as compared to the 2021 mid-year estimation. The 2022 mid-year population estimates indicated that Gauteng (16) and Western Cape are estimated to have the largest number of population. For the period 2021-26 Gauteng and the Western Cape are estimated to experience the largest flow of immigrants of approximately 1 443 978 and 460 489, respectively. Gauteng province still comprises the largest share of the South African population, with approximately 16,1 million people (26,6%) living in the province. KwaZulu-Natal is the province with the second largest population with an estimated population of 11,54 million people (19,0)

Due to the provision of Section 35 of the Constitution, 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. Further, the Department will be expected to develop additional courts to deal with the growing number of matters on the court rolls.

**Load shedding:** Load shedding is an ongoing period of widespread national level rolling blackouts as electricity supply is lower than electricity demand which could destabilise the national power grid. According to the Council for Scientific and Industrial Research (CSIR) published annual statistics on power generation in South Africa for 2021, shows that South Africa has experienced 1949 hours of load shedding in the first 8 months of 2022 compared to 1169 hours over the 12 months of 2021. In terms of days, it shows that South Africa experienced loading for 91 days from the beginning of January to end of August 2022 as compared to days experienced 48 in 2021. The intensity of load shedding will have a negative impact on the country's GDP in the third quarter. In addition the power cuts at the courts put a halt on the wheels of justice which might exacerbate the case backlog numbers. The Department has to look at alternative power sources so that justice is not delayed when the court proceedings are delayed or cancelled.

**Impact of COVID-19 on the operations of the Department:** COVID-19 had a negative impact on the performance of the Masters offices and the courts, in order to comply with the relevant restrictions in the regulations issued during the different determined levels, Masters officials had to work on a rotational basis. This in turn caused delays and backlogs in attending to matters in the offices as the demands for Masters services did not decrease during this period. Masters offices have had to deal with increased number of estate matters due to a high number of deaths occurring within a short period of time due to COVID-19 pandemic. Backlogs occasioned by this, will have to be attended to through overtime and extended working hours. Attending to backlogs had, and will have a negative impact on achieving of set performance targets by the Branch.

**Economy:** Statistics South Africa reported that the South African economy decreased by 0,7% in the second quarter of 2022 following an increase of 1.7% in the first quarter of 2022. The devastating floods in KwaZulu-Natal, impacts of Covid-19 and load shedding contributed to the decline, weakening an already fragile national economy that had just recovered to pre-pandemic levels. The current government debt to GDP ratio is currently at 69,9 % to GDP. This measure is used to measure the country ability to make future payments on its debt thus affecting the country borrowing costs and government bonds yield. GDP debt ratio is expected to rise to 87,3 in 2023/24 and debt service costs were projected at R269 billion in 2021. For the period ending 31 March 2022, SARS collected a gross amount of R1,884,9 billion compared to R150.5 billion collected in the 2020/12 tax year.

The weak economic growth resulted in a high unemployment rate and revenue collection shortfall. Revenue shortfalls have affected the budget allocation of government departments, and this may have negative impact 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 Constitutional and legislative Department mandate.

The Consumer Price Index (CPI) in South Africa was 7.5% in September 2022 down from 7.6% reported in August 2022. The CPI decreased by 0.1% month-on-month in September 2022. If inflation continues to increase to above the highest inflation target mark that might impact on the costs of providing services on the Department and the reserve bank might increase interest rate as way of controlling the inflation

**South Africa's credit ratings:** In July 2022, Fitch global ratings downgraded South Africa's credit rating from BB- (commonly known as junk status) with a negative outlook and a stable outlook. On the 23 May 2022, the S&P revised the country rating from stable to positive outlook. In April 2022 Moody's subsequently kept South Africa's credit rating one at from Baa2 with positive outlook. As a result, of poor credit rating, South Africa's debts would attract higher interest rates. This will reduce the amount of money government makes available for service delivery. Furthermore, international investment funds might be forced to withdraw local investments as a result of fund rules which might affect the stability of the rand and the economy.

**Unemployment:** according to Statistics South Africa's 2022 Quarter 2 Labour Force Survey (QLFS) report published on 23 August 2022, the working age population grew by 145 000 or 0.4%, as compared to the first quarter of 2022. The Number of unemployed persons increased by 132 000 to 8 million compared to quarter 1 of 2022 resulting in an increase of in the number of people in the labour force. The survey further indicated that for the first quarter of 2022 dissected the unemployment for youth aged between 15 and 24 is 63,9% while unemployment rate for youth for the age between 25 and 34 is 41,1%.

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 a 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.

**Death and Mortality rate:** Life expectancy at birth is continuing to rise. The 2022 mid-year population estimate indicated life expectancy at birth at 60 years for males and 65.6 years for females as compared to the estimated life expectancy of 59.3 years for males and 64.6 years for females reported in the 2021 mid-year population estimate. The 2022 mid-year population estimate shows an improvement in life expectancy at birth. The infant mortality rate for 2020 is estimated at 24.3 per 1000 live births.

**Technology:** According to the 2021 Digital Report published in January 2021, shows that there were 38,19 million internet users in South Africa. This shows that the number of internet users for the period under review increased by 1.7 million (4.5%) between 2020 and 2021. Social media and e-commerce streaming content and video gaming all seeing significant growth of by 14% to 25 million as between 2020 and 2021. The vast majority of citizens are accessing the internet on their mobile phones.

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. On the positive side, the growing usage of the internet may present an opportunity for the Department improve the provision of its services justice by allowing them its clients to access online at the comfort of their homes.

**Overview of Corruption in South Africa:** The level of corruption and/or perception of corruption in South Africa is unacceptably high in both the public and private sectors. This is evidenced by the Transparency International Corruption Perception Index and other corruption-related surveys and reports. According to the Transparency International Corruption Perception Index 2021, shows an improvement compared to the 2020 report. South Africa scored 44 and rank 70 out of 180 countries, on a scale of 0 (highly corrupt) to 100 (very clean). South Africa has been struggling to surpass the score of 50 since 2007.

The Afro barometer 2021 survey found that 64% of South African citizens who participated in the survey were of the view that corruption increased in the previous 12 months. It is encouraging to note that this is a 19-percentage drop from 83% in 2015. It further indicated that state institutions are widely viewed as corrupt while 76% of the survey participants indicated that government is performing badly in the fight against corruption. This seems to suggest that public confidence in government's capacity to fight corruption is returning, albeit it's still low.

**Service delivery protests:** According to Municipality IQ, service delivery protests in the country has increased by significantly in 2022. Based on the current rate, they are projected to reach the level

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5 P0302 Mid-year population estimates 2019 by Statistics South Africa

recorded before Covid-19. Gauteng province took the lead, with 26% of all reported protests followed by the Eastern Cape with 19% and KwaZulu-Natal 11th 18%. The impact of the unprotected strikes has contributed to the vandalism of public buildings, courts or state property. This put pressure on security services to safe guard the court infrastructure to ensure that they are not burned or vandalised. Criminal offences relating to protests might lead to additional pressure on the justice system

### **Opportunities**

- The Department plays a leadership role to support the coordination and overall implementation of National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as programmes aimed at promoting nation building and social cohesion.
- Eradication of corruption within the Public Service and State Organs.
- The alignment of magistrate with municipal district (rationalisation) of courts improved access to courts and justice services
- Utilisation of Technology centred approach provides an opportunity to increase access to justice services and operations through digital platforms and web based applications.
- Zondo Commission outcomes and work underway on anti-corruption presents an opportunity to strengthen the fight against corruption and turn around negative perceptions.
- Increased compliance with international obligations improves our international standing and reputation.

### **Threats**

- The economic situation has an impact on the country revenue shortfall and the COVID-19 pandemic has a negative impact on the Departmental financial resources.
- The high unemployment rate has been linked to poverty with possible consequence of increased crime rate which has a potential on the demand for justice services in terms of court cases.
- Poor performance of DPWI that will lead to reduced CAPEX budget allocation by National Treasury.
- An Increase in the caseload at court level since government continues to increase the fight against social ills in the communities.
- Implication on increased absenteeism rate, sick workforce and possible increased mortality rate.
- Influx of foreign Nationals which brings about a myriad of challenges when it comes to allocation of resources, ranging from the need for various language experts and if not available may either cause case backlogs or withdrawal of cases.
- Significant increase in internet access combined with a growing reliance on e-governance, commercial services, social networks and resistance / difficulty to adapt to technology has increased the vulnerability of both citizens and governments to cyber criminals. Resistance / difficulty to adapt to technological change



- South Africans still pay higher prices for their mobile data, fibre, VDSL and ADSL connections. Predatory pricing of data and voice by telecommunication companies is widening the gap between the rich and the poor (affording class have the essential means to access digital justice services)
- Copper cable and technology equipment theft results in catastrophic service delivery.
- National Treasury's directive on budget cuts have had a negative impact on filling of vacant posts and achievement of planned projects.
- Corruption and a perception of lawlessness impact on trust and confidence on the institution's ability to deliver its programmes.
- A significant increase in internet access, growing reliance on e-governance, commercial services, social networks, has increased the vulnerability of both citizens and governments.
- Slow movement in the development broadband service on the national landscape constraints the department in delivering the digital justice services.
- Increased security breach in digital content resulted in a loss of the Department's valuable data.

### 5.3 Internal Environment Analysis

The Department of Justice and Constitutional Development identified the listed below as its strengths, weaknesses, opportunities and threats to enhance implementation of the planned programme to achieve its mandate.

#### Strengths

- Less than 10% of the Department workforce are either in the age group that can be considered for early retirement or normal retirement.
- Good staff compliment of 18000 officials of which 170 are at senior management level.
- The Department's staff have high levels of requisite skills, are knowledgeable, highly qualified and experienced
- Departmental policies are in place as internal control measures
- Approved Organisational structure
- The Department has institutionalised planning and monitoring and evaluation
- The Department has a conducive working environment
- Change in institutional leadership, with the new Minister and DG coming into the Department with renewed focus and energy, fully motivated to see the Department overcome negative audits and fully committed to effecting changes in the Department's cultural environment, including putting interventions in place to improve employee relations and employee wellness.
- New organisational structure provides better placement, improved operating efficiencies, greater employee performance, eliminates duplication, clear role clarification and improved streamlining of functions.
- Political commitment and institutional readiness to promote fundamental human rights and constitutional development.

- Growing partnerships and collaboration across the sector on issues pertaining to Constitutional development and human rights issues.

### **Weaknesses**

- No skills transfer and succession planning
- A total 9.7 % of the Department workforces are at a retirement age and the Department currently do not have an approved succession plan. It is envisaged that the plan will be approved in the year under review to provide for a talent pipeline and skills transfer. The results of the skills audit is incorporated into the Work skills plan to ensure that the trailing on critical and scarce skills are included.
- Improper exit management might result in loss of institutional memory.
- Long delays in finalising disciplinary hearings result in long period of officials being paid salaries whilst they are not productive.
- Unavailability of electronic\virtual library negatively impacts on the quality of advice of legal proposals provided
- The number of unfunded posts contributes towards the increased vacancy rate and impact on service delivery.
- The length of time it takes to finalise recruitment processes means that positions remain unfilled for extended period which negatively affects service delivery.
- Policy pronouncements not matched by clear policy proposals which can be translated into legislation.
- Inadequate court infrastructure and resources to roll out/support electronic courts system, especially for rural areas.
- Poor capacity to deal with dependency from the sector and other stakeholders across government due to non-existence of policy or guidelines for stakeholder management and fostering collaborations.
- Slow connectivity due to unstable information communication technology (ICT) infrastructure
- Lengthy procurement resulting in the delays in the modernisation initiatives and instability in the operational environment.
- Lack of business processes in the Department.

### **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, State Legal Services, National Prosecuting Authority, and Auxiliary and Associated Services. Under the Legal Services programme there are five branches, namely: Legislative Development and Legal Services, Master of the High Court, Office of the Chief State Law 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 16 823 positions in the establishment, of which 15 703 are filled. The majority of employees (12 719) are employed in Programme 2: Court Services, which is the Department's core business.

The MTEF HR Plan has been revised where workforce was analysed, environmental scan and HR self-assessment conducted to determine the human resource gaps and developed action plans to address the priority areas over the remaining period of the MTEF. The reduction of the COVID-19 pandemic risk alert levels and ransom-ware attack had a direct impact on the Departmental workforce; and as a result enabled the Department to implement a 100% return to work led to a positive impact in normalizing the day to day operations although created backlogs that remains a focus area.

The Department of Justice and Constitutional Development reviewed and approved its macro structure with concurrence from the DPSA in 2022 and has commenced with the implementation and alignment of the structure to improve the strategic leadership capabilities to give effect to the objectives and goals outlined in the Medium Term Strategic Framework. The process of finalising the review of the functional structures has commenced and will further contribute towards the effective management and additional operational capabilities of the business units.

The representation of women in SMS positions improved from 47 % in 2020 to 50% which further contributed to the reduction of SMS vacancy rate from 24% to 11.2%. These have a positive impact on improved management and leadership structure for the remaining period of the MTSF. The Department has achieved its targets for the appointment of youth at 24% and people with disabilities (PWD) at 2.1% and will continue to increase these targets.

The resuscitation of the skills audit has contributed towards the development of a 5-year integrated Human Resource Development Plan, which focuses on addressing critical and scarce skills gaps for improved performance and the establishment of a Talent Management Pipeline (Retention and Career Pathing Strategy).

Employee relations forms part of the focus area for ethical conduct and good governance. The increasing number of fraud and corruption cases measured against the prescribed timeframe for the finalization of disciplinary matters; remains a high risk in the Department. The implementation of interventions to improve Employee Relations Framework remains a priority.

The Employee Health and Wellness Programme remains a primary focus area to maintain a healthy lifestyle through proactive and reactive psychosocial initiatives and interventions. The implementation thereof will continue over the MTSF period.

## **Human Resources**

The table below shows the number of employees and vacancies per critical categories for the Department of Justice and Constitutional Development as at 01 January 2023.

**Table 2: Human Resources per programme**

Programme	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost
Administration	1020	136	1156	11,8%	488340135
Court Services	12660	689	13349	5,2%	3378273495
State Legal Services	2079	270	2349	11,5%	1012789293
National Prosecuting Authority	5203	1229	6432	19%	3844561760
Auxiliary & Associated Services	76	11	87	12,6%	56184291
<b>TOTAL</b>	<b>21 038</b>	<b>2 335</b>	<b>23 373</b>	<b>9.9%</b>	<b>8780148974</b>

## Financials

During the 2021 budget process, the department's baseline was reduced by a total amount of R7.856 billion over the medium term (R2.4 billion for 2021/22, R3.1 billion for 2022/23 and R2.4 billion for 2023/24). The bigger portion of the baseline reduction was on compensation of employees which amounts to R5 billion over the medium term, included on this reduction is an amount of R901 million which relates to the Magistrates' salaries. The Department's operational budget was reduced by R915 million over the medium term (R175.6 million in 2021/22, R248 million in 2022/23 and R491 million 2023/24). A total amount of R315 million was reduced from the IJS programme over the medium term with an average of R105 million per financial year. Court infrastructure projects budget was also reduced with a total amount of R740 million over the medium term with an average amount of R246 million per financial year. The balance of R801 million over the medium term was reduced from the Entities (Legal Aid South Africa, Special Investigating Unit, Public Protector South Africa and South African Human Rights Commission).

The table below outlines summary of the Department budget allocation for 2023/24 financial year.

**Table 3: Departmental budget summary**

Budget summary							
R million			2023/24			2024/25	2025/26
		Current payments	Transfers and subsidies	Payments for capital assets	Total	Total	Total
<b>MTEF allocation</b>							
Administration		3 059.1	19.3	9.6	3 088.0	3 229.8	3 374.0
Court Services		6 052.5	34.4	673.9	6 760.8	7 058.1	7 367.9
State Legal Services		1 307.3	27.8	12.1	1 347.1	1 404.3	1 464.4
National Prosecuting Authority		5 326.1	22.9	58.0	5 407.0	5 552.9	5 796.9
Auxiliary and Associated Services		896.0	3 259.9	35.2	4 191.1	4 354.4	4 537.9
<b>Subtotal</b>		<b>16 640.9</b>	<b>3 364.2</b>	<b>788.8</b>	<b>20 793.9</b>	<b>21 599.6</b>	<b>22 541.1</b>
<b>Direct charge against the National Revenue Fund</b>							
Magistrates' salaries		2 349.7	49.1	–	2 398.7	2 505.9	2 617.7
<b>Total expenditure estimates</b>		<b>18 990.6</b>	<b>3 413.3</b>	<b>788.8</b>	<b>23 192.7</b>	<b>24 105.5</b>	<b>25 158.8</b>
Executive authority: Minister of Justice and Correctional Services							
Accounting officer: Director-General of Justice and Constitutional Development							
Website: <a href="http://www.justice.gov.za">www.justice.gov.za</a>							

## Budget summary

		2023/24			2024/25	2025/26
R million		Current payments	Transfers and subsidies	Payments for capital assets	Total	Total

*The Estimates of National Expenditure (ENE) is available at [www.treasury.gov.za](http://www.treasury.gov.za). Additional tables in Excel format can be found at [www.treasury.gov.za](http://www.treasury.gov.za) and [www.vulekamali.gov.za](http://www.vulekamali.gov.za).*

## Information Technology

Modernising justice services using digital capabilities, requires a supporting, responsive and stable underlying IT infrastructure. The Departments currently ageing IT Infrastructure does not bode well in this regard. In order to address this challenge, the Department held an ICT Strategic Retreat in December 2021, where, amongst others, plans were devised to address the ageing IT infrastructure. The plan, spanning over 3 years, will continue to be implemented in 2023/24, seeks to address challenges with outdated end-user equipment (e.g. computers, laptops, printers, scanners), upgrade networks (e.g. local LAN, VPN) and upgrade the datacentre (e.g. servers and storage, cloud computing). The Department endeavours on upgrading and ensuring the continuous upkeep of its underlying IT infrastructure as this will not only impact on the delivery of existing digitally enabled services, but also its modernisation program.

## B-BBEE compliance performance information

Table 4: B-BBEE compliance performance information

Total B-BBEE Spend 01 April 2021 to 31 March 2022				
BEE Rating	Value Spent	% Total	B-BBEE Spend Amount	B-BBEE %
Level 1	R859 774 843,20	78,54%	R859 774 843,20	94,80%
Level 2	R15 086 343,79	1,38%	R15 086 343,79	1,66%
Level 3	R22 938 292,74	2,10%	R22 938 292,74	2,53%
Level 4	R3 857 050,98	0,35%	R3 857 050,98	0,43%
Level 5	R848 125,00	0,08%	R848 125,00	0,09%
Level 6	R168 520,40	0,02%	R168 520,40	0,02%
Level 7	R29 997,75	0,00%	R29 997,75	0,00%
Level 8	R4 238 937,00	0,39%	R4 238 937,00	0,47%
Non-Compliant	R187 703 454,25	17,15%	R0,00	0,00%
<b>Grand Total</b>	<b>R1 094 645 565,11</b>	<b>100,00%</b>	<b>R906 942 110,86</b>	<b>100,00%</b>

## Total B-BBEE Spend Per Enterprise Type 01 April 2021 to 31 March 2022

Enterprise Type	Value Spent	% Total
GEN	R758 881 379,75	69,33%
QSE	R184 648 261,30	16,87%
EME	R151 115 924,06	13,81%
<b>Grand Total</b>	<b>R1 094 645 565,11</b>	<b>100,00%</b>

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 received an Audit Finding due non-compliance with BBBEE in the 2021/22 financial year. Prior to the Department complying to BBBEE it is required to obtain a BBBEE certificate as required by the BBBEE Commission. The Department is in the process of sourcing a service provider to assess its BBBEE status.

In the financial year 2022/23, the Department awarded approximately seventy one percent (71%) of all contracts (bids and quotation) to Exempted Micro Enterprises (EME's) and Qualifying Small Enterprises (QSE's) at a total value of R395 169 431, 50. Fifty three percent (53%) of procurement discretionary spend was awarded to Women Owned Enterprises at a total value of R294 925 023,00. The Department has put measures in place to ensure that previous financials performance will be sustained or even outperformed. Selection of designated groups from the National Treasury Central Supplier Database (CSD) has been enhanced in the procurement of goods and services. Previously disadvantaged people benefit from the Department's 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, sub-contractors, service providers or suppliers.

### 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.

**Table 5: Key stakeholders and their roles**

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's plans
Chapter 9 institutions	Section 181(1) of the Constitution establishes state institutions supporting constitutional democracy. These are the Public Protector, Auditor General, 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 Commission	Directly	Each institution is established in terms of specific constitutional mandates to strengthen constitutional democracy in South Africa.
Civil Society	Organisation found in communities either as Non-profit organisations, 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.

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			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's 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
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	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

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
	of the High Court, Judges of the High Courts, Regional Court Presidents and Regional Magistrates, Chief Magistrates, senior Magistrates and district Magistrates		<p>above-mentioned courts (civil and criminal courts) are thus responsible for the administration of justice in South Africa.</p> <p>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 [...]”</p>
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	<p>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 scrutinizing and overseeing executive action.</p> <p>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</p>

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			for public consideration of issues affecting provinces.
National Executive	<p>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.</p> <p>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.</p> <p>The President in terms of section 93(1) appointed a Deputy Minister for Justice and Constitutional Development to assist the Minister.</p>	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	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
Services (SAPS)			removal or expungement of a criminal record. Assist with the service of process, subpoena and invitation letters.
State Information Technology Agency (SITA)	Manages the procurement of ICT products and services in government and the provision of Mandatory ICT Services i.t.o. the SITA ACT.	Directly	Ensuring that Transversal Contracts are in place from which the Department can procure ICT goods and services.  Procuring ICT goods and services on behalf of the Department should there be no Transversal Contract in place.

## PART C: MEASURING OUR PERFORMANCE

### 6.1 Programme 1: Administration

#### 6.1.1 Programme purpose

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.

### 6.2.1 Outcome, outputs, performance indicators and targets

**Table 6: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)**

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
1.1 Justice services accessible via Digital Channels	1.1.1 Phases of Maintenance services available on the DoJ&CD Internet Portal (online) by target date.	-	-	Phase 1 (Online Application Submission capability piloted)	Phase 2 (Online Solution with identified Transacting capability) piloted.	Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March 2024.	Phase 3 (Online Solution with Integration capability) completed by March 2025.	—
	1.1.2 Phases of Deceased Estates services available on the DoJ&CD Internet Portal (online) by target date.	-	-	Deceased Estates Phase 1 (Online Application Submission capability) piloted.	Phase 2 (Online Solution with identified Transacting capability) piloted.	Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March 2024.	Phase 3 (Online Solution with Integration capability) completed by March 2025.	—

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	1.1.3 Phases of Protection Order services available on the DoJ&CD Internet Portal (online) by target date	-	-	Protection Order Phase 1 (for legally represented complainants) developed and tested	Phase 1 (Online Application Submission capability based on new legislation) & Phase 2 (Online Solution with Transacting capability) piloted.	Phase 3 (Online Solution with Integration capability) available on the DoJ&CD Internet Portal by 31 March 2024	Phase 4 (Online solution with integration of other applications relating to the protection order) completed by March 2025.	—
1.2. Justice services accessible via Virtual Platforms	1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS) by target date.	-	-	CAVS Bid specifications completed and approved for publication through SITA.	Solution procured.	170 courtrooms completed by 31 March 2024	170 courtrooms completed by March 2025.	—

### 6.3.1 Indicators, annual and quarterly targets for 2023/24

**Table 7: Output indicators, annual and quarterly targets for 2023/24**

<b>Outcome 1: Modernised and digitised justice services platforms</b>					
<b>Output indicators</b>	<b>Annual target for 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
1.1.1 Phases of Maintenance services available on the DoJ&CD Internet Portal (online) by target date.	Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March 2024.	Online Application for Emolument Order completed and piloted.	Application for Warrants of Execution completed and piloted.  Attachment of Debt Orders completed and piloted.	Application for Variation Orders completed and piloted.	Maintenance Officer Electronic Application for Order by Default completed and piloted.  Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March 2024.
1.1.2 Phases of Deceased Estates services available on the DoJ&CD Internet Portal (online) by target date.	Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March	Existing piloted online solution enhanced.	Integration with one 3 <sup>rd</sup> party (government entity) for Deceased Estate completed and piloted.	Integration with one 3 <sup>rd</sup> party (government entity) for Deceased Estate	Online submission of Liquidation and Distribution Account completed and piloted.

