

ACCESS TO JUSTICE FOR ALL, A CONSTITUTIONAL IMPERATIVE

# The Constitution

of the Republic of South Africa, 1996



Issued May 2015



Department Of Justice and Constitutional Development

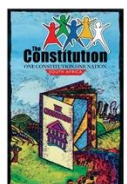
## Revised Strategic Plan 2025-2030

A YEAR OF BUILDING A CAPABLE, PROFESSIONAL AND ETHICAL DEPARTMENT



**the doj & cd**

Department:  
Justice and Constitutional Development  
REPUBLIC OF SOUTH AFRICA



# Department of Justice and Constitutional Development

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## LIST OF ACRONYMS

Acronym	Description
AALCO	Asian-African Legal Consultative Organisation
ADR	Alternative Dispute Resolution
ADRM	Alternative Dispute Resolution Mechanism
AFU	Asset Forfeiture Unit
APP	Annual Performance Plan
BAS	Basic Accounting System
BRICS	Brazil, Russia, India, China and South Africa
CIPC	Companies and Intellectual Property Commission
CJS	Criminal Justice System
CRAVS	Court Recording Audio-Visual Solution
CRT	Court Recording Technology
CUBA	Children Used by Adults to Commit Crime
DCS	Department of Correctional Services
DDG	Deputy Director-General
DDM	District Development Model
DHA	Department of Home Affairs
DoJ&CD	Department of Justice and Constitutional Development
DPCI	Directorate for Priority Crime Investigation
DPSA	Department of Public Service and Administration
DPWI	Department of Public Works and Infrastructure
EME	Exempted Micro Enterprise
EXCO	Executive Committee
FATF	Financial Action Task Force
GHB	Gross Bodily Harm
GBV	Gender-based Violence
GBVF	Gender-Based Violence and Femicide
GDP	Gross Domestic Product
GI-TOC	Global Initiative Against Transnational Organised Crime
GNU	Government of National Unity
ICMS	Integrated Case Management System
IDAC	Investigative Directorate Against Corruption
IER	Integrated Electronic Repository

<b>Acronym</b>	<b>Description</b>
<b>IJS</b>	Integrated Justice System
<b>INLF</b>	Intergovernmental National Litigation Forum
<b>IPM</b>	Integrated Person Management
<b>IT</b>	Information Technology
<b>JCPS</b>	Justice, Crime Prevention and Security
<b>LASA</b>	Legal Aid South Africa
<b>MLA</b>	Mutual Legal Assistance
<b>MTDP</b>	Medium-Term Development Plan
<b>MTEF</b>	Medium Term Expenditure Framework
<b>NAP</b>	National Action Plan
<b>NDP</b>	National Development Plan
<b>NICTIP</b>	National Intersectoral Committee on Trafficking in Persons
<b>NMIRIF</b>	National Mechanisms on Reporting, Implementation and Follow-up
<b>NPA</b>	National Prosecuting Authority
<b>NPF</b>	National Policy Framework
<b>NRSO</b>	National Register for Sex Offenders
<b>NSP on GBVF</b>	National Strategic Plan on Gender-based Violence and Femicide
<b>OCJ</b>	Office of the Chief Justice
<b>OCSLA</b>	Office of the Chief State Law Adviser
<b>OSA</b>	Office of the State Attorney
<b>OSD</b>	Occupation-specific Dispensation
<b>OSG</b>	Office of the Solicitor-General
<b>PAIA</b>	Promotion of Access to Information Act
<b>PANSALB</b>	Pan South African Language Board
<b>PEPUDA</b>	Promotion of Equality and Prevention of Unfair Discrimination Act
<b>PLEAJ</b>	Programme for Legal Empowerment and Access to Justice
<b>POCA</b>	Prevention of Organised Crime Act
<b>QSE</b>	Qualifying Small Enterprise
<b>SADC</b>	South African Development Community
<b>SAJEI</b>	South African Judicial Education Institute
<b>SALRC</b>	South African Law Reform Commission
<b>SAPS</b>	South African Police Service
<b>SARS</b>	South African Revenue Service
<b>SD-WAN</b>	Software-Defined Wide Area Network

<b>Acronym</b>	<b>Description</b>
<b>SITA</b>	State Information Technology Agency
<b>SIU</b>	Special Investigating Unit
<b>SMS</b>	Senior Management Service
<b>SOGIESC</b>	Sexual Orientation, Gender Identity, Expression and Sex Characteristics
<b>TCC</b>	Thuthuzela Care Centre
<b>TRC</b>	Truth and Reconciliation Commission
<b>TID</b>	Technical Indicator Description
<b>TIP</b>	Trafficking in Persons
<b>UN</b>	United Nations
<b>UPS</b>	Uninterrupted Power Supply
<b>WAN</b>	Wide Area Network

## INTRODUCTION

The Department of Justice and Constitutional Development (DoJ&CD) held its strategic planning session from 12-14 September 2024. The purpose of the session was for the Minister and Deputy Minister to provide policy direction and for senior management of the Department to have strategic discussions that will inform the 2025-30 Strategic Plan (SP) and 2025/26 Annual Performance Plan (APP). Prior to the departmental strategic planning session, 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 DoJ&CD has developed nine (9) departmental outcome statements. The outcome statements are:

- Outcome 1: A capable, efficient, effective, and ethical department
- Outcome 2: Reformed, integrated and modernised criminal justice system
- Outcome 3: Efficient, resilient and strengthened Justice System enhanced for improved accessibility
- Outcome 4: Advanced Constitutionalism, Human Rights, the Rule of Law and International Cooperation
- Outcome 5: Professionalized, modernized and quality State Litigation, Legal Advisory Services and legal reform
- Outcome 6: Transformed of the legal service for an improved access to justice for all
- Outcome 7: Fighting Crime and Corruption through prosecution
- Outcome 8: Colonial/apartheid-era justice-related legislation reviewed and replaced
- Outcome 9: Improved awareness of the justice services and community outreach programmes

Details on the outcome indicators contributing to the achievement of the nine outcomes are outlined in 9.2. The Strategic Plan covers all five programmes of the Department which are:

- a. Administration
- b. Lower Court Services
- c. State Legal Services
- d. National Prosecuting Authority
- e. Auxiliary and Associated Services

The APP will be used as the basis for the implementation of the SP. The APP will also be used to prepare quarterly reports and annual reports as well as mid-term and full-term progress reports against the implementation of the SP.

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## EXECUTIVE AUTHORITY STATEMENT



The 2025-30 Strategic Planning cycle marks the beginning of the new political dispensation under the Government of National Unity (GNU). To guide the work of the 7th administration, the 2024-29 Medium-Term Development Plan (MTDP) which highlights government strategic priorities aimed at implementing the National Development Plan (NDP) throughout its term has been developed. Though the contribution of the Department of Justice and Constitutional Development (DoJ&CD) cuts across the whole of government, the Department makes a more direct contribution to strategic *Priority 2: Reduce Poverty and Tackle the High Cost of Living* and *Priority 3: Build a Capable, Ethical, and Developmental State* of the MTDP.

The DoJ&CD's 2025-30 Strategic Plan underscores its commitment to the public, who are the voters and recipients of justice services. Throughout the strategic cycle, the Department will prioritise increasing access to justice services by reducing the case backlog at district and regional courts. The Department will expand its footprint and increase the number of courts providing additional Justice services and courts providing virtual court proceedings. These initiatives aim to improve efficiency and alleviate the burden of travel for those seeking justice. The Department will strengthen its administrative support to the Judiciary to ensure the effective delivery of justice. While modernisation efforts have improved access, efficiency, and service delivery, the Department recognizes the need for further improve the speed, reliability and availability of its Information Communications Technology (ICT) infrastructure thereby expanding online service accessibility.

Gender-Based Violence and Femicide (GBVF) continues to be pervasive and deeply concerning in South Africa, necessitating sustained multi-stakeholder efforts. As the lead stakeholder, the Department of Justice and Constitutional Development (DoJ&CD) will strengthen its collaboration with key partners to implement Pillar 3 of the GBVF 2020-30 National Strategic Plan. To create a criminal justice system that eliminates secondary victimization and effectively supports GBV victims, the Department will expand the number of established sexual offences courts and Thuthuzela Care Centres. We will utilise the Sex Offenders Register as preventative tool by amongst other things making it available to the public and other interested stakeholders.

Building a just and equitable society necessitates the effective transformation of state legal services. This transformation must be reflected in a representative and diverse legal profession that mirrors the country's demographics. To achieve this, the Department will prioritize the finalization of amendments to the Legal Practice Act, 2014, in Parliament and fully implement the Legal Sector Code, ensuring

meaningful participation of previously disadvantaged individuals in the legal sector. Furthermore, the Department will launch initiatives to enhance access to the legal profession for women and youth.

Integration of the Criminal Justice System aims to improve the efficiency and effectiveness of addressing crime thereby creating a seamless flow of information and processes between various components of the Criminal Justice System (CJS). The Department will implement intervention to ensure effective coordination of the CJS. Additional identified departments and entities will be connected to the IJS transversal Hub to enable the exchange of information electronically and integrate a modern CJS case management system.

Combating crime and corruption remains a paramount priority, requiring a comprehensive and resolute approach. To this end, the Department will conduct a critical review and overhaul of existing legislation, strengthening anti-corruption measures to ensure perpetrators are held accountable. A key initiative in this effort is the introduction of the Criminal Procedure Bill to Parliament, which will streamline legal processes and enhance investigative capabilities. Simultaneously, the Department is committed to finalising complex Money Laundering and Terrorism Financing cases, demonstrating a zero-tolerance stance towards financial crimes. Critically, efforts will be intensified to improve the conviction rate for corruption cases prosecuted under the Prevention and Combating of Corrupt Activities Act (PRECCA), and to drive up conviction rates for identified priority offenses. These concerted actions are vital to restoring public trust and building a safer, more just society.

To successfully deliver on the commitments in this Strategic Plan the Department will prioritise strengthening internal capacity through specialised training programmes to reduce the skills gap. The plan is not meant to re-invest the wheel but to build on the achievements realised in the previous administration.

This strategic plan represents a significant effort by the Department's management. I implore all managers and staff to fully commit to its implementation to improve delivery of justice services.

I am pleased to present the 2025-30 Strategic Plan of the Department of Justice and Constitutional Development.



**Ms M.T Kubayi, (MP)**

**Minister: Department of Justice and Constitutional Development**

## DEPUTY MINISTER STATEMENT



The formation of the Government of National Unity, uniting ten political parties, underscores the government's renewed commitment to upholding the Constitution and the rule of law. To drive inclusive, sustainable economic growth and a just society, South Africa is implementing the National Development Plan through the Medium-Term Development Plan, directly addressing the critical challenges of inequality, unemployment, and poverty.

To enhance the Integrated Criminal Justice System (ICJS), the Department will spearhead coordination efforts under both the Criminal Justice System (CJS)

Seven Point Plan and the Integrated Crime Prevention and Victim Support Strategy. Successful integration will positively contribute to the reduction of case backlog on the court roll. Additionally, the plan is to finalise the Criminal Procedure Bill in Parliament, implement interventions for the effective coordination of CJS and connect all identified departments and entities to the CJS hub to exchange information electronically.

The Department will maintain its focus on implementing the National Action Plan (NAP) to strengthen social cohesion, nation-building, and actively promote programs aimed at eradicating racism, sexism, tribalism, and all forms of intolerance

As a lead stakeholder in the National Strategic Plan on Gender-Based Violence and Femicide, the Department will implement priority interventions to create a preventative, responsive, and effective criminal justice system against this pandemic. Over the strategic cycle, 180 courts will be upgraded in alignment with the National Strategy for Court-based Support Services for Victims of Domestic Violence.

