

Medium Term Strategic Framework

2008/09 - 2010/11

Executive Summary

The Medium Term Strategic Framework 2008/09-2010/11 (MTSF) has been prepared in accordance with the Public Financial Management Act (Amended Treasury Regulation Chapter 5.1.1). The MTSF was put through a process of collective review by the Department of Justice and Constitutional Development Executive Committee and regional heads as described in the Review Proposal.

In light of the prevailing socio-political environment, the Department is faced with serious challenges in delivering justice services in the country. The MTSF aims at addressing these challenges and improve access to justice services.

The country has experienced, among other things, sustained shifts in social, economical, political, and technological developments. The social context has seen an increase in family diversity and community structures. To some extent, there has also been some increasing loss of community cohesion. The economic front has seen a remarkable progress resulting in millions of citizens becoming well off, and many more gaining access to social benefits. The economy of the country has grown faster than at any time in history, and more financial investors show confidence in both the fiscal policies and the rule of law.

However, the country is still faced with daunting socio-economic challenges. Figures of poverty, unemployment, crime, road accidents and HIV/AIDS are still unacceptably high. In many instances, many people are still experiencing widespread, unbridled racism. These daily realities consistently put our constitutional democracy to the test. In these circumstances, it becomes critically important to enable South African's to access justice as one of the important pillars for the enjoyment and realization of rights articulated in the country's Constitution. The revised MTSF, therefore, seeks to articulate how the Department of Justice and Constitutional Development will enable access to justice.

The MTSF further aims at ensuring alignment of the MTEF and the Government Programme of Action.

Since the period of the outgoing strategy, major structural changes were implemented resulting in the repositioning of the Department.

Since the approval of the MTSF, the Department has made remarkable changes in its high-level structures. These included:

- a. Branch: Corporate Services was established by integrating (previous branches) HR, PEC, ISM and CFO;

- b. The Office of the Chief Operations Officer was established, and housed Strategy, Risk management, Post TRC Unit and Administrative Support Units;
- c. The Office of the Chief Litigation Officer was created;
- d. The role of the Justice College was redefined;
- e. Offices of Heads of Regions were re-established;
- f. The role of the Magistrates was refined to concentrate on judicial work;
- g. In line with Re Aga Boswa Project, Court Managers were appointed to administer courts;
- h. Several new structures were established in regions and branches.

There were a number of newly established and re-defined lower-level structures:

- i. Establishment of Projects Office to deal with Review of the Criminal Justice System
- j. Establishment of Special Project component in Policy Coordination
- k. Re-positioning of Internal Audit Unit
- l. Establishment of project office to deal with justice services and legal issues relating to 2010 World Cup
- m. Establishment of Risk Management Unit
- n. Establishment of post TRC Unit to implement the recommendations of TRC
- o. A Chief Directorate to deal with Access to Information and Records Management was established

In the previous years the Department initiated several priority projects, programmes and policies, which include:

1. The E-scheduler system (Case Flow Management)
2. The Scanning solution (Records Management)
3. Digital Recording System (Records Management)
4. Video Postponement project (Case Flow Management)
5. Integrated Administration of Deceased Estates (IADE system, part of Case Management System)
6. Automation of Guardians Funds system
7. Greater emphasis towards Victims Charter
8. Re-alignment of jurisdictions of Magisterial courts
9. Increasing numbers of female judicial officers
10. Increased emphasis towards resolving challenges on Monies in Trust
11. Introduction of Operation Isondlo for improving maintenance challenges
12. The State Law Advisory Services extended its services to municipalities, Parastatals and constitutional/independent bodies,
13. Several new Bills scrutinized, drafted and introduced into Parliament

14. There have been several matters of emphasis in the Audit Report

The revised MTSF is informed, therefore by the broader recent political and socio-economic changes, as well as internal changes that took place in the Department to ensure that our contribution towards broadening and enabling access to justice is relevant to our milieu.

It should be noted that the Key Performance Indicators in the Revised MTSF are still work in progress that would require some further refinement and alignment to Cluster priorities and Government-wide priorities.

Vision:

Enabling access to justice, and improving efficiency in the justice system as a whole”

Strategic Goals:

- 1. Access to Justice for all**
- 2. Enhancing Organisational Efficiency, and**
- 3. Transforming legal and Justice System**

GOAL 1: Access to Justice for All

Strategic Objective	Target	Timeframe	Lead Branch
1. Bringing Justice services closer to all, with the emphasis on rural and township communities	Increase proximity of services to all, especially in townships and rural areas	2008/09	Courts Services
2. Infrastructure Development/Facility Management	With the co-operation of the Department of Public Works, all dilapidated DoJ&CD facilities renovated, refurbished and extended through the Repair and Maintenance Programme (RAMP)	2008/09	Courts Services
3. Security, Health and Safety Improvement	Ensure secure, environmentally safe and occupationally healthy workplace	2009/10	ODG
4. Communicating Justice services to all, especially to the youth, the poor and other vulnerable groups	Increase awareness of justice services and conduct surveys on public perceptions of justice	2009/10	CS – PEC
5. Educating the Public on Procedures to access Justice services	Conduct outreach programs to increase awareness of human rights	2009/10	CS – PEC
7. Providing services in all the official languages, as well as in sign language and Braille	Meet all local needs for professional interpretation and translation services	2010/11	Regions
8. Ensuring Access for Vulnerable Groups	Implement relevant legislation and other policy instruments	2008/09	ODG