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
	2024.			completed and piloted.	Phase 2 (Online Solution with additional identified Transacting capability) available on the DoJ&CD Internet Portal by 31 March 2024.
1.1.3 Phases of Protection Order services available on the DoJ&CD Internet Portal (online) by target date	Phase 3 (Online Solution with Integration capability) available on the DoJ&CD Internet Portal by 31 March 2024.	Online Application for Domestic Violence orders completed and piloted.	Online Application for Harassment completed and piloted.	Applications for Safety Monitoring completed and piloted.	Online verification of Domestic Violence Cases through Integrated Electronic Repository (IER) for the CJS Cluster Departments completed and piloted.  Phase 3 (Online Solution with Integration capability) available on the

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
					DoJ&CD Internet Portal by 31 March 2024.
1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS) by target date.	170 courtrooms completed by 31 March 2024.	—	30 courtrooms completed.	70 courtrooms completed.	70 courtrooms completed.

#### 6.4.1 Outcome, outputs, performance indicators and targets

**Table 8 : Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)**

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
2.1 Women occupying Senior Management Services (SMS) and LP10 positions	2.1.1 <sup>6</sup> Percentage of women occupying Senior Management Services (SMS) and LP10 positions	-	-	50%	50%	50%	50%	50%
2.2 Appointment of people with disabilities	2.2.1 <sup>7</sup> Percentage of positions occupied by people living with disability	-	-	1.5%	2.1%	2.2%	2.3%	2.4%

<sup>6</sup> Indicator 2.2.1 is meant to monitor compliance with DPSA equity target

<sup>7</sup> Indicator 2.3.1 is included in order to address the recommendation for inclusion of people living disabilities



Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
2.3 Appointment of youth	2.3.1 <sup>8</sup> Percentage of positions occupied by youth	-	-	20%	22%	23%	24%	26%
2.4 Investigations on reported corruption cases finalised	2.4.1 Percentage of investigation on reported corruption cases finalised	-	27%	75%	70%	80%	81%	82%
2.5 Vacancy rate reduced	2.5.1 Percentage of vacant posts	-	8%	8.6%	6.5%	5%	5%	5%
2.6 Disciplinary hearing finalised within prescribed time frame	2.6.1 Percentage of disciplinary cases finalised within 90 days from the first day of set down of the hearing.	-	-	63%	70%	75%	78%	80%

<sup>8</sup> Indicator 2.4.1 is included in order to address the recommendation by DWYPD for inclusion of youth

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
2.7 Grievances resolved	2.7.1. Percentage of grievances resolved within 60 days from the date the grievance is lodged.	-	-	88%	65%	80%	85%	85%
2.8 Percentage of fruitless and wasteful expenditure reduced	2.8.1 Percentage of fruitless and wasteful expenditure eliminated	-	-	80%	85%	100%	100%	100%
2.9 Irregular expenditure reduced	2.9.1 Percentage of irregular expenditure reduced	-	-	43%	65%	75%	80%	85%
2.10 Undisputed and valid invoices paid within 30 days	2.10.1 Percentage of undisputed and valid invoices paid within 30 days	99%	99%	99%	100%	100%	100%	100%

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	days from date of receipt							
2.11 Discretionary Procurement allocated to women	2.11.1 Percentage of Discretionary Procurement allocated to women	-	-	60%	40%	40%	40%	40%
2.12 Procurement allocated to EME and QSE	2.12.1 Percentage of Discretionary Procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)	-	71%	31%	40%	40%	40%	40%
2.13 Audit outcome	2.13.1 Audit opinion obtained	Qualified audit opinion obtained on Vote Account and Pre-	Qualified audit opinion obtained on Vote Account and Pre-	Qualified audit opinion obtained on Vote Account and Pre-	Unqualified audit opinion obtained on Vote Account and Pre-	Unqualified audit opinion obtained on Vote Account	Unqualified audit opinion obtained on Vote Account	Unqualified audit opinion obtained on Vote Account

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
		determined objectives	determine objectives	determined objectives	determined objectives			
2.14 Specialized training programmes conducted	2.14.1 Number of specialized training programmes conducted by Justice College	-	-	-	32	36	40	44
2.15 Social Compact concept developed.	2.15.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented	-	-	Social compact discussion document submitted to the Minister for approval by 31 March 2022	Social Compact discussion document submitted to Cabinet by 31 March 2023	Social Compact discussion document submitted to the President for adoption by the 3 branches of State by 31 March 2024	Social Compact implemented by 2025	-
2.16 Disaster Management Plan approved	2.16.1 Disaster Management Plan (DMP) approved by the DG by target date	-	-	-	-	DMP approved by the DG by 31 March 2024	Report on the implementation of the DMP produced by 31 March 2025	Report on the implementation of the DMP produced by 31 March 2026

### 6.5.1 Indicators, annual and quarterly targets for 2023/24

**Table 9: Output indicators, annual and quarterly targets for 2023/24**

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP10 positions	50%	50%	50%	50%	50%
2.2.1 Percentage of positions occupied by people living with disability	2.2%	2.2%	2.2%	2.2%	2.2%
2.3.1 Percentage of positions occupied by youth	23%	20%	21%	22%	23%
2.4.1 Percentage of investigation on reported corruption cases finalised	80%	-	20%	45%	80%
2.5.1 Percentage of vacant posts	5%	6.5%	6.2%	5.5%	5%
2.6.1 Percentage of disciplinary cases finalised within 90 days from the	75%	75%	75%	75%	75%

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
first day of set down of the hearing.					
2.7.1 Percentage of grievances resolved within 60 days from the date the grievance is lodged.	80%	80%	80%	80%	80%
2.8.1 Percentage of fruitless and wasteful expenditure eliminated	100%	-	-	-	100%
2.9.1 Percentage of irregular expenditure reduced	75%	-	-	-	75%
2.10.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt	100%	100%	100%	100%	100%
2.11.1 Percentage of Discretionary Procurement allocated to women	40%	40%	40%	40%	40%
2.12.1 Percentage of Discretionary Procurement allocated to EMEs and QSEs	40%	40%	40%	40%	40%

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.13.1 Audit Opinion obtained	Unqualified audit Opinion obtained on Vote Account	-	-	-	Unqualified audit Opinion obtained on Vote Account
2.14.1 Number of specialized training programmes conducted by Justice College	36	11	9	7	36
2.15.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented.	Social Compact discussion document submitted to the President for adoption by the 3 branches of State by 31 March 2024	Consultation conducted with Judiciary and the Legislature on the Social Compact discussion document	Consultation conducted with Judiciary and the Legislature on the Social Compact discussion document	Revised Social Compact discussion document prepared	Social Compact discussion document submitted to the President for adoption by the 3 branches of State by 31 March 2024
2.16.1 Disaster Management Plan (DMP) approved by the DG by target date	DMP approved by the DG by 31 March 2024	Develop a Draft DMP	Finalize consultation with stakeholders	Submit DMP to EXCO	DMP approved by the DG by 31 March 2024



### 6.6.1 Outcome, outputs, performance indicators and targets

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

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
3.1 Public education awareness sessions	3.1.1 Number of public education and communication activities conducted in enhancing access to justice and promoting constitutional rights	-	-	394	250	400	410	420

### 6.7.1 Indicators, annual and quarterly targets for 2023/24

Table 11: Output indicators, annual and quarterly targets for 2023/24

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
3.1.1 Number of public education and communication activities conducted in enhancing access to justice and promoting constitutional rights	400	50	120	110	120

### 6.8.1 Explanation of Planned Performance over the Medium-Term Period

**Number of justice services 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 be available online or on the Justice Department's internet portal.

**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 roll CAVS to 340 court rooms to enable court proceedings to run virtually on 21 magistrate courts.

**Percentage reduction of irregular expenditure 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 85%, 100% elimination of wasteful and fruitless expenditure and ensure that 100% of all undisputed and valid invoices are processed within 30 days from date of receipt. Although the MTSF target is to eliminate irregular expenditure completely, the 100% target is not yet achievable as there are cases that are older cases still under investigation by the SIU. The new cases of irregular expenditure has decreased as a result of the improvement in the control environment, the cases that remains are that of the procurement of state legal services resulting from the lack of procurement framework in place. The Department is working with National Treasury to address those.

**Percentage of Discretionary Procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs).** Public procurement insofar as preferential procurement is concerned has had to adjust its policies in response to the new Preferential Procurement Policy Framework Act (PPPFA) Regulations 2022 which has required organs of state to formulate their own preferential procurement policies, to this end the Department has developed and adopted its own policy reflecting specific goals as prescribed in the PPPFA, over the medium-term period the Department

wants to maintain its baseline target of 40% of its procurement addressable spend being done with EME and QSE entities.

**Percentage of audit improvement plans implemented** is aligned with the MTSF and Minister's Performance Agreement. The ultimate goal over the MTEF is to have efficient and effective internal control systems in place. The Department will continue to implement audit action plans developed based on the audit outcomes.

## 6.9.1 Reconciling performance with the budget and MTEF

**Table 25.6 Administration expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
R million							
Ministry	40.0	28.3	30.6	38.3	39.1	40.8	42.6
Management	186.3	169.2	176.9	61.0	228.6	238.2	247.0
Corporate Services	737.4	887.0	936.1	1 060.6	854.8	897.0	938.1
Financial Administration	181.7	178.5	180.1	227.2	186.2	194.7	204.2
Internal Audit	89.7	84.5	95.1	100.1	107.5	112.2	117.1
Office Accommodation	1 302.5	1 357.3	1 335.9	1 528.2	1 671.7	1 746.8	1 825.1
<b>Total</b>	<b>2 537.7</b>	<b>2 704.7</b>	<b>2 754.7</b>	<b>3 015.4</b>	<b>3 088.0</b>	<b>3 229.8</b>	<b>3 374.0</b>
Change to 2022 Budget estimate				26.5	28.6	29.3	–
<b>Economic classification</b>							
<b>Current payments</b>	<b>2 463.7</b>	<b>2 647.3</b>	<b>2 696.1</b>	<b>2 977.2</b>	<b>3 059.1</b>	<b>3 200.1</b>	<b>3 342.3</b>
Compensation of employees	592.8	569.0	597.3	657.5	653.3	681.6	711.2
Goods and services	1 870.9	2 078.3	2 098.8	2 319.7	2 405.8	2 518.4	2 631.1
of which:							
Advertising	15.3	15.3	12.2	16.7	22.0	22.9	23.9
Audit costs: External	39.1	31.2	55.4	43.0	39.2	41.1	42.6
Computer services	17.8	410.9	454.6	552.9	510.0	536.3	560.4
Operating leases	908.3	908.8	889.2	991.3	1 111.3	1 161.1	1 213.1
Property payments	407.0	452.5	449.1	540.1	563.9	589.2	615.6
Travel and subsistence	64.5	17.4	36.3	57.6	54.6	59.4	62.9
<b>Transfers and subsidies</b>	<b>21.5</b>	<b>22.0</b>	<b>23.4</b>	<b>22.4</b>	<b>19.3</b>	<b>20.3</b>	<b>21.3</b>
Provinces and municipalities	0.0	0.0	0.0	0.0	0.1	0.1	0.1
Departmental agencies and accounts	17.3	18.4	17.1	20.1	19.0	19.9	20.9
Households	4.2	3.5	6.2	2.2	0.3	0.3	0.3
<b>Payments for capital assets</b>	<b>52.1</b>	<b>35.4</b>	<b>35.0</b>	<b>15.8</b>	<b>9.6</b>	<b>9.4</b>	<b>10.5</b>
Buildings and other fixed structures	0.2	–	–	–	–	–	–
Machinery and equipment	51.8	35.4	33.8	15.6	9.6	9.4	10.5
Software and other intangible assets	–	–	1.2	0.2	–	–	–
<b>Payments for financial assets</b>	<b>0.4</b>	<b>0.0</b>	<b>0.3</b>	<b>0.1</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Total</b>	<b>2 537.7</b>	<b>2 704.7</b>	<b>2 754.7</b>	<b>3 015.4</b>	<b>3 088.0</b>	<b>3 229.8</b>	<b>3 374.0</b>
<b>Proportion of total programme expenditure to vote expenditure</b>	<b>14.0%</b>	<b>15.1%</b>	<b>14.4%</b>	<b>15.0%</b>	<b>14.9%</b>	<b>15.0%</b>	<b>15.0%</b>
<b>Details of transfers and subsidies</b>							
<b>Households</b>							
<b>Social benefits</b>							
<b>Current</b>	<b>2.1</b>	<b>0.8</b>	<b>1.7</b>	<b>6.2</b>	<b>–</b>	<b>–</b>	<b>–</b>
Employee social benefits	2.1	0.8	1.7	6.2	–	–	–
<b>Departmental agencies and accounts</b>							
<b>Departmental agencies (non-business entities)</b>							
<b>Current</b>	<b>2.2</b>	<b>2.6</b>	<b>2.2</b>	<b>2.3</b>	<b>2.5</b>	<b>2.6</b>	<b>2.8</b>
Finance and Accounting Services Sector	2.2	2.6	2.2	2.3	2.5	2.6	2.8
Education and Training Authority							
<b>Households</b>							

**Table 25.6 Administration expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
<b>Other transfers to households</b>							
Current	2.1	2.0	2.0	2.1	2.3	2.4	2.5
Bursaries for non-employees	2.1	2.0	2.0	2.1	2.3	2.4	2.5

### 6.10.1 Programme resource consideration

The work of the Administration programme is to provide strategic leadership, management and support services to the Department. The Programme's budget allocation grows by 4.1 percent on average per annum. From R3.088 billion in 2023/24 to R3.374 billion in R2025/26. A significant share of the budget allocation funds the provision of office accommodation as well as information technology systems of the Department. The balance of the budget allocations fund the Minister's and Deputy Minister's Offices, management operations as well as corporate support services to the rest of the Department.

The programme consists of 1156 posts of which 136 posts are currently vacant and 1020 are filled. As at 01 January 2023, Programme 1 was sitting at vacancy rate of 11.8%. In order to achieve planned outcomes for the programme, it is necessary that vacant posts be filled and an enabling infrastructure and systems are created and maintained.

**Table 12: Programme 1 staff complement**

Salary level	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost
3	16	2	18	11,1%	2541498
4	29	3	32	9,4%	5010336
5	285	30	315	9,5%	62131212
6	24	0	24	0,0%	5994480
7	211	34	245	13,9%	72602898
8	102	21	123	17,1%	44015448
9	144	22	166	13,3%	71861823
10	28	2	30	6,7%	19911186
11	94	14	108	13,0%	91106889
12	28	1	29	3,4%	29331345
13	42	7	49	14,3%	58627980
14	15	0	15	0,0%	21848781
15	2	0	2	0,0%	3356259
<b>TOTAL</b>	<b>1020</b>	<b>136</b>	<b>1156</b>	<b>11,8%</b>	<b>488340135</b>

## 7.1 Programme 2: Court Services

### 7.1.1 Programme purpose

Facilitate the resolution of criminal and civil cases and family law disputes by providing accessible, efficient and quality administrative support to the lower courts and managing court facilities.

The programme consists of the following sub-programmes:

- i. **Lower Courts:** funds the activities and operations of various regional and district courts. Regional courts adjudicate serious criminal and civil matters, whereas district courts adjudicate less serious civil and criminal cases. There are approximately 2 147 district and regional court rooms across South Africa.
- ii. **Family Advocate:** Conducts family mediations in non-litigation matters with the goal of settling parental disputes out of court. In litigation matters, the family advocate files court reports, makes recommendations, and appears in court to promote and protect the best interests of children. This sub programme also deals with international cases of children who were abducted or retained in foreign countries in terms of The Hague Convention on the Civil Aspects of International Child Abduction.
- iii. **Magistrate's Commission:** funds the Magistrate's Commission, which makes recommendations on the appointment and tenure of magistrates.
- iv. **Facilities Management:** funds the provision of accommodation for courts and justice service-delivery points, including the construction of new and additional accommodation, and the leasing of privately owned premises for use by the Department.
- v. **Administration of Lower Courts:** funds the management of courts administration and performance evaluation functions.

### 7.2.1 Outcomes, outputs, performance indicators and targets

**Table 13: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

<b>Outcome 4: Increased access to justice services</b>								
<b>Output</b>	<b>Output indicators</b>	<b>Audited performance</b>			<b>Estimated performance</b>	<b>Medium-term target</b>		
		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>		<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
					<b>2022/23</b>			
4.1 Refurbishment and upgrading of court facilities through minor capital works.	4.1.1 Number of court facilities refurbished and upgraded through minor capital works.	-	-	-	60	70	82	90
4.2 Phases of Femicide Watch Established	4.2.1 Phases of Femicide Watch completed as required by article 15 of	Phase 2 of the Femicide Watch achieved	Phase 3 of the Femicide Watch dashboard report completed	Phase 4 Functional Femicide Watch dashboard with	Phase 5: Approved report on additional data metrics for Phase 5 Femicide Watch Dashboard	Phase 6: Approved report on additional data metrics for Phase 6 Femicide Watch Dashboard	Phase 7: Published report of Femicide Watch of available live reported GBV-	Phase 8: Approved report on additional metrics of unreported cases



Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	Presidential Summit Declaration against GBVF, 2019, and the National Strategic Plan (NSP) on GBVF		and published to stakeholders	available data			related femicide cases	collected from mortuaries developed
4.3 Child justice preliminary inquiries finalised	4.3.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	94%	90%	94%	90%	92%	93%	94%
	4.3.2 Annual Report on the implementation of the Child	-	-	-	-	Annual Report on the implementation of the Child Justice Act tabled in	Annual Report on the implementation of the Child Justice	Annual Report on the implementation of the

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	Justice Act tabled in Parliament by target date					Parliament by 30 Sept 2023	Act tabled in Parliament by 30 Sept 2024	Child Justice Act tabled in Parliament by 30 Sept 2025
4.4 NRSO Clearance Certificates issued	4.4.1 Percentage of NRSO Clearance Certificates issued within 10 days from date of receipt of the compliant application	-	100%	82%	65%	70%	72%	75%
4.5 NRSO Clearance Certificates issued from backlog cases	4.5.1 Number of NRSO clearance Certificates issued from backlog cases	-	-	-	3000	7896	-	-

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
4.6 Sexual Offences Courts designated	4.6.1 Number of sexual offences courts designated	-	-	0	80	14	12	9
4.7 Courts compliant with the strategy on universal access for persons with disabilities	4.7.1 Number of courts compliant with the strategy on universal access for persons with disabilities	-	-	78	70	65	55	55
4.8 Family Advocate litigation matters finalised	4.8.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of	92%	85%	90%	80%	85%	86%	87%

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	opening the matter							
4.9 Family Advocate Alternative Dispute Resolution Mechanism matters finalised	4.9.1 Percentage of Family Advocate Alternative Dispute Resolution Mechanism matters finalised within 6 months from the date of opening the matter	92%	81%	92%	80%	85%	86%	87%
4.10 Maintenance matters finalised	4.10.1. Percentage of maintenance matters finalised within 90 days from	84%	85%	91%	75%	88%	93%	94%

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	the date of proper service of process							
4.11 Maintenance investigations finalised	4.11.1 Percentage of maintenance investigations finalised by the Maintenance Investigator within 60 days from the date of receipt of instruction/referral	-	-	-	30%	50%	55%	60%
4.12 Effectiveness of established Sexual Orientation, Gender	4.12.1 Number of activities actioned to enhance the effectiveness of the established SOGIESC	-	-	-	-	13	14	15

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
Identity, Expression and Sex Characteristics (SOGIESC) provincial task team enhanced	Provincial Task Teams							
4.13 Coordination of the Prevention and Combating of Trafficking in Persons	4.13.1 Number of activities actioned in collaboration with other stakeholders to prevent and combat Trafficking in Persons	-	-	-	-	13	14	15
4.14 National strategy for	4.14.1 National strategy for domestic	-	-	-	-	National strategy for domestic violence court-	60% implementation of the strategy	80% implementati

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
domestic violence court-based support services approved	violence court-based support services approved by target date					based support services approved by 31 March 2024		on of the strategy
4.15 Small Claims Court system reviewed	4.15.1 Report of the review of the Small Claims Court system submitted to the Minister target date	-	-	-	-	Report of the review of the Small Claims Courts system submitted to the Minister by 31 March 2024	Implementation of recommendations in Review Report adopted by the Minister by March 2025	-
4.16 Decree of divorce issued	4.16.1 Percentage of Decree of divorce issued by the Registrar/ Assistant Registrar within	-	-	-	-	95%	96%	97%



Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	14 working days of finalisation of the divorce							
4.17 Domestic violence protection orders served on the respondent by the clerk of the Court	4.17.1 Percentage of new domestic violence interim protection orders served electronically by a court clerk on the respondent not later than 24 hours from the time the order is received from the court by the court Clerk	-	-	-	-	95%	96%	97%

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	4.17.2 Percentage of domestic violence final protection orders served electronically by a court clerk on the respondent within 48 hours from the time the order is received from the court by the court clerk	-	-	-	-	95%	96%	97%
4.18 Policy Framework on foreign language interpreting submitted	4.18.1 Policy Framework on foreign language interpreting submitted to the DG for	-	-	-	-	Policy Framework on foreign language interpreting submitted to the	-	-

Outcome 4: Increased access to justice services								
Output	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term target		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	approval by target date					DG for approval by 31March 2024		
4.19 A National Conference on the review of the criminal justice system in South Africa held	4.19.1 A National Conference on the review of the criminal justice system in South Africa held by target date	-	-	-	-	A National Conference on the review of the criminal justice system in South Africa held by 31 March 2024	-	-

### 7.3.1 Indicators, annual and quarterly targets for 2023/2024

**Table 14: Output indicators, annual and quarterly targets for 2023/24**

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.1.1 Number of court facilities refurbished and upgraded through minor capital works.	70	Assessments of sites and preparation of bid documents	Awarding of contracts	Progress report on construction	70
4.2.1 Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019 and the National	Phase 6: Approved report on additional data metrics for Phase 6 Femicide Watch Dashboard	Scoping document on Femicide Watch Phase 6	Review report on additional data metrics	User acceptance testing report on the additional data metrics for Phase 6 Femicide Watch Dashboard	Phase 6: Approved report on additional data metrics for Phase 6 Femicide Watch Dashboard

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
Strategic Plan (NSP) on GBVF					
4.3.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	92%	92%	92%	92%	92%
4.3.2 Departmental Annual Report on the implementation of the Child Justice Act tabled in Parliament by target date	Annual Report on the implementation of the Child Justice Act tabled in Parliament by 30 September 2023	-	Annual Report on the implementation of the Child Justice Act tabled in Parliament by 30 September 2023	-	-
4.4.1 Percentage of NRSO Clearance Certificates issued within 10 days from date of receipt of the compliant application	70%	70%	70%	70%	70%
4.5.1 Number of NRSO Clearance certificates issued from backlog cases	7896	1974	1974	1974	1974
4.6.1 Number of sexual offences courts designated	14	-	4	5	5

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.7.1 Number of courts compliant with the strategy on universal access for persons with disabilities	65	10	10	20	65
4.8.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of opening the matter	85%	85%	85%	85%	85%
4.9.1 Percentage of Family Advocate Alternative Dispute Resolution Mechanism matters finalised within 6 months from the date of opening the matter	85%	85%	85%	85%	85%
4.10.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process	92%	92%	92%	92%	92%
4.11.1 Percentage of maintenance investigations finalised by the	50%	50%	50%	50%	50%

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
Maintenance Investigator within 60 days from the date of receipt of instruction/ referral					
4.12.1 Number of activities actioned to enhance the effectiveness of the established SOGIESC Provincial Task Teams	13	3 (1PTT meeting, 1 training workshop in Limpopo and 1 Report)	3 (1 PTT meeting, 1 training workshop in Free State and 1 Report)	3 (1 PTT meeting, 1 training workshop in the Northern Cape and 1 Report)	4 (3 PTT meetings in North-West, Mpumalanga, Eastern Cape and 1 Report)
4.13.1 Number of activities actioned in collaboration with other stakeholders to prevent and combat Trafficking in Persons	13	3 1 NICTIP Meeting, 1PTT Meeting and 1 Report	3 1 NICTIP Meeting, 1PTT Meeting and 1 Report	3 1 NICTIP Meeting, 1PTT Meeting and 1 Report	4 1 NICTIP Meeting, 1PTT Meeting and 1 Report and 1 consolidated Annual Report
4.14.1 National strategy for domestic violence court-based support services approved by target date	National strategy for domestic violence court-based support services approved by 31 March 2024	-	Draft strategy produced	Stakeholder consultation conducted	National strategy for domestic violence court-based support services approved by 31 March 2024
4.15. Report of the review of the Small Claims Court	Report of the review of the Small	Consultation with stakeholders and	Service Provider identified and procured.	Draft report produced	Report of the review of the Small Claims Court



Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
system submitted to the Minister target date	Claims Courts system submitted to the Minister by 31 March 2024	finalisation of Terms of Reference for the Review.			system submitted to the Minister by 31 March 2024
4.16.1 Percentage of Decree of divorce issued by the Registrar/ Assistant Registrar within 14 working days of finalisation of the divorce	95%	95%	95%	95%	95%
4.17.1 Percentage of new domestic violence interim protection orders served electronically by a court clerk on the respondent not later than 24 hours from the time the order is received from the court by the court clerk	95%	95%	95%	Enhancement of the ICMS DV to include the additional variables	95%
4.17.2 Percentage of domestic violence final protection orders served electronically by a court clerk on the respondent	95%	95%	95%	Enhancement of the ICMS DV to include the additional variables	95%

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
within 48 hours from the time the order is received from the court by the court clerk					
4.18.1 Policy Framework on foreign language interpreting submitted to the DG for approval by target date	Policy Framework on foreign language interpreting submitted to the DG for approval by 31 March 2024	Research, data gathering and analysis and stakeholder consultation on the Policy Framework on foreign language interpreting conducted.	Draft Policy Framework on foreign language interpreting produced and presented to policy making structures, i.e. MANCO and EXCO.	Review and incorporate all input, comments and suggestions and second draft of the Framework on foreign language interpreting produced.	Policy Framework on foreign language interpreting submitted to the DG for approval by 31 March 2024
4.19.1 A National Conference on the review of the criminal justice system in South Africa held by target date	A National Conference on the review of the criminal justice system in South Africa held by 31 March 2024	Concept Note developed, and other Conference logistics arranged	-	-	A National Conference on the review of the criminal justice system in South Africa held by 31 March 2024

#### 7.4.1 Outcome, outputs, performance indicators and targets

Table 15: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
10.1 Dedicated Specialised Commercial Courts (Serious Economic Crimes Courts)	10.1.1 Number of dedicated Specialised Commercial Crime Courts capacitated	-	-	-	2	2	2	2

### 7.5.1 Indicators, annual and quarterly targets for 2023/24

Table 16: Output indicators, annual and quarterly targets for 2023/24

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
10.1.1 Number of dedicated specialised Commercial Crimes Courts capacitated	2	Consultation with stakeholders and site identification	Consultation with stakeholder and determine resources needs of the identified site	Allocation of funds to identified regions and/ purchase orders submitted to chosen suppliers	2

### 7.6.1 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 Phases 6 to 7 of Femicide Watch.

**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.

The Child Justice Act, 2008 places a legislative obligation of the Minister of Justice and Correctional Services to table the Annual Report on the implementation of the Child Justice Act, 2008. The information are also required to ensure that South Africa complies with the international obligations in relation to children in conflict with the law, to submit country reports to the United Nations and the African Union as a State Party to the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.

