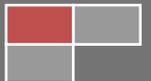


2009/10

MEDIUM TERM STRATEGIC FRAMEWORK

Department of Justice and Constitutional Development



1. CONSTITUTIONAL MANDATE OF THE DEPARTMENT

The Department of Justice and Constitutional Development is an agency of the South African Government. Its mandate is to uphold and protect the Constitution and the rule of law. The Department is also responsible for overseeing the administration of justice in the interests of a safer and more secure South Africa. This includes ensuring the provision of integrated court services through the establishment and maintenance of court facilities; promotion of cost-effective and quality court services; facilitation of effective case flow management; provision of appropriate human resources, including appointment of judicial, prosecutorial and administrative staff; and facilitation of the adjudication of criminal, civil and family law related disputes.

In addition the Department facilitates constitutional development, drafts legislation, conducts research to support legislative development, provides legal advisory services to other government departments, provides litigation services to protect the organs of state; and oversees the administration of deceased and insolvent estates and the administration of Guardian's Fund.

Finally, the Department is administratively accountable for ensuring the independence and support to its entities, the National Prosecuting Authority, the Legal Aid Board, and the constitutional institutions such as the South African Human Rights' Commission, the Commission on Gender Equality, the Public Protector, the Special Investigating Unit, including the administration of the Represented Political Parties' Fund and the President's Fund.

The Department comprises six core branches - Court Services, the Master of High Court, Legal Advisory Services, the Litigation Unit, the Legislative Development Unit, and the Justice College - and two support branches - Corporate Services and the Office of the Director-General.

1.1. STRATEGIC VISION AND MISSION OF THE DEPARTMENT

VISION: Accessible and transformed justice services committed to the promotion of constitutional values.

MISSION: Together we provide accessible, fair, speedy, cost-effective and quality justice for all

1.2. STRATEGIC GOALS

STRATEGIC GOAL 1: ACCESS TO JUSTICE FOR ALL

This is the mainstay goal intended to address the historical social and legal injustice of the apartheid era which entrenched racism, tribalism and sexism. The goal, access to justice for all, aims at aligning the new justice system with the requirement of the constitution, and at bringing justice services closer to the communities previously discriminated against. The Department aims to build courts and provide all required justice services to the disenfranchised communities, especially those people living in townships and rural areas. This goal includes improving the quantity and quality of justice services in the country, providing justice services in the communities' indigenous languages and in Braille and sign languages. This goal also necessitates a nation-wide, community driven public education campaign to empower and inform communities about their constitutional rights. Furthermore, the Department is committed to promoting and protecting the rights of children, women, people with disabilities, the poor, and other vulnerable groups.

STRATEGIC GOAL 2: ENHANCING ORGANISATIONAL EFFICIENCY

This goal aims to improve the effectiveness and efficiency of the Department's business through modernising its systems, streamlining its processes, and strengthening its administrative capacity and capabilities.

STRATEGIC GOAL 3: TRANSFORMING JUSTICE, STATE AND SOCIETY

The historic face of the justice system was racial oppression of Black people by the few White rulers. The aim of this goal is to transform the justice system from the unfair, apartheid policies, practices and legislation to fair, constitution-driven policies which respect and promote the equal distribution of services and participation by all races in the country. This goal also aims to review the current criminal and civil justice systems, promoting judicial transparency, promoting broad-based black and gender empowerment, developing and implementing programs that will promote equality and protect the rights of victims, reduce sexual and domestic violence, support constitutional development and protect the independence of Constitutional institutions.

1.3. PROGRAMS

PROGRAM 1: ADMINISTRATION: deals with the administrative functions of the Department. This involves ensuring an effective and efficient management of the entire Department, including its staff, finances, assets and capital infrastructure, information and knowledge, systems, processes; and development and management of its policies, programs and projects.

PROGRAM 2: COURT SERVICES: deals with the provision and management of courts, the facilitation of criminal, civil and family law matters, including the administration of justice services at provincial levels. This program also includes the promotion and protection of the rights of children, women; the disabled, the poor and other vulnerable communities.

PROGRAM 3: STATE LEGAL SERVICES: deals with four functions:

- Legislative and Constitutional Development, including conducting law research;
- Provision of Legal Advisory Services to other organs of state, including Parliament;
- Providing Litigation Services to protect the organs of state; and
- Providing Master of High Court Services, such as administering Guardian's Fund, deceased and insolvent estates.

PROGRAM 4: NATIONAL PROSECUTION AUTHORITY: deals with the provision of prosecution services, including protecting victims of sexual violence, conviction of sexual offenders, investigation and combating of serious, organised crimes, removal of profit from crime and the protection of state and prosecution witnesses.

PROGRAM 5: AUXILIARY AND ASSOCIATED SERVICES: deals with the provision of auxiliary services associated with the Department's aims, including transfer payments to the South African Human Rights Commission, the Public Protector, the Commission on Gender Equality, the Legal Aid Board, the Special Investigating Unit, the Represented Political Parties' Fund, and the management of the President's Fund. The main aim of this program is to ensure the independence and the integrity of the Constitutional Bodies responsible for management of justice in the country.

1.4. PRINCIPLES AND VALUES

COMMITMENT TO CONSTITUTIONAL VALUES AND TO A CULTURE OF HUMAN RIGHTS: The Department recognises the supremacy of the Constitution and the rule of law and apply all law fairly and uniformly to ensure equal protection of human dignity, achievement of equality and the advancement of human rights and freedoms, non-racial and non-sexism for the people of the Republic of South Africa.

BATHO PELE: The Department provides quality services to both our internal and external customers by always meeting and exceeding their needs and expectations.

GOOD GOVERNANCE: The department adheres to the highest standards of ethical behaviour that are transparent and promote accountability, based on sound internal controls. The Department is committed to serve as effective and responsible stewards of the taxpayers' resources that are entrusted to us. The Department is results-driven and efficient in the way we do things. The Department measures and reports on progress in pursuit of our goals.

UBUNTU: The Department upholds human dignity and ensures equal opportunities and fairness in our interactions, in order to engender a spirit of trust and unity. The Department promotes tolerance and respect for the diversity of our employees and the peoples of this country and draw strength from such diversity.

PROFESSIONALISM AND CONTINUOUS IMPROVEMENT: The Department recognises that people are our most important resource for accomplishing our mission. The Department is committed to the professional development, self-actualisation and personal well-being of all employees. The Department recognises the need for continuous improvement and will reward all committed efforts to improve the quality of our services.

OPEN COMMUNICATION: The Department communicates and shares information openly and punctually with all relevant stakeholders in order to ensure participative and informed decision-making.

2. JUSTICE CONTEXT IN SOUTH AFRICA

This part will attempt to summarise the context in which the Department conducts its business. South African context and its history are diverse and loaded with contestations and thus, can never be fully and satisfactorily explored in few paragraphs. The information presented in this part does not necessary reflect or represent the Department's opinion.

2.1. SOUTH AFRICA DURING APARTHEID

On May 31, 1910, the Union of South Africa, made up of four British colonies, was established. The colonies - the Cape, Natal, Orange Free State and the Transvaal - were created by the Dutch and British settlers, and excluded the Black population from participation in any form of government and deprived them of their land, rights and national expression. In 1912, the African National Congress was formed to resist the segregation laws of the Union and to campaign for the voice of the Africans. By the end of end of the Second World War, the country had grown into a bustling industrial nation which, from 1948 was ruled by the National Party, a political party formed to promote the aspirations of the mainly Dutch-French settlers, who referred to themselves as Afrikaners.[1] .

As the country's economy grew, the National Party developed more strict laws to entrench its territorial, social and political segregation and to give legal effect to the Afrikaner economic hold and control. This was aimed at protecting the interests of the Afrikaners in order for them to assert their political and economic independence from Britain. Many of the National Party laws sought to discriminate against the Black majority, and other non-European races, by depriving them of land, limiting their access to the nation's resources and to curbing their political and national rights. These laws and the way of life they created came to be known as Apartheid which the Blacks increasingly resisted by mainly by engaging in sabotage and garnering international hostility and condemnation against the ruling Afrikaners [1].

When in 1960, at Sharpeville, about 67 Blacks were killed while demonstrating against the apartheid laws, the Union of South Africa was forced out of the Commonwealth, the National Party later responded by banning all political parties which aimed to promote and protect the rights of Blacks to freedom. The ANC formed an armed wing, Umkhonto weSizwe (MK), and embarked on a campaign of sabotage and mass protests aimed at rendering the country ungovernable. The government responded by arresting and imprisoning ANC, PAC and Communist Party political leaders such as Nelson Mandela, Walter Sisulu, Robert Sobukwe, Steve Biko and other leaders. The then Prime Ministers, HW Verwoerd BJ Vorster and PW Botha (who later became the first Executive State President), introduced several states of emergency which failed to stem the tide. By mid 1970s the political instability, spearheaded by the liberation

movement, workers unions, and other liberal parties, had increased immensely, resulting in crippling international condemnation and economic isolation. There were protracted civil protests and sabotage campaigns staged from within the country and from the newly independent countries bordering South Africa such as Zimbabwe, Mozambique, Botswana, Zambia, Lesotho, Angola and Tanzania. Ultimately, in 1990, the National Party finally gave in and instituted some reform measures which resulted in the unbanning of the ANC, PAC, the Communist Party and other banned parties, the release of Mandela and other political prisoners and the easing of some apartheid laws [1].