Transforming the state legal service remains a priority to guarantee sound legal advice and effective management of state litigation. The Department will continue to empower previously disadvantaged legal practitioners through strategic brief allocations and implement Community Services Regulations to ensure that legal practitioners contribute their skills and expertise to address the needs of underserved communities.

Rooting out crime and corruption is a key priority for the GNU. The Department will focus on prosecuting state capture and complex corruption cases, enhance prosecution at all court levels, and actively freeze and recover the proceeds of crime.

To ensure efficient and equitable administration of deceased estates, trusts, and liquidations, improving Master's services is essential. This requires streamlining processes to reduce backlogs and enhancing digital infrastructure for online submissions and application tracking. The Department will accelerate the finalization of Master's services through the implementation of the Master's turn-around strategy.

Enhancing public awareness of justice services is fundamental to establishing a more equitable and functional legal system. By proactively disseminating information regarding available resources, constitutional rights, and procedural pathways, citizens are empowered to navigate the justice system effectively. This proactive strategy cultivates trust and accessibility, especially for marginalized communities. Through targeted community outreach programs, public education campaigns, and the utilization of accessible communication channels, the Department will ensure that citizens are well-informed about their rights and available avenues, ultimately reinforcing the rule of law and fostering a more just society.

This strategic plan is the Department of Justice and Constitutional Development's commitment to the public for the 2025-30 period.



**Mr A Nel, (MP)**

**Deputy Minister: Department of Justice and Constitutional Development**

## ACCOUNTING OFFICER STATEMENT



The Department of Justice and Constitutional Development has developed its 2025-30 Strategic Plan which addresses priorities 2 and 3 of the Medium-Term Development Plan. This strategic plan will be translated into detailed Annual Performance Plans to ensure effective implementation and monitoring throughout the five-year period.

The Department is pivotal in establishing a capable, ethical, and developmental state. This plan incorporates various interventions, including specialized training, to empower officials and bridge skills gaps, enabling them to effectively fulfil their duties as a catalyst to improve service delivery. The Department's improved performance reflects

the dedicated efforts of officials at all management levels. During this strategic cycle, we aim to build on the progress made in the previous administration and address past Auditor-General findings. We remain committed to achieving unqualified audit opinions on the Department's Vote, predetermined objectives, and administered funds.

In alignment with the government transformation agenda, the Department will continue to sustain female representation in the Senior Management Service (SMS) and Middle Management Service (MMS) positions. Furthermore, we have reached 2% representation of persons with disabilities and 21% representation of youth.

The modernisation of justice services remains a key priority for the Department to increase access. Although some strides were achieved in the previous cycle progress has been slower than anticipated. This is amongst other things attributed to the outdated IT infrastructure which the Department has had to prioritise. To speed up the modernization process, the Department has capacitated the Information and Communication Technology (ICT) branch, approved its Modernisation and Digitalisation Strategy, and established well-functioning ICT Committees to ensure good governance. In the 2019-2025 Strategic cycle, the Department successfully ensured the accessibility of 5 justice services online. The intention is to increase the online services to 16 by 2030 and capacitate all our courts to provide virtual proceedings. This will not only improve accessibility but will also ensure efficiency and ultimately enhance the quality of justice delivery.

As the custodian of the Constitution, the Department recognizes the critical importance of promoting constitutionalism and the rule of law through public education, awareness of justice services and constitutional rights. These initiatives must reach all magisterial districts, with a specific focus on underserved and indigent communities. The Department commits to conduct a

public perception survey to assess the impact of public education initiatives at the end of the strategic cycle.

The Department will drive the coordination and integration of the Criminal Justice System. Some of the key milestones for this administration are the finalisation of the Criminal Procedure Act in Parliament and to connect all the identified departments and entities to the Integrated Justice System (IJS) transversal hub to exchange information electronically. Full integration of the CJS will yield positive results such as a reduction of case backlog on the court roll.

Fraud and corruption continue to undermine the public's faith in government institutions and the rule of law. To address this, the Department will review and overhaul identified legislation to strengthen anti-corruption efforts. We will also improve the conviction rate for serious commercial and organized crimes.

The commitments made by the President in the State of the Nation Address in fighting Gender-Based Violence and Femicide found its expression in this plan and therefore the Department remains resolute and committed to fighting the scourge of GBV working together with other government departments and law enforcement agencies.

The Department commits to improving the services that our clients will receive from the Master's Offices. To realise this, the Department will develop a turnaround strategy and ensure that it is fully implemented. The State Attorney's Office will also be our focus in this strategic cycle. We will continue to implement the State Attorney Amendment Act of 2014 through the developed policies. A turnaround strategy will also be implemented to address all operational issues that affect the efficiency of the office.

I would like to extend my greatest appreciation to the Minister of Justice and Constitutional Development Ms. Mmamoloko Kubayi and Deputy Minister Mr. Andries Nel for their continuous support and leadership during the development of this Strategic Plan. Of course, not forgetting the senior management of the Department and the rest of the staff for their commitment and dedication.



**Adv. D. Mashabane**

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

**OFFICIAL SIGN-OFF**

It is hereby certified that this Strategic Plan:

- Was developed by the management of the Department of Justice and Constitutional Development under the guidance of Ms. Mmamoloko Kubayi, MP
- Considers all the relevant policies, legislation, and other mandates for which the Department of Justice and Constitutional Development is responsible.
- Accurately reflects the Impact, Outcomes and Outputs which the Department of Justice and Constitutional Development will endeavour to achieve over the period 2025-30.

<p><b>Signature:</b>  _____</p> <p><b>Mr. T Thiti</b> Acting Deputy Director-General: Corporate Services</p>	<p><b>Signature:</b>  _____</p> <p><b>Mr. L.C Mohalaba</b> Deputy Director-General: Lower Court Services</p>
<p><b>Signature:</b>  _____</p> <p><b>Ms. K Pillay</b> Deputy Director-General: Legislative Development</p>	<p><b>Signature:</b>  _____</p> <p><b>Adv. S Said</b> Deputy Director General: Constitutional Development</p>
<p><b>Signature:</b>  _____</p> <p><b>Ms. S Masapu</b> Chief State Law Advisor</p>	<p><b>Signature:</b>  _____</p> <p><b>Ms. K Pillay</b> Acting Chief Master</p>
<p><b>Signature:</b>  _____</p> <p><b>Mr. J Hlatshwayo</b> Deputy Director-General: Information and Communication Technology</p>	<p><b>Signature:</b>  _____</p> <p><b>Mr. Felix Mbeki</b> Acting Solicitor-General</p>

Signature: \_\_\_\_\_

**Adv. B Batohi**

National Director of Public Prosecution

Signature: \_\_\_\_\_

**Mr. T Thiti**

Deputy Director-General: Institutional  
Development and Support

Signature: \_\_\_\_\_

**Ms. R.I Singo**

Chief Financial Officer

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**Mr. T.B Raseroka**

Chief Director: Strategic Management

Signature: \_\_\_\_\_

**Adv. D Mashabane**

Accounting Officer

Signature: \_\_\_\_\_

**Mr. A.C Nel**

Deputy Minister, MP

Signature: \_\_\_\_\_

**Ms. M.T Kubayi, MP**

Minister of Justice and Constitutional Development



# PART A: OUR MANDATE

**The  
Constitution**

of the Republic of South Africa, 1996

MUTSHWE NGO-EPRELI 2

Issued May 2015

## 1. Constitutional Mandate

There are no changes to the Department's constitutional mandate. The constitutional mandate of the Department of Justice and Constitutional Development remains as follows:

The Department's mandate is derived from the Constitution, it 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 the lower courts in line with its constitutional mandate.

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

Section 9: "Equality"

Section 12: "Freedom and Security of the person"

Section 14: "Privacy"

Section 28: "Children"

Section 32: "Access to Information"

Section 33: "Just Administrative Action"

Section 34: "Access to Courts"

Section 35: "Arrested, detained and accused persons"

## 2. Legislative and policy mandate

The Department derives its legislative mandate from various statutes and subordinate legislation. Most of these Acts impact, in some way or the 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)
- (d) Traditional Courts Act, 2022 (Act No. 9 of 2022)
- (e) Land Court Act, 2023 (Act No. 6 of 2023)

**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, 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 Amendment Act, 2024 (Act No. 10 of 2024)
- (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 Combatting 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 Combatting of Trafficking in Persons Act, 2013 (Act No. 7 of 2013)
- (l) Protected Disclosure Act, 2000 (Act No. 26 of 2000)

**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)
- (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, 1985 (Act No. 107 of 1985)
- (c) Trust Property Control Act, 1988 (Act No. 57 of 1988)

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

- (a) State Attorney Act, 1957 (Act No. 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)
- (d) State Attorney Amendment Act, 2014 (Act No. 13 of 2014)

**3. Institutional Policies and Strategies over the five-year planning period**

**Institutional policies**

List of policies enhancing accessibility of justice services through improved infrastructure and increased footprint:

- Infrastructure: The Minimum Standards of a Model Court for Gender-Based Violence Matters and Minimum Standards of Reasonable Accommodations to Access Justice for Court Users with Disabilities in proposed new constructions to court facilities.
- Language Services in Lower Courts (including Foreign Language and Virtual Interpreting)
- Integrated Policy Framework on Virtual Courts
- Policy recommendations to reform the criminal justice system and the Criminal Procedure Act
- Policy to reform the civil justice system, the resuscitation of the Court Annexed-Mediation project
- Policy recommendations to enhance the effectiveness of the Small Claims Courts
- Policy Recommendations on the Rationalisation of the Judicial Establishments of the Lower Courts
- Business Processes to streamline procedures for speedy finalisation of cases
- Maintenance Pre-trial Procedures
- Partnership with Business (e.g. Business against Crime) and Community Advice Centres
- Memorandum of Understanding with Business and Civil Society Organizations
- Funding Model for Community Advice Centres
- Donor funding Framework

**Proposal for Legislation to be amended/ developed that impacts access to services having considered current legislation including:**

- Criminal Justice Amendment (including Amendment of Section 300 to allow ADR for certain matters as well as 10 days for National Register for Sex Offenders (NRSO))
- Pro bono regulatory framework to guide Pro-Bono Services and Commissioners for Small Claims Courts
- Finalisation of the Bill relating to Decriminalisation of Sex work
- Policy Recommendations on violence against children to be included the GBVF programme
- Creation of a national mechanism regarding the intersectoral management of teenage pregnancy
- Policy Recommendations to enhance protection of children in the child justice sector- Children Used by Adults to Commit Crime (CUBAC); children in gangs; violence at schools
- Child Justice Act, 2008 (Act No. 75 of 2008)

### **Institutional strategies to be developed**

The Department will build the capability of producing accurate and reliable data to inform decision making (policies, systems, human capacity, tools of trade). In the next five years, the following Information solutions will be developed:

- Records management (inhouse transcription, electronic storage, etc.).
- Introduction of advanced court technology for audio-visual court and interpretation services
- Online and onsite electronic self-help desks (Kiosks).
- Upgrading of electronic data collection system (ICMS) which amongst others will include disaggregation of data such as age of victims in the criminal justice system.
- Creation of simple Apps for some services (for example the J101form for maintenance, civil matters, and small claims).
- Benchmarking of best practice systems with other departments and international organisations.
- Strengthen the IT investigation into maintenance systems in collaboration with banks, the African Revenue Services (SARS), and Department of Home Affairs (DHA).
- Policy on utilisation of available IT tools such as Google translation in court proceedings.
- Access to services through modernised platforms (commissioning of relevant online applications).