**Percentage of NRSO Clearance Certificates issued to applicants:** The NRSO has been established as a result of high prevalence of sexual offence violence against vulnerable persons. The indicator intends to protect vulnerable persons against convicted sex offenders by ensuring that anyone who has been convicted of a sexual offence against vulnerable persons 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 vulnerable persons. 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 NRSO Clearance Certificates issued from backlog cases:** Through the implementation of this Indicator, the NRSO intends to deal with the backlog cases accumulated when the NRSO started issuing the certificates in 2019. These applications were submitted during the time when the NRSO was not yet operational, however, were all recorded in the NRSO in 2019. Over the MTEF period, the Department plans to clear the backlog on the NRSO clearance certificate applications.

**Number of sexual offences courts designated:** 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 Minister will designate 40 sexual offences courts in order to increase access to justice services as required by the Regulations relating to Sexual Offences Courts.

**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 165 service points per annum are compliant with universal access, designed principles, provision of reasonable accommodation and measures for persons with disabilities.

**Percentage of family litigation finalised within 12 months and Alternative Dispute Resolution (ADR) Processes matters finalised within 6 months from the date of opening the matter:** The indicator was created to facilitate family cohesion by promoting 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 80% litigation matters and 85% of ADR Processes matters 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 82% of maintenance matters are processed within 90 days from the date of proper service of process and that 50% of maintenance investigations are finalised within 60 days from date of receipt of instruction by the Maintenance Investigator from the Maintenance Officer/Referral of the Maintenance File by the Clerk of the Maintenance Court.

**Over the MTEF period, the Department will conduct thirteen (13) LGBTIQ+ NIS activities** which will include enhancement of established provincial structures and training of government officials, Chapter Nine Institutions and community advice officers at service points, awareness on Equality Act with communities, and coordination of the implementation of the Prevention and combating of Trafficking in Persons Act 7 of 2013 through NICTIP meetings and drafting of annual report for submission to Parliament.

**Review of the Small Claims Court system:** This indicator developed to assess the efficacy, successes and challenges experienced in the Small Claims Court system to improve access to justice. Small Claims Courts provide valuable access to courts without the attendant costs that litigating in the Magistrates' Courts bring. The Review will assist the Department in improving the Small Claims Courts system by considering and implementing recommendations made.

Three indicators namely; Percentage of Decree of divorce issued by the Registrar within 14 days of finalisation of the divorce, Percentage of domestic violence protection orders submitted by a court Clerk to the SAPS or Sheriff within 24 hours from the time the order is granted by the court and Percentage of domestic violence protection orders served by the Clerk via email within 24 hours from the time the order is granted by the court were introduced. These indicators were developed to monitor and improve service delivery in divorce matters and protection of vulnerable persons. The Department plan to reach a performance level of 97% on all the three indicators over the MTEF.

## 7.7.1 Reconciling performance with the budget and MTEF

**Table 17: Court Services expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Lower Courts	5 230.1	5 052.6	5 232.9	5 258.6	5 163.2	5 382.6	5 619.2
Family Advocate	242.3	236.7	248.6	280.8	282.0	294.3	307.1
Magistrate's Commission	17.4	13.4	11.6	15.2	19.2	20.1	21.0
Facilities Management	356.0	324.5	633.6	635.6	657.9	694.1	725.2
Administration of Lower Courts	582.8	577.4	553.5	604.3	638.6	667.0	695.4
<b>Total</b>	<b>6 428.7</b>	<b>6 204.6</b>	<b>6 680.2</b>	<b>6 794.4</b>	<b>6 760.8</b>	<b>7 058.1</b>	<b>7 367.9</b>
Change to 2022 Budget estimate				(15.2)	244.8	250.1	–
<b>Economic classification</b>							
<b>Current payments</b>	<b>5 936.6</b>	<b>5 737.9</b>	<b>5 952.0</b>	<b>6 092.1</b>	<b>6 052.5</b>	<b>6 314.8</b>	<b>6 580.9</b>
Compensation of employees	4 180.7	4 218.0	4 414.4	4 412.1	4 483.6	4 678.2	4 880.9
Goods and services	1 755.9	1 519.8	1 537.6	1 680.0	1 568.9	1 636.6	1 700.0
<i>of which:</i>							
Communication	74.7	71.7	77.6	86.2	83.6	84.8	86.7
Contractors	152.3	95.7	98.3	97.6	67.8	70.0	73.1
Consumables: Stationery, printing and office supplies	120.3	72.7	101.3	178.9	112.0	113.8	116.3
Property payments	724.1	848.8	797.5	766.2	738.2	766.3	800.3
Travel and subsistence	215.6	148.7	175.8	146.9	173.1	186.5	199.0
Operating payments	86.8	60.7	75.6	99.4	79.6	83.7	85.4
<b>Transfers and subsidies</b>	<b>23.5</b>	<b>38.9</b>	<b>29.8</b>	<b>32.8</b>	<b>34.4</b>	<b>36.0</b>	<b>37.7</b>
Provinces and municipalities	0.7	0.6	0.6	0.9	1.0	1.0	1.0
Departmental agencies and accounts	0.0	0.0	0.0	0.1	0.1	0.1	0.1
Households	22.7	38.3	29.2	31.8	33.4	35.0	36.6
<b>Payments for capital assets</b>	<b>462.9</b>	<b>416.9</b>	<b>695.8</b>	<b>669.5</b>	<b>673.9</b>	<b>707.3</b>	<b>749.3</b>
Buildings and other fixed structures	305.1	290.7	609.4	571.5	589.3	622.5	650.4
Machinery and equipment	157.9	126.2	86.4	98.0	84.6	84.8	98.9
Software and other intangible assets	–	0.0	–	–	–	–	–
<b>Payments for financial assets</b>	<b>5.7</b>	<b>10.9</b>	<b>2.6</b>	<b>0.1</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Total</b>	<b>6 428.7</b>	<b>6 204.6</b>	<b>6 680.2</b>	<b>6 794.4</b>	<b>6 760.8</b>	<b>7 058.1</b>	<b>7 367.9</b>
<b>Proportion of total programme expenditure to vote expenditure</b>	<b>35.3%</b>	<b>34.7%</b>	<b>35.0%</b>	<b>33.8%</b>	<b>32.5%</b>	<b>32.7%</b>	<b>32.7%</b>
<b>Details of transfers and subsidies</b>							
<b>Households</b>							
<b>Social benefits</b>							
<b>Current</b>	<b>0.4</b>	<b>0.2</b>	<b>0.5</b>	<b>0.1</b>	<b>–</b>	<b>–</b>	<b>–</b>
Employee social benefits	0.4	0.2	0.5	0.1	–	–	–
<b>Departmental agencies and accounts</b>							
<b>Departmental agencies (non-business entities)</b>							
<b>Current</b>	<b>20.8</b>	<b>20.5</b>	<b>20.3</b>	<b>20.8</b>	<b>33.9</b>	<b>34.9</b>	<b>35.8</b>
Cooperative Banks Development Agency	20.8	20.5	20.3	20.8	20.9	21.9	22.8
Ombud Council	–	–	–	–	13.0	13.0	13.0



### 7.8.1 Programme resource consideration

The work of the Court Services programme is 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 to manage facilities and justice security services in respect of facilities for which DoJ&CD is responsible. The programme consist of 13349 posts of which 689 are currently vacant and 12660 filled. As at 01 January 2023 programme 2 was sitting at 5.2% vacancy rate. In order to achieve planned outcomes for the programme, it is necessary that vacant posts be filled and an enabling infrastructure and security services are enhanced.

**Table 18: Programme 2 staff complement**

Salary level	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost
3	256	40	296	13,5%	40805778
4	257	17	274	6,2%	43329672
5	8851	326	9177	3,6%	1820955498
6	286	13	299	4,3%	76278825
7	1227	114	1341	8,5%	399987189
8	901	59	960	6,1%	340798758
9	232	32	264	12,1%	112046064
10	329	30	359	8,4%	184236291
11	141	26	167	15,6%	137310030
12	128	25	153	16,3%	150873873
13	40	6	46	13,0%	53227356
14	12	0	12	0,0%	16833414
15	0	1	1	100,0%	1590747
<b>TOTAL</b>	<b>12660</b>	<b>689</b>	<b>13349</b>	<b>5,2%</b>	<b>3378273495</b>

## 8.1 Programme 3: State Legal Services

### 8.1.1 Programme purpose

Provide legal and legislative services to government. Supervise the registration of trusts, and the administration of deceased and insolvent estates and estates undergoing liquidation. Manage the Guardian's Fund. Prepare and promote legislation. Facilitate constitutional development and undertake research in support of this.

The programme consists of the following sub-programmes:

- i. **State Law Advisers:** provides legal advice, representation and legislative drafting services to the executive, state departments, state-owned enterprises and other government bodies through the Office of the Chief State Law Adviser.
- ii. **Litigation and Legal Services:** : provides attorney, conveyancing and notarial services to the executive, state departments, state-owned enterprises and other government bodies through the offices of the state attorney and also provides legal support to the department and ministry.
- iii. **Legislative Development and Law Reform:** conducts research, and prepares and promotes new and amended legislation.
- iv. **Master of the High Court:** funds the master's offices, which supervise the administration of deceased and insolvent estates, trusts, curatorship's and the Guardian's Fund.
- v. **Constitutional Development:** conducts research; 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); promotes the Constitution and its values; assists and protects independent institutions supporting constitutional democracy to ensure their independence and effectiveness; and coordinates, promotes and develops programmes in support of social justice and participatory democracy.

### 8.2.1 Outcomes, outputs, performance indicators and targets

**Table 19: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

Outcome 5: Improved and transformed Masters Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
5.1 Liquidation and distribution accounts in deceased estates examined	5.1.1 Percentage of Liquidation and distribution accounts in deceased estates where letters of executorship has been issued, examined within 21 days from receipt of all required documents	-	-	-	75%	80%	90%	90%
5.2 Letters of appointment in deceased estate issued	5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents	91%	75%	78%	70%	75%	78%	80%

Outcome 5: Improved and transformed Masters Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
5.3 Guardian's Fund applicants paid	5.3.1 Percentage of Guardian's Fund applications paid within 40 days from date of receipt of all required documents	-	89%	80%	80%	80%	85%	90%
5.4 Certificates of appointment in all bankruptcy matters issued	5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	93%	87%	87%	80%	83%	85%	87%
5.5 Liquidation and distribution accounts in bankruptcy matters examined	5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	96%	82%	88%	85%	90%	95%	95%
5.6 Letters of authority in trusts issued	5.6.1 Percentage of letters of authority issued in trusts within 21 days from receipt of all required documents	85%	68%	62%	65%	65%	70%	75%

Outcome 5: Improved and transformed Masters Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
5.7 Letters of appointment in curatorship estates issued	5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	97%	92%	94%	85%	90%	95%	95%
5.8 Policy on appointment of Insolvency Practitioners submitted to the Minister	5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister by target date	-	-	-	Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by 31 March 2023	Policy on appointment of insolvency Practitioners submitted to the Minister by 15 March 2024	-	-
5.9 Master's Turnaround Strategy implemented	5.9.1 Number of interventions from the Masters Turnaround Strategy implemented	-	-	-	4	3	2	-

### 8.3.1 Indicators, annual and quarterly targets for 2023/24

**Table 20: Programme performance indicators and quarterly targets 2023/24**

<b>Outcome 5: Improved and transformed Masters Services</b>					
<b>Output indicators</b>	<b>Annual target 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
5.1.1 Percentage of Liquidation and distribution accounts in deceased estates where letters of executorship has been issued, examined within 21 days from receipt of all required documents	80%	80%	80%	80%	80%
5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents	75%	75%	75%	75%	75%
5.3.1 Percentage of Guardian's Fund applications paid within 40 days from date of receipt of all required documents	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	83%	83%	83%	83%	83%

Outcome 5: Improved and transformed Masters Services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	90%	90%	90%	90%	90%
5.6.1 Percentage of letters of authority issued in trusts within 21 days from receipt of all required documents	65%	65%	65%	65%	65%
5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	90%	90%	90%	90%	90%
5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister by target date	Policy on appointment of insolvency Practitioners submitted to the Minister by 15 March 2024	Consolidating inputs from consultative process	Review policy to include inputs	Final draft	Policy on appointment of insolvency Practitioners submitted to the Minister by 15 March 2024
5.9.1 Number of interventions from the Masters Turnaround Strategy implemented	3	-	-	-	3

#### 8.4.1 Outcomes, outputs, performance indicators and targets

**Table 21: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

<b>Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced</b>								
<b>Outputs</b>	<b>Outputs indicators</b>	<b>Audited performance</b>			<b>Estimated performance 2022/23</b>	<b>Medium-term targets</b>		
		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>		<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
6.1 Bills and Regulations approved by Ministry	6.1.1 Number of Bills and Regulations submitted to Ministry for approval	9	5	8	4	4	4	4
6.2 Bills seeking to repeal or repeal and replace Colonial/Apartheid era justice-related Legislation submitted to Ministry	6.2.1 Number of Bills seeking to repeal or repeal and replace Colonial/Apartheid era justice-related Legislation submitted to Ministry	-	3	1	3	3	3	3
6.3 Court Rules submitted to the Board for consideration and approval	6.3.1 Number of Rules of Court submitted to the Board for approval	25	20	33	20	20	20	20
6.4. Research papers submitted to the Commission for consideration and approval	6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval	11	11	11	10	10	10	10



### 8.5.1 Indicators, annual and quarterly targets for 2023/24

**Table 22: Programme performance indicators and quarterly targets for 2023/24**

<b>Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced</b>					
<b>Output indicators</b>	<b>Annual target 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
6.1.1 Number of Bills and Regulations submitted to Ministry for approval	4	1	2	3	4
6.2.1 Number of Bills seeking to repeal or repeal and replace Colonial/ Apartheid era justice-related Legislation submitted to Ministry	3	-	-	1	3
6.3.1 Number of Rules of Court submitted to the Board for approval	20	8	7	3	20
6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval	10	3	3	2	2

### 8.6.1 Outcomes, outputs, performance indicators and targets

**Table 23: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
2.17 Criminal records of qualifying candidates cleared	2.17.1 Percentage of expungements finalised within 75 working days after receipt of complete application	-	-	67%	80%	75%	80%	85%

### 8.7.1 Indicators, annual and quarterly targets for 2023/24

**Table 24: Programme performance indicators and quarterly targets for 2023/24**

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.17.1 Percentage of expungements finalised within 75 working days after receipt of complete application	75%	75%	75%	75%	75%

### 8.8.1 Outcomes, outputs, performance indicators and targets

**Table 25: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

<b>Outcome 10: Crime and corruption reduced through effective prosecution</b>								
<b>Outputs</b>	<b>Output Indicators</b>	<b>Audited performance</b>			<b>Estimated performance 2022/23</b>	<b>Medium-term targets</b>		
		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>		<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
10.2 Bills, Regulations, notices and proclamations submitted to Ministry for consideration and approval	10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to Ministry for consideration and approval	-	-	-	3	2	-	-
10.3 Identified Action Plan items to exit the grey list of FATF implemented.	10.3.1 Number of activities of the High Level Action Plan to exit the grey list of FATF implemented.	-	-	-	-	3	3	-

### 8.9.1 Indicators, annual and quarterly targets for 2023/24

**Table 26: Programme performance indicators and quarterly targets for 2023/24**

<b>Outcome 10: Crime and corruption reduced through effective prosecution</b>					
<b>Output indicators</b>	<b>Annual target for 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to Ministry for consideration and approval	2	-	-	1	2
10.3.1 Number of activities of the High Level Action Plan to exit the grey list of FATF implemented	3	-	1	1	3

### 8.10.1 Outcomes, outputs, performance indicators and targets

**Table 27: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

<b>Outcome 7: Transformed State Legal Services</b>								
<b>Outputs</b>	<b>Outputs indicators</b>	<b>Audited performance</b>			<b>Estimated performance 2022/23</b>	<b>Medium-term targets</b>		
		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>		<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
7.1 Policies as envisaged in the State Attorney Amendment Act, 2014 implemented	7.1.1 Percentage of policy implementation action plan activities implemented	-	-	-	-	50%	75%	100%
7.2 Litigation cases settled	7.2.1 Percentage of litigation cases settled	52%	50%	50%	55%	56%	57%	58%
7.3 Finalised Legal opinions	7.3.1 Percentage of legal opinions finalised within 30 working days from the date of receipt of instructions	96%	97%	89%	75%	80%	82%	85%

Outcome 7: Transformed State Legal Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
7.4 Finalised suggested Bills and subordinate legislations	7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 working days from the date of receipt of instructions	91%	94%	86%	75%	80%	82%	85%
7.5 Finalised International Agreement	7.5.1 Percentage of International Agreements finalised within 30 working days from the date of receipt of instructions	-	-	-	75%	78%	80%	82%

### 8.11.1 Indicators, annual and quarterly targets for 2023/24

**Table 28: Programme performance indicators and quarterly targets for 2023/24**

<b>Outcome 7: Transformed State Legal Services</b>					
<b>Output indicators</b>	<b>Annual target 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
7.1.1 Percentage of policy implementation action plan activities implemented	50%	Policy implementation action plan developed	Policy implementation action plan approved by the Office of the Solicitor-General	25% activities of the implementation action plan implemented.	25% activities of the implementation action plan implemented.
7.2.1 Percentage of litigation cases settled	56%	56%	56%	56%	56%
7.3.1 Percentage of legal opinions finalised within 30 working days from the date of receipt of the instructions	80%	80%	80%	80%	80%
7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 working days from the date of receipt of instructions	80%	80%	80%	80%	80%
7.5.1 Percentage of International Agreement finalised within 30 working days from the date of receipt of instructions	78%	78%	78%	78%	78%



### 8.12.1 Outcomes, outputs, performance indicators and targets

**Table 29: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

Outcome 8: Transformed Legal profession								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
8.1 Value of briefs allocated to PDI Legal Practitioners	8.1.1 Percentage of value of briefs allocated to PDI Legal Practitioners	82%	80%	83%	83%	83%	83%	83%
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%	28%	30%	31%	32%
8.3. Briefs allocated to Female Legal Practitioners.	8.3.1 Percentage of Briefs allocated to Female Legal practitioners	39%	-	40%	40%	41%	42%	43%

### 8.13.1 Indicators, annual and quarterly targets for 2023/24

**Table 30: Programme performance indicators and quarterly targets for 2023/24**

<b>Outcome 8: Transformed Legal profession</b>					
<b>Output indicators</b>	<b>Annual target 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners	83%	83%	83%	83%	83%
8.2.1 Percentage of value of briefs allocated to female Legal Practitioners	30%	30%	30%	30%	30%
8.3.1 Percentage of Briefs allocated to Female Legal practitioners	41%	41%	41%	41%	41%

#### 8.14.1 Outcomes, outputs, performance indicators and targets

**Table 31: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
9.1 Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed	9.1.1 Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by target date	-	-	Data sets for the development of a virtual repository identified by 31 March 2022.	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister	Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by 31 March 2024	-	-

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
					by 31 March 2023			
9.2 Treaty report tabled	9.2.1 Number of country reports submitted to Minister for approval for submission to Cabinet	0	3	1	1 <sup>9</sup>	1 <sup>10</sup>	2 <sup>11</sup>	1 <sup>12</sup>
9.3 Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director	9.3.1 <sup>13</sup> Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 working days from the date of receipt	91%	84%	57%	80%	85%	90%	95%

9 International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT).

10 African Charter on Human and People's Rights (ACHPR)

11 International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Convention for the Elimination of All Forms of Racial Discrimination (ICERD)

12 International Covenant on Civil and Political Rights (ICCPR)

13 This indicator is in line with the FATF recommendation for S.A to visibly prioritise and separately report on cases related to terror financing and money laundering

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
9.4 Engagements with Stakeholders held	9.4.1 Number of engagements held with stakeholders towards the promotion of the Equality Act and Equality Courts	-	-	-	4	6	8	10
	9.4.2 Number of constitutional dialogues held for the advancement of constitutionalism	-	-	-	-	4	5	6
9.5 International Human Rights instruments submitted to Minister for approval	9.5.1 Number of international Human Rights instruments submitted to Minister for approval	-	-	-	2 <sup>14</sup>	1	-	-
9.6 Programme for Legal Empowerment and Access to Justice (PLEAJ) implemented	9.6.1 Number of constitutional rights awareness/education sessions conducted by Community Advice Offices	-	-	-	-	200	265	200

<sup>14</sup> The indicator was previously not included in the APP, however it was included in the 2022/23 Operational plan. The estimated performance was drawn from the 2022/23 Operational plan for the branch

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	9.6.2 Number of Community Advice Offices provided with financial support to deliver free basic advice services	-	-	-	-	50	60	73
9.7 Framework on International Relations Engagement submitted	9.7.1 Framework on International Relations Engagement submitted to DG for approval target date	-	-	-	-	Framework on International Relations Engagement submitted to DG for approval by 31 March 2024	-	-
9.8 A National Conference on the State of human rights in South Africa held	9.8.1 A National Conference on the State of human rights in South Africa held by target date	-	-	-	-	A National Conference on the state of human rights in South Africa held by 31 March 2024	-	-

8.15.1 Indicators, annual and quarterly targets for 2023/24

**Table 32: Programme performance indicators and quarterly targets for 2023/24**

Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
9.1.1 Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by target date	Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by 31 March 2024	Selection of recommended system Conduct internal stakeholder consultation with NOC and IT.	Identifying the process for the development of the Virtual data repository  Insource services of service provider to develop Virtual repository	<ul style="list-style-type: none"> <li>Engage with stakeholders in the criminal justice system to finalise business agreement</li> <li>Develop the charge categories for the development of different fields in virtual data repository system</li> </ul>	Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by 31 March 2024
9.2.1 Number of country reports submitted to Minister for approval for submission to Cabinet	1	-	-	-	1
9.3.1 Percentage of valid requests for	85%	85%	85%	85%	85%

Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 working days from the date of receipt					
9.4.1 Number of engagements held with stakeholders towards the promotion of the Equality Act and Equality Courts	6	-	2	2	2
9.4.2 Number of constitutional dialogues held for the advancement of constitutionalism	4	1	1	1	1
9.5.1 Number of international Human Rights instruments submitted to Minister for approval	1	Submission of memorandum to Minister to request for approval to consult Clusters	Consultations with government clusters on draft Cabinet Memorandum to accede to the Convention on the	Submission of Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial	1



Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
			Recognition and Enforcement of Foreign Judgements in Civil or Commercial matters ( Hague Judgement Convention)	matters (Hague Judgement Convention) to Minister for approval to submit to Cabinet for accession	
9.6.1 Number of constitutional rights awareness/education sessions conducted by Community Advice Offices	200	-	70	150	200
9.6.2 Number of Community Advice Offices provided with financial support to deliver free basic advice services	50	-	30	40	50
9.7.1 Framework on International Relations Engagement submitted to the DG by target date	Framework on International Relations Engagement submitted to the DG for approval by 31 March 2024	Benchmark study, desk-top research, data gathering and analysis and stakeholder consultation on the Framework on International Relations	Draft Framework on International Relations Engagement produced and presented to policy making structures, i.e. MANCO and EXCO.	Review and incorporate all input, comments and suggestions and second draft of the Framework on International Relations Engagement produced.	Framework on International Relations Engagement submitted to DG for approval by 31 March 2024

Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
		Engagement conducted.			
9.8.1 A National Conference on the state of human rights in South Africa held by target date	A National Conference on the state of human rights in South Africa held by 31 March 2024	Concept Note developed and conference logistics initiated	Stakeholder engagements	-Stakeholder engagements -Conference logistics continued	A National Conference on the state of human rights in South Africa held by 31 March 2024

### 8.16.1 Outcomes, outputs, performance indicators and targets

Table 33: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
3.2 Sustained and visible anti-xenophobia campaigns conducted	3.2.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.	6	6	7	6	6	6	6

### 8.17.1 Indicators, annual and quarterly targets for 2023/24

Table 34: Programme performance indicators and quarterly targets for 2023/24

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	Annual target for 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
3.2.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.	6	3	4	5	6

### 8.18.1 Explanation of Planned Performance over the Medium-Term Period

**Liquidation and distribution accounts in deceased estates where letters of executorship have been issued examined within 21 days from receipt of all required documents.** After a person has been appointed as executor 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 where an executor has been appointed by the Master, 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 21 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 the heirs of the deceased to pay the debts of the deceased, maintain the family, transfer assets to the rightful heirs, 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 finalised 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, 2014.