2.2 THE ESTABLISHMENT OF A NEW DEMOCRATIC NATION

After the unbanning of the political parties and the release of Mandela and other political prisoners, the country entered into political negotiations involving a wide range of political parties from which an interim constitution was accepted which resulting in the elections of 27 April 1994. The ANC won the elections overwhelmingly and Nelson Mandela became the first President of the democratic South Africa. Immediately after his inauguration, economical sanctions were lifted and South Africa was welcomed into the international community. President Mandela signed the final Constitution into law in Sharpeville on the 10 December 1996 and soon after established the Truth and Reconciliation Commission (headed by Archbishop Desmond Tutu) to investigate past human rights abuses and violations and to promote reconciliation between the feuding races and parties. (Tutu, a Nobel Peace prize winner, also coined the term 'Rainbow Nation' to capture the diversity of races, ethnicity, languages, cultures and creeds that characterised the new hope of the nation). The adoption of the Constitution and the establishment of the Truth and Reconciliation encouraged other African countries to resolve their differences and establish democracy in their nations [1].

2.3. SOUTH AFRICA'S LEGAL SYSTEM

Byrnes in *South Africa: A Country Study* (1996) gives a broad exploration of the South Africa's legal system, which has not yet shaken off all the elements of the previous apartheid system. The system is however being transformed to reflect the country's values enshrined in the Constitution. The legal system used during the apartheid-era was based on principles from Roman-Dutch law (particularly private law) and from English law (particularly criminal legal procedures). However, these laws were overshadowed by the pervasive discriminatory laws and far-reaching judicial apparatus required to enforce them. The apartheid state relied heavily on the judicial system to legitimize its discriminatory activities. Thus, the state exerted extreme pressure and control and authority over the administration of justice in its entirety. The Minister of Justice played a key role in this regard. The judges, appointed from among members of the Bar, were largely expected to protect and legitimize Afrikaner nationalism in their practice. Thus, the courts legitimized and promoted discrimination, racism, intolerance and sexism. Almost all judges were White and almost exclusively male. [2]

The Supreme Court of South Africa, consisting of an Appellate Division and six provincial divisions, sat as the highest court in the country in Bloemfontein - which became the country's judicial capital. Each provincial division was headed by a judge president. The magistrates' courts were divided into magisterial districts and regional divisions, and constituted the lower courts. It was operated largely separately, but not independent, from the superior courts. The apartheid government established traditional courts as separate community courts to administer African traditional law and customs. These were presided over by traditional leaders, often kings or chiefs appointed by the state. [2]

In the new Democratic South Africa, the Constitution is the highest law of the land. The Constitution guarantees an independent judiciary. The Constitutional Court sits as the highest court of the country, and has the power to review and to declare as unconstitutional all legislation and practices inconsistent with the Constitution. The Constitution includes provisions not found in apartheid-era laws, such as the prohibition of all forms of discrimination and it places an emphasis on individual human rights. These

rights, contained in the Bill of Rights, advocate for equality before the law and equal protection of the law; freedom of expression, assembly, demonstration, petition and association; the right to choose a place of residence anywhere in the national territory; the right not to be deprived of citizenship without justification; full political rights; full access to the courts; and fair and lawful administrative justice, including rights concerning detention, arrest, and rights in respect of accused persons. There are other specific rights which have a bearing on economic activity, labour relations, property, the environment, children, language and culture, education, and conditions under which a state of emergency can be declared. [2]

The new legal system also deals with the consequences of apartheid-related abuses, violations and crimes, although it aims primarily to promote a spirit of national reconciliation and a new "culture of human rights," rather than to resolve long-standing grievances. In June 1994, the government announced that a Truth and Reconciliation Commission would investigate accusations of human rights abuses and political crimes by both supporters and opponents of apartheid, and that it would consider related issues such as amnesty and reparation to survivors and their dependents. The government established guidelines for the Commission's operations in 1994 and 1995, and the Truth and Reconciliation Commission began hearing testimony by both victims and perpetrators of apartheid-era violence in early 1996. [2]

South Africa has one of the most progressive constitutions in the world. The Constitution embraces a framework of collective national aspirations which respects and accepts differences and diversity. It prohibits racism, discrimination and any infringement of individual rights by the state, organisations or individuals. The Constitution provides for a fusion of federal state, with a national government supported by 9 provincial governments. To ensure appropriate checks and balances, the Constitution promotes and entrenches the separation of powers between the pillars of the state: The Executive, the judiciary and the Parliament. The Constitution upholds the Bill of Rights which entitles citizens to certain socio-economic rights in respect of housing, health care, and access to food, water, social security and basic education, among others. [2] The Constitution is largely implemented by a Cabinet (headed by the President, the Deputy President), which work independently from the 11-member Constitutional Court Judges (headed by the Chief Justice –currently Chief Justice Pius Langa), who, in turn, are also independent from the bi-cameral Parliament which is made up of a 400-member National Assembly and a 90-member National Council of Provinces.

3. SITUATIONAL ANALYSIS OF SOUTH AFRICA TODAY

Table 1: South Africa by Provinces

| Province | Land Area Sq km | % of Land Share | Population | % of Population Share | % Contribution to National GDP | GDP per Capita | % of unemployed* | % living in Informal Dwellings* | % Living Below Poverty Line |
|----------------------|-----------------|-----------------|------------|-----------------------|--------------------------------|----------------|------------------|---------------------------------|-----------------------------|
| Eastern Cape | 168,966 | 13,9% | 6 527 747 | 13% | 7,8% | 19,779 | 25% | 7% | 62,0% |
| Free State | 129,825 | 10,6% | 2 773 059 | 6% | 5,4% | 31,740 | 26% | 18% | 49,1% |
| Gauteng | 16,548 | 1,4% | 10 451 713 | 21% | 33,6% | 60,383 | 22% | 23% | 34,8% |
| KwaZulu-Natal | 94,361 | 7,7% | 10 259 230 | 21% | 16,3% | 28,339 | 29% | 9% | 51,1% |
| Limpopo | 125,755 | 10,3% | 5 238 286 | 11% | 6,8% | 22,013 | 33% | 5% | 62,7% |
| Mpumalanga | 76,495 | 6,3% | 3 643 435 | 8% | 6,8% | 33,568 | 27% | 10% | 55,0% |
| North West | 106,512 | 8,7% | 3 271 948 | 7% | 6,4% | 33,106 | 32% | 21% | 52,0% |
| Northern Cape | 372,889 | 30,5% | 1 058 060 | 2% | 7,9% | 34,191 | 26% | 10% | 42,0% |
| Western Cape | 129,462 | 10,6% | 5 278 585 | 11% | 14,6% | 52,442 | 18% | 19% | 23,1% |

Source: Stats SA

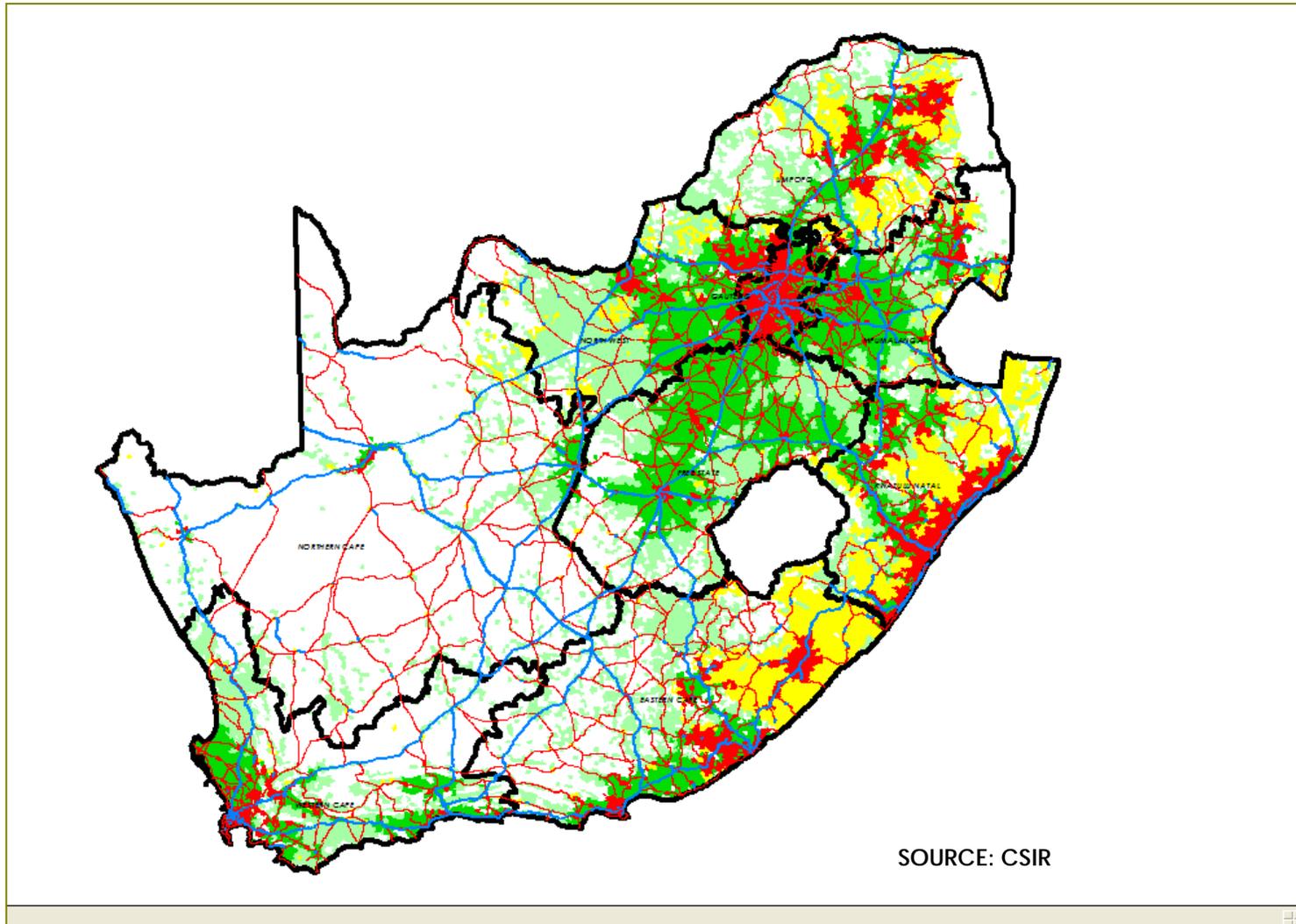
South Africa is a middle-income, emerging market with an abundant supply of natural resources. It has well-developed financial, legal, communications, energy, and transport sectors, with its stock exchange boasting as the 17th largest in the world.[3] South Africa has a modern infrastructure, supporting an efficient distribution of goods to major urban centres throughout the region and the world. Growth has been robust since 2004, as South Africa has reaped the benefits of macro-economic stability and a global commodities boom. However, unemployment remains, the rate of violent and petty crimes is still unacceptable, and outdated infrastructure has somehow constrained growth. At the end of 2007, the country began to experience an electricity crisis necessitating "load-shedding" cuts to residents and businesses in the major cities.[1] Daunting economic problems remain from the apartheid era - especially poverty, lack of economic empowerment among the disadvantaged groups and a shortage of public transport. South African economic policy is

fiscally conservative but pragmatic, focusing on controlling inflation, maintaining a budget surplus and using state-owned enterprises to deliver basic services to low-income areas as a means of increasing job growth and household income. [1]