#### 4. Relevant Court Ruling

##### **Embrace Project NPC and 3 Others vs Minister of Justice and Correctional Services and Others (Case No 04856/22)**

The Pretoria High Court handed down judgment in the matter of **Embrace Project NPC and 3 Others vs Minister of Justice and Correctional Services and Others (Case No 04856/22)** on 30 September 2024. The relevant provisions were found to be unconstitutional as they poorly address sexual violence where the perpetrator held an unreasonable and wrong belief that the complainant consented to the act.

In terms of the Sexual Offences and Related Matters Amendment Act, 2007, a perpetrator of rape and/or sexual violence may be acquitted if they subjectively believed that there was consent. The High Court found that this defence, i.e. believing that the victim gave consent by not expressly or physically denying the act, is unconstitutional.

The order of invalidity has been suspended for a period of 18 months to allow Parliament to amend the constitutional defect and during this time, the act will include a reading in that the disputed sections are not a valid defence for the accused person to rely on a subjective belief that the rape victim gave consent unless the accused took objectively reasonable steps to ensure that the victim indeed consented to the sexual conduct in question. The declaration of invalidity and reading in will only operate with prospective effect from the date of the order and shall have no effect on any conduct which took place before the date of the order. Possible amendments to the Act will be attended to once the Constitutional Court has given its final order about the validity.



# PART B: OUR STRATEGIC FOCUS

**The  
Constitution**  
of the Republic of South Africa, 1996

UTSHWE NGO-EPRELI 2

Issued May 2015

## 5. Vision

An accessible justice system in a vibrant and evolving constitutional democracy

## 6. Mission

- To enable access to justice
- To promote constitutionalism, the rule of law, and respect for human rights
- To coordinate state litigation and legal advisory services

## 7. Values

# LIVING OUR VALUES

- BATHO PELE**
  - We commit to put the needs of our people at the centre of service delivery.
  - We respond to customer needs in a professional, speedy and timely manner.
- UBUNTU**
  - We provide services with an attitude of compassion, kindness, selflessness and humility.
  - We are respectful and considerate in performing our duties.
- PATRIOTISM**
  - We serve our country and its people with pride, integrity and loyalty.
  - We love, cherish and honour South Africa.
- SOCIAL JUSTICE**
  - We render services in a fair, just, honest and unbiased manner.
  - Every person is served with tolerance and without discrimination.
- HUMAN RIGHTS**
  - We acknowledge the dignity and worth of every individual we serve.
  - We strive to make every person feel valued and respected in our daily activities.
- GOOD GOVERNANCE**
  - We act in an ethical and transparent manner.
  - We are responsible and accountable in handling public funds and resources.
- COLLEGIALITY**
  - We foster good and supportive working relations with each other in achieving our goals.
  - We demonstrate care, cooperation and compassion in working with each other.

## 8. Situational Analysis

### 8.1 The Department's strategic focus for the strategic cycle

**Unqualified audit opinion on all accounts and reduction of material findings on predetermined objectives:** Great strides have been made in improving the department's audit outcome resulting in an unqualified audit opinion. The Department has successfully achieved a clean audit for all its funds demonstrating its commitment to financial transparency and accountability. The department will continue to maintain a clean audit on all its funds and reduce material findings on predetermined objectives by 100%.

**Modernised ICT Infrastructure and Digital Transformation Strategy:** The Department is focusing on modernizing its ICT infrastructure to meet both current and future demands where the initial priority is upgrading the Local Area Network (LAN) and Wide Area Network (WAN) to improve reliability, scalability, and performance.

Subject to successful collaboration with State Information Technology Agency (SITA), the Department will implement modern WAN technologies like Software-Defined WAN (SD-WAN). In this regard, collaboration with SITA should be voluntary and pursued by the Department only when it is cost-effective, provided that SITA demonstrates the necessary capacity and capability to meet acceptable implementation timelines.

Furthermore, the Department will refresh legacy end-user devices such as laptops, desktops, and scanners to enhance service delivery and user performance.

In addition to infrastructure improvements, the Department will implement a Legacy System Replacement Plan to address system instability and promote better integration across applications. The plan will adopt an enterprise architecture approach to improve reusability and interoperability. Cybersecurity will also be a key focus, with enhanced security measures through the implementation of a Cybersecurity Technology Refreshment Lifecycle Plan for ongoing updates and protection against emerging threats.

Furthermore, the Department seeks to optimize procurement processes and resolve ICT human resource capacity challenges to effectively implement its modernization and digitization strategy. The Department aims to achieve these key deliverables, including the stabilization of ICT solutions, an upgraded infrastructure across all sites, and enhanced cybersecurity defences.

These efforts will contribute to the Department's long-term strategic goals by establishing a modern, secure, and efficient ICT environment that supports operational excellence and improves access to public service delivery (i.e., all Courts and Master of the High Court services).

**CJS case management systems seamlessly integrated to enable the exchange information electronically:** The Integrated Justice System (IJS) programme is a government initiative that is improving the efficiency and effectiveness of the South African criminal justice process. It drives a multi-department effort to increase the probability of successful investigation, prosecution, punishment, and ultimately the rehabilitation of offenders and their restoration back into society to realise a national objective that all South Africans feel and are safe. The IJS will continue to implement major and cutting-edge technological projects to enhance operational efficiencies in the administration of justice and will ensure that the Department, together with Justice Crime Prevention and Security (JCPS) cluster departments, achieve the modernisation programme that has already begun by ensuring that additional identified departments/entities are connected to the transversal hub and exchange information electronically.

The CJS case management systems are IJS digital platforms designed to handle various aspects of criminal case management, such as tracking cases, managing court hearings, storing case-related documents, and managing the workflow for law enforcement and judiciary personnel. They are typically integrated into the justice system to make operations more efficient, transparent, and less prone to human error.

The IJS programme will continue to focus on the seamless integration of these modern case management systems within the criminal justice system to enable secure, real-time, electronic exchange of information, with the goal of improving efficiency, reducing delays, and enhancing coordination across its member departments.

**Provision of facilities that are accessible to persons with disabilities as required by building regulations:** The Department will continue in its efforts to increase access to justice through the building of new courts, renewal of leases and refurbishment of existing courts. To effectively render its services, it is imperative that sufficient and proper facilities be available to improve access to courts in terms of proximity, as well as the functionality of the court infrastructures and other service delivery points. To this extent, the Department will embark on the process of establishing new courts, and the expansion, maintenance and refurbishment (minor and major) of existing courts to ensure that they are fit for purpose and are accessible to persons with disabilities, as required by building regulations.

The country is facing a challenge of electricity load shedding and water shedding. To minimise the lack of service delivery at the service points and court backlog, alternative power supply has been made through the provision of generators, solar panels, inverters and Uninterrupted Power Supply (UPS). DOJ&CD has registered 431 projects to install generators in courts for business continuity. There have been 147 completed installations of generators. Provision has also been made for alternative water supply, i.e. water tanks and boreholes in the provinces.

**Addressing the scourge of Gender-Based Violence and Femicide, and violence against women and children:** Over this 7th administration, Gender-Based Violence and Femicide (GBVF) continues to be the government's priority. Recent statistics on reported rape, sexual assaults, attempted sexual offences, and other gender-related crimes are still very high. The Department therefore remains committed in contributing to all endeavors aimed at establishing a criminal justice system that is preventative, responsive and effective against this pandemic. As the lead stakeholder in the implementation of the objects of Pillar 3 of the GBVF National Strategic Plan (2020-2030), the Department will continue to collaborate with other key stakeholders towards the realisation of the aspirations of the country's agenda against GBVF.

During this 7th Administration, additional 90 sexual offences courts will be established in communities with the highest incidence of sexual offences to ensure a dedicated focus on these cases and most importantly, to provide victims of sex crime a court experience defined by care, responsiveness and agility. In line with article 13 of the Presidential Summit Declaration against GBVF, 2019, the sexual offences courts seek to establish a criminal justice system that is free from secondary victimisation and supportive to the needs of the victims. These courts are the embodiment of victim support services meant to enhance the establishment of a victim-centric justice system.

With advent of progressive amendments to the Domestic Violence Act, 1998 (Act No 116 of 1998) in April 2023, the Department developed a National Strategy for Domestic Violence Support Services to implement this Act. During this MTDP period, over 180 district courts will be upgraded in line with the minimum standards of this strategy so as to provide a new service model that is custom-made for victims of domestic violence.

The Department also plans to roll out the online solution for applications for protection order in all magisterial districts. This is one way of increasing access to justice. The Integrated Electronic Repository (IER) for the domestic violence protection orders will also be introduced to, inter alia, effectively manage counter applications for protection orders and ensure that no accused person who is in a domestic relationship with a complainant is granted bail without an existing protection order.

In response to the Public Protector's remedial actions, a more simplified and shorter version of the application form for protection order will be introduced to make the application process more user-friendly and accessible to the wide spectrum of victims of domestic violence. Additionally, the Department will continue to encourage persons who, inter alia, work with or conduct businesses that give them direct exposure to vulnerable persons, as defined by the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, to have themselves vetted against the

NRSO. In line with this Act, the Department plans to issue the NRSO clearance certificates within 10 working days from the date of application, subject to the full compliance of the application. This is to ensure that people who wish to exercise their right to socio-economic participation are afforded an opportunity to do so within the shortest period of time. Upon conviction, the particulars of sex offenders will be entered in the Register to prevent new and repeat sex offending. During this period, the Department further plans to change the Criminal Law (Sexual Offences and Related Matters) Amendment Act so that the Register becomes accessible to the general public.

Children are gradually recruited to commit crimes by adults with an understanding that the law would take a soft approach when dealing with them. The nature and seriousness of the crimes committed by children is gradually increasing to alarming levels, and this requires the state to introduce interventions to curb child offending. As the lead stakeholder in the implementation of the Child Justice Act, the Department will continue to encourage the speedy finalisation of the preliminary inquiries by the courts so as to maintain a child justice system that upholds the constitutional rights of a child, as entrenched by section 28 of the Constitution.

**Enhanced focus on tackling gender-based violence and serious violent crime:** The flagship Thuthuzela Care Centre (TCC) model will continue to be utilised to satisfy the obligations of the National Strategic Plan (NSP) on Gender Based Violence (GBV) and Sexual Offences. The NSP seeks to increase access to justice for GBV victims and strengthen existing response, care and support services by the state and civil society in ways that are victim-centered, survivor-focused and trauma-informed. Sexual Offences and Community Affairs unit of the National Prosecuting Authority (NPA) will continue to leverage their private sector partnerships to increase the number of TCCs to 74 over the strategic cycle. The department will contribute towards the MTDP outcome of increased feelings of safety in the community, in particular for women and children, through the successful convictions in relation to Sexual Offences (70%) and Murder (74%) across all the court fora.

**Reinforcing efforts to tackle complex corruption and money laundering matters:** The strengthening of the anti-corruption system will consider the additional and necessary support towards the capacitation of the Investigating Directorate Against Corruption (IDAC), which will continue to implement its mandate of dealing with offences/unlawful activities involving serious, high profile and complex corruption, including allegations of corruption arising from commissions of inquiry. The Department will continue to support and collaborate with relevant governmental institutions to enhance the effectiveness of South Africa's anti-money laundering, counter-terrorism and proliferation financing regime to reduce the risks said crimes.

**The review of the Child Justice Act, 2008 (Act No. 75 of 2008):** Due to international and domestic developments in the area of child justice, such as the (United Nations Committee on the Rights of the Child. General Comment No. 24 (2019) on Children’s Rights in the Child Justice System issued on 18 September 2019), Constitutional Court judgments (such as the *Centre for Child Law v Director of Public Prosecution, Johannesburg and Others*[2022]ZACC 35 delivered on 29 September 2022), the findings of the research that was conducted on the Impact of the Child Justice Act (2019) and the recent case in the Western Cape where a 17 year old boy murdered a 16 year old girl, there is a need to review the Child Justice Act 75 of, 2008.