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 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 21 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 75% of Letters of authority are issued in trusts within 21 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 be 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 95% 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. Additionally, the Branch will continue to implement the masters turnaround strategy in order to improve the services it render to its clients.

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 such legislation in Parliament.

The legislation to be attended to endeavour and 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 is 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 disadvantaged 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 or replacement of apartheid or colonial era legislation.

Almost three decades into the democratic dispensation, the South African statutes book is still replete with several pieces of legislation dating back to the apartheid era, even stretching back to the colonial era. The statutes 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 75% on their 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.

**Legal opinions, scrutiny of bills, regulations and international agreements:** Legal opinions, preliminary legal opinions, certification of Bills and the scrutiny of Regulations help government to conduct its business in a manner consistent with the Constitution and the domestic law and thereby reduce potential litigation against the state. This will enable government to focus on its service delivery mandate. This also contributes in converting policy decisions of Cabinet into laws that promote service delivery. Scrutiny of international agreements helps government in entering into agreements with other governments and other international institutions that will not impact negatively on its citizens.

**Percentage of litigation cases settled:** This output also has a direct impact on the second branch outcome by measuring percentage of litigation cases settled during the 2023/24 financial year. The finalisation of the Alternative Dispute Resolution Mechanism (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 58% through ADRM over the MTEF period.

**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 at least 41% of briefs to female legal practitioners. In addition, over the medium-term the plan will be to monitor the rand value of briefs allocated to previously disadvantaged legal practitioners, with the target set for PDIs at 83%, and the target for female legal practitioners set at 30%.

**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 International Covenant on Civil and Political Rights (ICCPR), and the International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).



**Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted:** Over the MTEF period, the Department plans to process 95% of valid requests for extradition and mutual legal assistance in criminal matters within 20 working 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. The department will also develop and complete the Framework on International Legal Relations in the new financial year.

**Implementation of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP) and coordination as focal agency:** the Department as focal agency for the NAP approved by Cabinet in 2019, will continue to implement the NAP as per the deliverables set out in the 5year NAP Programme of Action, as aligned to the MTSF for 2019-2024. It will also coordinate the implementation of the NAP by various stakeholders and provide secretariat support to the various established NAP governance structures.

**Participatory Democracy programmes:** The programme for participatory democracy requires that the Department develops a National Framework for Participatory Democracy which will guide and detail how different stakeholders including Government and community organisation will promote active citizenship and integrate programmes across National government departments and provincial government. The draft National Framework for Participatory Democracy will be used to engage National and provincial departments in order to align participatory democracy programmes across the sector. Over the medium term, the Department plans to fully implement the Framework for Participatory Democracy when engaging key stakeholders. During the financial year, the department will organize a national conference on the state of human rights in South Africa.

#### 8.19.1 Reconciling performance information with the budget and MTEF

<b>Table 35: State Legal Services expenditure trends and estimates by subprogramme and economic classification</b>							
Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
State Law Advisors	70.3	67.8	69.4	81.4	83.3	86.9	90.7
Litigation and Legal Services	533.8	636.2	564.4	521.1	496.0	516.7	539.4
Legislative Development and Law Reform	67.2	59.7	62.7	98.7	99.5	104.7	108.9
Master of the High Court	532.0	517.8	543.3	555.5	572.1	596.2	621.1
Constitutional Development	69.3	63.4	64.0	94.3	96.2	99.9	104.3
<b>Total</b>	<b>1 272.6</b>	<b>1 344.8</b>	<b>1 303.8</b>	<b>1 351.0</b>	<b>1 347.1</b>	<b>1 404.3</b>	<b>1 464.4</b>
Change to 2022 Budget estimate				28.3	43.8	42.3	–
<b>Economic classification</b>							
<b>Current payments</b>	<b>1 227.4</b>	<b>1 155.4</b>	<b>1 227.9</b>	<b>1 303.6</b>	<b>1 307.3</b>	<b>1 361.6</b>	<b>1 419.8</b>
Compensation of employees	1 072.7	1 058.4	1 095.7	1 151.8	1 180.4	1 231.4	1 284.7
Goods and services	154.7	97.0	132.2	151.8	126.9	130.2	135.1
of which:							
Communication	11.0	8.6	10.1	11.6	14.3	16.5	17.3
Legal services	75.0	53.8	76.7	36.3	42.5	43.1	45.1

**Table 35: State Legal Services expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
<i>Consumables: Stationery, printing and office supplies</i>	14.4	11.9	15.1	16.6	16.5	16.9	17.6
<i>Operating leases</i>	2.5	2.1	0.5	0.5	9.5	6.3	6.4
<i>Travel and subsistence</i>	33.2	10.3	16.8	14.4	18.2	19.3	19.7
<i>Operating payments</i>	4.8	3.3	3.7	49.4	4.7	5.8	5.2
<b>Transfers and subsidies</b>	<b>31.8</b>	<b>22.6</b>	<b>22.6</b>	<b>29.6</b>	<b>27.8</b>	<b>29.0</b>	<b>30.3</b>
Provinces and municipalities	0.0	0.0	0.0	0.1	0.1	0.1	0.1
Departmental agencies and accounts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Foreign governments and international organisations	13.0	14.5	13.7	20.7	21.6	22.5	23.5
Households	18.8	8.1	8.9	8.9	6.1	6.4	6.7
<b>Payments for capital assets</b>	<b>13.3</b>	<b>15.1</b>	<b>14.4</b>	<b>17.6</b>	<b>12.1</b>	<b>13.7</b>	<b>14.3</b>
Machinery and equipment	13.3	15.1	14.4	17.6	12.1	13.7	14.3
Software and other intangible assets	–	–	–	0.0	–	–	–
<b>Payments for financial assets</b>	<b>0.2</b>	<b>151.7</b>	<b>38.9</b>	<b>0.1</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Total</b>	<b>1 272.6</b>	<b>1 344.8</b>	<b>1 303.8</b>	<b>1 351.0</b>	<b>1 347.1</b>	<b>1 404.3</b>	<b>1 464.4</b>
<b>Proportion of total programme expenditure to vote expenditure</b>	<b>7.0%</b>	<b>7.5%</b>	<b>6.8%</b>	<b>6.7%</b>	<b>6.5%</b>	<b>6.5%</b>	<b>6.5%</b>
<b>Details of transfers and subsidies</b>							
<b>Households</b>							
<b>Social benefits</b>							
<b>Current</b>	<b>1.9</b>	<b>1.6</b>	<b>0.5</b>	<b>0.8</b>	<b>0.3</b>	<b>0.3</b>	<b>0.3</b>
Employee social benefits	1.9	1.6	0.5	0.8	0.3	0.3	0.3
<b>Departmental agencies and accounts</b>							
<b>Departmental agencies (non-business entities)</b>							
<b>Current</b>	<b>755.1</b>	<b>651.8</b>	<b>1 066.9</b>	<b>1 063.7</b>	<b>852.1</b>	<b>463.7</b>	<b>487.6</b>
Financial and Fiscal Commission	54.3	63.8	63.2	63.8	64.1	67.0	70.0
Government Technical Advisory Centre	600.8	548.0	669.9	710.4	589.2	396.8	417.7
Development Bank of Southern Africa	100.0	40.0	153.7	95.0	–	–	–
Government Technical Advisory Centre: Independent power producer project preparation support	–	–	100.0	–	–	–	–
Development Bank of Southern Africa: Support to the Infrastructure Fund operations	–	–	80.2	42.4	46.3	–	–
Development Bank of Southern Africa: Support to the Infrastructure Fund Social Housing programme	–	–	–	152.0	152.5	–	–
<b>Capital</b>	<b>0.8</b>	<b>0.9</b>	<b>0.9</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.1</b>
Government Technical Advisory Centre	0.8	0.9	0.9	1.0	1.0	1.0	1.1
<b>Provinces and municipalities</b>							
<b>Municipalities</b>							
<b>Municipal bank accounts</b>							
<b>Current</b>	<b>682.2</b>	<b>688.7</b>	<b>707.3</b>	<b>725.6</b>	<b>728.4</b>	<b>761.1</b>	<b>795.2</b>
Local government financial management grant	532.8	544.9	552.1	566.4	568.6	594.1	620.7
Infrastructure skills development grant	149.4	143.9	155.2	159.2	159.9	167.0	174.5
<b>Capital</b>	<b>901.7</b>	<b>793.1</b>	<b>1 658.9</b>	<b>1 654.0</b>	<b>1 851.6</b>	<b>1 040.7</b>	<b>1 087.4</b>
Programme and project preparation support grant	310.1	313.7	341.3	360.9	376.8	393.7	411.4
Neighbourhood development partnership grant	591.7	479.4	1 317.6	1 293.1	1 474.8	647.0	676.0

### 8.20.1 Programme resource consideration

The work of State Legal Services relate to the provision of litigation, legal and legislative services to the state. The programme consist of 2349 posts of which 270 are currently vacant and 2079 are filled. As at 01 January 2023 Programme 3 was sitting at 11.5% vacancy rate. In order to achieve planned outcomes for the Programme, it is necessary that vacant posts be filled and an enabling infrastructure is created and maintained.

**Table 36: Programme 3 staff complement**

Salary level	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost
2	1		1	0,0%	107196
3	9	1	10	10,0%	1663614
4	128	23	151	15,2%	23987259
5	774	62	836	7,4%	169498824
6	75	8	83	9,6%	21511515
7	284	35	319	11,0%	96635277
8	143	18	161	11,2%	71622024
9	90	20	110	18,2%	47928564
10	182	28	210	13,3%	106067064
11	9	5	14	35,7%	11239203
12	348	63	411	15,3%	406299585
13	16	4	20	20,0%	23615172
14	17	2	19	10,5%	25901121
15	3	1	4	25,0%	6712875
<b>TOTAL</b>	<b>2079</b>	<b>270</b>	<b>2349</b>	<b>11,5%</b>	<b>1012789293</b>

## 9.1 Programme 4: National Prosecuting Authority

### 9.1.1 Programme purpose

Provide a coordinated prosecuting service that ensures that justice is delivered to victims of crime through general and specialised prosecutions. Remove profit from crime. Protect 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. **Investigating Directorate:** Provides for the Investigating Directorate, established in the Office of the National Director of Public Prosecutions, to deal with offences or criminal or unlawful activities involving serious, high profile and complex corruption, including allegations of corruption arising from commissions of inquiry.
- iii. **Assets Forfeiture Unit:** Seizes assets that are acquired from the proceeds of crime or have been part of an offence through criminal or civil processes.
- iv. **Office for Witness Protection:** Provides for temporary protection, support and related services to vulnerable and intimidated witnesses and related people in judicial proceedings in terms of the Witness Protection Act (1998).
- v. **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.

### 9.2.1 Outcomes, outputs, performance indicators and targets for 2023/24

Table 37: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)

Outcome 10: Crime and corruption reduced through effective prosecution								
Output	Output indicators	Audited Performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
10.4. Effective prosecutions conducted	10.4.1. Conviction rate in High Court	90.9%	93.8%	91%	87%	87%	87%	87%
	10.4.2. Conviction rate in Regional Court	82.5%	82.6%	80.6%	74%	74%	74%	74%
	10.4.3. Conviction rate in District Court	95.3%	95.9%	93.9%	88%	88%	88%	88%
	10.4.4. Conviction rate in cable theft	N/A	81.5%	92%	80%	80%	80%	80%
	10.4.5. Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0	0	0	0	0	0	0
10.5 Fraud and corruption dealt with	10.5.1. Conviction rate in complex commercial crime	92.3%	90.2%	90.5%	90%	90%	90%	90%
	10.5.2. Number of persons convicted of corruption and/or offences related to corruption <sup>15</sup>	416	233	339	334	334	334	334

<sup>15</sup> The indicator is a combination of number of private sector persons and number of government officials convicted of corruption.

Outcome 10: Crime and corruption reduced through effective prosecution								
Output	Output indicators	Audited Performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
	10.5.3 Number of investigations authorised <sup>16</sup>	N/A	N/A	N/A	11	11	16	21
	10.5.4 Number of state capture and complex corruption matters enrolled <sup>17</sup>	N/A	N/A	N/A	9	12	15	18
	10.5.5. Number of prosecutions instituted involving money laundering <sup>18</sup>	N/A	N/A	N/A	N/A	Baseline	Baseline	Baseline
10.6 Freezing of money and assets that are the proceeds of crime	10.6.1 Value of completed forfeiture cases	R2.5bn	R550m	R406m	R550m	R550m	R550m	R550m
	10.6.2 Value of freezing orders obtained for corruption or related offences	R1.6bn	R611m	R5.5bn	R2.4bn	R2.4bn	R2.2bn	R2.2bn
10.7 Recovery of money and assets that are the proceeds of crime	10.7.1 Value of recoveries relating to corruption or related offences	R3m	R3m	R117m	R1.4bn	R1.4bn	R1.4bn	R1.4bn

16 New output indicator linked to mandate of Investigating Directorate (ID).

17 New output indicator linked to mandate of the Investigating Directorate (ID) of dealing with offences or criminal or unlawful activities involving serious, high profile and complex corruption, including allegations of corruption arising from commissions of inquiry.

18 Number to be determined. Prosecutions instituted will be counted at the time of plea

### 9.3.1 Indicators, annual and quarterly targets for 2023/24

**Table 38: Indicators, annual and quarterly targets for 2023/24**

<b>Outcome 10: Crime and corruption reduced through effective prosecution</b>					
<b>Output indicators</b>	<b>Annual target 2023/24</b>	<b>Quarterly targets</b>			
		<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
10.4.1. Conviction rate in High Court	87%	87%	87%	87%	87%
10.4.2. Conviction rate in Regional Court	74%	74%	74%	74%	74%
10.4.3. Conviction rate in District Court	88%	88%	88%	88%	88%
10.4.4. Conviction rate in cable theft	80%	80%	80%	80%	80%
10.4.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0	0	0	0	0
10.5.1. Conviction rate in complex commercial crime	90%	90%	90%	90%	90%
10.5.2. Number of persons convicted of corruption and/or offences related to corruption	334	95	95	69	75
10.5.3. Number of investigations authorised	11	2	4	3	2
10.5.4 Number of state capture and complex corruption matters enrolled	12	3	2	2	5

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
10.5.5. Number of prosecutions instituted involving money laundering	Baseline	–	–	–	Baseline
10.6.1.Value of completed forfeiture cases	R550m	R150m	R150m	R100m	R150m
10.6.2 Value of freezing orders obtained for corruption or related offences	R2.4bn	R550m	R750m	R450m	R650m
10.7.1 Value of recoveries relating to corruption or related offences	R1.4bn	R250m	R400m	R300m	R450m



#### 9.4.1 Outcomes, outputs, performance indicators and targets

Table 39: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)

Outcome 4: Increased access to justice services								
Outputs	Output indicators	Audited performance			Estimated performance 2022/23	Medium-term targets		
		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
4.20 Victim-centric services enhanced	4.20.1. Number of new Thuthuzela care centres established	55	55	55	62	2	2	2
	4.20.2. Conviction rate in sexual offences	75.2%	75.8%	74.3%	70%	70%	70%	70%

### 9.5.1 Indicators, annual and quarterly targets for 2023/24

Table 40: Programme performance indicators and quarterly targets for 2023/24

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.20.1. Number of new Thuthuzela care centres established	2	-	1	-	1
4.20.2. Conviction rate in sexual offences	70%	70%	70%	70%	70%

### 9.6.1 Explanation of Planned Performance over the Medium-Term Period

**Effective prosecutions conducted** is demonstrated by various conviction rates at the following court forums, high court, regional court and district court as well as conviction rate in cases involving cable theft which is a JCPS cluster priority as outlined by the National Annual Strategic Plan (NASP).

The NPA recognizes that availability of witnesses and related persons during court proceedings is critical to successful prosecutions. The Office for Witness Protection has a clear mandate of ensuring that witnesses and related persons are not harmed or threatened or killed whilst on the witness programme.

**Fraud and corruption dealt with** is a surmountable task laying ahead for the NPA and its specialized units such as the Investigating Directorate, Specialized Complex Commercial Unit and the Asset Forfeiture Unit. Through grand corruption, vast amounts of public money are systematically siphoned off to the accounts of few individuals, at the expense of the citizens. To curb these impunities, NPA will work together with cluster partners and other institutions to hold those implicated accountable. The NPA will without fear, favor or prejudice pursue both individuals and cooperates central to the scourge of corruption in South Africa. The outcomes become even more relevant following the part release of the Zondo Commission report which has by far revealed that in recent years' corruption has centered around those in positions of power and influence in the public sector diverting public funds into the private sector. Priorities for the next coming for the NPA will be to ensure that those implicated in state capture are thoroughly and properly investigated, prosecuted and disarmed by recovering monies earned through illicit means.

**Freezing and recovery of monies that are proceeds of crime.** The battle against corruption and organized crime at large thrives when those involved and invested in such crime continue feeding the system through ill-gotten monies. To put an end to this impunity the NPA should ensure that collaborative efforts enhanced to identify, investigate and recover monies which are proceeds of crime.

**Victim-centric services enhanced** is vital to the battle against Gender-based violence, femicide and sexual offence crimes at large. The outcome supports initiatives such as its internationally modelled Thuthuzela Care Centres to support victims of gender-based violence and sexual offences and to minimize secondary victimization. Furthermore, through the Sexual Offences and Community Affairs unit the NPA has played and continues to play a critical role in the development of the National Gender-Based Violence and Femicide Strategic Plan (GBVF-NSP) which is a response strategy by government to address the scourge of GBV and Femicide.

### 9.7.1 Reconciling performance information with the budget and MTEF

**Table 41: National Prosecuting Authority expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
National Prosecutions Service	3 195.5	3 193.9	3 649.3	3 707.1	3 971.4	4 147.1	4 328.8
Investigating Directorate	20.3	51.4	101.7	243.6	361.1	296.7	302.7
Asset Forfeiture Unit	126.9	149.2	173.4	212.4	225.2	234.7	249.5
Office for Witness Protection	192.8	176.3	197.1	219.9	256.5	268.4	280.8
Strategy, Operations and Compliance	473.8	626.0	569.4	528.0	592.8	606.0	635.0
<b>Total</b>	<b>4 009.2</b>	<b>4 196.9</b>	<b>4 690.9</b>	<b>4 911.0</b>	<b>5 407.0</b>	<b>5 552.9</b>	<b>5 796.9</b>
Change to 2022 Budget estimate				0.7	536.1	463.3	–
<b>Economic classification</b>							
<b>Current payments</b>	<b>3 930.3</b>	<b>4 019.9</b>	<b>4 601.0</b>	<b>4 802.7</b>	<b>5 326.1</b>	<b>5 487.8</b>	<b>5 728.8</b>
Compensation of employees	3 442.0	3 552.7	3 923.5	4 154.9	4 189.7	4 383.6	4 583.6
Goods and services	488.3	467.2	677.5	647.8	1 136.4	1 104.2	1 145.2
<i>of which:</i>							
Computer services	74.1	88.7	133.3	91.0	183.6	116.9	111.3
Legal services	53.8	18.5	123.4	53.0	293.8	305.3	317.8
Contractors	7.2	14.7	25.9	62.6	69.4	66.1	69.1
Operating leases	37.4	25.9	38.0	27.7	84.3	88.1	92.3
Property payments	82.4	79.3	78.3	98.0	101.6	105.9	110.6
Operating payments	51.5	58.4	70.2	90.7	122.9	128.4	133.8
<b>Transfers and subsidies</b>	<b>26.5</b>	<b>24.7</b>	<b>34.6</b>	<b>22.2</b>	<b>22.9</b>	<b>24.0</b>	<b>25.0</b>
Departmental agencies and accounts	10.0	11.4	11.0	11.9	12.1	12.7	13.2
Households	16.5	13.3	23.6	10.4	10.8	11.3	11.8
<b>Payments for capital assets</b>	<b>47.8</b>	<b>150.6</b>	<b>50.1</b>	<b>86.1</b>	<b>58.0</b>	<b>41.2</b>	<b>43.0</b>
Machinery and equipment	47.8	150.6	50.1	86.1	58.0	41.2	43.0
<b>Payments for financial assets</b>	<b>4.6</b>	<b>1.7</b>	<b>5.3</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Total</b>	<b>4 009.2</b>	<b>4 196.9</b>	<b>4 690.9</b>	<b>4 911.0</b>	<b>5 407.0</b>	<b>5 552.9</b>	<b>5 796.9</b>
<b>Proportion of total programme expenditure to vote expenditure</b>	<b>22.0%</b>	<b>23.5%</b>	<b>24.6%</b>	<b>24.4%</b>	<b>26.0%</b>	<b>25.7%</b>	<b>25.7%</b>
<b>Details of transfers and subsidies</b>							
<b>Households</b>							
<b>Social benefits</b>							
<b>Current</b>	<b>3.4</b>	<b>1.0</b>	<b>0.9</b>	<b>0.1</b>	<b>–</b>	<b>–</b>	<b>–</b>
Employee social benefits	3.4	1.0	0.9	0.1	–	–	–

### 9.8.1 Programme resource consideration

The total staff establishment of the NPA is made up of total posts of 6432 of which 5203 are filled and 1229 are vacant thus representing a vacancy rate of approximately 19%. The NPA has embarked on mass recruitment to address shortages of capacity and necessary skills needed to investigate and prosecute complex matters within the NPA environment. This includes to a large extent the capacitation of the Investigating Directorate (ID) which is charged with the responsibility to address matters emerging out of several public commissions of enquiry, such as the Nugent Commission, Mpati Commission and the recently concluded Judicial Commission of enquiry into allegations of state capture (also referred to Zondo Commission).