Strategic Objective	Target	Timeframe	Lead Branch
9. Prioritisation of Child Justice and all cases involving children	Collaborate with stakeholders to ensure efficient resolution of cases involving children	2010/11	ODG
	All cases involving child maintenance claims to have professional maintenance officers, maintenance investigators and prosecutorial assistance, as well as Legal Aid Board services by 2009/10	2009/10	ODG
10. Promotion of mutual respect, tolerance and equity	Promotion of equality and prohibition of discriminatory practices	2010/11	Regions
11. Improve Efficiency in the offices of the Master of the High Court	Efficient quality services accessible to all	2008/09	Masters
12. Alternative Dispute Resolution Mechanisms	Alternative Dispute Resolution mechanism mainstreamed within the community and Traditional Courts by 2009/10	2008/09	ODG
13. Improving access to civil courts to resolve disputes	Ongoing revision of rules of court to ensure access to justice	2009/10	LD
14. Develop Legislation to enhance access to justice	Justice Bill Jurisdiction of Regional Courts Amendment Bill Reform of Customary Law of Succession Bill Muslim Marriages Bill Magistrates' Court Amendment Bill (RDP Housing) State Liability Amendment Bill Legal Aid Amendment Bill Divorce Amendment Bill (Sharing of pension benefits)	2010/11	LD

GOAL 2: Enhancing Organisational Efficiency

Strategic Objective	Target	Timeframe	Lead Branch
15. Integration of Justice services	Integrated and streamlined IT systems implemented by 2009/10	2009/10	CS- ISM
	Justice systems and processes integrated with cluster systems and processes	2008/09	CS- ISM
	On-line legal research for Judiciary, Prosecution, Legal Aid officials, State Attorneys and Family Advocates	2008/09	CS- ISM
	Roll-out of case-flow management systems to 50% of courts by 2009/10	2009/10	ODG
16. Investing in Human Capital (HRM)	Human capital capabilities to deliver increasing Justice mandate	2008/09	Regions
	Training and development needs assessed and training provided to all staff at all Justice Service Delivery Points met by 2008/09	2008/09	CS- HR
	Recruitment turn-around time reduced to three months	2010/11	CS- HR
	Temporary employment, volunteers and acting appointments reduced	2008/09	CS- HR
	Internship and professional legal apprenticeship programme linked to research assistance in place	2008/09	CS- HR
	Reduce turn-around time for resolving disciplinary cases	2010/11	CS- HR
	EAP Facility in every province by 2009/10	2008/09	CS- HR

Strategic Objective	Target	Timeframe	Lead Branch	
17. Streamlining Operations	Judiciary and Prosecution freed to concentrate on judicial and prosecutorial functions	2008/09	Courts Services	
	Court processes and procedures simplified to ensure acceleration of case resolutions	2008/09	Courts Services	
	Integrated Case-flow management system completed	2008/09	Courts Services	
	Monitor and evaluate Integrated Case Flow Management System	2009/10	Courts Services	
	Establish mechanism in the regional and district courts to deal with initial proceedings of cases	2009/10	Courts Services	
	Reduce awaiting-trial prisoners with Child Justice cases treated as a priority	2009/10	ODG	
	Establishment of the National Operations Centre at Regional offices and court levels	2008/09	Courts Services	
	Produce monitoring quarterly reports and annual evaluative reports	2008/09	ODG	
	18. Improve Efficiency in the State Attorneys' offices	Establish a State Litigation Forum	2009/10	CLO
		Better case management and successful litigation	2009/10	CLO
Reduced State Liability		2009/10	CLO	
19. Implementation of Government (Public Sector) Anti-Corruption Strategy	Reduction of fraud and corruption	2009/10	ODG	
	Whistle blowing & protection programme implemented	2009/10	LD	

Strategic Objective	Target	Timeframe	Lead Branch
	All staff made aware of ethical standards.	2008/09	ODG
	Vetting fieldwork unit established	2008/09	ODG

GOAL3: Transforming the Legal and Justice System

Strategic Objective	Target	Timeframe	Lead Branch
20. Develop and implement Programme that gives effect to the Constitution and its values	Programme Implemented	2008/09	ODG
21. Promoting compliance with government policies	Legal Services Charter developed	2008/09	ODG
22. Supporting the state in its international obligations	Implement and monitor South Africa's Treaty commitments on human rights	2009/10	ODG
	Provide technical assistance to the Democratic Republic of Congo, Southern Sudan and Liberia		
23. To render Legal Advisory Services to Departments, Municipalities and other organs of state	Reliable and reputable legal advice to Departments, Municipalities and other organs of state.	2008/09	State Law Advisors
	Review Municipal by-laws for constitutionality		
	Translate legislation into official languages		
24. Transforming and maintaining the legal system by doing research and making recommendations for law reform	Developed Research projects	2010/11	LD

Strategic Objective	Target	Timeframe	Lead Branch
25. Enhancing the position of Women in Law and in Justice	Policy and Legislative Framework, regulations, processes, procedures, practices and facilities to affirm dignity of women	2008/09	ODG
26. Implement victim support programmes for victims of crime	Implementation of the Service Charter for Victims of Crime	2008/09	ODG
27. Ensure the effectiveness and efficiency of the Justice System	Review of the criminal justice system	2008/09	ODG
	Ensure alignment of strategic plans of DOJCD, NPA, LAB and Chapter 9 institutions.	2008/09	ODG
28. Coordinate the implementation of TRC Recommendations	<p>Monitor, audit and coordinate the implementation of the TRC recommendations.</p> <p>Reporting produced for Cabinet and Parliament.</p>	2008/09	ODG