**Trafficking in Persons (TIP):** The National Policy Framework (NPF) which includes the Integrated Strategy and Action Plan for 2023 – 2026 was finalised in compliance with Section 40 (2) (c ) of the Prevention and Combating of Trafficking in Persons, 2013 (Act No. 7 of 2013) (the Act). It seeks to ensure all government departments and other engaged stakeholders from civil society are collectively coordinated in the implementation of anti-trafficking responses and to discharge their statutory responsibilities. The NPF support the implementation of the Act, which aims to ensure that the criminal justice system is effective in prosecuting criminals and protects the victims of trafficking in persons, promoting a cooperative and aligned response among all government departments, as well as civil society organizations engaged in assisting and supporting trafficked persons. 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) with the support of the Provincial Task Team (PTTs). The NPF is also intended to ensure effective coordination of all the structures of TIP.

**Address case backlog:** The role of the Department of Justice & Constitutional Development is to ensure that courts are provided with administrative support which means doing its utmost to prevent the postponement of criminal matters due to its failure to provide the necessary court support personnel or infrastructure to enable the courts to sit, such as electricity, water, and court recording. The Department therefore intends to reduce the number of postponements in criminal cases caused by administrative support failures on its part. This will contribute positively to the reduction of case backlog in the regional and district courts.

**Reform Civil Justice System:** The Civil Justice System is an important part of the services being undertaken in courts. Members of the public require speedy, effective, and efficient civil justice services that promote amicable dispute resolution. Currently, civil disputes often take years to obtain a court date and/ or get matters heard, resulting in monetary and time costs for individuals, and increased public dissatisfaction with the civil justice services. The aim of the Review of the Civil Justice System within the next five (5) financial years, is therefore to streamline the civil justice

services to align with the Constitution of the Republic of South Africa; review the civil justice system processes to include alternatives such as the development, submission and implementation of an (1) Alternative Dispute Resolution (ADR) Framework, including Mediation and Arbitration Services; and (2) the Small Claims Courts Review, to enable persons to utilise alternatives to civil court processes, which will also assist with unclogging the civil court-rolls and clear up some of the civil case backlogs.

**Effective co-ordination of the Criminal Justice System:** The Department of Justice and Constitutional Development is taking responsibility for the effective co-ordination of the Integrated Criminal Justice System (ICJS) in terms of both the Criminal Justice System Seven Point Plan and the Integrated Crime Prevention and Victim Support Strategy.

As part of the seven-point plan action steps as submitted to Cabinet in 2008/09 and in 2015, and as co-chair of the JCPS Cluster and chair the inter-Departmental Development Committee (DevComm), the Department of Justice and Constitutional Development, takes responsibility for the following:

- a. Consultations and submission of a new and re-aligned CJS coordinating and management structure, in order to improve end-to-end coordination through national and provincial Justice, Crime Prevention and Security (JCPS) structures;
- b. Identification and implementation of practical short-, medium- and long-term interventions to improve the performance of the courts;
- c. Identify and address component parts with a critical need for intervention;
- d. Monitor and advise on the establishment of an integrated and seamless national CJS information management system, by supporting, monitoring and advising on the Integrated Justice System (IJS) Programme; and
- e. Alignment through a single vision and mission for the Criminal Justice System (CJS) with congruent objectives, plans, priorities and performance measurement targets, together with all the other relevant JCPS Government Departments

As secondary role-players and cognisant of interdependencies with other Departments within the cluster, the Department will assist and support the JCPS Cluster to consult, implement and monitor the following two action steps:

- Monitor the implementation of a programme of modernisation of the CJS, together with the relevant Departments' Chief Information Officers/ Heads of Information Communication and Technology; and supported by SITA; and

- Develop and support the Civil Secretariat of Police, which aims to build partnerships with communities (Community-based Organisations etc), to improve communication, co-ordination and awareness of the CJS.

**Improved and transformed Master's Services:** The Masters office has been in the forefront of automation with regards to deceased estates and trusts. The office aims to provide vulnerable members of society with a modernized, effective, seamless, secure, uncomplicated, and user-friendly service by keeping up with the IT developments in the country and the world. The Department has completed the design, development and roll-out of an Online Deceased Estates Registration System successfully and it is in use by all 16 Masters Offices since 14 December 2023. Development of this online system provides for a modernized and digitized Master's services platform and easy access to all.

A new administration system and financial system for the Guardian's Fund is being developed. The development commenced in the 2021/22 financial year, and it is envisaged that the final developments will be completed in the 2025/26 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. A Guardian's Fund online application system is also in the development process, which will allow applicants to lodge their applications electronically with the Master.

The public is also able to make online appointment bookings with all Master's Offices, which alleviates long waiting periods in queues. The development of an e-filing function for Liquidation and Distribution accounts is already underway as well as an automatic reminder system for lodgement of deceased estate accounts by executors.

The coming into operation of the amendments to the Trust Property Control Act and the Regulations in respect of Trusts on 1 April 2023, required that an IT platform be developed for the Masters to allow trustees to capture and store Beneficial Ownership (BO) details in respect of trusts. A comprehensive system that enables users to create and register new trusts is planned for rollout during the 25/26 financial year. Once developed and roll out, the online registration will be an alternative method that allows people to register trusts remotely and conveniently. Online registration will speed up the registration process and ensure quicker availability of the details/particulars of the beneficiaries and trustees. A move towards international trends to curb the abuse of trusts by keeping records of beneficial ownership will also be enabled by the online registration. The process to amend the Trust Property Control Act 57 of 1988 in totality to allow for

modernisation, will assist in the rating of the country in the next Country Peer Review as it allows the Master to obtain and keep Beneficial Ownership information needed to curb fraud and money laundering through possible beneficial ownerships.

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 Domestic Violence Act and Maintenance Act to obtain children's views in matters that impacts them as per sections 6 (5) and 10 of the Children's Act 38 of 2005. During the strategic cycle, the focus will be to assist the parties to mediate their disputes through Alternative Dispute Resolution Mechanism (ADRM) in order to avoid lengthy and expensive litigious processes. The Office of the Family Advocate is using the ADRM to facilitate the resolution of family disputes.

In litigation matters, the family advocate files court reports, makes recommendations, and appears in court to promote and protect the best interests of children.

The Chief Family Advocate is the Central Authority, in terms of the Hague Convention, who also deals with international cases of children who are abducted or retained in foreign countries in terms of The Hague Convention on the Civil Aspects of International Child Abduction.

**Turning the offices of State Attorney into the law firm of choice:** The development of the much-needed State Attorney turn-around strategy in the next five years will redirect the Department's focus towards creating an effective state law firm of choice for the state. Implementation of the turnaround strategy will not only improve the services rendered by the state attorney but also prioritise deep expertise in state-specific legal issues, building strong relationships with various stakeholders, providing client-centered service tailored to the state's unique needs, and actively engaging in legislative advocacy to influence relevant laws.

The State is the largest consumer of legal services in the country and annually loses billions of rands through legal claims and/or litigation costs from which litigation contingent liability of the State arises. Owing to the increased contingent liability caused by litigation against the State, the Office of the Solicitor-General aims to root-out the causes for this challenge by developing systems to monitor and manage the national contingent liability register.

**Review of justice-related colonial and apartheid-era legislation:** The Department will prioritise the review of justice-related colonial and apartheid-era legislation with the aim of aligning this legislation with the Constitution of the Republic of South Africa, 1996 (Constitution). The new legislation will ensure improved and equal access to justice services that will cater for all, including vulnerable groups such as women, children, and people with disabilities, so as to create a

transformed society that is freed from the divisions of the past. Outdated legislation in relation to key service delivery areas, such as the Masters, requires urgent attention. Bills such as Unlawful Entering on Premises Bill, 2022: Request for Comments; Introduction of Draft Conspiracy and Inducement to Commit a Serious Offence Bill, 2022; Repeal of the Transkeian Penal Code Bill; Criminal Law (Sexual Offences and Related Matters) Amendment Bill (which repeals the Sexual Offences Act, 1957 [Act 23 of 1957]) were reviewed and prepared in the period under review. The Department will continue to ensure that all pieces of legislation declared to be inconsistent with the Constitution are amended within the deadlines set by the Constitutional Court.

**State Legal Services:** The Department through the Office of the Chief State Law Advisor will continue to provide government with legal advisory services in order to contribute to the reduction of litigation against the state. In the coming five years, the focus will be on improving the legal services rendered to other government departments and entities by conducting stakeholder engagement programs that will identify and address challenges relating to the instructions received from them. This will include assisting government departments by providing training in, amongst others, legislative drafting and administrative law processes in collaboration with Justice College and the University of Stellenbosch.

The Department will also focus on using its interpretation services to encourage the government to pass laws in all the indigenous languages of the country instead of a select few. This will include the development of the legal terminology in collaboration with language experts and the Pan South African Language Board (PANSALB).

**Transformation of the state legal services:** The Department will continue to capacitate the state legal offices to ensure provision of sound legal advice and management of state litigation. The empowerment of the previously disadvantaged legal practitioners representing the state in legal matters is still a priority. As we continue to transform the state legal services, the Department will continue to allocate briefs to previously disadvantaged legal practitioners to enhance skills, knowledge, and expertise in the legal profession. This will further contribute to improved economic standing, and increase the pool of candidates eligible for the bench and equipped to protect the state against any legal litigation or claim. Establishing a forum for government lawyers on non-litigation matters will be helpful in facilitating the interaction between state law advisors and heads of legal services units within government departments

**Ratification of the UN Convention Against Cybercrime:** In line with the National Development Plan (NDP) goal of fighting transnational crime and corruption, South Africa was instrumental in the negotiation of the UN Convention against Cybercrime. This convention, which is the first international anti-crime treaty in 20 years, will ensure strengthened international cooperation in preventing and combating cybercrime and protect people's rights online. With the adoption of the

convention by the UN General Assembly, the Department will focus on ensuring that South Africa is amongst the first countries to sign and ratify it.

**Review of anti-corruption architecture:** Transnational organised crime is on the rise, this challenges the criminal justice systems across borders. On a related note, corruption is increasing, and the repression of whistle-blowers' voices is intensifying in the face of limited protection for them. The Whistle-blower Protection legislation will be introduced in Parliament to Strengthen whistle-blowers protections through stronger legislation. In addition, a number of legislations will be developed and introduced in Parliament to strengthen the anti-corruption architecture.

**Public awareness to improve perception:** The DOJ&CD is committed to ensuring that all South Africans are informed about their constitutional rights and the justice services available to them. Over the next five years, the Department will intensify our outreach programs, aiming to bolster the promotion and awareness of justice services and the Constitution across the country.

By 2030, the Department aspires to achieve comprehensive coverage of all 52 municipal districts, including metropolitan municipalities, ensuring that no community is left behind in accessing information about justice services. The Department will scale up community engagement initiatives to reach every district and metro municipality by 2030, and utilise diverse communication channels such as community dialogue, radio campaigns, digital platforms and targeted workshops to maximise reach.

In order to measure and increase awareness, annual surveys will be conducted to gauge public awareness of justice services and the Constitution. The Department will use data insights to tailor outreach strategies and address knowledge gaps effectively. The target is a steady year on year increase in public awareness culminating is 55% by 2030.

The DOJ&CD will collaborate with local governments, civil society organisations, traditional leaders and community-based groups to amplify our messages and foster trust. We will leverage partnerships to ensure resource efficiency and maximise impact. Accessible and actionable information about justice services will be provided to empower individuals and communities to assert their rights. The focus will be on marginalised and underserved areas to promote inclusivity and equity.