**Table 42: Programme 4 staff complement**

Programme: National Prosecuting Authority						
Salary level	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost	Salary cost
2	7	1	8	13%	172 304,48	1 378 435,84
3	1	0	1	0%	197 478,08	197 478,08
4	40	12	52	23%	226 525,92	11 779 347,84
5	513	121	634	19%	262 580,12	166 475 796,08
6	1	0	1	0%	306 824,32	306 824,32
7	572	132	704	19%	368 886,32	259 695 969,28
8	1064	505	1569	32%	444 081,44	696 763 779,36
9	153	123	276	45%	519 942,68	143 504 179,68
10	1461	163	1622	10%	638 475,64	1 035 607 488,08
11	76	51	127	40%	766 584,00	97 356 168,00
12	1103	30	1132	3%	908 502,00	1 028 424 264,00
13	43	22	65	34%	1 105 383,00	71 849 895,00
14	153	63	216	28%	1 308 051,00	282 539 016,00
15	15	5	20	25%	1 909 142,00	38 182 840,00
16	3	1	4	25%	2 028 463,00	8 113 852,00
17	1	0	1	0%	2 386 427,00	2 386 427,00
<b>TOTAL</b>	<b>5203</b>	<b>1229</b>	<b>6432</b>	<b>19%</b>	<b>13 549 651,00</b>	<b>3 844 561 760,56</b>

## 10.1 Programme 5: Auxiliary and Associated Services

### 10.1.1 Programme purpose

Provide a variety of auxiliary services associated with the department's purpose. Fund the interdepartmental justice modernisation programme, the President's Fund, the Information Regulator, the Legal Services Ombud and transfer payments to public entities and constitutional institutions.

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

- i. **Legal Aid South Africa:** Funds Legal Aid South Africa, which provides legal aid to indigent people and legal representation at the state's expense, as set out in the Constitution.
- ii. **Special Investigating Unit:** Funds the Special Investigating Unit, which provides professional forensic investigating and litigation services to all state institutions at the national, provincial and local levels to combat maladministration, corruption and fraud; and protects state assets and public funds.
- iii. **Public Protector of South Africa:** Funds the Public Protector of South Africa, which investigates any alleged improper conduct in state affairs, public administration or any sphere of government, as well as any conduct that results in impropriety or prejudice.
- iv. **South African Human Rights Commission:** Funds the South African Human Rights Commission, which promotes and monitors the observance of human rights in South Africa.
- v. **Justice Modernisation:** Implements IT infrastructure and networks, and funds the integrated justice system programme, which seeks to re-engineer, automate and integrate business processes across the criminal justice value chain.
- vi. **President's Fund:** Provides funding for reparations flowing from the findings of the Truth and Reconciliation Commission.
- vii. **Information Regulator:** Funds the Information Regulator, which is responsible for the promotion and protection of the right to privacy as it relates to the protection of personal information and the right of access to information, enshrined in the Protection of Personal Information Act (2013) and Promotion of Access to Information Act (2000).
- viii. **Office of the Legal Services Ombud** funds the Office of the Legal Services Ombud, which is responsible for protecting and promoting public interest in relation to the rendering of legal services; investigating complaints of alleged misconduct against legal practitioners; and promoting the independence of, and high standards of integrity in, the legal profession.

### 10.2.1 Outcomes, outputs, performance indicators and targets for 2023/24

**Table 43: Outcomes, outputs, performance indicators and targets for 2023/24 (detailed information on the indicators is provided in Part D)**

<b>Outcome 1: Modernised and digitised justice services platforms</b>								
<b>Outputs</b>	<b>Output indicators</b>	<b>Audited performance</b>			<b>Estimated Performance 2022/23</b>	<b>Medium-term targets</b>		
		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>		<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
1.3 KPIs completed on the Integrated Justice System dashboard	1.3.1 Number of KPIs completed on the Integrated Justice System dashboard	-	-	-	1	1	-	-
1.4 Effective IJS Governance Systems	1.4.1 Number of IJS Governance intervention sessions held	-	-	-	14	14	14	14
1.5 IJS Operational Sites assessed for vulnerability to cyber attacks	1.5.1 Number of IJS Operational Sites assessed for vulnerability to cyber attacks	-	-	-	-	2	1	-
1.6 Criminal Justice System (CJS) Digitised and Integrated	1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed	-	-	-	40	20	-	-

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output indicators	Audited performance			Estimated	Medium-term targets		
		2019/20	2020/21	2021/22	Performance 2022/23	2023/24	2024/25	2025/26
1.7 IJS Digital Transformation and Modernisation Strategy submitted to the Minister for approval	1.7.1 IJS Digital Transformation and Modernisation strategy submitted to the Minister for approval by target date	-	-	-	-	IJS Digital Transformation and Modernisation strategy submitted to the Minister for approval by 31 March 2024	-	-



### 10.3.1 Indicators, annual and quarterly targets for 2023/24

Table 44: Indicators, annual and quarterly targets for 2023/24

Outcome 1: Modernised and digitised justice services platforms					
Performance indicators	Annual target 2023/24	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
1.3.1 Number of KPIs completed on the Integrated Justice System dashboard	1	-	-	1	-
1.4.1 Number of IJS Governance intervention sessions held	14	4	3	4	3
1.5.1 Number of IJS Operational Sites assessed for vulnerability to cyber attacks	2	-	-	1	1
1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed	20	5	5	5	5
1.7.1 IJS Digital Transformation and Modernisation strategy submitted to the Minister for approval by target date	IJS Digital Transformation and Modernisation Strategy submitted to the Minister for approval by 31 March 2024	-	-	Conduct consultation workshop with IJS member departments.  Produce draft IJS Digital Transformation and	IJS Digital Transformation and Modernisation Strategy submitted to the Minister for approval by 31 March 2024

				Modernisation Strategy	
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#### 10.4.1 Explanation of Planned Performance over the Medium-Term Period

**Number of KPIs completed on the Integrated Justice System dashboard.** The IJS Key Performance Indicator (KPI) Dashboard provides an end-to-end summary view of the health status of the South African CJS. The IJS KPI dashboard is updated monthly using electronic data to report performance currently of 27 KPIs across the areas of SAPS, DCS, DOJ&CD, and NPA. During this MTEF period, the last KPI to complete the MTSF target to 28 KPIs will be achieved.

**Number of IJS Operational Sites assessed for vulnerability to cyber attacks –** (Production and Disaster Recovery Sites). In the next two financial years, the Department plans to strengthen 2 operational sites for cyber security perspective.

**Number of IJS Governance intervention sessions held.** The revised IJS governance structure which is aimed at improving alignment and delivery of integrated systems development and utilisation across the criminal justice system (CJS) will continue to be implemented to ensure political oversight and direction of the whole IJS Programme.

**Number of SAPS Police stations where Person Verification Services (PVS) is deployed.** The PIVS/PVS provides mechanisms for reliable and robust identification, verification, and authentication of persons in the CJS. A person tracking capability complements this by recording the locations and custody status of persons throughout the entire CJS process. This will realise the objective of providing authorised CJS stakeholders with rapid access to person statuses (e.g., suspect, wanted, bail status) and criminal records at any point in time. For this MTEF period, PVS will be deployed to 20 police stations across the country.

## 10.5.1 Reconciling performance information with the budget and MTEF

**Table 45: Auxiliary and Associated Services expenditure trends and estimates by subprogramme and economic classification**

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Legal Aid South Africa	1 971.0	1 958.9	2 033.2	2 184.5	2 189.4	2 287.8	2 390.2
Special Investigating Unit	363.0	421.7	437.9	452.1	504.8	505.2	516.5
Public Protector of South Africa	342.0	353.5	359.9	357.9	357.3	374.0	390.8
South African Human Rights Commission	190.0	191.7	195.0	208.5	208.3	218.5	228.3
Justice Modernisation	1 051.2	478.9	575.7	736.2	813.7	846.2	884.1
Information Regulator	22.4	29.9	66.5	100.6	109.3	114.1	119.2
Office of the Legal Services Ombud	–	–	2.5	–	8.3	8.6	8.9
President's Fund	–	–	–	0.0	0.0	0.0	0.0
<b>Total</b>	<b>3 939.7</b>	<b>3 434.5</b>	<b>3 670.6</b>	<b>4 039.8</b>	<b>4 191.1</b>	<b>4 354.4</b>	<b>4 537.9</b>
Change to 2022 Budget estimate				49.3	138.4	122.3	–
<b>Economic classification</b>							
<b>Current payments</b>	<b>1 041.1</b>	<b>471.2</b>	<b>401.4</b>	<b>801.8</b>	<b>896.0</b>	<b>932.1</b>	<b>973.6</b>
Compensation of employees	12.3	21.5	48.2	71.9	82.6	86.3	90.0
Goods and services	1 028.8	449.7	353.2	730.0	813.4	845.8	883.7
of which:							
Minor assets	1.5	3.2	0.6	6.7	26.2	26.6	26.8
Computer services	815.6	321.0	269.9	590.6	623.3	648.2	677.9
Consultants: Business and advisory services	0.9	–	15.2	9.9	5.1	5.4	5.5
Agency and support/outourced services	200.2	118.0	54.9	100.5	132.2	138.2	144.4
Operating leases	3.7	3.6	2.9	4.7	6.0	6.3	6.4
Training and development	1.8	0.5	0.7	2.1	4.9	5.2	5.5
<b>Transfers and subsidies</b>	<b>2 866.0</b>	<b>2 926.1</b>	<b>3 026.7</b>	<b>3 203.0</b>	<b>3 259.9</b>	<b>3 385.5</b>	<b>3 525.8</b>
Provinces and municipalities	–	–	0.0	0.0	–	–	–
Departmental agencies and accounts	2 866.0	2 925.8	3 026.0	3 202.9	3 259.9	3 385.5	3 525.8
Households	–	0.4	0.7	0.1	–	–	–
<b>Payments for capital assets</b>	<b>32.5</b>	<b>37.2</b>	<b>242.6</b>	<b>34.9</b>	<b>35.2</b>	<b>36.8</b>	<b>38.4</b>
Buildings and other fixed structures	0.0	–	–	–	–	–	–
Machinery and equipment	20.0	19.3	101.6	34.9	35.2	36.8	38.4
Software and other intangible assets	12.5	17.9	141.0	–	–	–	–
<b>Total</b>	<b>3 939.7</b>	<b>3 434.5</b>	<b>3 670.6</b>	<b>4 039.8</b>	<b>4 191.1</b>	<b>4 354.4</b>	<b>4 537.9</b>
<b>Proportion of total programme expenditure to vote expenditure</b>	<b>21.7%</b>	<b>19.2%</b>	<b>19.2%</b>	<b>20.1%</b>	<b>20.2%</b>	<b>20.2%</b>	<b>20.1%</b>
<b>Details of transfers and subsidies</b>							
Households							
Social benefits							
Current	4.7	4.3	3.1	2.5	1.8	1.9	1.9
Employee social benefits	4.7	4.3	3.1	2.5	1.8	1.9	1.9
<b>Departmental agencies and accounts</b>							
<b>Departmental agencies (non-business entities)</b>							
Current	57.5	108.6	109.0	110.3	60.5	65.2	68.1
Accounting Standards Board	14.3	14.4	14.4	14.6	14.6	15.3	16.0
Independent Regulatory Board for Auditors	43.2	44.2	44.6	45.7	45.9	49.9	52.2
Auditor-General of South Africa	–	50.0	50.0	50.0	–	–	–

### 10.6.1 Programme resource consideration

The work of Auxiliary and Associated Services 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 consist of 87 posts of which 11 are currently vacant, and 76 are filled. As at 01 January 2023, programme 5 was sitting 12,6% vacancy rate. Available human resource will enable the programme to achieve planned outcomes.

**Table 46: Programme 5 staff complement**

Salary level	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost
2	3		3	0,0%	321588
4	1	1	2	50,0%	303768
5	4		4	0,0%	726396
7	16	1	17	5,9%	4576638
9	17	2	19	10,5%	7480509
11	18	4	22	18,2%	16864848
13	10	1	11	9,1%	12159213
14	2		2	0,0%	2616102
15	5	2	7	28,6%	11135229
<b>TOTAL</b>	<b>76</b>	<b>11</b>	<b>87</b>	<b>12,6%</b>	<b>56184291</b>

## 11. Key risks and mitigations

**Table 47: Risk Analysis**

No	Outcomes	Key Risks	Risk Mitigation
1	Modernised and digitised justice services platforms	<ol style="list-style-type: none"> <li>1. Outdated and unstable ICT infrastructure leading to non realization of modernization outcome</li> <li>2. Inadequate Disaster Recovery (DR) and cyber security due to aged and outdated ICT infrastructure</li> </ol>	<ol style="list-style-type: none"> <li>1. Continuous review of ICT infrastructure plans based on the available budget.</li> <li>2. Implement digital solutions to enable end to end management of Justice Services in a manner that will reduce paper and enable real-time communication with all stakeholders.</li> <li>3. Upgrade of Data Centre infrastructure and migrate application to the new data centre.</li> <li>4. Continuously ensure that all ICT security incidents are responded on time and resolved.</li> <li>5. Continuously ensure that disaster recovery testing and Simulations is performed periodically.</li> </ol>
2	Improved organisational capability and good governance	<ol style="list-style-type: none"> <li>1. Slow economic growth impacting on the budget allocation of the department (staffing, services etc.)</li> <li>2. Non-compliance with laws and applicable prescripts leading to negative audit outcome (Irregular expenditure, fruitless and wasteful expenditure and late payments of suppliers).</li> <li>3. Contingent liability</li> <li>4. Poor contract Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Reprioritization of critical functions</li> <li>2. Develop and monitor audit action plan</li> <li>3. A task team in place to monitor and manage contingent liability</li> <li>4. Implementation of contract management framework that will ensure that the following activities are efficiently attended to:</li> </ol>

No	Outcomes	Key Risks	Risk Mitigation
			<ul style="list-style-type: none"> <li>- Activation of contract once terms are negotiated and agreed to</li> <li>- Compliance to the agreed contract terms by DOJ&amp;CD and Suppliers</li> <li>- Analysis of contracts prior to expiry to ensure prior mistakes are not repeated in future contracts.</li> </ul>
3	Improved awareness of justice services and Constitutionalism	<ol style="list-style-type: none"> <li>1. Inadequate cooperation from line function managers to provide content updates/responses and planning required for communication activities.</li> <li>2. Inadequate planning and managing of events by the project owner within the department.</li> </ol>	<ol style="list-style-type: none"> <li>1. Strengthen departmental platforms (website and social media sites to drive more communication).</li> <li>2. Engage Civil Society Organisations (CSO's), NGOs and third-party endorsers who can assist in conveying departmental message.</li> </ol>
4	Increased access to justice services	Increased Gender based violence and Femicide which results in diminishing public confidence in the criminal justice system.	Implement National Integrated Femicide Prevention Strategy which includes phases of femicide watch.
		Inability to implement the Child Justice Act and other legislations.	Speedy finalisation of child justice preliminary inquiries in order to increase access to justice services in the best interest of children.
		Ineffective implementation of the NRSO Act resulting in the continued exposure of children and persons with mental disability to convicted sex offenders.	Reduce backlog and improve turnaround time of issuing of clearance certificates to the clients.
		Delay in establishment of Sexual Offences Courts (SOCs) resulting in perpetual victimisation of victims.	Designation of regional courts where the SOCs must be designated.

No	Outcomes	Key Risks	Risk Mitigation
		<ol style="list-style-type: none"> <li>1. Poor court and office facilities leading to non-compliance to Occupational Health and Safety Act and possible office closure.</li> <li>2. Power outages due to load shedding, theft of cables and transformers, malicious damage to municipal and Eskom electric supplier infrastructure</li> </ol>	<ol style="list-style-type: none"> <li>1. Integrated, proactive and effective planning in the maintenance of court and office infrastructure.</li> <li>2. Department to identify service points that should be re-modelled to comply with universal access, designated principles and provision of reasonable accommodation for person with disabilities.</li> </ol>
5	Improved and Transformed Masters Services	<ol style="list-style-type: none"> <li>1. Delay in provision of masters services due to slow network or system challenges (backlog).</li> <li>2. Potential fraud and corruption in administration of masters processes.</li> <li>3. Power outages/load shedding disrupting masters services</li> </ol>	<ol style="list-style-type: none"> <li>1. Develop a system that will create opportunity for online platforms by master services.</li> <li>2. Monitor all applications to ensure speedy finalization</li> <li>3. Implementation of Ethics Management Strategy.</li> </ol>
6	Colonial/apartheid era justice related legislation reviewed and replaced	Insufficient business tools (ICT infrastructure, up-to-date Virtual Library and softwares) to support the implementation of the modernisation strategy when new legislation and rules are drafted	<ol style="list-style-type: none"> <li>1. Implementation of the Infrastructure Upgrade Program, which includes the upgrade of the Datacentre, the network bandwidth and network switching components in the various Offices.</li> <li>2. Develop legislation and review Apartheid/Colonial era justice-related legislation.</li> </ol>
7	Transformed State Legal Services	<ol style="list-style-type: none"> <li>1. Lack of support by both Internal and external (State organs and private legal practitioners) and resistance to change relating to the implementation of State policies, the strategy and mandate of the Office of the Solicitor General.</li> <li>2. Inadequate resources (tools of trade) relating to capacitation of State Attorney offices, infrastructure, technology and funding</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of the Coordination and Management of state Litigation policy, briefing and tariff policy and Mediation policy.</li> <li>2. Create a single, Review and update the contingent liability register.</li> <li>3. Conduct regular risk assessments and reviews of operational processes.</li> </ol>



No	Outcomes	Key Risks	Risk Mitigation
		<p>which result in the impediment of implementing the milestones thus far.</p> <ol style="list-style-type: none"> <li>3. Lack of cooperation by other stakeholders relating to the operations of the Branch</li> <li>4. Political interference within State legal services and the operations of State Attorneys.</li> <li>5. Fraud, corruption, malficency and theft within State legal services.</li> <li>6. Under-reporting of information and incorrect capturing of data in the NOCIMT system, poses a risks to the accuracy and completeness of the reported data</li> <li>7. Inadequate management of contingent liabilities.</li> <li>8. Non availability of up-to-date Virtual Library in respect of Office of the Chief State Law Adviser (OCSLA) leading to delays.</li> </ol>	<ol style="list-style-type: none"> <li>4. Implement controls by developing and implementing standard operating procedures, improving the training and development of employees, enhancing monitoring and reporting processes.</li> <li>5. Monitor and review controls measures.</li> <li>6. Communicate and report on risks</li> <li>7. Continuously review and improve its operational processes and</li> <li>8. Use of public websites and free internet sites to access information.</li> </ol>
8	Transformed Legal profession	<ol style="list-style-type: none"> <li>1. Slow transformation of previously disadvantaged individuals (PDIs) including female counsels due to insufficient availability of PDI legal practitioners across the Republic of South Africa.</li> <li>2. Political interference within State legal services and the operations of State Attorneys, more specifically relating to the Briefing and Outsourcing of State legal work.</li> <li>3. Legal challenges relating to the implementation of State policies and procedures, as well as resistance to change on the Briefing and Outsourcing of State legal work policy.</li> <li>4. Fraud, corruption, malficency and theft within State legal services.</li> </ol>	<ol style="list-style-type: none"> <li>1. Briefing counsels on a fee-sharing basis.</li> <li>2. Pair PDIs with experienced counsels to capacitate and transfer of skills</li> <li>3. Stakeholder engagement on what is expected from the client/ Build a coalition of internal and external stakeholders: The Office will identify and engage key stakeholders, both internally and externally, to build a coalition of support for the implementation of State policies</li> <li>4. Monitor and evaluate implementation</li> </ol>

No	Outcomes	Key Risks	Risk Mitigation
			5. Enforcement of consequent management relating to noncompliance with prescripts, policies and procedures
9	Advanced constitutionalism, human rights and the rule of law	<ol style="list-style-type: none"> <li>1. Inadequate support for the effective implementation of NAP Programme of Action leading to potential infringement of human rights (Racism, Racial Discrimination, Xenophobia and related Intolerances).</li> <li>2. Growing social divisions due to lack social of cohesion and socio-economic economic impact across the country resulting in intolerances and social unrest (Xenophobic attacks)</li> <li>3. Inadequate implementation of Promotion of Administrative Justice Act 3 of 2000 (sec 5)</li> <li>4. Inadequate stakeholder's management (Departments, NGOs, Chapter 9 institutions).</li> <li>5. Delays in submissions of reports leading to Non implementation of international obligations</li> </ol>	<ol style="list-style-type: none"> <li>1. NAP Communication Strategy</li> <li>2. Raise awareness on constitutional rights and anti-discrimination issues</li> <li>3. Conduct Anti-xenophobia campaigns</li> <li>4. Established NAP Governance Structure Chaired by the Minister</li> <li>5. Development of the PAJA roll-out plan</li> <li>6. Engage all the stakeholders to ensure participation</li> <li>7. Finalise the establishment of a National mechanism for reporting and follow-up (NMRF) - responsible for drafting country reports, monitoring implementation of recommendations and planning for the implementation of recommendations.</li> </ol>

## **12. 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.

### 13. Long-Term Infrastructure Plan

**Table 48: Construction projects for the MTEF period**

Project name	Programme	Project description <sup>2</sup>	Outputs	Current project stage <sup>4</sup>	Project Start Date	Estimated Finish Date	Estimated Project Cost	Expenditure	2023/24 R (000'00)
Soshanguve Magistrate's Office	Capital Works	Extension of an existing building	Upgrading and additions	Construction	12/12/2019	12/3/2023	474,833	84,027	42,633
Port Shepstone Magistrate's Office	Capital Works	Construction of a new building	New infrastructure assets	Construction	28/10/2014	30/03/2023	411,500	303,112	9,050
Durban High Court	Capital Works	Expansion of accommodation	New infrastructure assets	Construction	06/05/2021	06/09/2025	2,424,169	108,664	130,327
Mamelodi Magistrate's Office	Capital Works	Construction of a new building	New infrastructure assets	Construction	19/06/2014	31/03/2023	218,533	162,032	8,308
Umthatha Magistrates Office	Capital Works	Extension of an existing building	Upgrading and additions	Construction	25/10/2018	22/03/2023	72,890	18,141	24,782
Rustenburg Magistrate's Office (old SARS)	Capital Works	Extension of an existing building	Upgrading and additions	Construction	22/09/2022	13/11/2025	182,505	17,424	60,041
East London old SARS building	Capital Works	Refurbishment and tenant installation	Refurbishment and renovations	Construction	01/09/2022	14/02/2024	56,000	798	10,000
Louwsburg Magistrate's Office	Capital Works	Upgrades and refurbishment	Upgrading and additions	Construction	06/08/2020	03/10/2022	9,703	570	14

#### **14. Conditional grants**

No conditional grants were issued by the Department.

#### **15. Public-Private Partnerships**

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

## 16. District Development Model

Table 49: 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 - OR Tambo Municipality	-31.59461, 2875163	Ms. N Nonxuba	Judiciary NPA Legal Profession Public
	Sexual Offences Court rooms		LP - Chatsworth Umlazi	-29.91076 30,88408	Ms. P Moodley	Judiciary NPA Legal Profession Public
	Branch Court to offer family law services at a centralised point	151 863 747.88	KZN-eThekweni	-29.868 31.04046	Ms. P Moodley	Judiciary Legal Profession, Public
	Durban High Court: Repairs and renovation	866 000 000	KZN-eThekweni	-29. 5994 30.3804	Ms. P Moodley	Judiciary NPA Legal Profession Public
	Umlazi Magistrate Court: Repairs and renovations to office buildings	76 500 000	KZN-eThekweni	-29.96178 30. 92512	Ms. P Moodley	Judiciary NPA Legal Profession Public
	Chatsworth MC: Proposed additional accommodation, upgrading of electricity, including repairs and renovations	196 371 084	KZN-eThekweni	-29.91076 30,88408	Ms. P Moodley	Judiciary NPA Public Legal Profession
	Umbumbulu MC: Additional accommodation and repairs and renovations	57 248 205	KZN-eThekweni	-29.98549 30. 70279	Ms. P Moodley	Judiciary NPA Public Legal Profession

## PART D: TECHNICAL INDICATOR DESCRIPTIONS (TID)

### OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

<b>Indicator title</b>	<b>1.1.1 Phases of Maintenance services available on the DoJ&amp;CD Internet Portal (online) by target date.</b>
<b>Definition</b>	<p>This indicator measures progress regarding phases of Maintenance services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2023/24 reporting period, the indicator will measure Phase 2 of the Maintenance services online solution:</p> <p>Phase 2 Online solution transacting capabilities entails the piloting of features that will enable the users the ability to:</p> <ul style="list-style-type: none"> <li>(i) apply for emolument orders;</li> <li>(ii) apply for warrants of execution;</li> <li>(iii) apply for attachment of debt orders.</li> <li>(iv) apply for variation orders.</li> <li>(v) apply for order by default.</li> </ul>
<b>Source/collection of data</b>	Maintenance Online Solution: Phase 2.
<b>Method of calculation</b>	N/A
<b>Means of verification</b>	Solution production implementation (signed-off CCB Change Request).
<b>Assumptions</b>	All key stakeholders will be involved in the programme. Branches to rollout the solution after successful piloting and ICT to technically support the branches..
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Non-cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Maintenance Online Solution: Phase 2 capabilities completed as planned.