There are still knowledge gaps pertaining to the levels of demands for justice services in the country. It is obvious though that the growth in population, the numbers of legal and illegal immigrants, the use of communal spaces and economic activities have translated into increased demands for justice services. The population of South Africa has seen an annual population growth rate of -0.502%. In addition, the country is home to an estimated 5 million illegal immigrants, including some 3 million Zimbabweans.

The South African map below illustrates the usage of communal spaces as driven by economic activities and cultural factors in South Africa. The red-stained areas portray population areas of high density, with high accessibility through transport and communications infrastructure. These areas are largely metropolitan areas and constitute about 7% of the land surface of South Africa. These areas contain the highest need for justice services as they cater for about 75% of the economical activities and 64% of the population. However, they are also largely ideal areas for an efficient delivery of justice services in that the highly developed infrastructure devoted to improve accessibility can be easily employed to improve access to justice services.

The Yellowish-stained areas, found mainly in the eastern coasts and northern borders of the country, contain high density, with low accessibility. These areas present particular challenges to the provision and the access to justice services. They have high population density result in increased need for justice services, but their poorly developed accessibility infrastructure restricts access to available services. These are areas identified by the Department as requiring new public infrastructure and facilities from which the justice services would be provided. The Greenish-stained areas, which are largely townships and rural areas around Gauteng and in Free State towns and Cape Town, show low density, with high accessibility.



The use of communal space, as depicted by this map, illustrates that the northern-eastern part of the country, including, the eastern and south-west costal shores, are the most densely populated areas. The western-north part of the country is largely sparsely populated with very low accessibility.

For the Department to effectively provide access to justice to all South Africans, it intends to address the distribution of magisterial boundaries (also called, districts), redefine magisterial jurisdictions, improve the proximity of justice service delivery points (courts, offices of Maters of High Courts, &c), and improve the quantity and quality of justice services to the communities living in rural and township areas.

Currently, the country is divided into 366 magisterial jurisdictions (districts), and 50 sub-districts. In line with the policies of apartheid, the bulk of magisterial districts were based in cities and towns – further away from townships and rural areas. To provide justice services to township and rural communities, branch courts were established. These courts not only had inadequate infrastructure, they also delivered poor quality services as a result of inadequate human, infrastructure and financial resources.

The Department is currently re-designating branch courts and turning them into main magisterial courts with their own jurisdiction so that they can provide a full bucket of justice services to the communities in their proximity. In addition, the

Department is building new courts in selected areas where the needs for justice services have shown a pronounced increase. However, the limited financial resources remain a major challenge.

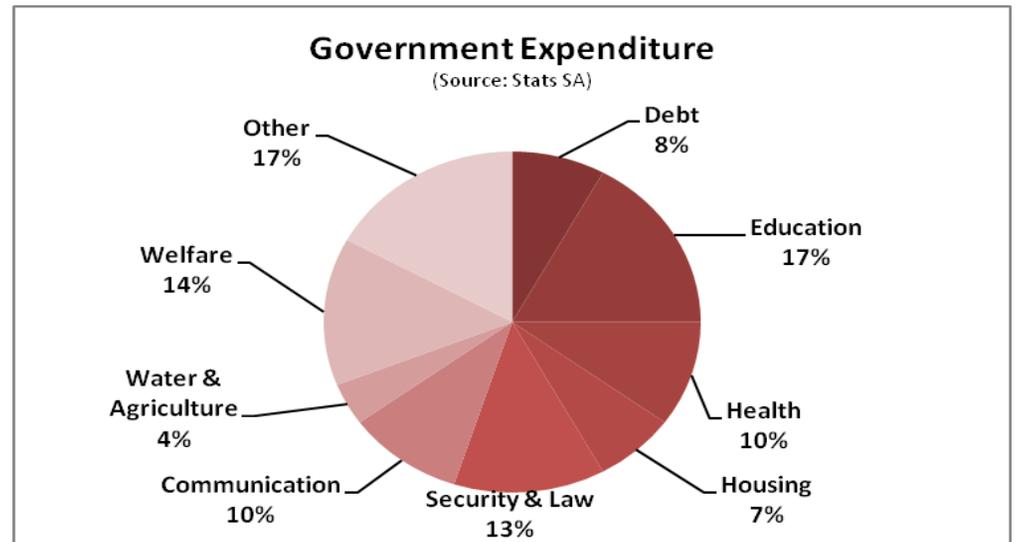
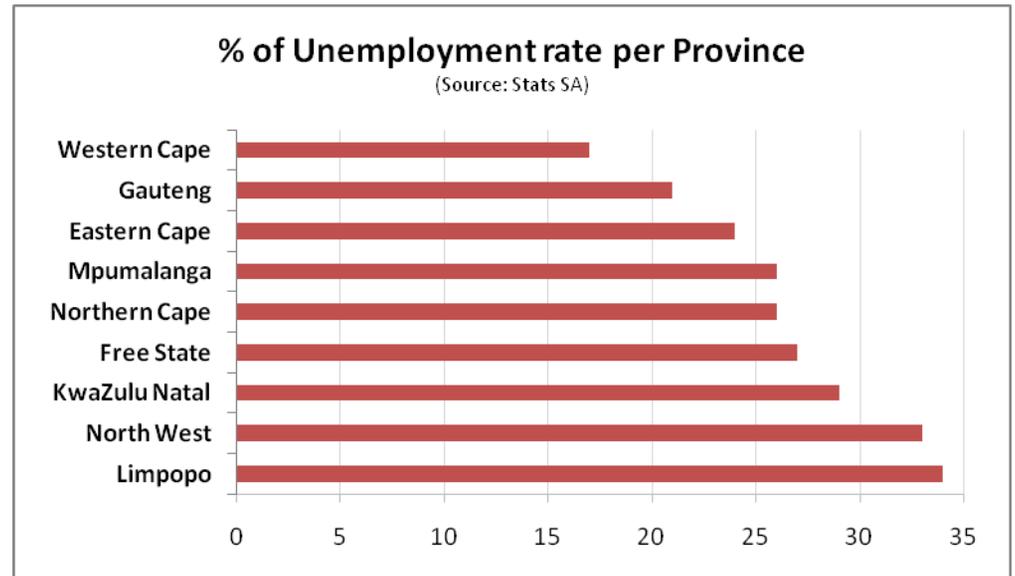


Table 2: Human Development Index and GINI

| Country | HDI | GI |
|----------------|------|------|
| South Africa | 0.67 | 57.8 |
| Argentina | 0.87 | 48.3 |
| Brazil | 0.80 | 56.7 |
| China | 0.78 | 46.9 |
| India | 0.62 | 36.8 |
| South Korea | 0.92 | 35.8 |
| Nigeria | 0.47 | 43.7 |
| Russia | 0.80 | 40.5 |
| Turkey | 0.76 | 43.6 |
| United Kingdom | 0.95 | 36.0 |
| United states | 0.95 | 45.0 |

HDI stands for Human Development Index, a measure of a country's economic and social wellbeing. HDI is calculated through weighted indices of Life Expectancy, Education and GDP, and is measured on a Scale of 0 – 1, with 0 being the lowest level of development, and 1 the highest level of development.