## **8.2 External Environment Analysis**

The Department utilised PESTELES analysis to evaluate the external factors impacting its operations, including Political, Economic, Social, Technological, Environmental, Legal, Ethics and Security factors. The analysis was conducted to examine major developments and their implication within the Department and devise measures to address them.

### **Political Environment**

#### ***National and Provincial Government Formation***

The year 2024 marked the celebration of three decades of democracy which coincided with the seventh administrations under the unprecedented established Government of National Unity (GNU) which came into existence as a result of the outcomes of the 29<sup>th</sup> May 2024 elections that were highly contested. The African National Congress which was the ruling party for the 6<sup>th</sup> administration failed to retain the majority in the National Assembly. As a result, the GNU led by the African National Congress (ANC) and ten other political parties was formed to govern the country for the next five years. The outcomes of the elections brought a change in the political leadership and government priorities.

The GNU identified rapid, inclusive, and sustainable economic growth to create jobs as the apex priority. Additionally, three priorities, namely, inclusive economic growth and job creation; reducing poverty and tackling the high cost of living; and a capable, ethical and developmental state were identified to assist in achieving this national apex priority. As a result, department plans were revised to align with the proposed interventions for the three priorities

The GNU priorities have been translated into the national plan known as the Medium-Term Development Plan (MTDP). The MTDP was endorsed by Cabinet on 05 February 2025. The Department of Justice and Constitutional Development has considered the MTDP priorities as well as State of the Nation Address (SONA) commitments in the development of its 2025-30 Strategic Plan and 2025/26 Annual Performance Plan.

The DoJ&CD will contribute to the GNU basic minimum programme of priorities in relation to strengthening law enforcement agencies to address crime, corruption and gender-based violence, as well as strengthening national security capabilities and fostering social cohesion, nation-building and democratic participation, undertaking common programmes against racism, sexism, tribalism and other forms of intolerance, promoting access to justice and other government priorities related to the Department.

#### ***Local Government Elections***

In almost two years from this year, South Africa will be going into Municipal Elections (colloquially, Local Government Elections) to elect councils for all district, metropolitan, and local municipalities in each of the country's nine provinces. Local government plays a crucial role in realizing human rights through the provision of services. The Department bears the obligation to contribute in creating an environment conducive to active citizenry and public participation, as well as, more broadly, to build a country that is inclusive, united, and prosperous. This will be achieved through public education programmes that seek to raise awareness of their constitutional rights.

### ***Geopolitical landscape***

The term geopolitics denotes a broad analytical framework in international relations, encompassing different phenomena such as political instability, tensions and military conflicts between countries, terrorist threats or geographical events that can have regional or global impact. The shifting power dynamics have had an effect of further strengthening alliances such as BRICS+, China-Africa forums (AFCOC) and other South-South alliances. These forums, used effectively, can provide opportunities to strengthen international cooperation and provide developmental opportunities for the African continent, which include much needed technical capacity building. South Africa, through its stance and action on the war in the middle east, has re-emerged as a leader and champion for the protection and promotion of human rights. This provides an opportunity for the country to contribute to the development of international law and to further strengthen and emphasise the role of multilateral institutions in advancing peace and security.

South Africa's decision to bring the Gaza war to the International Court of Justice (ICJ) is a significant step in the pursuit of accountability and justice within the framework of international law. By turning to the ICJ, South Africa underscores the critical role that legal mechanisms play in addressing violations of human rights and international humanitarian law. The country's decision to intervene in the case, as empowered by section 231 of the Constitution of the Republic of South Africa 1996, aligns with its broader foreign policy objectives, which include promoting human rights, international law, and justice. The Constitution provides the legal framework for pursuing these goals on the international stage.

The case of South Africa v. Israel at the ICJ holds profound significance, both legally and politically. It represents a pivotal moment in the international community's engagement with the Israeli-Palestinian conflict and underscores the role of international law in addressing longstanding disputes. South Africa's decision to bring this case before the ICJ signals an effort to seek clarity on key legal questions concerning Israel's actions and policies, particularly in relation to the Palestinian territories.

South Africa submitted its Memorial on 28 October 2024, the anticipated outcome has the potential to clarify key legal issues surrounding the Israeli-Palestinian conflict, reinforce the rights of the

Palestinian people, and set a precedent for future legal actions aimed at resolving protracted conflicts. A decision from the ICJ in favour of South Africa's position would strengthen the legal basis for the international community's condemnation of certain Israeli policies, including settlement expansion and the blockade of Gaza. It would also reinforce the rights of Palestinians to statehood and independence, principles that are enshrined in numerous United Nations resolutions but have yet to be realized.

The budget is projected for 2025/26 and 2026/27 as the case is likely to span through the mentioned financial years and/ or beyond. The length of cases before the ICJ varies significantly and there's no set timeframe. The department is allocated R36 million in 2025/26 and R38 million on 2026/27 in the Constitutional Development subprogramme in the State Legal Services programme – the funds will cover the hiring of legal practitioners, experts and administrative expenses including travel and subsistence.

The South Africa v. Israel case before the ICJ regarding allegations of genocide requires a robust legal team equipped to handle the complex legal and factual issues involved. Given the nature and scale of this case, it was crucial to supplement the core legal team with specialised consultants/ researchers and experts in various aspects in providing evidence and proving the theory of South Africa's case. This was agreed to by the three departments, i.e. DOJ&CD, DIRCO and The Presidency.

South Africa will continue to lead the fight against injustice in the world. As the key Department responsible for advancing the rule of law and protection of human rights, the DOJCD has a critical role to play in supporting the advancement of South Africa's foreign policy principle of: respect, promotion and protection of human rights and the rule of law. There is a need to ensure therefore that there is compliance, commitment and implementation of our international human rights obligations.

### **Economic Environment**

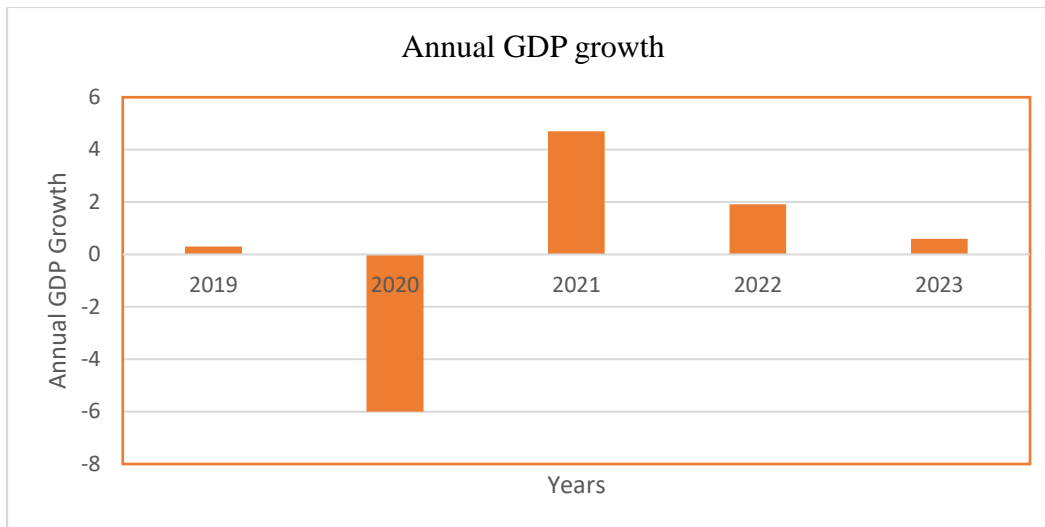
The country's economy grappled in the past five years, growing slower than anticipated. This is attributed to several factors such as prolonged load shedding, the strain caused by climate change, weak investments, high unemployment rate, financial market and other global factors.

The South African economy grew by 0.3 % in the third quarter of 2024 as compared to third quarter of 2023 where it contracted by -0,2<sup>1</sup>.

*Figure 1: Annual GDP growth*

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<sup>1</sup> Statistics South Africa: Gross Domestic Product, Quarter Three 2024



As a result of the shortfalls in revenue collection, less funding is available to the department to discharge its mandate. This compelled National Treasury to impose cost-containment measures to be implemented by all government departments at national, provincial and entity level, effective from 15 September 2023. The cost containment measures restricted the filling of non-critical posts, travelling, use of external venues and consultants.

The inflation rate has been nearing the mid-point of the South African Reserve Bank's target of 6%. According to Statistic South Africa, in January 2025, South Africa's consumer inflation rate was 3.2%, up slightly from December 2024. This is below the South African Reserve Bank's preferred target of 4.5%. According to international benchmarking, the current consumer inflation rate is still very high. This has resulted in high cost of living which negatively affected the purchasing power (affordability) of both the employees and the Department. In some instance employees could not afford the daily travelling costs to work which resulted in absenteeism. The official unemployment rate decreased by 1,4 percentage points to 32,1% in the Quarter of 2024 compared to Quarter 2 of 2024<sup>2</sup>. Although unemployment has gone down, it is still at the high end of spectrum and continues to contribute to a higher crime rate within various communities. To survive, members of the communities may resort to crimes such as gang violence, substance abuse, and domestic violence with most of the cases likely to end up in our courts.

According to Statista report on sexual offenses in South Africa published in June 2024, there were almost 53,900 South Africans reported as being victims of sexual offenses in 2022/23 financial year. The reported cases were higher than the previous year with a figure of about 52,600 reported sexual cases. In the last decade, the total number of sexual offenses peaked to 60,900 cases in the 2012/13 financial year. During the same period under review, common assault was the most frequently reported form of domestic violence-related crime among men and women, with 51,683 and 11,175 cases, respectively. On 7 August 2024, Minister of Police revealed in Parliament that

<sup>2</sup> Statistics South Africa: Quarterly Labour Survey, Quarter Three 2024

since the 2018/19 financial year to the end of December 2023, over 5,4 million case dockets were closed due to insufficient evidence or leads. A total of 61,740 rape and 5,523 sexual assaults dockets were closed. This translates to 974 rape and sexual assault cases closed every month without resolution and denying the victims access to justice.

The increase in unemployment has potential negative effect on the Department's service delivery, particularly on maintenance. As more people lose their jobs, they might start defaulting on maintenance payments due to a loss of income. This then means that more children who are beneficiaries of child maintenance will be in poverty.

## **Social Environment**

Growing inequality, racial tensions, regionalism, and cultural differences are threats to social cohesion. There seems to be a lack of commitment to social justice and cohesion. 30 years into democracy, South Africa is still dealing with issues of racism and growing tensions amongst the races with incidents of racism being reported more often, especially in schools.

## ***Unemployment***

South Africa continues to face both cyclical and structural unemployment. In the second quarter of 2024, the country recorded a 33.5% rate of unemployment which is a 0.3% increase from the 32.9% reported in quarter one. This is concerning considering that the country is 6 years away to 2030 by when it had envisioned achieving a reduction in unemployment to 6%<sup>3</sup>. This continuous rise of unemployment, particularly amongst the youth and young adults pushes South Africa further back in its efforts to tackle growing inequalities and poverty. This has a major bearing on domestic violence, crime, corruption, and intolerance, amongst other challenges.