Indicator responsibility	DDG: ICT
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<b>Indicator title</b>	<b>1.1.2 Phases of Deceased Estates services available on the DoJ&amp;CD Internet Portal (online) by target date.</b>
Definition	<p>This indicator measures progress regarding phases of Deceased Estates services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2023/24 reporting period, the indicator will measure Phase 2 of the Deceased Estates services online solution:</p> <p>Phase 2 Online solution transacting capabilities entails the piloting of features that will enable the users the ability to:</p> <ul style="list-style-type: none"> <li>(i) integrate with identified government entities for Deceased Estates.</li> <li>(ii) submit Liquidation and Distribution Accounts.</li> </ul>
Source/collection of data	Deceased Estates Online Solution: Phase 2.
Method of calculation	N/A
Means of verification	Solution production implementation (signed-off CCB Change Request).
Assumptions	All key stakeholders will be involved in the programme. Branches to rollout the solution after successful piloting and ICT to technically support the branches.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Deceased Estates Online Solution: Phase 2 capabilities completed as planned.
Indicator responsibility	DDG: ICT



<b>Indicator title</b>	<b>1.1.3 Phases of Protection Order services available on the DoJ&amp;CD Internet Portal (online) by target date</b>
<b>Definition</b>	<p>This indicator measures progress regarding phases of Protection Order services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2023/24 reporting period, the indicator will measure Phase 3 of the Protection Order services online solution:</p> <p>Phase 3 Online solution transacting capabilities entails the piloting of the following features:</p> <ul style="list-style-type: none"> <li>(i) application for Domestic Violence</li> <li>(ii) application for Harassment orders.</li> <li>(iii) application for Safety Monitoring.</li> <li>(iv) verification of Domestic Violence Cases through Integrated Electronic Repository (IER) for the CJS Cluster Departments.</li> </ul>
<b>Source/collection of data</b>	Protection Orders Online Solution: Phase 3.
<b>Method of calculation</b>	N/A
<b>Means of verification</b>	Solution production implementation (signed-off CCB Change Request).
<b>Assumptions</b>	All key stakeholders will be involved in the programme. Branches to rollout the solution after successful piloting and ICT to technically support the branches.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Non-cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Protection Orders Online Solution: Phase 3 capabilities completed as planned.
<b>Indicator responsibility</b>	DDG: ICT

<b>Indicator Title</b>	<b>1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS).</b>
<b>Definition</b>	This indicator measures progress regarding the number of courtrooms where Courts Audio-Visual Solution (CAVS) is rolled-out, during the reporting period.
<b>Source/Collection of Data</b>	List of courtrooms where the Courts Audio Virtual Solution (CAVS) is deployed/rolled-out.
<b>Method of Calculation</b>	Simple count
<b>Means of Verification</b>	Signed-off deliverables (signed-off certificate per court indicating names of all courtrooms where the CAVS solution is deployed).
<b>Assumption</b>	All key stakeholders will be involved in the programme.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally
<b>Calculation Type</b>	Cumulative (Year-end)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	Deployment of Courts Audio-Visual Solution (CAVS) to all identified courtrooms completed as planned
<b>Indicator Responsibility</b>	DDG: ICT

## OUTCOME 2: IMPROVED ORGANISATIONAL CAPABILITIES AND GOOD GOVERNANCE

<b>Indicator Title</b>	<b>2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP 10 positions</b>
<b>Short definition</b>	This indicator measures the percentage of women occupying Senior Management Services (SMS) and LP 10 positions in relation to total SMS and LP 10 positions during the reporting period
<b>Source/Collection of Data</b>	PERSAL system
<b>Method of Calculation</b>	Percentage = ( Number of SMS and LP 10 posts occupied by Women / number of SMS and LP 10 posts) *100

<b>Indicator Title</b>	<b>2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP 10 positions</b>
Means of Verification	Persal system report
Assumptions	Women who qualify for the advertised posts will apply for vacant positions
Disaggregation of Beneficiaries (where applicable)	100% of the 50% targeted for women
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Target of 50% of SMS and LP 10 positions occupied by women reached
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.2.1 Percentage of positions occupied by people living with disability</b>
Short definition	This indicator measures the percentage of positions occupied by people living with disability in relation to the total number of workforce in the department during the reporting period.
Source/Collection of Data	PERSAL system
Method of Calculation	Percentage = (Number of positions occupied by people living with disability / number of workforce in the Department) * 100
Means of Verification	PERSAL system report
Assumptions	People with disabilities apply and meet the requirements for advertised positions
Disaggregation of Beneficiaries (where applicable)	100% of the 2.2% targeted for people living with disabilities
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

<b>Indicator Title</b>	<b>2.2.1 Percentage of positions occupied by people living with disability</b>
Desired Performance	Target of 2.2% of total positions in the Department occupied by people living with disability
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.3.1 Percentage of positions occupied by youth</b>
Short definition	This indicator measures the percentage of positions occupied by youth in relation to the total number of workforce in the department during the reporting period.
Source/Collection of Data	PERSAL system report
Method of Calculation	Percentage = (Number of posts occupied by youth/ number of workforce in the Department) * 100
Means of Verification	PERSAL system report
Assumptions	Youth will apply and meet the requirements for advertised
Disaggregation of Beneficiaries (where applicable)	100% of the 23% targeted for youth
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (year-to-date)
Reporting Cycle	Quarterly
Desired Performance	Target of 23% of total posts in Department occupied by youth
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.4.1 Percentage of investigation on reported corruption cases finalised</b>
Definition	This indicator measures the percentage of investigations on reported corruption cases involving officials finalised during the reporting period
Source of Data	Reported fraud, corruption, theft, corruption, theft and maladministration captured on database/register
Method of Calculation/Assessment	Percentage = (Number of investigations on reported corruption cases finalised/Number of reported corruption cases in the department)*100
Means of Verification	Investigation report on finalised corruption cases in the Department
Assumptions	Investigations on reported corruption cases will be finalised within the prescribed period irrespective of the complexity and the nature of the case.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-date)
Reporting Cycle	Quarterly
Desired Performance	All investigations on reported corruption cases finalised within a prescribed period.
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.5.1 Percentage of vacant posts.</b>
Short definition	This indicator measures the percentage of vacant posts in relation to total number of 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/ total number of posts on the Departmental establishment) * 100
Means of Verifications	Persal system report
Assumptions	All vacant positions will be filled
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

<b>Indicator Title</b>	<b>2.5.1 Percentage of vacant posts.</b>
Desired Performance	Vacancy rate in the Department reduced to 5%
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.6.1. Percentage of disciplinary cases finalised within 90 days from the first day of set down of the hearing.</b>
Definition	This indicator measures the percentage of disciplinary cases opened in the reporting period which were finalised within the prescribed timeframe of 90 days from the first day of set down of the hearing
Source of Data	Reported fraud, misconduct and grievances cases database/register
Method of Calculation/Assessment	Percentage = (number of disciplinary cases finalised within 90 days from the first day of set down of hearing/ number of disciplinary cases finalised) * 100.
Means of Verification	Report on finalised disciplinary cases in the Department
Assumptions	All reported disciplinary cases finalised within the required timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	All disciplinary cases finalised within 90 days from the first day of the set down of the hearing.
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator title</b>	<b>2.7.1. Percentage of grievances resolved within 60 days from the date the grievance is lodged.</b>
Definition	This indicator measures the percentage of grievances opened in the reporting period which were resolved within the prescribed timeframe of 60 days from the date the grievance is lodged
Source of Data	grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of reported grievances opened in the reporting period resolved within 60 days from the date the grievance is lodged /Number of grievances resolved)*100.
Means of Verification	report on grievances resolved
Assumptions	All reported grievances will be resolved through disciplinary process within 60 days from the date the grievance is lodged.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

Desired Performance	All reported grievances finalised within 60 days from the date the grievance is lodged
Indicator Responsibility	Deputy Director-General: Corporate Services

<b>Indicator Title</b>	<b>2.8.1 Percentage of fruitless and wasteful expenditure eliminated</b>
Definition	This indicator measures the percentage elimination in the fruitless and wasteful expenditure balance in the reporting period as compared to the fruitless and wasteful expenditure balance in the previous financial year (year-on-year percentage change).
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = (Fruitless and wasteful expenditure balance of the previous financial year-Fruitless and wasteful expenditure balance of the reporting period)/ Fruitless and wasteful expenditure balance of the previous financial year) *100.
Means of Verification	Fruitless and Wasteful Expenditure Register
Assumptions	All expenditure incurred supports the Departmental operations and its objectives
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Fruitless and wasteful expenditure eliminated
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.9.1 Percentage of irregular expenditure reduced</b>
Definition	This indicator measures the percentage reduction in the irregular expenditure balance in the reporting period as compared to the irregular expenditure balance in the previous financial year (year-on-year percentage change).
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = (Irregular expenditure balance of the previous financial year-Irregular expenditure balance of the reporting period)/ Irregular expenditure balance of the previous financial year) *100.
Means of Verification	Irregular expenditure register
Assumptions	All relevant prescripts are followed and adhered to

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Reduce irregular expenditure in the Department
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.10.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt</b>
Definition	This indicator measures the percentage of undisputed and valid invoices paid within 30 days from the date of receipt
Source of Data	Basic Accounting System (BAS)
Method of Calculation/Assessment	Percentage = (Number of undisputed and valid invoices paid within 30 days from date of receipt/number of undisputed and valid invoices received) *100
Means of Verification	BAS Report
Assumptions	Systems and processes are functioning as designed
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All valid and undisputed invoices received and paid within 30 days
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.11.1 Percentage of discretionary procurement allocated to women</b>
Definition	This indicator measures the percentage of discretionary procurement <b>allocated</b> to women.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Number of discretionary procurement allocated to women / total number of discretionary procurement) *100.
Means of Verification	Analysis report based on JYP data.



Assumptions	That the department has developed its own preferential procurement policies
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards women owned businesses.
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.12.1 Percentage of discretionary procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)</b>
Definition	This indicator measures the percentage of discretionary procurement <b>allocated</b> to EMEs and QSEs.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Number of discretionary procurement allocated to EME and QES/Total number of discretionary procurement) *100.
Means of Verification	Analysis report based on JYP data.
Assumptions	That the department has developed its own preferential procurement policies
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards EMEs and QSEs
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.13.1 Audit opinion on obtained</b>
Definition	This indicator measures an opinion that will be expressed by the Auditor-General on the Vote Account (financial statements) of the department at the end of the financial year.
Source of Data	Audited Annual report
Method of Calculation/Assessment	N/A on the opinion expressed by the Auditor-General
Means of Verification	Audited Annual Report
Assumptions	The department will prepare its income statements that will subject audit process.

<b>Indicator Title</b>	<b>2.13.1 Audit opinion on obtained</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Unqualified Audit opinion on Vote Account (Financial Statements) obtained
Indicator Responsibility	Chief Financial Officer

<b>Indicator Title</b>	<b>2.14.1 Number of specialized training programmes conducted by Justice College</b>
Definition	This indicator measures the number of specialised training programmes conducted by Justice College during the reporting period
Source of Data	Attendance registers.
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	All specialised training programmes conducted within timeframes
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-date)
Reporting Cycle	Quarterly
Desired Performance	All specialised programmes conducted within the reporting period
Indicator Responsibility	Head: Justice College

<b>Indicator Title</b>	<b>2.15.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented.</b>
Definition	This indicator measures the progress on the submission of the Social Compact Discussion Document to the President for adoption by the three branches of State.
Source of Data	Social Compact Discussion Document
Method of Calculation/Assessment	N/A
Means of Verification	Proof of submission of the Social Compact Discussion Document to the President (President's note)
Assumptions	All relevant stakeholders are available and participate fully in the submission of the Social Compact Discussion Document to the President

<b>Indicator Title</b>	<b>2.15.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented.</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Social Compact Discussion Document submitted to the President for adoption by the three branches of State.
Indicator Responsibility	Acting DDG: Institutional Development and Support

<b>Indicator Title</b>	<b>2.16.1 Disaster Management Plan (DMP) Approved by the DG by target date</b>
Definition	This indicator measures the development of the DOJ&CD's Disaster Management Plan and approval by the DG in compliance with section 25(3) of the Disaster Management Act, 57 of 2002, as amended.
Source of Data	DOJ&CD DMP Memorandum to the DG
Method of Calculation/Assessment	Simple count
Means of Verification	Approved DMP by the DG
Assumptions	The DMP will be approved by the DG
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Disaster Management Plan (DMP) Approved by the DG
Indicator Responsibility	Chief Director: Security

### OUTCOME 3: IMPROVED AWARENESS OF JUSTICE SERVICES AND CONSTITUTIONALISM

<b>Indicator Title</b>	<b>3.1.1 Number of public education and communication activities conducted in enhancing access to justice and promoting constitutional rights</b>
<b>Definition</b>	This indicator measures the number of events, engagements, exhibitions (physical, virtual or hybrid), and development of any educational/promotional material (digital and or printed) that will be conducted and/ or produced to enhance access to justice and promotion of constitutional rights during the reporting period.
<b>Source of Data</b>	Media buying schedules/ invitations/ year plan
<b>Method of Calculation/Assessment</b>	Simple count
<b>Means of Verification</b>	Attendance registers, recordings, photographs, communication products, media buying schedules
<b>Assumptions</b>	Budget availability Availability of project owners and principals to support communication opportunities created
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (Year-end)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	300 awareness sessions/engagements on justice services and the constitutional rights
<b>Indicator Responsibility</b>	CD: PEC, Branch Heads, Provincial Heads

## OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

<b>Indicator title</b>	<b>4.1.1 Number of court facilities refurbished and upgraded through minor capital works</b>
<b>Definition</b>	This indicator measures the number of court facilities to be refurbished and upgraded through minor capital works to ensure that the infrastructure is maintained and fit for the intended purpose.
<b>Source of data</b>	List of projects to be implemented per financial year Upgrading of infrastructure budget allocation
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	Completion certificate issued by Director Infrastructure Management
<b>Assumptions</b>	Competent service providers. Seamless supply chain processes to appoint the contractors. Technical capacity at the DoJ&CD Regional Offices to implement the indicator.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Townships and rural areas.
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Refurbished and or upgraded infrastructure fit to serve the intended purpose.
<b>Indicator Responsibility</b>	Chief Director: Facilities Management

<b>Indicator Title</b>	<b>4.2.1 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</b>
<b>Definition</b>	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 GBVF
<b>Source of Data</b>	Phase 6 Femicide Watch Dashboard
<b>Method of Calculation/Assessment</b>	N/A
<b>Means of Verification</b>	Approved report for completed activities in the establishment of Phase 6 of Femicide Watch
<b>Assumptions</b>	There will be cooperation between all identified key stakeholders and available data

<b>Indicator Title</b>	<b>4.2.1 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</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	An established Femicide Watch with disaggregated data of available GBVF- related femicide cases
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.3.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance</b>
Definition	<p>This indicator monitors the prompt finalisation of preliminary inquiries in terms of the Child Justice Act.</p> <p>Finalised preliminary inquiries refer to matters concluded by a magistrate or prosecutor, depending on the outcome of the case.</p>
Source/Collection of Data	ICMS: Child Justice
Method of Calculation	Percentage = (Number of matters finalised within 90 days from date of first appearance/ number of matters finalised) *100
Means of Verifications	Preliminary Inquiry records; (Annexure NN/ equivalent)
Assumptions	Preliminary inquiries finalised within 90 days after date of first appearance
Disaggregation of Beneficiaries (where applicable)	Children in conflict with the law
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

Desired Performance	Speedy finalisation of preliminary inquiries in the best interest of children
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.3.2 Annual Report (2022/23) on the implementation of the Child Justice Act tabled in Parliament by 30 Sept 2023</b>
Definition	<p>This indicator complies with the legislative obligation of the Minister to table in Parliament the Annual Report with data sourced from an integrated information management system to report on the trends and interventions on the flow of children through the child justice system</p> <p>It also ensures that South Africa complies with the international obligations in relation to children in conflict with the law, to submit country reports to the United Nation and African Union as a State Party to the United Nations Convention on Right of the Child and the African Charter on the Rights and Welfare of the Child</p>
Source/Collection of Data	ICMS Child Justice Module
Method of Calculation	Simple count
Means of Verifications	Confirmation of tabling through the Announcements, tabling and Committee Reports (ATC)
Assumptions	<p>Functional ICMS Child Justice Module</p> <p>Stakeholder cooperation and support</p> <p>Parliamentary support</p>
Disaggregation of Beneficiaries (where applicable)	Children in conflict with the law
Spatial transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	Accounting to Parliament and international bodies
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.4.1 Percentage of NRSO Clearance Certificates issued within 10 working days from date of receipt of the compliant applications</b>
<b>Definition</b>	<p>This indicator measures the percentage of NRSO Clearance Certificates issued by the Registrar or delegated official within 10 working days from date of receipt of the compliant applications with all required documents by the Registrar or delegated official. This relates to NRSO Clearance certificates issued by the Registrar or delegated official on applications received in the current financial year.</p> <p>NRSO Clearance certificate can be issued on applications received from 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 vulnerable persons and any other person who seek to establish by way of application if the details of any other person are listed in the NRSO. This indicator is in line with the Presidential Summit Declaration against GBVF of 2019 and it's National Strategic Plan on GBVF</p>
<b>Source of Data</b>	ICMS NRSO
<b>Method of Calculation/Assessment</b>	Percentage = (Number of NRSO Clearance Certificates issued within 10 working days from date of receipt of compliant applications by the Registrar or delegated official /Total number of Clearance Certificates issued in respect of compliant applications received by the Registrar or delegated official in the current financial year) X100.
<b>Means of Verification</b>	Clearance Certificates issued and ICMS NRSO Report
<b>Assumptions</b>	Compliant Applications Functional CITRIX and ICMS NRSO
<b>Disaggregation of Beneficiaries (where applicable)</b>	Vulnerable persons
<b>Spatial Transformation (where applicable)</b>	National
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	Vulnerable persons will be protected from convicted sex offenders whose details are included in the NRSO. NRSO certificates will be issued on time.
<b>Indicator Responsibility</b>	Chief Director: Promotion of the Rights of Vulnerable Groups



<b>Indicator Title</b>	<b>4.5.1 Number of NRSO Clearance Certificates issued from backlog cases</b>
<b>Definition</b>	<p>This indicator measures the number of NRSO Clearance Certificates issued by Registrar in the current financial year from a total of plus minus (+/-) 7896 (twelve thousand) NRSO backlog cases.</p> <p>Backlog cases refer to all applications for certificates that were received and not processed for the purpose of issuing the certificates. These are all applications that were received in the previous financial years.</p> <p>NRSO Clearance certificate can be issued on applications received from 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 vulnerable persons and any other person who seek to establish by way of application if the details of any other person are listed in the NRSO</p> <p>This indicator is in line with the Presidential Summit Declaration against GBVF of 2019 and it's National Strategic Plan on GBVF.</p>
<b>Source of Data</b>	ICMS NRSO
<b>Method of Calculation/Assessment</b>	Simple count
<b>Means of Verification</b>	Clearance Certificates issued and ICMS NRSO report
<b>Assumptions</b>	Compliant Applications Functional CITRIX and ICMS NRSO
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Calculation Type</b>	Cumulative (year-end)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	All NRSO Clearance Certificates issued to applicants.
<b>Indicator Responsibility</b>	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.6.1 Number of sexual offences courts designated</b>
Definition	This indicator measures the number of sexual offences designated by the Minister during the reporting period
Source/Collection of Data	List of sexual offences courts designated
Method of Calculation	Simple count
Means of Verification	Gazzete on the sexual offences courts designated by the Minister
Assumptions	<p>There are courts with adequate space to incorporate the resource requirements for the designation of sexual offences courts in line with the <i>Regulations relating to Sexual Offences Courts</i>. The judiciary will cooperate with the Minister in the designation of regional courts as sexual offence courts where the sexual offences courts must be designated.</p> <p>There are adequate resources for the designation of sexual offences courts, as required by the <i>Regulations relating to Sexual Offences Courts</i></p>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	Prevention of secondary traumatising of complainants and witnesses in sexual offences cases.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.7.1 Number of courts compliant with the strategy on universal access for persons with disabilities</b>
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	<ul style="list-style-type: none"> <li>Minimum Standards for the strategy on universal access for persons with disabilities</li> <li>List of courts compliant with the strategy on universal access for persons with disabilities</li> <li>Compliance Checklist</li> </ul>

Method of Calculation/Assessment	Simple count
Means of Verification	Confirmation letters of compliance signed by the Regional Heads
Assumptions	Cooperation of internal stakeholders Availability of adequate space
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 the principles on the universal access for persons with disabilities increased
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.8.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of the opening of the matter</b>
Definition	This indicator measures the percentage of Family Advocate litigation matters that are finalised within 12 months from the date of 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 filed Family Advocate Report.
Source/Collection of Data	Family Advocate Report on Litigation Matters (spreadsheet)
Method of Calculation	Percentage = (number of Family Advocate litigation matters finalised within 12 months from the date of opening the matter/Number of Family Advocate litigations matters finalised) X100.
Means of Verification	Case files
Assumptions	Adequate Human Resource capacity Access to virtual platforms to conduct consultations Access to Caselines systems
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All litigation finalised within the prescribed timeframe
Indicator Responsibility	Chief Family Advocate

<b>Indicator Title</b>	<b>4.9.1 Percentage of Family Advocate Alternative Dispute Resolution Mechanism matters finalised within 6 months from the date of opening the matter</b>
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 opening of the file. Finalisation will mean all Alternative Dispute Resolution Mechanism matters concluded by the Family Advocate.
Source/Collection of Data	Performance Case File, Memoranda of understanding, Parenting Plans, Parental Responsibilities and Rights Agreement or Certificates of Outcome, spreadsheet
Method of Calculation	Percentage = (number of Family Advocate Alternative Dispute Resolution Mechanism matters finalised within 6 months from the date of opening/Number of Family Advocate Appropriate Dispute Resolution Mechanism matters finalised) X100.
Means of Verification	Case Files
Assumptions	Adequate Human Resource capacity Access to virtual platforms to conduct consultations Access to Caselines systems
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Speedy finalisation of cases
Indicator Responsibility	Chief Family Advocate

<b>Indicator Title</b>	<b>4.10.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process</b>
Definition	This indicator measures the number of child maintenance matters finalised in 240 courts within 90 days from the date of proper service

<b>Indicator Title</b>	<b>4.10.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process</b>
	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 and Case File
Method of Calculation	Percentage = (number of maintenance matters finalised within 90 days/number of matters finalised) *100.
Means of Verification	Integrated Case Management System (ICMS) Maintenance Module, Case file J101/J107.
Assumptions	There will be proper service
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All maintenance matters finalised within 90 days from date of proper service of process.
Indicator Responsibility	DDG: Court Services

<b>Indicator Title</b>	<b>4.11.1 Percentage of maintenance investigations finalised by the Maintenance Investigator within 60 days from the date of receipt of instruction/ referral</b>
Definition	<p>This indicator measures the percentage of maintenance investigations finalised by the Maintenance Investigator within 60 days from date of receipt of instruction from the Maintenance Officer / referral by the Clerk of the Maintenance Court in the 240 courts during the reporting period.</p> <ul style="list-style-type: none"> <li>- Finalisation refers to investigations concluded by the Maintenance Investigator</li> <li>- Referral means communication to investigate sent by the Clerk of the Maintenance Court in courts where there are no Maintenance Officers</li> <li>- Instruction is issued by the Maintenance Officer</li> </ul>

<b>Indicator Title</b>	<b>4.11.1 Percentage of maintenance investigations finalised by the Maintenance Investigator within 60 days from the date of receipt of instruction/ referral</b>
Source/Collection of Data	ICMS: Maintenance Report
Method of Calculation	Percentage = (Number of maintenance investigations finalised by the Maintenance Investigator within 60 days from the date of receipt of instruction/ referral/ Number of maintenance investigations finalised ) *100.
Means of Verification	Case File
Assumptions	There will be enough Maintenance Investigators to finalise investigation instructions/referral
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	All maintenance investigations finalised within 60 days in 240 courts from date of instruction/ referral.
Indicator Responsibility	DDG Court Services

<b>Indicator Title</b>	<b>4.12.1 Number of activities actioned to enhance the effectiveness of the established SOGIESC Provincial Task Teams</b>
Definition	<p>The indicator measures the number of activities actioned to enhance the effectiveness of the established SOGIESC Provincial Task Teams. The interventions include:</p> <ol style="list-style-type: none"> <li>Hold 6 Provincial Task Team-meetings (Limpopo, Free State, Northern Cape, Eastern Cape, North-West and Mpumalanga);</li> <li>Conduct 3 Training workshops on SOGIESC matters targeting government officials, Chapter Nine Institutions and Community Advice Offices (3) (Limpopo, Free State and the Northern Cape); and</li> <li>prepare 4 quarterly reports.</li> </ol>
Source of Data	Invitations

<b>Indicator Title</b>	<b>4.12.1 Number of activities actioned to enhance the effectiveness of the established SOGIESC Provincial Task Teams</b>
	Agenda
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers, minutes of the meeting and progress reports
Assumptions	There is budget set aside for implementation of interventions to enhance the effectiveness of the established SOGIESC Provincial Task Teams
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	All planned activities to enhance the effectiveness of the established SOGIESC Provincial Task Teams actioned during the reporting period.
Indicator Responsibility	Chief Director: Judicial Policy and Planning.