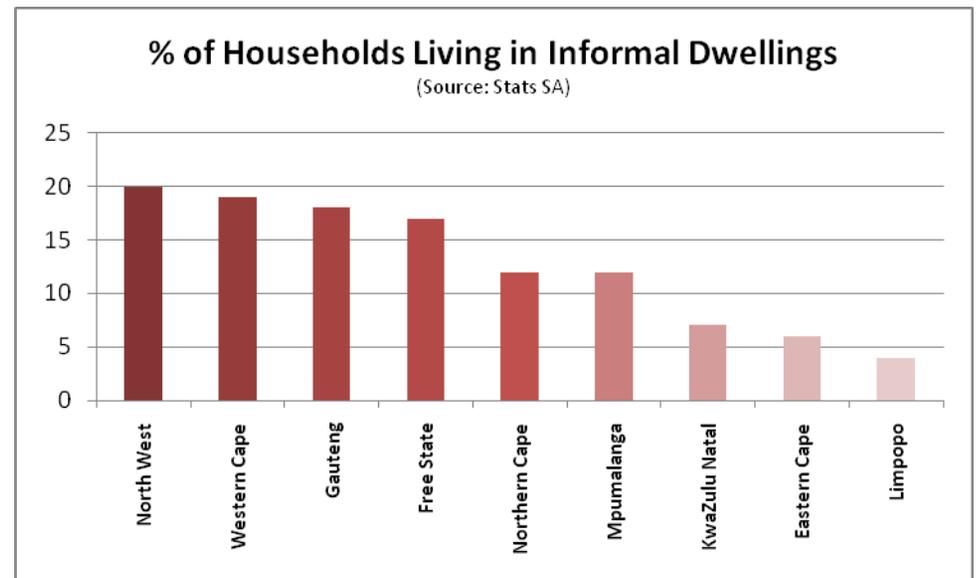
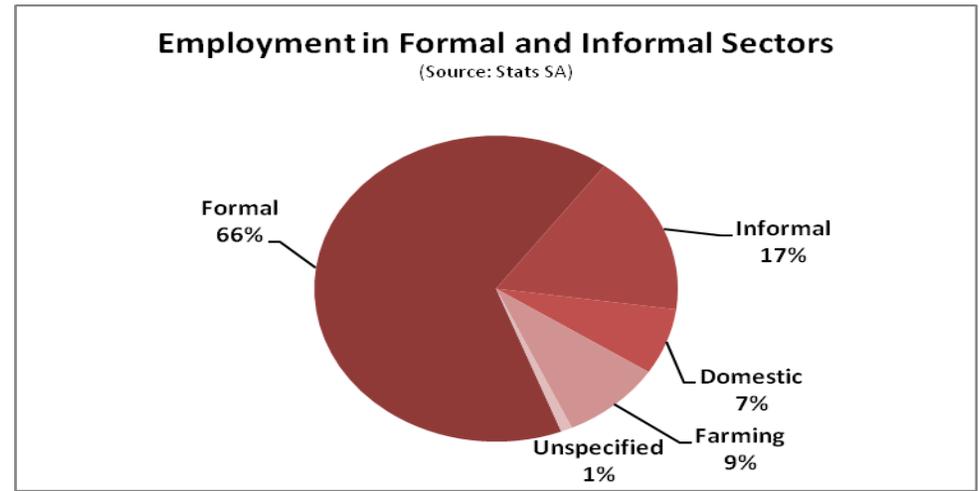
GI stands for GINI Indices and is a co-efficiency measure developed by Corrado Gini. It measures statistical dispersion of inequality of income and wealth. It is defined as a ratio with values between 0 and 1: A low Gini coefficient indicates more equal income or wealth distribution, while a high Gini coefficient indicates more unequal distribution. 0 corresponds to perfect equality (everyone having exactly the same income) and 1 corresponds to perfect inequality (where one person has all the income, while everyone else has none).

Improving access to justice by increasing communities' proximity to justice services is an essential goal for the Department. But this is just one component of multiple activities all aimed at improving access to justice for all. The constitution of the country requires the Department to also remove all language barriers impeding or slowing the delivery of justice. Thus, the increase in population, the internal relocation of communities from rural areas to towns, and the increasing numbers of legal and illegal immigrants into the country, has resulted in many communities requiring additional resources to provide for interpretation and translations in the affected courts.

The changes in the demographic structures of the population, mass concentration, economic activities, community cohesion and other factors often translate into increased offending activities, virulence in pandemic diseases, high levels of unemployment, loss of family and community cohesion and other such social ills. These, in turn, result in more pressure to courts and other justice service delivery points.

For instance, the Department experiences increased civil and criminal cases in and around areas of high population density.

In addition, offenses against children, women, the elderly, the disabled and the poor become even more pronounced. There is also high frequency of drug abuse incidences. Thus, the rule of law disintegrates as moral and social fabric fades away as the number of different communities and cultures move into one area, and compete for access to the resources.



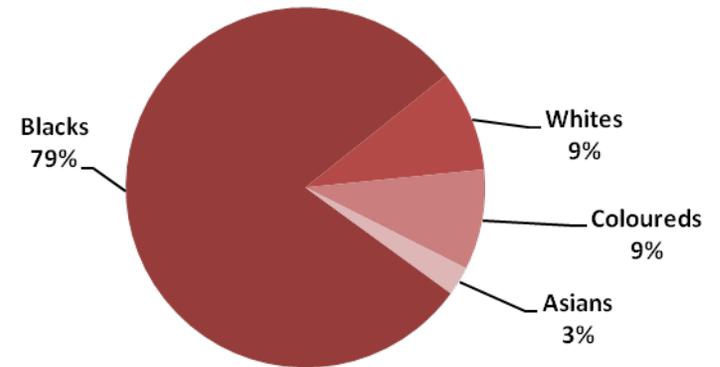
Access to justice involves several other factors aimed at restoring law and order in these communities, including ensuring the protection and support of children, women, the elderly the disabled and the poor; as well as ensuring access to justice for the victims of crime, sexual and domestic abuses. These relate to development of policies, implementation of programs in order to deal with these challenges as well as resolution of case and the reduction of case backlogs.

Table 3: Top 10 Countries with highest murders

| Rank | Country | No. of Murders |
|------|---------------|----------------|
| # 1 | India | 37,170 |
| # 2 | Russia | 28,904 |
| # 3 | Colombia | 26,539 |
| # 4 | South Africa | 21,553 |
| # 5 | United States | 16,204 |
| # 6 | Mexico | 13,144 |
| # 7 | Venezuela | 8,022 |
| # 8 | Philippines | 6,553 |
| #9 | Thailand | 5,140 |
| # 10 | Ukraine | 4,418 |

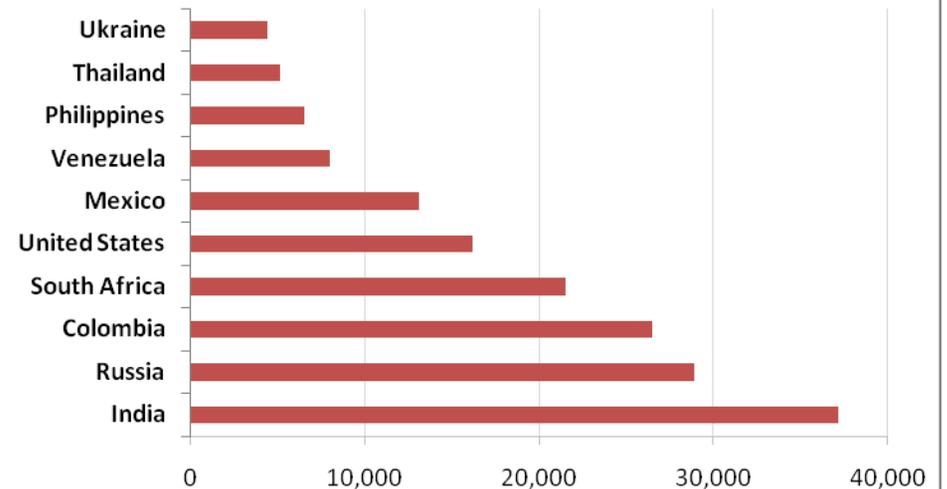
% of Population by Race

(Source: Stats SA)

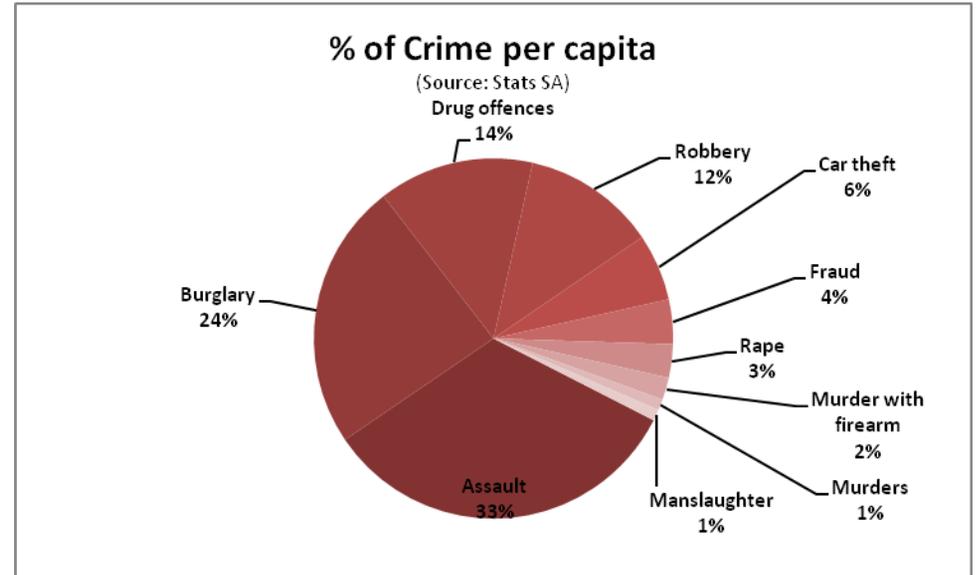


Top 10 Countries with highest murders

(Source: United Nations)



South Africans in general consider crime as one of the major challenge the country is faced with. United Nations Office on Drugs and Crime survey for the period 1998-2000 ranked South Africa second for assault and murder (by all means) per capita and first for rapes per capita. Total crime per capita is 10th out of the 60 countries in the dataset. (Note that these statistics only compare statistics from approximately 60 countries (typically better-developed countries) and many of the remaining countries of the world will have higher rates of violent crime - though these are usually unmeasured, disputed or incomparable).