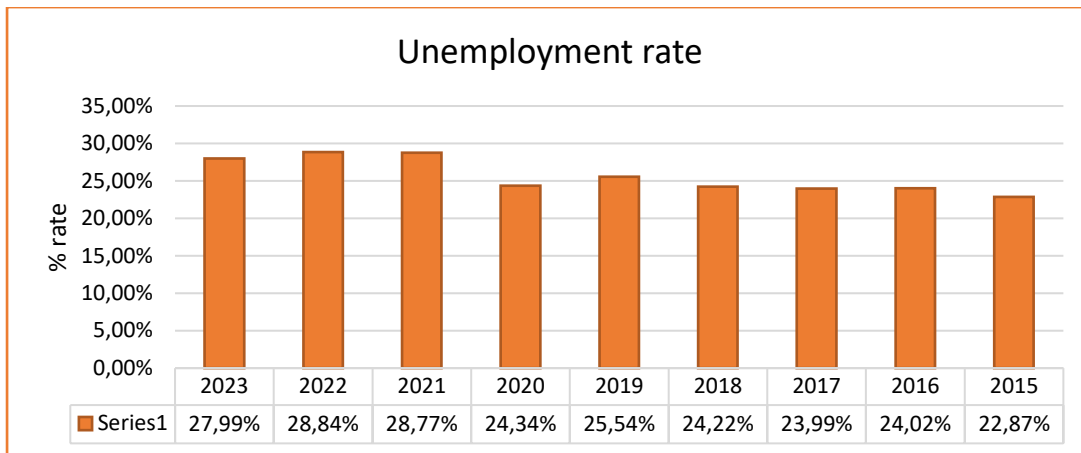
Figure 1 below depicts the unemployment trend in the country from 2015 – 2023. There is a significant increase in unemployment from the 22,87% recorded in 2015 to 27,99% which was recorded in 2023<sup>4</sup>.

*Figure 2: Unemployment rate from 2015- 2023*

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<sup>3</sup> Stats SA: Quarterly Labour Force Survey (QLFS) Q2:2024

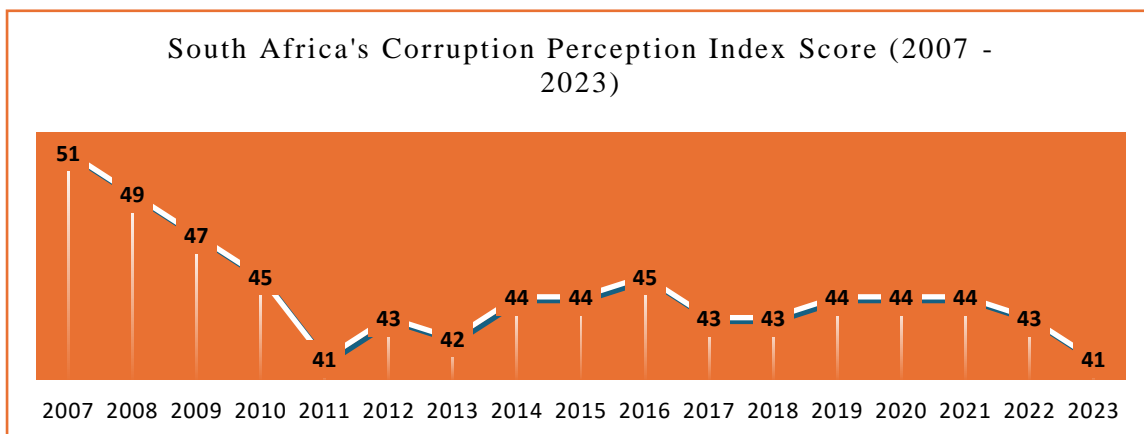
<sup>4</sup> <https://www.macrotrends.net/global-metrics/countries/zaf/south-africa/unemploymentrate#:~:text=South%20Africa%20Unemployment%20rate%20for,a%201.2%25%20cline%20from%202019.>



### Crime and corruption

Persistent high levels of crime undermine social order and hinder economic development. Over the period covering 2014-2024 the country recorded the highest crime index in Africa making it the fifth most dangerous country globally. The Transparency International Corruption Perception Index scored South Africa 41 on a scale of 0 to 100 where 0 is highly corrupt and 100 being very clean. As a result, that the country was ranked 83 out of 180 countries<sup>5</sup>. Table 1 below depicts the country's corruption perception index score from 2007 to 2023. Figure 1 gives an indication that South Africa has not been able to reach a score of 50 since 2007. From 2011 to 2023 the country has been ranging between 41 and 45.

Figure 3: South Africa's Corruption Perception Index Score 2007-2023



The high level of unemployment and income inequalities in the country has the potential to breed more crime, putting a greater strain on the justice system and impacting caseloads. The most prevalent crimes are murder, sexual assault, armed robbery, and gang violence. The first half of 2024 shows that 6 198 people were murdered. According to Table 1, contact crimes which include

<sup>5</sup> Transparency International Corruption Perception Index, available from <https://www.transparency.org/en/cpi/2023/index/zaf>

murder, robbery, sexual offences and assault increased by 2.6% to 153 637 incidences in the first quarter of 2024/25 financial year from the same period in the 2023/24 financial year. Murder dipped by 0.5% to 6 198,<sup>6</sup> reducing the number of cases reported in our courts.

*Table 1: Contact crime statistics*

Crime category	April 2020- June 2020	April 2021- June 2021	April 2022- June 2022	April 2023- June 2023	April 2024- June 2024	% change
Murder	3 466	5 760	6424	6 228	6 198	-0,5%
Sexual Offences	7 296	12 702	11 855	11 616	11 566	-0,4%
Attempted murder	3 487	5 142	5576	5 969	6 867	15,0%
Assault with the intent to inflict grievous bodily harm	22 064	37 530	34 635	37 491	39 738	6,0%
Common assault	25 995	39 406	38 627	41 519	42 858	3,2%
Common robbery	6 469	10 701	10 565	11 404	11 312	-0,8%
Robbery with aggravating circumstances	21 599	33 876	35 233	35 579	35 098	1,4%
Contact crime (crime against the person)	90 376	145 120	142 915	149 806	153 637	2,6%

*Source: Police Recorded Statistics, First quarter of 2024-2025 financial year*

Organised Crime has become an existential global problem. According to the Global Organised Crime Index 2023, nearly 83% of the global population resides in countries with high levels of criminal activity<sup>7</sup>. Organised crime is a criminal ecosystem that links many of the countless predicate criminal acts (e.g. extortion, illegal mining, money laundering, gang violence etc.) while corruption is a lifeblood of the organised crime<sup>8</sup>. The increase in organised crime poses a burden on our courts as more of these cases will end up there.

The Global Initiative Against Transnational Organised Crime (GI-TOC) conducted a strategic organised crime risk assessment of South Africa. The report identified 15 embedded, interconnected criminal markets that are considered as the most threatening to South Africa's social, economic and political wellbeing and could undermine the security of the country and the

<sup>6</sup> Police Recorded Crime Statistics, First quarter of 2024-2025 financial year, available from: [https://www.saps.gov.za/services/downloads/2024/2024-2025\\_-\\_1st\\_Quarter\\_WEB.pdf](https://www.saps.gov.za/services/downloads/2024/2024-2025_-_1st_Quarter_WEB.pdf)

<sup>7</sup> Global Initiative Against Transnational Organized Crime. (2023). Global Organised Crime Index 2023. Accessed from: [Global-organized-crime-index-2023-web-compressed-compressed.pdf](https://www.gi-toc.org/global-organized-crime-index-2023-web-compressed-compressed.pdf) (globalinitiative.net), dated 11 February 2024.

<sup>8</sup> Global Initiative Against Transnational Organized Crime. (2023). Strategic Organized Crime Risk Assessment: South Africa. Accessed from: <https://globalinitiative.net/wp-content/uploads/2022/09/GI-TOC-Strategic-Organized-Crime-Risk-Assessment-South-Africa.pdf>, dated 11 February 2024.

rule of law. These criminal markets have been grouped into three thematic categories as shown in the table below.

*Table 2: Organised crime markets*

Thematic Categories	Criminal Markets
Selling the illicit	Illicit drugs, Illegal firearms, Human smuggling and trafficking, and Wildlife, fishing and environmental crimes.
Dealing in violence	Extortion, Kidnapping for ransom, Organised robbery, and Organised violence
Preying on critical services	Critical infrastructure, Organised corruption, Cybercrime, Economic and financial crime, Health sector crime, Mass public transport (minibus taxis and buses) Illegal mining

Organised crime contributes to violence and instability in many regions. Efforts to build peace and ensure accountability in these regions are essential. This involves conflict resolution, development initiatives, and measures to address the root causes of instability, such as economic disparities, lack of opportunities, and weak governance structures. Building peace requires a comprehensive approach that includes providing economic opportunities, improving infrastructure, and promoting social cohesion.

Over the past 3 financial years, South Africa has experienced the rise in extortion targeting malls, businesses and the construction sector. The extortionists usually force businesses to pay protection fees in the construction sector for instance, it is common for extortionists to force contractors to pay 30% of the contract value. According to the Organised Crime Investigations, the unit has investigated 312 extortion cases since April 2023. Most of these cases were opened in Western Cape, Eastern Cape, Gauteng and KwaZulu-Natal. National Joint Operational and Intelligence Structure further indicated that 6056 extortions cases were reported between April 2019 and March 2024.

Environmental crimes, such as illegal logging, mining, and waste trafficking, are significant components of organised crime. Protecting the environment must be a priority in any global strategy. This requires political attention, robust legal frameworks, and effective enforcement mechanisms. International cooperation is crucial to combat environmental crimes and hold corporations accountable for environmental damage. Strengthening legal frameworks and increasing enforcement capabilities are essential to protect ecosystems and communities from

criminal exploitation. These cases will be prioritised by the Department to ensure that those who are participating in these act of criminality are brought to book.

### **Gender Based Violence**

Gender Based Violence continues to be a pandemic in the country. It affects women and children disproportionately limiting their ability to live safe and fulfilling lives. Recent statistics on reported rape, sexual assaults, attempted sexual offences and contact sexual offences are alarming. Table 2 below depicts a breakdown in the sexual offences reported from the first quarter of 2020/21 financial year to 2024/25 financial year of the same period. According to the table rape increase by 0,6% while attempted sexual offences increased by 16.1% when compared with quarter 1 of 2024/25 financial year<sup>9</sup>.

*Table 3: Sexual Offences breakdown*

<b>Crime category</b>	<b>April 2020- June 2020</b>	<b>April 2021- June 2021</b>	<b>April 2022- June 2022</b>	<b>April 2023- June 2023</b>	<b>April 2024- June 2024</b>	<b>% change</b>
Rape	5 805	10 006	9 515	9 252	9 309	0,6%
Sexual assault	1 070	1 900	1707	1 642	1 469	-10,5
Attempted sexual offences	271	514	416	510	592	16,1%
Contact sexual offences	150	282	216	212	196	-7,5%

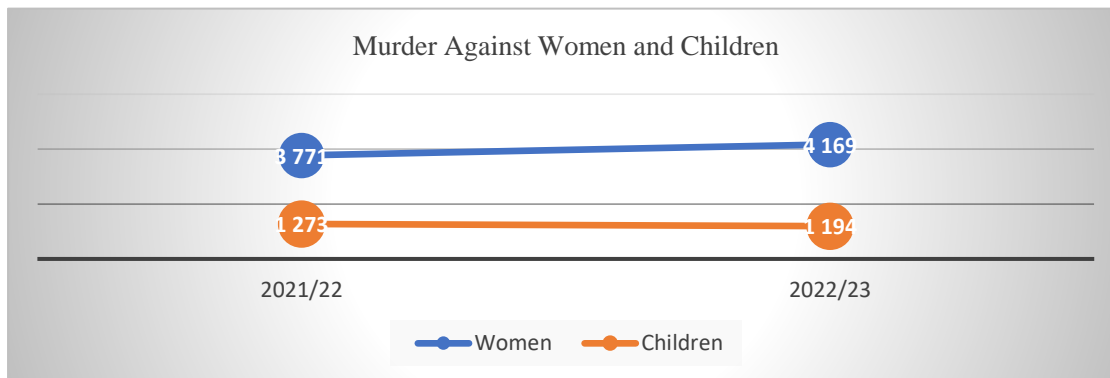
*Source: Police Recorded Crime Statistics, First quarter of 2024-2025 financial year*

According to Afro Barometer report on GBV in South African published in 2023, the number of women who were murdered increased by 10.6% from 3 771 in 2021/22 to 4 169 in 2022/23 while the number of children murdered decreased by -6.2% during the same period, from 1 273 to 1 194<sup>10</sup>. This puts a lot of pressure on the government and calls for double the effort to improve law enforcement response, strengthen prosecution and provide support to the victims.