<b>Indicator Title</b>	<b>4.13.1 Number of activities actioned in collaboration with other stakeholders to prevent and combat Trafficking in Persons</b>
Definition	<p>This indicator measures the number of activities actioned in collaboration with other stakeholders for the purpose of preventing and combating Trafficking in Persons. The activities include:</p> <ul style="list-style-type: none"> <li>• 4 NICTIP meetings</li> <li>• 4 PTT meetings</li> <li>• 4 quarterly reports</li> <li>• 1 Annual Report to Parliament</li> </ul>
Source of Data	<p>Invitations</p> <p>Agenda</p>
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers, minutes of the meeting and Reports
Assumptions	Support and collaboration from other government departments
Disaggregation of Beneficiaries (where applicable)	N/A

<b>Indicator Title</b>	<b>4.13.1 Number of activities actioned in collaboration with other stakeholders to prevent and combat Trafficking in Persons</b>
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	All planned interventions to prevent and combat Trafficking in Persons conducted during this reporting period.
Indicator Responsibility	Chief Directorate: Judicial Policy and Planning

<b>Indicator Title</b>	<b>4.14.1 National strategy for domestic violence court-based support services approved by target date</b>
Definition	This indicator measures the development of the National Strategy for Domestic Violence court-based support services for survivors of domestic violence in line with the Domestic Violence Act, 1998, as amended which will be approved by the Deputy Director-General Court Services during the reporting period
Source of Data	Domestic Violence Regulations, 2022 National strategy for domestic violence court-based support services
Method of Calculation/Assessment	N/A
Means of Verification	Approved National strategy for domestic violence court-based support services by the DDG: Court Services
Assumptions	Stakeholder cooperation
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, Older Persons, LGBTQIA+ persons and Persons with Disabilities
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	National strategy for domestic violence court-based support services developed as planned
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups



<b>Indicator Title</b>	<b>4.15.1 Report of the review of the Small Claims Court system submitted to the Minister target date</b>
Definition	The indicator seeks to measure the submission of the report on the review of the small claims court to the Minister. The review is done to assess the efficacy, use of the courts, successes and challenges in order to improve the system and improve access to justice.
Source/Collection of Data	Review Report
Method of Calculation	Simple count
Means of Verification	Proof of submission of the report on the review of Small Claims Court system to the Minister
Assumptions	Terms of Reference approved on time, service provider available and tender process not required
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Report of the review of the Small Claims Court system submitted to the Minister as planned
Indicator Responsibility	DDG Court Services

<b>Indicator Title</b>	<b>4.16.1 Percentage of Decree of divorce issued by the Registrar/ Assistant Registrar within 14 working days of finalisation of the divorce</b>
Definition	This indicator measures the percentage of Decree of divorce issued by the Registrar/ Assistant Registrar within 14 working days of finalisation of the divorce during the reporting period.  Finalisation refers to divorce granted by the regional court.
Source/Collection of Data	ICMS Divorce module
Method of Calculation	Percentage = (Number of decree of divorce issued within 14 working days of finalisation of the divorce /Number of decree of divorce issued) * 100.
Means of Verification	ICMS report and divorce files
Assumptions	There will be availability of Registrars/ Assistant Registrar to issue decree of divorce within 14 working days.

<b>Indicator Title</b>	<b>4.16.1 Percentage of Decree of divorce issued by the Registrar/ Assistant Registrar within 14 working days of finalisation of the divorce</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	All decree of divorce to be issued by the Registrar/ Assistant Registrar within 14 working days of finalisation
Indicator Responsibility	DDG Court Services

<b>Indicator Title</b>	<b>4.17.1 Percentage of new domestic violence interim protection orders served electronically by a Court Clerk on the respondent not later than 24 hours from the time the order is received from the court by the court clerk</b>
Definition	This indicator measures the percentage of new domestic violence interim protection orders served via email by the Court Clerk not later than 24 hours from the time the order is received from the court by the court clerk. The implementation of the indicator is subject to the submission of the accurate email address of the respondent by the complainant to the clerk of the court.
Source of Data	<ul style="list-style-type: none"> <li>• Domestic Violence Regulations, 2022</li> <li>• Standard Operating Procedure for data collection</li> <li>• Integrated Case Management System (ICMS): Domestic Violence</li> <li>• Quarterly reports of statistics</li> </ul>
Method of Calculation/Assessment	Percentage = (Number of new domestic violence interim protection orders served via email by the court clerk not later than 24 hours from the time of receipt of order from the court by the Court clerk / Total number of new domestic violence interim protection orders served via email) X 100.
Means of Verification	<ul style="list-style-type: none"> <li>• Prescribed Form 40 of the Regulations</li> <li>• Email Delivery report (regulation 32(11))</li> <li>• The time at which the interim protection order is received from the court by the court clerk for electronic service</li> </ul>

<b>Indicator Title</b>	<b>4.17.1 Percentage of new domestic violence interim protection orders served electronically by a Court Clerk on the respondent not later than 24 hours from the time the order is received from the court by the court clerk</b>
Assumptions	<ul style="list-style-type: none"> <li>• ICMS: Domestic Violence aligned to regulations 11(2), 23(3)(a), and 32 of the Domestic Violence Regulations of 2022;</li> <li>• Regular capturing of data on ICMS: Domestic Violence at court level;</li> <li>• Regular and effective supervision by supervisors/ Court Managers, District Managers and provincial offices;</li> <li>• Regular and effective functioning of emails;</li> <li>• Regular network connectivity;</li> <li>• Effective operation of the ICMS: Domestic Violence</li> <li>• Stakeholder cooperation and support at court and provincial office levels</li> <li>• The complainant has provided the clerk of the court with the accurate email address of respondent</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, Older Persons, LGBTQIA+ persons and Persons with Disabilities
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	Speedy service of the domestic violence interim protection orders on the respondents so as to provide survivors with prompt protection.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.17.2 Percentage of domestic violence final protection orders served electronically by a court clerk on the respondent within 48 hours from the time the order is received from the court by the court clerk</b>
Definition	This indicator measures the percentage of domestic violence final protection orders served via email by a court clerk within 48 hours from the time the order is received from the court by the court

Indicator Title	<b>4.17.2 Percentage of domestic violence final protection orders served electronically by a court clerk on the respondent within 48 hours from the time the order is received from the court by the court clerk</b>
	clerk. The implementation of this indicator is subject to the submission of the accurate email address of the respondent by the complainant/ respondent to the clerk of the court.
Source of Data	<ul style="list-style-type: none"> <li>Domestic Violence Regulations, 2022</li> <li>Standard Operating Procedure for data collection</li> <li>Integrated Case Management System (ICMS): Domestic Violence</li> <li>Quarterly report of statistics</li> </ul>
Method of Calculation/Assessment	Percentage = (Number of new domestic violence final protection orders served via email by the court clerk within 48 hours from the time of receipt of order from the court by the court clerk / Total number of new domestic violence final protection orders served via email from the time of receipt from the court by the court clerk) X 100.
Means of Verification	<ul style="list-style-type: none"> <li>Prescribed Form 40 of the Regulations</li> <li>Email Delivery report (regulation 32(11))</li> <li>The time at which the protection order is received from the court by the court clerk for electronic service</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>ICMS: Domestic Violence aligned to regulations 11(2), 23(3)(a), and 32 of the Domestic Violence Regulations of 2022;</li> <li>Regular capturing of data on the manual data tool or ICMS: Domestic Violence at court level;</li> <li>Regular and effective supervision by Supervisors/ Court Managers, District Managers and provincial offices;</li> <li>Regular and effective functioning of emails;</li> <li>Regular network connectivity;</li> <li>Effective operation of the ICMS: Domestic Violence</li> <li>Stakeholder cooperation and support at court and provincial office levels</li> <li>The complainant/ respondent have provided the clerk of the court with the accurate email address of respondent</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, Older Persons, LGBTQIA+ persons and Persons with Disabilities
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

<b>Indicator Title</b>	<b>4.17.2 Percentage of domestic violence final protection orders served electronically by a court clerk on the respondent within 48 hours from the time the order is received from the court by the court clerk</b>
Desired Performance	Speedy service of the domestic violence protection orders on the respondents so as to provide survivors with prompt protection.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

<b>Indicator Title</b>	<b>4.18.1 Policy Framework on foreign language interpreting submitted to the DG for approval by target date</b>
Definition	This indicator measures the development and submission of the Framework on foreign language interpreting submitted to DG for approval during the reporting period,
Source/Collection of Data	Polciy Framework on foreign language interpreting Memorandum submitted to the Director-General
Method of Calculation	N/A
Means of Verification	Proof of submission of the Policy Framework foreign language interpreting to the DG for approval.
Assumptions	Stakeholders responding on time. High cooperation among stakeholders in the preparation of the Policyframework No delays in forwarding the inputs from stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All inputs included into the Policy Framework on foreign language interpreting
Indicator Responsibility	DDG: Court Services

<b>Indicator Title</b>	<b>4.19.1 A National Conference on the review of the criminal justice system in South Africa held by target date</b>
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Definition	This indicator measures the process of organising of the National Conference on the review of the criminal justice system in South Africa that will be held in the period under review.
Source of Data	<ul style="list-style-type: none"> <li>• Approved Memo for the National Conference.</li> <li>• Approved Concept Note</li> <li>• Invitations</li> <li>• Attendance register</li> </ul>
Method of Calculation/Assessment	Not applicable
Means of Verification	Submission of Programme, Attendance registers. Approved Memo for the National Conference
Assumptions	All key stakeholders participate in organisation of the National Conference on the review of the criminal justice system in South Africa planned to be held in period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	National Conference on the the review of the criminal justice system in South Africa held as planned
Indicator Responsibility	DDG: Court Services

## OUTCOME 10: CRIME AND CORRUPTION REDUCED THROUGH EFFECTIVE PROSECUTION

Indicator Title	10.1.1 Number of dedicated specialised Commercial Crimes Courts capacitated
Definition	<p>This indicator measures the number of additional dedicated Specialised Commercial Crime Courts that will be capacitated</p> <p>Capacitation refers to allocation of funds to resource the identified sites with tools of trade, and/ or court officials</p>
Source of Data	List of identified courts to be capacitated Fund Allocation Letters
Method of Calculation/Assessment	Simple count
Means of Verification	Letters signed by the Regional Heads confirming the capacitation of the dedicated specialised Commercial Crimes Courts
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	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Capacitate at least two Specialised Commercial Crime Court annually.
Indicator Responsibility	DDG Court Services

## OUTCOME 5: IMPROVED AND TRANSFORMED MASTERS SERVICES

Indicator title	<b>5.1.1 Percentage of Liquidation and distribution accounts in deceased estates where letters of executorship has been issued, examined within 21 days from receipt of all required documents</b>
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the executors in deceased estates within 21 days after the account has been lodged with the Master, and 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 Masters offices
Method of calculation	<p>Percentage = (number of Liquidation and distribution accounts in deceased estates where letters of executorship has been issued examined within 21 days/total number of Liquidation and distribution accounts in deceased estates where letters of executorship has been issued examined) x 100.</p> <p>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</p>
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	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	Liquidation and distribution accounts in deceased estates where letters of executorship has been issued, examined within 21 days from receipt of all required documents
Indicator Responsibility	Chief Master



<b>Indicator Title</b>	<b>5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents</b>
Definition	This indicator measures the letters of appointment issued in deceased estates to enable the estate administrator to proceed with the administration of the estate of the deceased issued within 21 days after the applicant has lodged all necessary documents.
Source/Collection of Data	Monthly reports by Masters offices and registers
Method of Calculation	<p>Percentage = (Number of letters of appointment in deceased estates issued within 21 days from receipt of all required documents) / number of letters of appointment in deceased estates issued) * 100.</p> <p>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.</p>
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	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All letters of appointment issued in the deceased estates within 21 days from receipt of all required documents.
Indicator Responsibility	Chief Master

<b>Indicator Title</b>	<b>5.3.1 Percentage of Guardian's Fund applications paid within 40 days from date of receipt of all required documents</b>
Definition	This indicator measures the percentage of Guardian's fund applications paid within 40 days from lodging all the required documents to enable the Master to proceed with payment
Source/Collection of Data	Reports by Masters offices and the Guardian's Fund system

<b>Indicator Title</b>	<b>5.3.1 Percentage of Guardian's Fund applications paid within 40 days from date of receipt of all required documents</b>
Method of Calculation	<p>Percentage = (number of Guardian's Fund applications paid within 40 days from date of receipt of all required documents / number Guardian's Fund applications paid) *100.</p> <p>Number of days to authorization = date of authorization minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.</p>
Means of Verification	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	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All Guardian's Fund applicants receive payment within 40 days
Indicator Responsibility	Chief Master

<b>Indicator Title</b>	<b>5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents</b>
Definition	This indicator measures the issuing of appointment certificates documents (includes provisional & final appointments) to trustees 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	Masters office reports and registers.
Method of Calculation	Percentage = (number of certificates of appointment in all bankruptcy matters issued within 10 days from receipt of all required documents /number of certificates of appointment in all bankruptcy matters issued) *100.

<b>Indicator Title</b>	<b>5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents</b>
	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.
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	Non-cumulative
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

<b>Indicator Title</b>	<b>5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents</b>
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the trustees 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	Masters office reports and registers
Method of Calculation	Percentage = (number of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents /number of liquidation and distribution accounts in bankruptcy matters examined) *100.

<b>Indicator Title</b>	<b>5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents</b>
	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
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
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

<b>Indicator Title</b>	<b>5.6.1 Percentage of letters of authority issued in trusts within 21 days of receipt of all required documents</b>
Definition	This indicator measures the issuing of letters of authority (both inter vivos and mortis causa) to appoint trustees of registered trusts to enable the appointee to proceed with his or her other duties as trustee within 21 days after the applicant has lodged all the necessary documents
Source/Collection of Data	Masters office reports and registers.
Method of Calculation	<p>Percentage = (number of letters of authority issued in trusts within 21 days of receipt of all required documents /number of letters of authority issued in trusts) *100.</p> <p>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.</p>

<b>Indicator Title</b>	<b>5.6.1 Percentage of letters of authority issued in trusts within 21 days of receipt of all required documents</b>
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
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All letters of authority issued in trusts within 21 days of receipt of all required documents
Indicator Responsibility	Chief Master

<b>Indicator Title</b>	<b>5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents</b>
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	Masters office reports and registers
Method of Calculation	<p>Percentage = (number of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents / number of letters of appointment issued in curatorship estates) *100.</p> <p>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.</p>
Means of Verification	Case file J372/CB12/CB15/CB19
Assumption	All applications will be submitted with all the required documentation

<b>Indicator Title</b>	<b>5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
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

<b>Indicator Title</b>	<b>5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister by target date</b>
Definition	This indicator measures the submission of the policy for the appointment of the Insolvency Practitioners to the Minister for approval
Source/Collection of Data	Minutes of meetings, Submission memorandum and Policy to the Minister . Policy on the appointment of Insolvency Practitioners document
Method of Calculation	N/A
Means of Verification	Proof of submission of memorandum with draft policy to the Minister.
Assumption	All meetings/ workshops /consultations will take place as planned
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Finalised policy submitted to Minister for approval as planned.

<b>Indicator Title</b>	<b>5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister by target date</b>
<b>Indicator Responsibility</b>	Chief Master

<b>Indicator Title</b>	<b>5.9.1 Number of interventions from the Masters Turnaround Strategy implemented</b>
<b>Definition</b>	<p>This indicator measures the interventions that will be implemented from the Masters Turnaround Strategy during the reporting period. These interventions are:</p> <ul style="list-style-type: none"> <li>i) Creation and roll out of an online Estate registration and appointment platform in 3 Masters' offices by end of January 2024.</li> <li>ii) Completing 75% of the backlog</li> <li>iii) Finalisation of the development of the Guardian's Fund Financial System</li> </ul>
<b>Source/Collection of Data</b>	<ul style="list-style-type: none"> <li>i) Report from the Chief Directorate: Strategy and Policy (Masters' Services) <ul style="list-style-type: none"> <li>- The system must be available to members of the public in 3 jurisdictions</li> </ul> </li> <li>ii) Determined list of backlog matters as baseline <ul style="list-style-type: none"> <li>- Office report against baseline list</li> </ul> </li> <li>iii) Report by Guardian's Fund Team</li> </ul>
<b>Method of Calculation</b>	Simple count
<b>Means of Verification</b>	<p>Report on roll-out of Estates online</p> <p>Report on backlog cases finalised</p> <p>Report on the pilot of developed Guardian's Fund Financial System</p>
<b>Assumption</b>	All meetings/ workshops can take place as planned, available budget, full staff compliment, stakeholder collaboration, network stability
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A

<b>Indicator Title</b>	<b>5.9.1 Number of interventions from the Masters Turnaround Strategy implemented</b>
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	i) 75% of determined backlog cleared by 31 March 2024 ii) Roll out of an online Estate registration and appointment platform in 3 Masters' offices by end of January 2024 iii) Roll out of Guardian's Fund Financial System to all Master's Offices (100%) by 31 March 2024
Indicator Responsibility	Chief Master

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

<b>Indicator Title</b>	<b>6.1.1 Number of Bills and Regulations submitted to Ministry for approval</b>
Definition	<p>This indicator measures the number of Bills and Regulations prepared and submitted to Ministry for consideration and approval with the view to:</p> <ul style="list-style-type: none"> <li>Introducing a Bill in Parliament</li> <li>Obtaining approval from Ministry to subject a Bill or a set of regulations to a public consultation process; or promulgating regulations</li> <li>Ensure the finalisation of Bills and Regulations, as required and where specified, within the time frames set.</li> </ul>
Source of Data	Bills and Regulations Memoranda to Ministry
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of Bills and Regulations to Ministry for approval
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements will take place
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 Regulations developed as planned.
Indicator Responsibility	Chief Director: Legislative Development

<b>Indicator Title</b>	<b>6.2.1 Number of Bills seeking to repeal or repeal and replace Colonial/ Apartheid era justice-related Legislation submitted to Ministry</b>
Definition	<p>This indicator measures the number of Bills seeking to repeal or repeal and replace Apartheid/Colonial era justice-related legislation that will be submitted to Ministry with a view to:</p> <ul style="list-style-type: none"> <li>• Introducing the Bills in Parliament</li> <li>• Obtaining approval from Ministry to subject a Bill to a public consultation process</li> <li>• Ensure the finalisation of Bills as required and where specified, within the time frames set.</li> </ul>
Source of Data	Bills Memoranda to the Ministry
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of Bills seeking to repeal or repeal and replace Colonial/ Apartheid era justice-related Legislation submitted to Ministry
Assumptions	<p>Research will be conducted</p> <p>Drafting of proposals will occur</p> <p>Ministerial engagements will take place</p>
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 developed as planned
Indicator Responsibility	Chief Director: Legislative Development

<b>Indicator Title</b>	<b>6.3.1 Number of Rules of Court submitted to the Board for approval</b>
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 final 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 court rules to the Board
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements will take place
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 court rules to be reviewed and completed during the reporting period
Indicator Responsibility	Secretary of the Rules Board

<b>Indicator Title</b>	<b>6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval</b>
Definition	This indicator measures the number of research papers prepared and submitted to the South African Law Reform Commission (SALRC) for consideration and approval, in order to facilitate the development of proposals on law reform.  Research papers include proposal papers, issue papers, discussion papers and final reports.
Source of Data	Research paper Email to the Commissioners/ Delivery register
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of research paper to the Commissioners for consideration and approval.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements will take place
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)

<b>Indicator Title</b>	<b>6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval</b>
Reporting Cycle	Quarterly
Desired Performance	All research papers developed as planned
Indicator Responsibility	Secretary of the South African Law Reform Commission

## OUTCOME 2: IMPROVED ORGANISATIONAL CAPABILITIES AND GOOD GOVERNANCE

<b>Indicator Title</b>	<b>2.17.1 Percentage of expungements finalised within 75 working days after receipt of complete application</b>
Definition	<p>This indicator measures the percentage of expungements finalised within 75 working days after receipt of a valid and complete application.</p> <p>Matters are considered finalised on:</p> <ul style="list-style-type: none"> <li>• Date when certificate of expungement is signed by the delegated authority or authorised person.</li> <li>• Date when certificate of expungement is forwarded to CRC</li> </ul>
Source of data	NOC IMT System Expungement application register
Method of Calculation/Assessment	Percentage = (Number of expungements finalised within 75 days working days after receipt of a complete application / number of expungements finalised) x100
Means of verification	Expungement statistical report
Assumptions	Adequate resources All applications will be completed fully and accompanied by all relevant documentation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	All expungements completed within 75 working days of receipt of complete application
Indicator Responsibility	Chief Director: Legal Services

## OUTCOME 10: REDUCED CORRUPTION AND SERIOUS ECONOMIC CRIME

<b>Indicator Title</b>	<b>10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to Ministry for consideration and approval</b>
<b>Definition</b>	<p>This indicator measures the number of Bills and Regulations prepared and submitted to Ministry for consideration and approval with the view to:</p> <ul style="list-style-type: none"> <li>• Introducing a Bill into Parliament</li> <li>• Obtaining approval from Ministry to subject a Bill or a set of regulations or notices to a public consultation process; or promulgating regulations</li> <li>• Obtaining approval from Ministry to submit proclamations to the approving authority for approval.</li> <li>• Ensure the finalisation of Bills and Regulations, Notices and Proclamations, as required and where specified, within the time frames set.</li> </ul>
<b>Source of Data</b>	Bills, Regulations, Notices, Proclamations Memoranda to Ministry
<b>Method of Calculation/Assessment</b>	Simple count
<b>Means of Verification</b>	Proof of submission of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa to Ministry for approval.
<b>Assumptions</b>	<p>Research will be conducted</p> <p>Drafting of proposals will occur</p> <p>Ministerial engagements will take place</p>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A.
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (Year-to-date)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	All Bills and Regulations, Notices and Proclamations developed as planned.
<b>Indicator Responsibility</b>	Deputy Director-General: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>10.3.1 Number of activities of the High Level Action Plan to exit the grey list of FATF implemented</b>
<b>Definition</b>	<p>This indicator measures the number of activities required to improve on the following areas identified by the FATF:</p> <p>(a) South Africa should demonstrate a sustained increase in outbound MLA requests and timely follow up to help facilitate ML/TF investigations and confiscations of different types of assets in line with its risk profile.</p> <p>(b) South Africa should demonstrate that competent authorities have timely access to adequate, accurate and up to date beneficial ownership information of legal persons and arrangements.</p> <p>The following action plan items must be achieved:</p> <ol style="list-style-type: none"> <li>1. The IJS system to record and monitor timeliness of MLA/EXT matters operationalised;</li> <li>2. The Master's office system for the recording of the beneficial ownership of Trusts information operationalised;</li> <li>3. Register to record the number of enquiries and responses to FIC; DPCI, NPA and other relevant agencies, established and operational.</li> </ol>
<b>Source of Data</b>	High Level Action plan, reports submitted to the Joint Group of the FATF
<b>Method of Calculation/Assessment</b>	Simple count
<b>Means of Verification</b>	Reports submitted to the Interdepartmental Committee.
<b>Assumptions</b>	Interdependencies on key stakeholders (NPA, DPCI, IJS) to show improvement as items on High Level Action Plan are interlinked.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A.
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (Year-to-date)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	A minimum of three action plan items achieved.
<b>Indicator Responsibility</b>	Deputy Director-General: Legislative Development and Legal Services