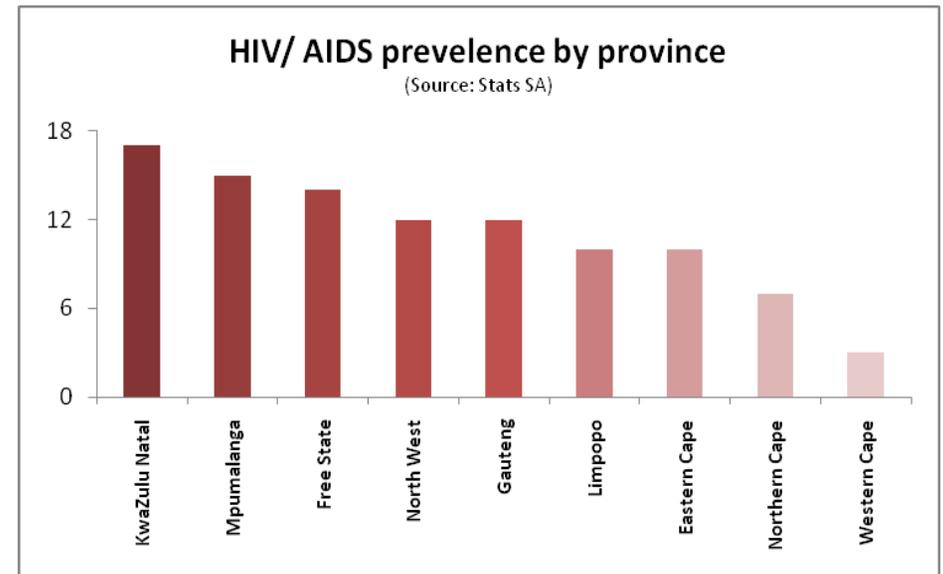
The United Nations Interregional Crime and the Justice Research Institute have also conducted research on the victims of crime which shows the picture of South African crime as more typical of a developing country. These statistics show that South Africa has lower rates of violent crime than many African and South American countries.

South Africa is reported as having a bad record for car hijackings when compared to other industrialised countries largely associated with the lower rate of car ownership. It is important to state that the

It is important to note that comparison of national crime statistics between countries is recognised as controversial, partly because not all countries record statistics to the same accuracy. Every country has its own definition of each type of crime. In addition, the number of crimes that are actually reported is always questionable. Comparative analysis of crime rate statistics around the world remains complicated. There are different and undependable definitions of what constitutes a crime, largely based on the differences in legal and criminal justice systems; and - Rates of crime reporting and police recording; - Differences in the point at which a crime is measured (the time when the offence is reported or when a suspect is identified); - Differences in the ruling of which multiple offences are counted; - Differences in lots of figures of offences; and - Differences in data quality.

police statistics indicate that crime in general is on the decrease. From 2001 - 2007, the murder and crime rate stabilised according to official police data.

The United Nations statistics, however, still ranks the country as the 4th country in the list of Top Ten Countries with the Highest Murders. Thus, the decrease in crime statistics does not mean that the country is out of the woods, or that it managed to reduce its crime incidences to an acceptable level. In South Africa, figures show that serious and violent crimes are still very high (even when compared to other countries). This has left many communities living in fear of criminals, and people feeling more vulnerable and insecure in their communities and homes. There are also wide reported incidences of corruption and lack of accountability from government and business officials. These and other offences remain a huge concern to the Department in that they undermine law and democracy in the country.



Access to justice, in a wider social milieu, is more than just delivering justice services. It is also about reducing economic strains which often bring negative impact to the standard of living. As illustrated by the graphs and tables above, the growth in the economy of the country has not adequately translated into reduction of poverty and unemployment. Many communities are still fronted by constant rise in the costs of food, water, electricity, fuel, houses and services. With an average of 48% of the population living below the poverty line, the country is fighting to close the economic and social gap between the rich and poor. At a GINI index of 57.8, South Africa stands as the country with the widest gap of inequality between the rich and poor. There are numerous social challenges that the country is facing which often result in the increase of anti-social practices. Although the country is a constitutional democracy, many communities, remain uninformed about their rights. The education system of the country is still undergoing transformation, living many young people with inadequate skills, particularly in science and technology fields.

However, the most overwhelming challenge of the country comes from the scourge of HIV/Aids and TB pandemics. The cases of HIV/Aids and TB frequently result not only in death, reduced life and production span, but also in increased amount of orphaned children, and child-headed households. These, in turn, feed into the vicious circle of breakdown of social fabric, and criminal activities. As it is, the public health system is starting to show strains of frailty as it struggles to serve 65% of the population relying heavily on it for their day-to-day medical care.

4. IDENTIFYING KNOWLEDGE GAPS IN JUSTICE ISSUES TODAY

The 15 years was aimed at eradicating the legacy of apartheid and building a new, vibrant and progressive society driven by Constitutional values. South Africa has resulted in a growing, complex society. Its communities are experiencing among other things, sustained shifts in social, economical, political, and technological developments. In the social context there has been an increase in family diversity and community structures. Sadly, though, in some areas there has been an increasing loss of community cohesion. In the economic front there has been a remarkable progress resulting in some becoming well off, and many more gaining access to social benefits. The economy of the country is however faced with the challenges of a growing global economic crisis. This crisis has a potential of severely affecting the growth prospects in the country's economy, even at the time when the country's citizens are beginning to grow impatient with the quality and the rate of government service delivery. There is no doubt that government revenue is already under increasing pressure. The country is still saddled with millions of its poor still living in squalor. Figures of unemployment, violence, crime, road accidents and HIV/AIDS infection are still unacceptably high. There are growing discontents with some policies and programmes not bearing the expected results. Government support for small and medium-size businesses is regarded as inadequate and slow. Studies show that in ten years, the number of people living below two US Dollars has almost doubled. Although the country has enjoyed some political stability, and has gained some international influence, many of its citizens still experience widespread, unbridled racism. The country's policies and processes to embrace diversity and encourage respect for differences are still

fragile. There are numerous factors emerging on the horizon at the time when the country is also experiencing various knowledge gaps on the impact of its socio-economical and political programmes.

The knowledge gaps pose new and immediate threat to the stability of the justice system. The justice system is arguably key in establishing credibility in the country's young democracy and government. The issues of justice therefore remain fundamental in defining South Africa. It is for this reason that the Department is required to gain a better appreciation of factors that drive crime and and/or offensive behaviours in the country. An increase in social crime often impact negatively on the government's ability to rule, and on the furtherance of democracy. It is essential for the Department to examine social factors in order to understand whether it is executing its mandate in the right way; and whether the country's democracy has found the proper, desired balance of freedom and responsibility.

It is not always clear what factors 'drive' offending patterns in South Africa. There have wide ranging debates, research and findings that present conflicting results and factors. However, the following factors do have a considerable 'drive' that impact one way or another in the field of justice and social crime. Each of these factors may swell into individual variables which can become drivers in offending patterns in the country:

1. Changes in the economic factors (especially changing rates of consumption, widening income gaps and unemployment);
2. Changes in the demographic structure of the population;
3. Changes in family diversity, community structures, and loss of community cohesion;
4. Abuse of drugs and other such substances;
5. Increase in pandemic diseases such as HIV/AIDS and Tuberculosis;
6. Changes in social and moral fabric;
7. Increase in immigrations;
8. The impacts from globalization and multi-jurisdictional crimes;

9. Changes in resources directed at crime prevention and control (especially in courts management, policing and correctional services);
10. The impacts of technology;
11. The impacts of old and new legislations, policies and programmes (especially those aimed at protecting children, the aged, the poor, women and other vulnerable communities);
12. Widening and deepening political instabilities (within the country, the SADC region, Africa and the entire world);
13. Increase in natural disasters, such as drought, floods and wars; and
14. Increase or decrease of economic grey power, medical assistance, pension, and social benefits for the aged.

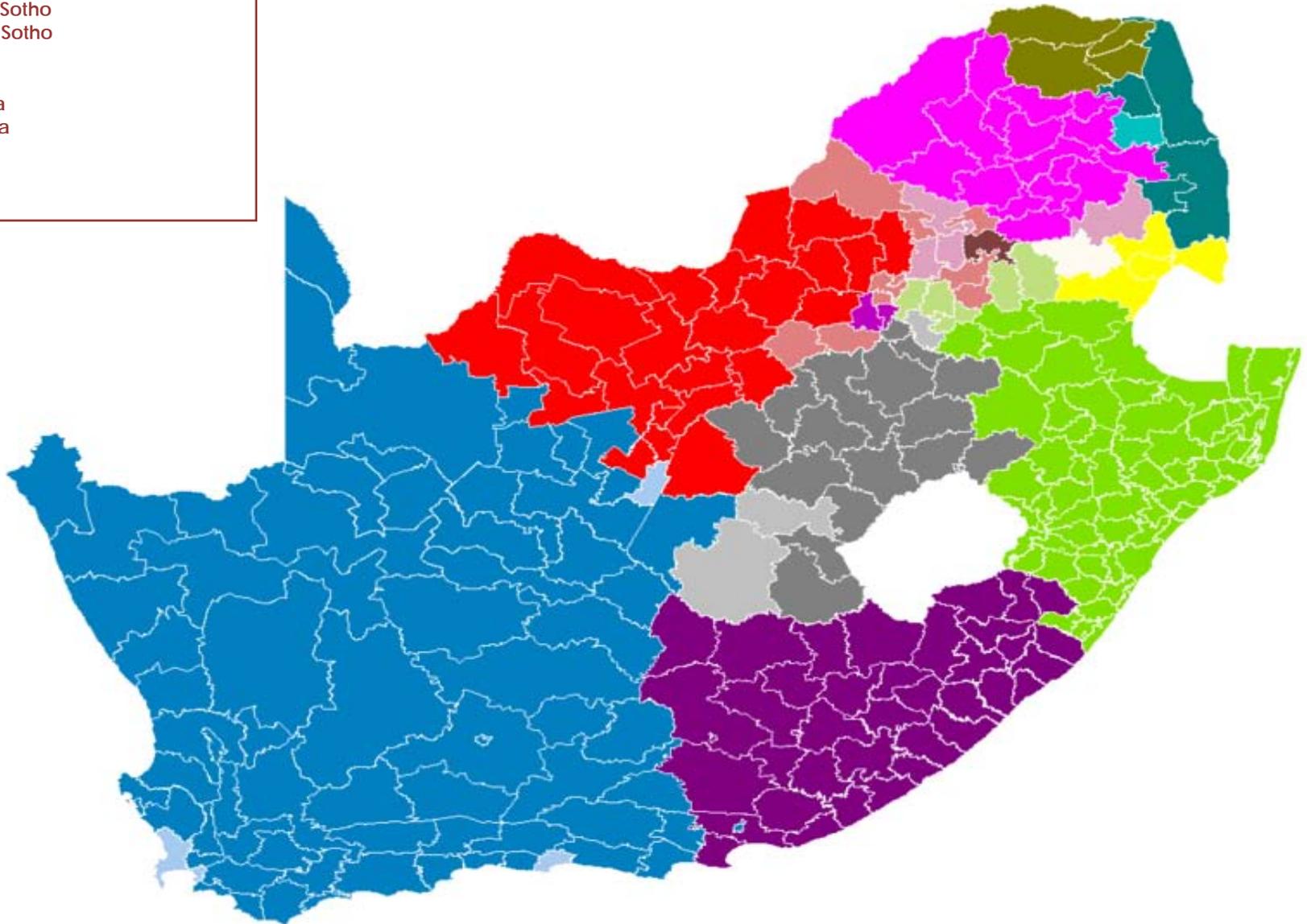
To conclude, in a society under change as experienced by South Africa, justice shifts and relocates. Things that definitely did not count yesterday may become the focal point of tomorrow. All these factors necessitate that the Department develop and adopt a robust strategy to see it through the current numerous, and growing challenges.