<sup>9</sup> Police Recorded Crime Statistics, First quarter of 2024-2025 financial year, available from: [https://www.saps.gov.za/services/downloads/2024/2024-2025\\_-\\_1st\\_Quarter\\_WEB.pdf](https://www.saps.gov.za/services/downloads/2024/2024-2025_-_1st_Quarter_WEB.pdf)

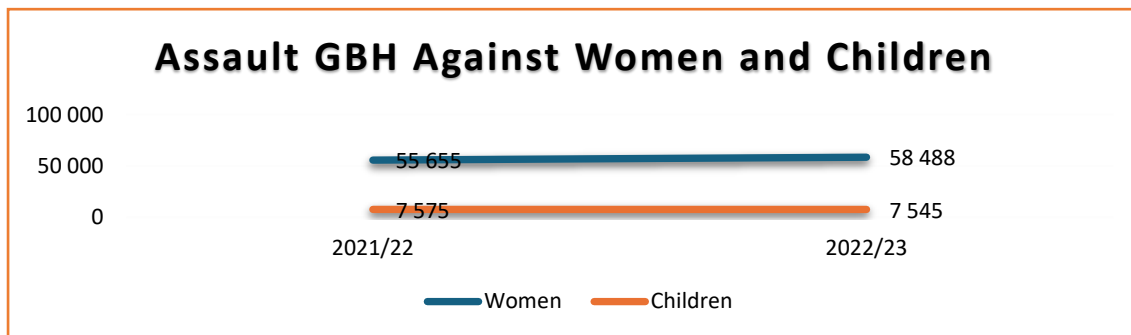
<sup>10</sup> Afro Barometer, South Africans see gender-based violence as most important women's-rights issue to address:2023

Figure 4: Murder Against Women and Children



In terms of the assault with intent to cause grievous bodily harm, the number of cases against women increased by 17.6% from 55 655 in 2022/23 to 58 488 in 2022/23, as reflected by the graph below.

Figure 5: Assault GBH Against Women and Children



### Service Delivery

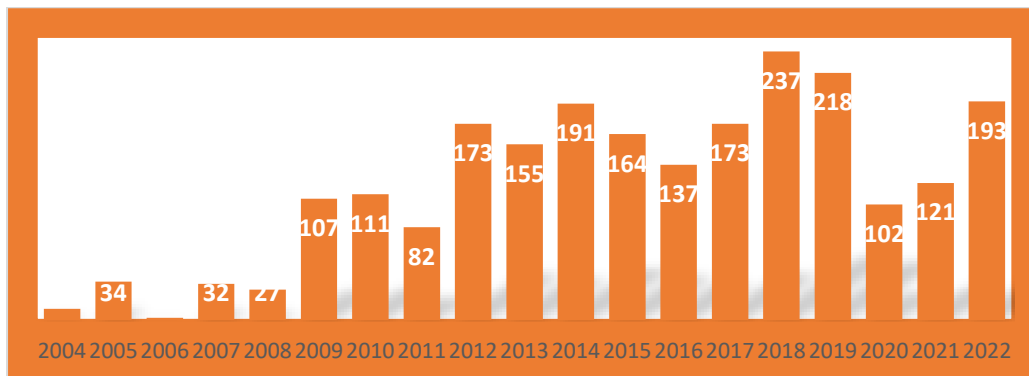
Regression in service delivery has sparked violent service delivery protests at the local government level. The protests represent an unarticulated demand for the implementation of the social contract as articulated in the constitutional promise proclaimed in the preamble to the Constitution in terms of the "improvement of the quality of life of all citizens and free the potential of each person". The country witnessed a spike in service delivery protests. According to the Institute for Security Studies (ISS Protest and Public Violence Monitoring Project), during the period from January 2024 to April 2024, there have been between 35 to 95 incidences of protests in South Africa, with about 44 recorded in April 2024. Most of these service delivery protests were triggered by rolling blackouts and water shortages. Furthermore, an election-linked spike was witnessed in the first 6 months of the year with 122 major protests<sup>11</sup>. Although there has been a dramatic decline in rolling blackouts, water shortages and other service delivery failures remain a potential trigger for protest

<sup>11</sup> Municipal IQ

activities. These protests pose a threat as they are sometimes used for criminal activities infringing on the human rights of others.

Figure 6 below gives an account of the country’s statistics on major service delivery protests from 2004 to 2022. According to Municipal IQ service delivery has seen a sharp decline from 2004 to 2018 with 2004 recording a minimum of 10 and 2018 recording a maximum of 237. There is a fluctuation trend which is witnessed from 2018 to 2022<sup>12</sup>.

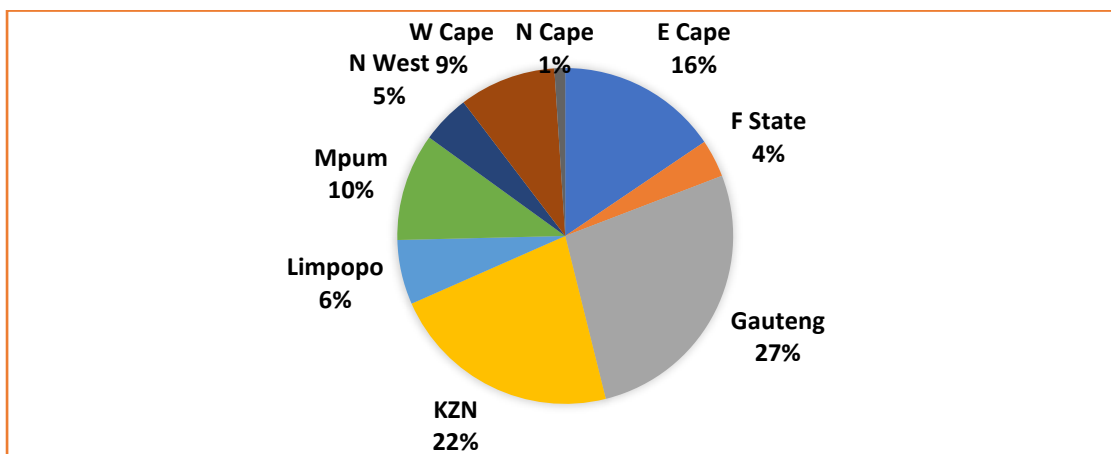
Figure 6: Major service delivery protest by year



Municipal IQ, 31 January 2023

Figure 7: gives a breakdown of the service delivery protests in 2022 per province. Gauteng with 27% of all protests in the country is the most prominent site of service delivery protests for 2022, as it has been historically. It is followed by KZN with 22% of protests and the Eastern Cape with 16%.

Figure 7: Service Delivery protests by province in 2022



Municipal IQ, 31 January 2023

<sup>12</sup> Municipal IQ, Protest numbers for 2022 bounce back to pre-covid numbers, 31 January 2023

## Technological factors

The advancement of technology presents both opportunities and threats for the justice system. It goes without saying that one of the legacies of Covid-19 is that it prompted an immediate shift in the use of technology across justice systems internationally. Countries like Ireland, British Columbia, Canada have put digital transformation at the centre of their reform agenda in the justice ministries<sup>13</sup>. The Department's focus on the digital transformation of the criminal justice system, guided by a seven-point plan, underscores the importance of developing criminal-related ICT solutions and ensuring better integration within the Justice, Crime Prevention, and Security (JCPS) clusters.

Technology presents opportunities for the Department to help improve the justice system by making it more efficient, equitable and accessible. This ranges from improving operational processes, ensuring efficiency in the court system and improving service delivery through modernisation and digitisation. Although digitisation can help improve access to justice by creating streamlined processes, Amina J. Mohammed who is the Secretary-General of the United Nation warns that this will depend on equal, reliable internet access<sup>14</sup> which as a country characterised by high levels of inequality we are still struggling with. High data costs limit public access to digital justice services, resulting in low utilization rates. This creates a societal divide, where marginalized groups, in particular, are resistant to adopting new technologies, leading to unequal access to services and hindering broader efforts at digital inclusion.

The 4<sup>th</sup> Industrial Revolution present significant impact in the justice system such as improved efficacy and accuracy through Artificial Intelligence (AI) tools and improved access to justice through platforms such as online dispute resolutions and virtual courts.

While technology presents modern opportunities for the administration of justice, it is important to be mindful that it also presents opportunities for modern offenders to commit sophisticated crimes ranging from phishing and social engineering attempts, digitally enabled fraud and ransomware attacks which the Department has once fallen victim to. These types of crimes have been on the increase in the country with cybercriminals recently employing AI to plan and execute attacks. According to the South African Banking Risk Information Centre, South Africa witnessed a 22% increase in cyber-attacks in 2023<sup>15</sup>. This puts a lot of pressure on government and businesses to stay abreast on the development that are most likely to emerge in the cybersecurity sphere in order to be able to deploy measures and systems to counter the risk of cyber-attacks.

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<sup>13</sup> Deloitte, Future of Criminal Justice: 2021

<sup>14</sup> United Nations, Advancing rule of law, justice for all through technology must include equal internet access, human rights compliance, sixth committee speakers stress, 2023

<sup>15</sup> SEACOM, what cyber threats are likely to entail in 2024

When compared to its African counterparts, South Africa is said to have the most developed IT infrastructure, and this has opened more opportunities for cybercrimes in the country. What is of greater concern is that private companies are said to have better cybersecurity procedures in place than government entities and state-owned enterprises<sup>16</sup>. There is a need for the Department to improve IT infrastructure thereby allocating resources for modern hardware, software and cybersecurity measures. The case of the Department of Public Works and Infrastructure where 300 million was looted over repeated attacks of 10 years gives a clear indication of the danger and level of vulnerability to cyber-attacks that government departments are exposed to.

The Department intends to continue to leverage on the opportunities presented by technology to realise a fully digitised and modernised justice system.

### **Environmental analysis**

South Africa has become more vulnerable to severe natural disasters due to climate change including floods, droughts, storms, and most recently tornadoes. These changes present serious consequences, impacting livelihoods, food security, and ecosystems, placing a heavy burden on the most vulnerable communities. The climate change implications pose a threat to South Africans by reducing incomes, undermining food and water security, displacement, disability and raising the cost of living, impacting livelihoods, damages to infrastructure, and ecosystems, and placing a heavy burden on the most vulnerable communities.

This challenge poses a risk of allocated resources being diverted to respond to the effects of climate change, as South Africa has recently experienced in the aftermath of natural disasters in KwaZulu-Natal, Eastern Cape, and Western Cape in 2023 and 2024 that caused extensive damage and loss of life. This diversion of resources hinders efforts to address poverty, and unemployment, widening the inequality gap and undermining the realisation of human right. The disproportionate effects of natural disaster due to climate changes on vulnerable groups must be assessed from a human rights violation perspective.

Rhino Poaching remains a big concern in South Africa. Statistics show that 499 rhinos were killed in 2023 and 229 in the first half of 2024. The impact of rhino poaching is reducing biodiversity. This is undesirable because rhinos are capable of sculpting the landscape of their ecosystem. Despite concerted efforts to curb the crime, there has been a significant increase in rhino poaching, with verdicts handed down in 36 Rhino poaching and trafficking cases-35 of which resulted in guilty

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<sup>16</sup> International Trade Administration, South Africa Country Commercial Guide, 2023

verdicts and one in a not guilty verdict. The cases resulted in the conviction of 45 rhino poachers and rhino horn traffickers with a conviction rate of 97%.