## OUTCOME 7: TRANSFORMED STATE LEGAL SERVICES

<b>Indicator Title</b>	<b>7.1.1 Percentage of policy implementation action plan activities implemented</b>
<b>Definition</b>	<p>This indicator measures the percentage of activities on the approved policy implementation action plan that will be implemented during the reporting period.</p> <p>The policy implementation action plan is meant to operationalise the State Attorney Amendment Act, 2014</p>
<b>Source of Data</b>	<p>Policy documents</p> <p>Policy implementation action plan</p>
<b>Method of Calculation/Assessment</b>	Percentage= (number of implemented activities/total number of planned activities on the implementation action plan) *100
<b>Means of Verification</b>	Progress reports on the implementation of the policy implementation action plan
<b>Assumptions</b>	All relevant stakeholders will participate fully in the implementation of the policy implementation action plan to fully realise the intent of the policy
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (year-end)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	100% of planned activities of the policy implementation action plan implemented
<b>Indicator Responsibility</b>	Solicitor-General

Indicator Title	7.2.1 Percentage of litigation cases settled
Definition	<p>This indicator measures the percentage of litigation cases settled by offices of the State Attorney over the total of litigation cases finalised for the reporting period.</p> <p>Litigation means the act or process of bringing or defending a law suit in a civil matter (action and application proceedings) within the State Attorney's Office</p> <p>Settlement means agreement between the parties in court or out of court through mediation, negotiation, or arbitration.</p>
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/ number of litigation cases finalised) *100
Means of Verification	File notes, correspondence from attorney to clients, court order/judgments/settlement agreements/mediation agreements
Assumptions	There will be cooperation by accounting officers whose departments are impacted by litigation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Increase number of cases settled
Indicator Responsibility	Solicitor-General

<b>Indicator Title</b>	<b>7.3.1 Percentage of legal opinions finalised within 30 working days from the date of receipt of the instructions</b>
Definition	This indicator measures the percentage of requests for legal opinions from clients that were finalised within 30 working days of the date of receipt of the instructions 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 working days of the date of receipt of the instructions/ number of legal opinions finalised) *100
Means of Verification	Case file
Assumptions	Stakeholders will provide clear instructions
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All requests for legal opinions from clients finalised within 30 working days of date of entry.
Indicator Responsibility	Chief State Law Adviser

<b>Indicator Title</b>	<b>7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 working days from the date of receipt of the instructions</b>
Definition	This indicator measures the percentage of Bills and subordinate legislation requests that were finalised within 30 working days from the date of receipt of the instruction 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 working days of the date of receipt of the instructions / number of Bills and subordinate legislation finalised) *100
Means of Verification	Case files
Assumptions	Stakeholders will provide clear instructions
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative



Reporting Cycle	Quarterly
Desired Performance	All Bills and subordinate legislation finalised within 30 working days of date of receipt
Responsibility	Chief State Law Adviser

<b>Indicator title</b>	<b>7.5.1 Percentage of International Agreements finalised within 30 working days from the date of receipt of the instructions</b>
Short definition	<p>This indicator measures the percentage of international agreements and accompanying legal opinions requests that are finalised within 30 days from the date of receipt of the instruction during the reporting period.</p> <p>Finalisation refers to international Agreements dispatched by the Chief State Law Adviser</p>
Source/collection of data	Register for international agreements and accompanying legal opinion requests
Method of calculation	Percentage = (number of international agreements finalised within 30 working days from the date of receipt of the instruction/number of international agreements and accompanying legal opinions finalised) x 100
Means of verification	Case file
Assumptions	Stakeholders will provide clear instructions
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	All international agreements and accompanying legal opinions finalised within 30 working days of date of receipt of instruction
Indicator responsibility	Chief State Law Adviser

## OUTCOME 8: TRANSFORMED LEGAL PROFESSION

<b>Indicator Title</b>	<b>8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners</b>
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 = (value of briefs allocated to PDI Legal Practitioners during the reporting period / value of briefs allocated Legal Practitioners during the reporting period) *100
Means of Verification	Payment registers/BAS reports and batches/Invoices
Assumptions	There is a sufficient pool of PDI Legal Practitioners to present matters in the High Courts and other legal forums.
Disaggregation of Beneficiaries (where applicable)	83% of rand value of briefs allocated to PDI Legal Practitioners
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	83% of Rand value of briefs allocated to PDI Legal Practitioners.
Indicator Responsibility	Solicitor-General

<b>Indicator Title</b>	<b>8.2.1 Percentage of value of briefs allocated to female legal practitioners</b>
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 = (value of briefs allocated to female legal practitioners during the reporting period/ value of briefs allocated to Legal Practitioners during the reporting period) *100
Means of Verifications	Payment registers/BAS reports and batches/Invoices Briefing batches and registers
Assumptions	There is a sufficient pool of Female Legal Practitioners to present matters in the High Courts and other legal forums.
Disaggregation of Beneficiaries (where applicable)	30% of briefs allocated to Female Legal Practitioners

Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	30% of rand value of briefs paid to female legal practitioners.
Indicator Responsibility	Solicitor-General

<b>Indicator Title</b>	<b>8.3.1 Percentage of briefs allocated to female legal practitioners</b>
Definition	This indicator measures the percentage of briefs allocated to 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 = (number of briefs allocated to female legal practitioners/number of briefs allocated to Legal Practitioners) *100
Means of Verifications	Briefing batches and registers
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)	Nationally
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	41% of briefs allocated to female legal practitioners
Indicator Responsibility	Solicitor-General

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

<b>Indicator Title</b>	<b>9.1.1 Virtual data repository for collection of disaggregated statistical data for measurements of racism, racial discrimination, xenophobia and related intolerance developed by target date</b>
<b>Definition</b>	This indicator measures the development of the virtual data repository for collection of disaggregated statistical data for measurements of racism discrimination, xenophobia and related intolerance
<b>Source of Data</b>	Data sourced from SAPS, National Prosecuting Authority and DoJ&CD.
<b>Method of Calculation/Assessment</b>	N/A
<b>Means of Verification</b>	Signed off certificate for the virtual data repository for collection of disaggregated statistical data for measurements of racism discrimination, xenophobia and related intolerance
<b>Assumptions</b>	Support by relevant internal units Adequate resources Cooperation by key stakeholders
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	The virtual data repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance developed.
<b>Indicator Responsibility</b>	Chief Directorate: Social Justice and Participatory Democracy

<b>Indicator Title</b>	<b>9.2.1 Number of country reports submitted to Minister for approval for submission to Cabinet</b>
<b>Definition</b>	This indicator measures the number of country report submitted to the Minister for approval for submission to Cabinet
<b>Source/Collection of Data</b>	African Charter on Human and People's Rights (ACHPR) report; Memorandum to the Minister
<b>Method of Calculation</b>	Simple count

<b>Indicator Title</b>	<b>9.2.1 Number of country reports submitted to Minister for approval for submission to Cabinet</b>
Means of Verification	Proof of submission of country reports to the Minister for approval for submission to Cabinet
Assumptions	<ul style="list-style-type: none"> <li>• Departments responding on time or the relevant information provided on time.</li> <li>• High cooperation among departments in the preparation and submission of reports.</li> <li>• Availability of agenda slot on EXCO timeously.</li> <li>• Cluster meetings taking place on the scheduled dates to recommend approval of the reports</li> <li>• Availability/Functionality of department IT network</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	Report prepared and submitted to the Minister for approval for submission to Cabinet
Indicator Responsibility	Chief Director: International Legal Relations

<b>Indicator Title</b>	<b>9.3.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 working days from the date of receipt</b>
Definition	This indicator measures the percentage of valid requests for extradition, mutual and legal assistance in criminal matters processed and submitted to the Director-General within 20 working days from the date of receipt (notification)
Source/Collection of Data	Case register Accompanying reports/documentation
Method of Calculation	<p>Percentage = (Number of valid requests for extraditions and mutual legal assistance processed within 20 days/the number of valid requests for extraditions and mutual legal assistance processed) * 100%.</p> <p>Days = normal working days, excluding weekends and holidays.</p>
Means of Verifications	Memorandum Register indicating dates of allocation of request and date of submissions to the Director-General.

Assumptions	The memorandum to be submitted to the DG within the expected timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
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

<b>Indicator Title</b>	<b>9.4.1 Number of engagements held with stakeholders towards the promotion of the Equality Act and Equality Courts</b>
Definition	This indicator measures the number of engagements towards the promotion of the Equality Act and the Equality Courts conducted in collaboration with key stakeholders in the current financial year.
Source of Data	Invitations to stakeholders Concept document
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	Support and collaboration by key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	All engagements with stakeholders conducted as planned.
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.4.2 Number of constitutional dialogues held for the advancement of Constitutionalism</b>
Definition	This indicator measures the number of constitutional dialogues held for the advancement of constitutionalism in the current financial year.
Source of Data	Invitations Concept document
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	Support, cooperation and collaboration with key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	All constitutional dialogues held as planned.
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.5.1 Number of international Human Rights instruments submitted to Minister for approval</b>
Definition	This indicator measures the number of international human rights instruments submitted to the Minister for approval for submission to Cabinet, either for ratification or accession.
Source/Collection of Data	Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial matters (Hague Judgement Convention) Memorandum to the Minister
Method of Calculation	Simple count
Means of Verification	Proof of submission of relevant international Human Rights instruments to the Minister for approval for submission to Cabinet for ratification or accession
Assumptions	<ul style="list-style-type: none"> <li>• Departments responding on time or the relevant information provided on time.</li> <li>• High cooperation among departments in the preparation and submission of reports.</li> <li>• Availability of agenda slot on EXCO timeously.</li> <li>• Cluster meetings taking place on the scheduled dates to recommend approval of the reports</li> </ul> Availability/Functionality of department IT network

<b>Indicator Title</b>	<b>9.5.1 Number of international Human Rights instruments submitted to Minister for approval</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All international human rights instruments prepared and submitted to Minister for approval for submission to Cabinet for ratification or accession
Indicator Responsibility	Chief Director International Legal Relations

<b>Indicator Title</b>	<b>9.6.1 Number of constitutional rights awareness/education sessions conducted by Community Advice Offices</b>
Definition	This indicator measures the number of awareness/education sessions that will be conducted by existing and newly established Community Advice Offices within the PLEAJ projects
Source/Collection of Data	PLEAJ Business Plan Invitations
Method of Calculation	Simple count
Means of Verification	Attendance register Report on the awareness/ education session
Assumptions	Funds available Community members will attend the sessions Community Advice Offices will conduct the session as expected
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-date)
Reporting Cycle	Quarterly
Desired Performance	Constitutional rights awareness/education sessions conducted by Community Advice Offices as planned
Indicator Responsibility	DDG: Constitutional Development



<b>Indicator Title</b>	<b>9.6.2 Number of Community Advice Offices provided with financial support to deliver free, basic advice services</b>
Definition	This indicator measures the number of existing and newly established Community Advice Offices that will be provided with financial support to deliver free basic advice services.
Source/Collection of Data	List of CAOs registered on PLEAJ BAS
Method of Calculation	Simple count
Means of Verification	BAS report Funding letter
Assumptions	Budget availability Community Advice Offices will provide the basic advice services as expected
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-date)
Reporting Cycle	Quarterly
Desired Performance	Community Advice Offices provided with financial support to deliver free basic advice services as planned
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.7.1 Framework for International Relations Engagement submitted to DG for approval by target date</b>
Definition	This indicator measures the development and submission of the Framework on International Relations Engagement submitted to DG for approval during the reporting period,
Source/Collection of Data	Framework on International Relations Engagement Memorandums submitted to the Director-General
Method of Calculation	N/A
Means of Verification	Proof of submission of the Framework to the DG for approval.
Assumptions	Stakeholders responding on time. High cooperation among stakeholders in the preparation of the framework No delays in forwarding the inputs from stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A

<b>Indicator Title</b>	<b>9.7.1 Framework for International Relations Engagement submitted to DG for approval by target date</b>
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All inputs included into the National Framework on International Relations Engagement
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.8.1 A National Conference on the state of human rights in South Africa held by target date</b>
Definition	This indicator measures the process of organising of the National Conference on the state of human rights in South Africa that will be held in the period under review.
Source of Data	<ul style="list-style-type: none"> <li>• Approved Memo for the National Conference.</li> <li>• Concept Note</li> <li>• Invitations</li> <li>• RSVP register</li> </ul>
Method of Calculation/Assessment	Not applicable
Means of Verification	Final Programme, RSVP register. Approved Memo for the National Conference
Assumptions	All key stakeholders participate in organising the National Conference on the state of human rights in South Africa, planned to be held in the period under review.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	National Conference on the state of human rights in South Africa held as planned
Indicator Responsibility	DDG: Constitutional Development

### OUTCOME 3: IMPROVED AWARENESS OF JUSTICE SERVICES AND CONSTITUTIONALISM

<b>Indicator Title</b>	<b>3.2.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.</b>
<b>Definition</b>	This indicator measures the number of campaigns on anti-xenophobia conducted in collaboration with other departments and role-players during the reporting period
<b>Source of Data</b>	Campaign reports
<b>Method of Calculation/Assessment</b>	Simple count
<b>Means of Verification</b>	Reports indicating the place, stakeholders with whom, and dates on which campaigns were conducted Attendance registers
<b>Assumptions</b>	There is budget set aside for sustained and visible anti-xenophobia campaigns Departments and role-players will co-operate
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (Year-to-date)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	Six campaigns conducted as planned
<b>Indicator Responsibility</b>	Chief Directorate: Social Justice and Participatory Democracy

## OUTCOME 10: REDUCED CORRUPTION AND SERIOUS ECONOMIC CRIME

Indicator Title	10.4.1. Conviction rate in High Court
Definition	This indicator 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	10.4.2 Conviction rate in Regional Court
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

<b>Indicator Title</b>	<b>10.4.3 Conviction rate in District Court</b>
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

<b>Indicator Title</b>	<b>10.4.4 Conviction rate in cable theft</b>
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

<b>Indicator Title</b>	<b>10.4.4 Conviction rate in cable theft</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	80%
Indicator Responsibility	DNDPP: NPS

<b>Indicator Title</b>	<b>10.4.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme</b>
Definition	This indicator measures the number of witnesses and related persons harmed, threatened or killed while on the witness protection programme
Source of Data	Electronic 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	Safehouse quarterly reports
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	10.5.1. Conviction rate in complex commercial crime
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	90%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.5.2 Number of persons convicted of corruption and/or offences related to corruption
Definition	This indicator measures the conviction of persons (private sector and government officials) who committed offences relating to corruption
Source of Data	Private sector corruption register and NPA daily court return
Method of Calculation/Assessment	Simple count of private persons/companies and government officials convicted of corruption
Means of Verification	Central datasheet
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)

<b>Indicator Title</b>	<b>10.5.2 Number of persons convicted of corruption and/or offences related to corruption</b>
Reporting Cycle	Quarterly
Desired Performance	334
Indicator Responsibility	DNDPP: NPS

<b>Indicator Title</b>	<b>10.5.3 Number of investigations authorised</b>
Definition	Number of investigations on specified offences authorised by the Investigating Director in terms of section 28 (1) and 28 (13)
Source of Data	ID register
Method of Calculation/Assessment	Count of the number of specified investigations authorised by the Investigating Director
Means of Verification	Specified investigations register and component documents
Assumptions	Capacitation of ID and recruitment of skilled officials
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	11
Indicator Responsibility	Investigating Director

<b>Indicator Title</b>	<b>10.5.4 Number of state capture and complex corruption matters enrolled</b>
Definition	The indicator refers to number of state capture and complex corruption matters enrolled in the courts for prosecution in line with the holistic mandate of the Investigating Directorate (ID) of dealing with offences or criminal or unlawful activities involving serious, high profile and complex corruption, including allegations of corruption arising from commissions of inquiry.
Source of Data	Central data sheet
Method of Calculation/Assessment	Count of matters enrolled
Means of Verification	J15/ Indictment
Assumptions	There is prima facie evidence for enrolment, conclusion of investigations



<b>Indicator Title</b>	<b>10.5.4 Number of state capture and complex corruption matters enrolled</b>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	12
Indicator Responsibility	Investigating Director

<b>Indicator Title</b>	<b>10.5.5 Number of prosecutions instituted involving money-laundering</b>
Definition	This indicator measures the effectiveness of the NPA in dealing with cases involving money laundering offences.
Source of Data	NPA Daily court returns
Method of Calculation/Assessment	Simple count of cases obtained in money laundering
Means of Verification	Court book
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	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Baseline
Indicator Responsibility	DNDPP: NPS

<b>Indicator Title</b>	<b>10.6.1 Value of completed forfeiture cases</b>
Definition	This indicator measures the value of assets frozen in freezing orders obtained in the reporting period
Source of Data	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
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	R550m
Indicator Responsibility	DNDPP: Asset Forfeiture Unit

<b>Indicator Title</b>	<b>10.6.2 Value of freezing orders obtained for corruption or related offences</b>
Definition	This indicator measures the value of assets frozen in freezing orders obtained in the reporting period.
Source of Data	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
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

<b>Indicator Title</b>	<b>10.7.1 Value of recoveries relating to corruption or related offences per year</b>
<b>Definition</b>	<p>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.</p> <p>A recovery includes, but is not limited to, amounts paid to victims of crime or CARA and/or the net market value of property transferred to the victims of crime during the reporting period, resulting from orders or agreements obtained in respect of corruption or related offences.</p>
<b>Source of Data</b>	Serious corruption register
<b>Method of Calculation/Assessment</b>	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 or acknowledgement of recovery is received.
<b>Means of Verification</b>	Serious corruption reports
<b>Assumptions</b>	Investigations are completed and court order granted to forfeit and recover
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative (year-end)
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	R1.4bn
<b>Indicator Responsibility</b>	DNDPP: AFU

#### OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

<b>Indicator Title</b>	<b>4.20.1 Number of new Thuthuzela care centres established</b>
<b>Definition</b>	This indicator demonstrates the number of fully functional Thuthuzela Care Centres (TCCs) which are added into the system
<b>Source of Data</b>	Thuthuzela care centres list/register
<b>Method of Calculation/Assessment</b>	Simple count of operational sites
<b>Means of Verification</b>	New TCC handover report or Opening Ceremony Mailer
<b>Assumptions</b>	Allocation of additional budget

<b>Indicator Title</b>	<b>4.20.1 Number of new Thuthuzela care centres established</b>
	Appointment of additional staff
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative (year -end)
Reporting Cycle	Annually
Desired Performance	2
Indicator Responsibility	DNDPP: NPS

<b>Indicator Title</b>	<b>4.20.2 Conviction rate in sexual offences</b>
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
Desired Performance	70%
Indicator Responsibility	DNDPP: NPS

## OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

<b>Indicator Title</b>	<b>1.3.1 Number of KPIs completed on the Integrated Justice System dashboard</b>
Definition	The indicator measures the number of KPIs that are on IJS performance dashboard system
Source of Data	IJS Transversal Hub.
Method of Calculation	Simple count
Means of verification	Signed off Business Intelligence report by the Chairperson of the Integrated Justice System Implementation Committee (IJSIC)
Assumptions	Department report on the Key Performance Indicators on the dashboard.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Integration of departments to be achieved and start monitoring the 28 KPIs
Indicator Responsibility	Chief Director: Office of the Director-General

<b>Indicator Title</b>	<b>1.4.1 Number of IJS Governance intervention sessions held</b>
Definition	The indicator measures the number of IJS Governance intervention sessions held. IJS Governance intervention sessions include IJS implementation Committee meetings, IJS Board of DG's meetings and IJS Ministerial Committee meeting.
Source of Data	IJS Governance minutes
Method of Calculation	Simple Count

<b>Indicator Title</b>	<b>1.4.1 Number of IJS Governance intervention sessions held</b>
Means of Verification	Approved minutes of IJS intervention sessions by Chairpersons on behalf of three tier IJS governance structures.
Assumptions	Member departments are readily available for IJS governance intervention sessions to be held
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	IJS Governance intervention sessions held as planned
Indicator Responsibility	Chief Director: IJS

<b>Indicator title</b>	<b>1.5.1 Number of IJS Operational Sites assessed for vulnerability to cyber attacks</b>
Definition	<p>This indicator measures the number of IJS Operational Sites that will be assessed for vulnerability to cyber attacks.</p> <p>The sites that will be assessed are Production and Disaster Recovery Sites</p>
Source/collection of data	Signed off report by the chairperson of the Integrated Justice System (IJS) Implementation Committee
Meth of calculation or assessment	Simple count
Means of verification	Vulnerability assessment reports for the two sites
Assumptions	Timeous roll out of PVS as per the deployment plan
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A

<b>Indicator title</b>	<b>1.5.1 Number of IJS Operational Sites assessed for vulnerability to cyber attacks</b>
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Strengthened IJS Transversal Infrastructure resources for the secured interoperability between the cluster member departments via the IJS Transversal Hub
Indicator responsibility	Chief Director: Office of the Director-General

<b>Indicator Title</b>	<b>1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed</b>
Definition	The indicator measures the number of SAPS police stations where the IJS Person Verification Services (PVS) will be deployed
Source of Data	Roll out/deployment reports
Method of Calculation	Simple Count
Means of Verification	Roll-out reports received from Technology Management Services (TMS) unit and Signed by the Chairperson of IJS Implementation Committee
Assumptions	Timeous roll out of PVS as per the deployment plan
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	PVS roll out nationally to all desired sites
Indicator Responsibility	Chief Director: Office of the Director-General

<b>Indicator Title</b>	<b>1.7.1 IJS Digital Transformation and Modernisation strategy submitted to the Minister for approval by target date</b>
<b>Definition</b>	The indicator measures the submission of the IJS Digital Transformation and Modernisation strategy to the Minister for approval.
<b>Source of Data</b>	<ul style="list-style-type: none"> <li>• IJS Digital Transformation and Modernisation Strategy</li> <li>• Memorandum to the Minister</li> </ul>
<b>Method of Calculation</b>	N/A
<b>Means of Verification</b>	Proof of submission of the IJS Digital Transformation and Modernisation strategy to the Minister for approval
<b>Assumptions</b>	All key stakeholders from IJS member departments are readily available
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired Performance</b>	IJS Digital Transformation and modernisation strategy submitted to the Minister for approval
<b>Indicator Responsibility</b>	Chief Director: IJS



## ANNEXURE A: AMENDMENTS TO THE 2020-25 STRATEGIC PLAN

The following amendments were made in the Strategic Plan

**Table 50: Amendments to the mission and values:**

Current mission	Revised mission	Current values	Revised values
Enabling access to justice, advancement of constitutionalism, respect for human rights and the rule of law.	<ul style="list-style-type: none"> <li>• To enable Access to Justice</li> <li>• To promote Constitutionalism, Rule of Law, Respect for Human Rights and</li> <li>• To coordinate the State Litigation and Legal Advisory Services</li> </ul>	<ul style="list-style-type: none"> <li>• Commitment to constitutional values and a culture of human rights</li> <li>• Promotion of the rule of law</li> <li>• Batho Pele</li> <li>• Good governance</li> <li>• Ubuntu</li> <li>• Professionalism and continuous improvement</li> <li>• Transparency</li> </ul>	<ul style="list-style-type: none"> <li>• Batho Pele</li> <li>• Ubuntu</li> <li>• Patriotism</li> <li>• Social Justice</li> <li>• Human Rights</li> <li>• Good Governance</li> <li>• Collegiality</li> </ul>

**Table 51: Amendments made to the outcome, outcome indicator and target**

Priority	Current Outcome	Revised Outcome	Newly introduced Outcome Indicator	Baseline	Five year target	Reason for amendment
<b>Priority 6: Social cohesion and safe communities</b>	Transformed state litigation services	Transformed state legal services	7b. Percentage reduction of successful legal challenges on the constitutionality of legislations and international agreements considered by OCSLA	-	5%	The outcome was revise to accommodate the work of the Office of the Chief State Law Advisor
	Improved Masters Services	Improved and transformed Masters Services	N/A	N/A	N/A	The outcome was revised to include transformation initiatives that the Masters office will do.

**Table 52: Technical Indicator Description for the new outcome indicator**

<b>Indicator</b>	<b>7b. Reduction of the percentage of successful legal challenges on the constitutionality of legislation and international agreements considered by the Office of the Chief State Law Advisor (OCSLA)</b>
Definition	This indicator measures the percentage of legislation certified and international agreements scrutinised by the OCSLA from 2019 to 2024 which were successfully challenged for constitutionality.
Source of Data	Constitutional Court judgements and OCSLA work register.
Method of Calculation / Assessment	Percentage = number of Bills and international agreements considered by the OCSLA successfully challenged for constitutionality divided by the number of Bills certified and international agreements scrutinised by the OCSLA.
Assumptions	Opinions rendered by the OCSLA will be accepted. What is successfully challenged is what the OCSLA accepted as constitutional and has not been changed after the opinion has been rendered.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Annual
Desired Performance	There should be as few successful constitutional challenges to Bills that have been certified and international agreements that have been scrutinised by the OCSLA
Indicator Responsibility	OCSLA