5. SOME QUICK FACTS ABOUT SOUTH AFRICA TODAY

- Land Area: 1.2 million sq km
- Population: 48, 782, 756 million people
- Age structure: **29.7%** of population at 0 -14 years (6,603,220 male; 6,525,810 female);
 65% of population at 15 -64 years (13,955,950 male; 14,766,843 female);
 5.3% of population 65 and over (905,870 male; 1,429,944 female). (*July 2008 est.*)
- Life Expectancy at birth for the total population is 42,73 years (43.25 years for male; 42.19 years for female)
- Fertility rate is 2.2 children born/woman
- Ethnic groups: 79.3% black;
 9.1% white;
 9% coloured;
 2.6% Asian.
- Languages: 11 official languages (Afrikaans, English, Ndebele, Pedi, Sotho, Swazi, Tsonga, Tswana, Venda, Xhosa, Zulu)
- Government and Business Language: English (preferred)
- Religions: 68% Christian; 2% Muslim; 1.5% Hindu; 28.5% Traditional beliefs.
- Literacy: 86.4% (age 15 and over can read and write, with male: 87% and female: 85.7%)
- Country GDP R2.046 billion (\$468 billion) (*2007 est.*).
- GDP Growth is estimated at 4.9%.
- GDP Composition by sector: (Agriculture: 2.5%; Industry: 30.3%; Services: 67.1%)
- Unemployment stands at 26.6% (contested figure).
- Labour force comprises of 15.23 million economically active adults.
- Labour by sector: 30% in agriculture; 25% in Industry; and 45% in services.

A map showing SA Municipalities by Language

- Afrikaans
- Northern Sotho
- Southern Sotho
- Isi Swati
- XiTsonga
- SeTswana
- TshiVenda
- IsiXhosa
- IsiZulu



6. LIST OF SOURCES FROM WHICH INFORMATION IS DRAWN

- Bureau for Market Research
- CIA World Fact Book
- CSIR
- DOJCD Annual Report 2007/08
- DOJCD QUARTER 3 & 4 REPORT 2007/08
- Human Development Report
- National Treasury
- OECD
- SA Institute of Race Relations
- [2] South Africa: A Country Study (R. Byrnes)
- [1] South Africa at a Glance
- Statistics SA
- [3] United Nations Survey of Crime Trends
- World Bank
- World Economic Indicators
- [1,2 &3] contains direct quotes
- All graphs are drawn from StatisticsSA – except where indicated

**STRATEGIC PROGRAMS;
STRATEGIC OBJECTIVES;
DELIVERABLES;
KEY PERFORMANCE INDICATORS;
TIME FRAMES AND;
ACCOUNTING BRANCH**

Program 1: Administration:

Manage the Department, and develop strategies and policies for the efficient administration of justice

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|---|--|------------|---|-----------|------------------|
| 1. Human Capital Management | Develop and Implement Human Resource Plan | 1.1 | Reduce the vacancy rate by filling 1371 of 2742 vacancies by March 2010 (subjected to final vacancy rate by end of March 2009) | 2009/10 | CS (HR) |
| | | 1.2 | Adherence to EE targets to reach 50 % of woman at Senior management levels and 2% of people with disabilities at all levels | 2009/10 | CS (HR) |
| | Develop Skills | 1.3 | Achieve 70% of all skills development initiatives against 12 481 planned beneficiaries for the year as projected in the Workplace Skills Plan | 2009/10 | CS (HR) |
| | Employment Relations | 1.4 | Finalise 242 outstanding disciplinary cases and 287 outstanding grievances within six months | 2009/10 | CS (HR) |
| | | 1.5 | Provide Employee Health and Wellness management services to 100% of referred cases | 2009/10 | CS (HR) |
| 2. Provide training to all legally qualified staff through Justice College | Develop a Policy Framework to re-align Justice College | 2.1 | Implement the Policy Framework to ensure that Justice College provide training as required | 2009/10 | JC |
| | Implement Justice College Training Programs | 2.2 | Provide training to at least 50% of Department's staff | 2009/10 | JC |

Program 1: Administration:

Manage the Department, and develop strategies and policies for the efficient administration of justice

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|---|------------|---|-----------|------------------|
| 3. Ensure unqualified audit reports on financial statements | Ensure sound financial management | 3.1 | Produce monthly financial non-compliance review and reporting to management by 2009/10 | 2009/10 | CS (CFO) |
| | | 3.2 | Ensure full compliance with all prescripts on Supply Chain Management 2009/10 | 2009/10 | CS (CFO) |
| 4. Ensure sound management of Third Party Funds | Ensure efficient administration of Third Party Funds | 4.1 | Complete roll out of MMT PPP by 2010/11 | 2010/11 | CS (CFO) |
| 5. Improve Performance Management and Reporting | Improve performance reporting processes | 5.1 | Ensure integrated reporting systems on financial and non-financial performance information | 2009/10 | ODG(M&E) |
| | | 5.2 | Improve National Operations Centre capacity at regional offices | 2010/11 | Courts-CP |
| | | 5.3 | Develop and implement Departmental Planning Cycle to be aligned to the government planning cycle by 2009/10 | 2009/10 | ODG (M&E) |
| 6. Improve Business productivity through Information Technology | Secure and optimize Local Area Network, Wide Area Network and Internet infrastructure | 6.1 | Provide 95% uptime of network and applications to authorised users | 2009/10 | CS (ISM) |

Program 1: Administration:

Manage the Department, and develop strategies and policies for the efficient administration of justice

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|---|--|---------|--|-----------|------------------|
| | Documents Archived in terms of prescripts | 6.2 | Roll-out Archival Solutions and Information Lifecycle Management (ILM) | 2010/11 | CS (ISM) |
| | Apply technology solutions to automate and manage CJS operations, reduce costs and eliminate waste and to ensure modernised and Integrated Criminal Justice System | 6.3 | Produce a report on the Development and roll out of identified DOJ Integrated Case Management System (ICMS) modules to respective branches | 2009/10 | CS (ISM) |
| | | 6.4 | Ensure approval of User Requirement Specifications (URS) and design specifications for National CJS information system | 2009/10 | CS (ISM) |
| | | 6.5 | Video conferencing rolled out at 12 courts and 6 correctional facilities | 2009/10 | CS (ISM) |
| 7. Identify and manage corporate risks and improve corporate compliance and accountability | Provide safe and secure environment to all justice service delivery points and improve corporate risk Management | 7.1 | Identify Corporate Risks and Implement Corporate Risk management framework by 2009/10 | 2009/10 | ODG(RISK) |
| | | 7.2 | Monitor implementation of measures to prevent and combat fraud and corruption by 2009/10 | 2009/10 | ODG(RISK) |
| | | 7.3 | Secure 127 justice service delivery points with integrated security infrastructure | 2010/11 | ODG (RISK) |

Program 1: Administration:

Manage the Department, and develop strategies and policies for the efficient administration of justice

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|---|---------|---|-----------|------------------|
| | | 7.4 | Roll-out CCTV in all Thuthuzela Centres | 2011/12 | Courts(VG) |
| | Ensure sound accountability and compliance | 7.5 | Conduct and finalise 240 DOJCD and 60 NPA audit projects as approved by the Audit Committee by 2009/10 | 2009/10 | ODG (IA) |
| 8. Combat Fraud and Corruption in the Department | Detection and elimination of corrupt practices | 8.1 | Ensure development and approval of Corruption and Fraud Prevention Plan for the Department | 2009/10 | ODG (RISK) |
| | | 8.2 | Develop and ensure risk mitigation plans for all high and medium risks relating fraud and corruption are approved | 2009/10 | ODG (RISK) |
| | | 8.3 | Ensure decrease of incidents of corrupt practices by improving detection procedures. | 2009/10 | ODG (RISK) |
| 9. Promote and protect the public image of the Department | Promote justice services through events management, publications and media coverage | 9.1 | Increase media coverage of the Department's programs and services | 2009/10 | CS(PEC) |
| | | 9.2 | Develop and implement internal communication programmes in response to the identified needs | 2009/10 | CS(PEC) |

Program 1: Administration:

Manage the Department, and develop strategies and policies for the efficient administration of justice

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|--|---------|---|-----------|------------------|
| | Develop Programme Plan to improve the public's understanding of justice services | 9.3 | Develop and implement the Programme Plan to educate the public on justice services by 2009/10. | 2009/10 | CS(PEC) |
| 10. Promote International cooperation and ensure compliance with international obligations | Ensure cooperation with identified countries | 10.1 | Produce reports on international covenant on civil and political rights (ICCPR) and on African Charter on Human and People's Rights (ACHPR) | 2009/10 | ODG(ILR) |
| | | 10.2 | Provide technical assistance to the Democratic Republic of the Congo and Southern Sudan | 2009/10 | ODG(ILR) |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|---|---------|--|-----------|------------------|
| 11. Bringing Justice Services closer to all | Increased proximity of services to all, especially in townships and rural areas | 11.1 | Build 11 new courts by 2011/2012 | 2011/12 | Courts |
| | | 11.2 | Re-designate 9 Branch Courts as main courts by 2011/12 | 2011/12 | Courts (POL) |
| | | 11.3 | Finalise the alignment of magisterial districts with municipal districts by 2010 | 2010/11 | Courts(POL) |
| | | 11.4 | Complete the rationalisation of the areas of Jurisdiction of the High Courts in accordance with the provincial dispensation under the Constitution | 2010/11 | Courts(POL) |
| | | 11.5 | Replace 46 of 230 circuit courts to ensure that they provide full court services 2010/11 | 2010/11 | Courts |
| | | 11.6 | Ensure readiness of courts to provide justice services during 2009 Confederations Cup and 2010 FIFA World Cup | 2009/10 | Courts |
| | Mainstream the Traditional Justice System to ensure access to justice | 11.7 | Finalise the Policy on the Traditional Justice System for the enactment of the Traditional Courts Bill and the Regulations envisaged in the proposed legislation to ensure the alignment of the Traditional Justice System with the Constitution | 2009/10 | Courts(POL) |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|--|---------|---|-----------|------------------|
| | Establish Community Courts to ensure access to justice | 11.8 | Finalise the Policy Framework for the establishment of Community Courts in urban centres for the resolution of less serious offences and disputes to increase access to justice | 2009/10 | Courts(POL) |
| | Introduce multilingualism in courts | 11.9 | Extend the pilot project for using indigenous languages to at least 2 courts per province 2009/10 | 2009/10 | Courts(POL) |
| 12. Accelerate the transformation of the judicial system | Finalise a Policy Framework on the Transformation of the administration of justice | 12.1 | Revise the Superior Courts Bill based on the approved Policy Framework on the Administration of Justice | 2009/10 | Courts(POL) |
| 13. Accelerate the transformation of the Legal Profession | Finalise a Policy on the Transformation of the Legal Profession | 13.1 | Revised the Legal Practice Bill based on the approved Policy Framework on the Transformation of the Legal Profession | 2009/10 | Courts(POL) |
| 14. Promote and protect the rights of children | Implement Child Justice and Children's Act | 14.1 | Coordinate the implementation of Chapter 4 of Children's Act | 2009/10 | Courts(VG) |
| | | 14.2 | Draft National Policy Framework on Child Justice and avail it for comments | 2009/10 | Courts(VG) |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|---|--|---------|---|-----------|------------------|
| | | 14.3 | Increase number of children diverted from the formal justice system by 10% | 2009/10 | Courts(VG) |
| | Enhance procedures for child maintenance | 14.4 | Improve child maintenance services through Isondlo Campaign by 10% from the current standards | 2010/11 | Courts(VG) |
| 15. Restorative Justice | Effective management of Restorative Justice and its related processes | 15.1 | Ensure Draft Restorative Justice Strategy is available for comment to ensure effective management | 2009/10 | Courts(VG) |
| | | 15.2 | Draft progress reports on the implementation of Victim Empowerment Programme | 2009/10 | Courts(VG) |
| | | 15.3 | Coordinate the development of Restorative Justice and programmes in civil and criminal stream | 2009/10 | Courts(VG) |
| 16. Provide effective Small Claims Courts Services | Devolve Small Claims Courts | 16.1 | Designate 180 Small Claims Court by 2010 | 2011/12 | Courts(VG) |
| 17. Manage Sexual Offenses, Domestic violence and Maintenance cases | Effective management of sexual offenses, domestic violence and maintenance matters | 17.1 | Coordinate the implementation of the sexual offences legislation | 2009/10 | Courts(VG) |
| | | 17.2 | Improve service on domestic violence matters by 10% from current standards | 2009/10 | Courts(VG) |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|---|--|---------|--|-----------|------------------|
| | | 17.3 | Develop policy and implementation framework on the Victims Charter | 2009/10 | Courts(VG) |
| | | 17.4 | Develop policy and coordinate implementation of the framework for Human Trafficking Bill | 2009/10 | Courts(VG) |
| | | 17.5 | Draft policy on integrating sexual offences courts into the mainstream courts | 2010/11 | Courts(VG) |
| | | 17.6 | Implement National Policy Framework on Sexual Offences | 2009/10 | Courts(VG) |
| | | 17.7 | Support establishment and management of the National Register for Sex Offenders | 2010/11 | Courts(VG) |
| 18. Provide adequate Family Law services to protect the interest of children | Facilitate the resolution of Family Law litigation and Family Mediation disputes | 18.1 | Finalise 50% of all cases handled by the Family Advocate within six months | 2009/10 | Courts(FA) |
| 19. Review of the civil justice system | Complete review of the civil justice system | 19.1 | Ensure terms of reference for Review of Civil System are approved by Cabinet | 2009/10 | Courts(POL) |
| | | 19.2 | Implement the extension of civil jurisdiction to Regional Courts | 2009/10 | Courts(POL) |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|---|---|---------|--|-----------|------------------|
| | | 19.3 | Implement policy on transforming the Sheriffs | 2010/11 | Courts(POL) |
| 20. Increasing the efficiency and effectiveness of the Criminal Justice System | Implement operational and research solutions to the challenges identified in the Criminal Justice System | 20.1 | Ensure that proposals on the research are submitted to JCPS and Cabinet for consideration and implementation of DOJ proposals | 2009/10 | CJSR |
| | Develop and implement bail protocols leading to less prison overcrowding and release of poor persons who have been granted bail but could not afford to pay | 20.2 | Develop and implement bail protocols (Section 63A of CPA) (minor offenses) | 2009/10 | CJSR |
| | | 20.3 | Review and determine human capital requirements for specific occupational categories: SAPS, Prosecutors, Magistrates, Legal Aid representatives and monitor progress | 2009/10 | CJSR |
| | | 20.4 | Draft and submit proposals on the processes relating to the accused persons who are mentally ill | 2009/10 | CJSR |
| | | 20.5 | Establish a new and realigned single CJS coordinating and management structure (through legislation or by protocol) | 2009/10 | CJSR |
| | Propose relevant policies | 20.6 | Propose legislation and policies on witness statements in preferred language, examination of rape victims by general health practitioners | 2009/10 | CJSR / LD |

Program 2: Court Services

Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administration support to the courts, including managing court facilities.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|--|-------------|---|-----------|------------------|
| 21. Effective and efficient integrated CJS with all role players working to intensify the fight against crime | Implement operational and research solutions to the challenges identified in the Criminal Justice System | 21.1 | Ensure approved CJS business plan including overall 3 year integrated action plan by 31 December 2009 | 2009/10 | CJSR |
| | Draft and submit CJS reports | 21.2 | Compile quarterly reports indicating the following: <ul style="list-style-type: none"> • prosecution, • convictions, • plea bargains, • relevant evidence for trials purposes are collected • Number of trials set down increased • Intelligence in criminal trials used • Attendance to courts by witnesses increased • Approved coordination structures implemented | 2009/10 | CJSR |
| 22. Case Flow Management | Reduce case backlogs | 22.1 | Reduce current number of Regional courts' backlog backlogs by 2% | 2009/10 | CJSR |
| | Improve finalisation of cases | 22.2 | Time from the case started to finalisation reduced, with number of finalised cases increased by 2% | 2009/10 | Courts |
| | | 22.3 | Number of cases remanded for further investigation reduced | 2009/10 | Courts |

Program 3: State Legal Services:

Provide legal and litigation services, supervise the administration of deceased and insolvent estates and Guardian's Fund, prepare and promote legislation, conduct research in support of the development of legislation, and facilitate the development of the Constitution.

| Strategic Objective | Deliverables | KPI No. | Key Performance Indicator | Timeframe | Reporting Branch |
|--|---|-------------|--|-----------|------------------|
| 23. Develop legislation to transform Justice, State and society | Transform and maintain the legal system by doing research and making recommendations for law reform | 23.1 | Submit at least 11 research publications to the South African Law Reform Commission for consideration and approval by 2010/11. | 2010/11 | LD – SALRC |
| 24. Develop legislation to promote access to justice for all | Prepare the following Bills: 1. Traditional Courts Bill. 2. Criminal Law (Forensic Procedures) Amendment Bill 3. Constitution Seventeenth Amendment Bill (Municipal functions) 4. (a) Constitution Eighteenth Amendment Bill; and (b) State Liability Bill 5. Prevention and Combating of Trafficking in Persons Bill. 6. Protection from Harassment Bill 7. Muslim Marriages Bill 8. Prevention and Combating of Hate Speech, Racial Discrimination, Xenophobia and Related Intolerance Bill 9. Legal Practice Bill | 24.1 | Prepare at least 12 bills and 14 subordinate legislative instruments* by 2010/11 | 2010/11 | LD |

| | | | | | |
|--|---|-------------|--------------------------------------|---------|-----------------|
| | <p>10. Judicial Matters Amendment Bill 11. Protection of Personal Information Bill 12. (a) Superior Courts Bill; and (b) Constitution Nineteenth Amendment Bill</p> <p>Prepare the following subordinate legislative instruments : See Annex A</p> | | | | |
| | <ol style="list-style-type: none"> 1. Rules for Regional Courts 2. Amendment of Rule 8 of the Uniform Rules 3. Amendment of Rule 66 of the Uniform Rules 4. Rules: section 10(8) of the Implementation of the Rome State of the International Criminal Court Act 27 of 2002 5. Increase In attorney's tariff 6. Review of Rule 43 High Court Rules 7. Increase in assessor's fees 8. Amendment of rule 34 Magistrate Court rules (Revenue stamps) 9. Amendment of Rule 67 High Court Rules (Revenue Stamps) 10. Amendment of Rule 10A Uniform Rules | 24.2 | Prepare at least 10 rules by 2010/11 | 2010/11 | LR –Rules Board |

| | | | | | |
|---|---|-------------|--|---------|------------|
| | Develop Cyber-security policy | 24.3 | Ensure Department's contribution towards the develop Cyber-security policy and implementation plan | 2009/10 | LD |
| 25. Develop and implement programmes that gives effect to the Constitution and its values | Facilitate the implementation of the (Promotion of Administrative Justice Act 3 of 2000 (PAJA) | 25.1 | Develop and implement programmes aimed at promoting PAJA | 2009/10 | Courts(CD) |
| | Facilitate the implementation of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA) | 25.2 | Develop and implement a programme aimed at promoting PEPUDA | 2009/10 | Courts(CD) |
| | Facilitate the implementation of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA) | 25.3 | Improve access to Equality Courts. | 2009/10 | Courts(CD) |
| | Promote public access to information regarding justice administration | 25.4 | Ensure access to information on administration within 30 days to comply with PAIA Act | 2009/10 | ODG(DIO) |
| | Develop and implement a programme on Constitutional Education. | 25.5 | Promote awareness of constitutional rights by reaching 20 000 people | 2009/10 | Courts(CD) |
| 26. Comply with section 181(3) of the Constitution by assisting and protecting Chapter 9 Institutions to ensure their independence, dignity and effectiveness. | Provide strategic assistance to Chapter 9 Institutions. | 26.1 | Develop a programme to assist and enhance collaboration with the Chapter 9 Institutions by 2008/09 | 2009/10 | Courts(CD) |
| 27. Promote and strengthen participatory democracy through providing support to civil society to protect and | Strengthen role of civil society in promoting and entrenching human rights culture | 27.1 | Monitor the establishment of 15 new community advice offices by FHR in rural and township areas. | 2009/10 | Courts(CD) |

| | | | | | |
|--|--|-------------|--|---------|------------|
| promote human rights culture in the country | | 27.2 | Facilitate and monitor 20 service level agreements aimed at improving capacity of partner community advice offices | 2009/10 | Courts(CD) |
| | | 27.3 | Ensure that 10 000 people classified as refugees, asylum seekers and undocumented migrants benefit from community support services. | 2009/10 | Courts(CD) |
| | | 27.4 | Facilitate and monitor 60 service level agreements with civil society organisations to implement constitutional rights awareness programmes. | 2009/10 | Courts(CD) |
| | | 27.5 | Develop a National Program aimed at promoting the Equality Act | 2009/10 | Courts(CD) |
| | | 27.6 | Promote awareness of constitutional rights by reaching 1 million people | 2009/10 | Courts(CD) |
| 28. Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance | Facilitate the development of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance | 28.1 | Final National Action on Racism, Racial Discrimination, Xenophobia and Related Intolerance developed | 2009/10 | Courts(CD) |
| | Facilitate and develop the country report on the International Convention on the Elimination of Racial Discrimination (ICERD) | 28.2 | Final ICERD country report to be deposited to the United Nations developed. | 2009/10 | Courts(CD) |
| | Enhance Participatory democracy through public policy dialogue and strengthening the capacity of CSOs | 28.3 | Four consultations (in different provinces) between Civil Society Organisations and Government on Human Rights issues | 2009/10 | Courts(CD) |

| | | | | | |
|---|---|-------------|---|---------|------------|
| | | 28.4 | 1200 Civil Society Organisations staff having benefitted from capacity building actions | 2009/10 | Courts(CD) |
| | | 28.5 | 80 targeted CSO having participated in public policy dialogue | 2009/10 | Courts(CD) |
| 29. Enhancing the position of Women in Law and in Justice | Publish journals on women lawyers | 29.1 | Conduct training in writing and publishing accredited journals for women in the legal profession | 2009/10 | Gender |
| 30. Reduce State liability | Develop and implements Blueprint on State Litigation | 30.1 | Sign service level agreements between State Attorneys and identified client departments | 2009/10 | OCLO |
| | State Attorney to successfully resolve more cases for the State | 30.2 | Improve provision provided to government by expanding capacity and reducing department's reliance on private legal advisory services from 70% to 30% by 2010/11 | 2010/11 | OCLO |
| 31. Facilitate accessible services in respect of deceased and insolvent estates, curatorships and trusts | Improved accessibility and quality of services in deceased and insolvent estates. | 31.1 | Provide beneficiaries of Guardian's Fund access to assets within 60 days of application. | 2009/10 | MOH |
| | | 31.2 | Complete registered deceased estates cases worth R125 000 (i) or less within 4 months; and (ii) and more within 12 months | 2009/10 | MOH |
| | | 31.3 | Deploy ICMS Masters to all service points within their areas | 2009/10 | MOH |
| | | 31.4 | Finalise regulatory framework in insolvencies | 2010/11 | MOH |
| | Guardian's Fund services available at all Masters' offices | 31.5 | Extend Guardian's Fund services to all Masters' offices | 2011/12 | MOH |

| | | | | | |
|---|---|-------------|---|---------|----------|
| | Expeditious appointment of curators bonis | 31.6 | Appoint curators bonis within 14 days of court order and examine annual accounts of bonis | 2011/12 | MOH |
| | Expeditious appointment of trustees | 31.7 | Appoint trustees within 14 days of receipt of all required documentation | Ongoing | MOH |
| 32. To provide legal advisory services to organs of state | Scrutiny of international agreements and legislations | 32.1 | Certify International agreements and legislation | 2009/10 | OCSLA |
| | Reliable and reputable legal advice to organs of state | 32.2 | Finalise all requests for opinions within 30 days of request | 2009/10 | OCSLA |
| 33. Coordinate the implementation of the TRC recommendations | Monitor, audit, coordinate and report on the implementation of the TRC Recommendations. | 33.1 | Ensure development and implementation of regulations to enable disbursement of the monies in the President's Fund for reparation purposes | 2009/10 | ODG(TRC) |
| | | 33.2 | Implement community reparations | 2009/10 | ODG(TRC) |
| | | 33.3 | Attend to the needs of the identified TRC victims and their specific needs | 2009/10 | ODG(TRC) |

* 14 Subordinate Legislation (for Objective 25; KPI 25.1)

1. Regulations in terms of the Child Justice Act, 2008
2. Implementation of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2008
3. Directives in respect of forms of assistance and compensation under the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002
4. Regulations emanating from the Reform of the Customary Law of Succession and Regulation of Certain Matters Act, 2009
5. Regulations on Exhumations and Reburials in terms of the National Unity and Reconciliation Act, 1995
6. Regulations regarding the Criminal Procedure Amendment Act, 2008 (Audio-visual postponements of criminal cases)
7. Regulations regarding the Criminal Procedure Amendment Act, 2008 (expungement of criminal records)
8. Implementation of the Criminal Law (Forensic Procedures) Amendment Bill
9. Regulations emanating from Judicial Service Commission Amendment Act, 2008
10. Amendments to the regulations in terms of the Promotion of Administrative Justice Act, 2000
11. Promote the Code of Good Administrative Conduct
12. Amendments to certain regulations relating to the Maintenance Act, 1998
13. Determination of tariff of compensation in terms of section 62A of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002
14. Implement the Jurisdiction of Regional Courts Amendment Act, 2008

FOR INFORMATION ON:

PROGRAM 4: (NATIONAL PROSECUTING AUTHORITY) Contact NPA Strategic Plan

PROGRAM 5: (AUXILIARY AND ASSOCIATED SERVICES) See Strategic Plan of:

- THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION,
 - THE PUBLIC PROTECTOR,
 - THE COMMISSION ON GENDER EQUALITY, AND
 - THE LEGAL AID BOARD, AND THE SPECIAL INVESTIGATING UNIT
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BRANCH ACRONYMS

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| 1. CS | Corporate Services |
| 1.1. CS-HR | Corporate Services: Human Resources Unit |
| 1.2. CS-CFO | Corporate Services: Chief Financial Officer |
| 1.3. CS-ISM | Corporate Services: Information System Management Unit |
| 1.4. CS-PEC | Corporate Services: Public Education and Communication |
| 2. Courts | Court Services |
| 2.1 Courts-VG | Court Services: Vulnerable Groups |
| 2.2 Courts-POL | Court Services: Judicial Policy |
| 2.3 Courts-FA | Court Services: Family Advocacy |
| 2.4 Courts-CD | Court Services: Constitutional Development |
| 2.5 Courts-CP | Court Services: Court Performance |
| 2.6 Courts-FM | Court Services: Facilities Management |
| 3. ODG | Office of the Director-General |
| 3.1. ODG-Risk | Office of the Director-General: Risk & Security Management Unit |
| 3.2. ODG-IA | Office of the Director-General: Internal Audit Unit |
| 3.3. ODG-DIO | Office of the Director-General: Deputy Information Officer |
| 3.4. ODG-ILR | Office of the Director-General: International Law Relations |
| 3.5. ODG-TRC | Office of the Director-General: Post TRC Unit |
| 4. JC | Justice College |
| 5. LD | Legislative Development |
| 6. OCLO | Office of the Chief Litigation Officer |
| 7. OCSLA | Office of the Chief State Legal Advisor |
| 8. MOH | Master of High Court Services |