## **Legal Analysis**

Each government department's activities are founded on the legislative mandate that the Department is directly responsible for implementing, managing, and monitoring. The Government of National Unity as the new government approach might lead to the introduction of new laws and amendment of many while we are still having bills seeking to repeal or appeal and replace Colonial / Apartheid era-related legislation. Any new legislation and policies and amendments to existing ones will impact the work of the Department and increase compliance in the regulatory universe and legal representation.

Worldwide there are moves against constitutionalism, the rule of law, accountability, and the resurgence of growing fundamentalism, and South Africa is not immune. The growth in non-compliance with court judgments, coupled with public statements questioning the integrity of the Judiciary, is a cause for concern for the rule of law. Continuation in that regard and poor legal representation might need the Department to promote and work on how to respond to changing expectations from the people.

Greater calls for accountability, governance, and the recent election outcome are likely to pose more challenges to the Constitution, in the form of demand for its review and/or to enforce implementation of the Constitution and/or legislation. Undermining the rule of law requires vigilance and action to defend our constitutional democracy.

Access to justice becomes limited given the high costs of litigation and dispute resolution coupled with high backlogs. There is a need for increased demand for changes to the legal framework on litigation against the State to curb costs and advance service delivery. Constitutional court decisions directing Department to effect amendments to legislation require immediate attention, resulting in shifting priorities. There is also a need for increased use of technology for further development of the Rules of Court and court procedures as well as using technology in litigation procedures including discovery, case management, pre-trial procedures and hearing of cases. Strengthening South African anti-corruption architecture is necessary to address high levels of corruption and to strengthen institutional arrangements to fight corruption.

## **Security Analysis**

South Africans are cynical about the state of security in the country and the ability of government to lead an effective response to potential crisis in question. The most serious challenges to any

country's security come from an unstable political environment, lack of leadership and disrespect for the rule of law. The high rate of crimes within the country (murder, kidnapping, extortion and threats to the judiciary) have a negative effect on the administration of justice as members of the lower courts judiciary are not immune to the realities that the country is facing. As much as the Department of Justice is striving to have access to justice for all, access to justice in the lower courts is compromised by a number of barriers including, lack of knowledge about legal rights, remedies and the legal system. An environment where the rule of law is respected and security authorities are under the control of civilian bodies will help people to feel safe, secure and encouraged to claim their rights as citizens. Security is a strategic input to service delivery within any government department. A fully Integrated Case Management Solution implemented across the core Criminal Justice Cluster Departments (SAPS, NPA, DOJ&CD, Office of the Chief Justice (OCJ), Department of Correctional Services (DCS)) will enable the use of a single case management platform that supports the criminal justice system value chain to restore the faith of the South African citizens on the state of security in the country.

Cybercrime is one of the most common crimes experienced worldwide, including South Africa. To tackle cybersecurity vulnerabilities, the Department will update its technologies with advanced tools like IPS, SIEM, firewalls, and endpoint protection, while establishing strong governance structures to manage security measures effectively. A Cybersecurity Technology Refreshment Lifecycle Plan will be implemented to maintain a holistic and proactive approach to cybersecurity, ensuring timely updates and mitigating threats.

## **8.2 Internal Environment Analysis**

### **Organisational Structure of the Department of Justice and Constitutional Development**

The Department's existence is grounded on its core mandate which is to uphold and protect the Constitution and the rule of law. In order to deliver on its mandate, the Department has structured its programmes as follows:

#### **Programme 1: Administration**

Administration which provides strategic leadership, management and support services to the Department. There are four branches under the programme one, namely; Information and Communication Technology, Financial Management Services, Institutional Development and Support and Corporate Services

#### **Programme 2: Lower Court Services**

Programme 2 facilitates the resolution of criminal and civil cases by providing accessible, efficient and quality administrative and quasi-legal support to the lower courts and justice service points.

### **Programme 3: State Legal Services**

Programme 3 provides legal and legislative services to government. Facilitates the resolution and mediation of family disputes, supervises the registration of trusts, the administration of deceased and insolvent estates, and estates undergoing liquidation. It also manages the Guardian's Fund, prepares and promotes legislation. Facilitates constitutional development and undertakes research in support of this. There are five branches under the Programme 3, namely; Legislative Development, Family Law Services, Office of the Chief State Law Adviser, Office of the Solicitor-General, and Constitutional Development

### **Programme 4: National Prosecuting Authority**

Programme 4 provides a coordinated prosecuting service that ensures that justice is delivered to victims of crime through general and specialised prosecutions. It removes profit from crime and protects certain witnesses.

### **Programme 5: Auxiliary and Associated Services**

Programme 5 provides a variety of auxiliary services associated with the department's purpose. It funds the interdepartmental justice modernisation programme, the President's Fund, the Information Regulator, the Office of the Legal Services Ombud, and transfers payments to public entities and constitutional institutions.

Figure 8: Organisational Structure

# ORGANISATIONAL STRUCTURE



## Human Resources

Table 4 below provides an overview of the Department’s human resource capacity. As of 31 January 2025, the Department has 21868 posts of which 20731 were filled and 1137 not filled. This translates to a vacancy rate of 22.24%. The low vacancy rate is attributed to the moratorium in filling vacancies, which has led to the abolishment of most vacant posts.

*Table 4: Human Resources per programme*

Programme	Filled posts	Vacant posts	Total posts	Vacancy rate	Salary cost (R million)
Administration	957	6	963	0.6%	478, 671
Lower Court Services	11736	12	11748	0.1%	3 392, 256
State Legal Services	2411	17	2428	0.7%	1 190, 694
National Prosecuting Authority	5539	1098	6637	16.54%	4 557,207
Auxiliary and Associated Services	88	4	92	4.3%	66, 665
<b>Total</b>	<b>20731</b>	<b>1137</b>	<b>21868</b>	<b>22.24%</b>	<b>9 685,522</b>

## Financial Resources

The Department of Justice and Constitutional Development budget is allocated to five main programmes as well as Magistrate’s Salaries which is a direct charge to the National Revenue Fund. The department’s allocations over the 2025 MTEF period amounts to R71 354,4 billion, growing from R22 737.5 billion in 2025/26 to R24 828.3 billion in 2027/28.

Compensation of Employees constitutes 62 percent of the department’s allocations, followed by Goods and Services with 22 percent and Transfers and Subsidies with 14 percent. It is through these budget classification items that the department is able to pay salaries of over 21,8 thousand Officials and Prosecutors as well as 2, 2 thousand Magistrates. The implementation of the department’s day-to-day operations and its strategic initiatives outlined in the plans are funded under goods and services allocations whilst the biggest share of the Transfers and Subsidies allocations funds transfer payments to entities reporting to the Minister, namely, Legal Aid South Africa, Special Investigations Unit, Information Regulator and Chapter 9 Institutions namely the Public Protector South Africa and the South African Human Rights Commission.

The planned infrastructure projects which include building of new court buildings as well as the maintenance of existing court buildings are funded by Payments for Capital Assets allocation which grows from R487,8 million in 2025/26 to R536, 1 million in 2027/28.

## **Information and Communication Technology**

The ICT function is well-established as a separate branch within the Department, providing a solid foundation for technological management and innovation. There is a strong emphasis on governance, demonstrated by the existence of a comprehensive ICT Governance Framework and well-functioning ICT Committees, ensuring that decisions are made responsibly. A Modernization & Digitalization Strategy is also in place, guiding the Department toward continued digital transformation and improvement.

Through deployment of technology, the Department has implemented several digital solutions for key services, such as Online Deceased Estates and Civil Online, enhancing efficiency in those areas. Key opportunities include modernizing legacy systems and implementing new solutions such as Court Recording Audio-Visual Solution (CRAVS). Upgrading infrastructure across the board (LAN, WAN, laptops, desktops, scanners, servers, and cloud systems) presents opportunities for increased efficiency and scalability. Strengthening cybersecurity measures through advanced tools and services is also a priority. There is a focus on digitalizing administrative processes and improving system integration within the JCPS cluster to enable a single, integrated case management solution. Further deployment of digital solutions, such as online services, can enhance service delivery. The importance of understanding and incorporating digital capabilities into legislation is also recognized, ensuring that digital inclusion becomes part of legal frameworks.

The Department has had its fair share of challenges that have hindered progress. The reliance on unstable legacy solutions like Court Recording Technology (CRT), SOS, AVR, and ICMS presents ongoing risks, as these outdated systems are prone to failure and inefficiency. The Department's infrastructure is outdated, including essential components like LAN, WAN, laptops, desktops, scanners, and servers, which limit operational effectiveness. Issues of unauthorized access to systems highlight significant security vulnerabilities. Moreover, many administrative processes remain manual, which slows down operations and increases the risk of errors. System integration with the JCPS cluster is unstable, complicating collaboration and data sharing. These issues are compounded by an insufficient budget, which affects both operational capacity and the pace of digital transformation.

Procurement delays remain a threat to technological advancement in the Department, particularly due to SITA, and delayed SCM processes in committees (like BSC/BEC) can slow progress. Additionally, low levels of computer literacy across the Department could impact on the adoption of new IT systems. Ineffective organizational readiness, poor change management, and inadequate communication during ICT deployments could further delay or complicate implementation. External threats, such as Eskom's unstable electricity supply and the rise of cybercrime, pose significant risks. The availability of broadband services is uneven, with some sites lacking adequate connectivity.

## Stakeholders

Table 5: Key Stakeholders

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
<b>Oversight bodies</b>			
Cabinet	Executive structure of Government	Directly	Approval of policy documents, legislation and the Department's plans
National Executive	In terms of section 91(1) of the Constitution of the RSA, 1996, the Cabinet consists of the President, as Head of the Cabinet, a Deputy President and Ministers. Section 92 of the Constitution defines the accountability and responsibilities of the Deputy President and Ministers. The Minister of Justice and Constitutional Development is the Cabinet Minister responsible for the administration of justice in South Africa. The President, in terms of section 93(1), appointed a Deputy Minister for Justice and Constitutional Development to assist the Minister.	High	The Department of Justice and Constitutional Development has been identified as the lead department, together with the contributing departments: DPME and The Presidency.
Chapter 9 institutions	Section 181(1) of the Constitution establishes state institutions that support constitutional democracy. These are the Public Protector, Auditor-General, South African Human Rights Commission, Commission for Gender Equality, Commission	Directly	Each institution is established in terms of specific constitutional mandates to strengthen constitutional democracy in South Africa

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
	for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, and the Electoral Commission		
Legislature	Section 42 of the Constitution provides that Parliament consists of the National Assembly and the National Council of Provinces	Directly	In terms of section 42(3) of the Constitution, the National Assembly is elected to represent the people and to ensure government by the people 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 scrutinising and overseeing executive action. Section 42(4) of the Constitution provides that the National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting provinces.
Audit Committee	Independent oversight body	Directly	Advisory role over management responsibilities
Risk Committee	Independent oversight body	Directly	Oversee the Department's risk management strategy and ensure compliance with regulations.
<b>Judiciary</b>			

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
Judiciary	In terms of section 165(1) and (2) of the Constitution, the judicial authority of the Republic is vested in the courts, which are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice. The Judiciary comprises the Chief Justice, Deputy Chief Justice, President of the Supreme Court of Appeal, Judge Presidents and Deputy Judge Presidents of the High Court, Judges of the High Courts, Regional Court Presidents and Regional Magistrates, Chief Magistrates, Senior Magistrates and District Magistrates	Directly	In terms of section 166 of the Constitution, the courts are the Constitutional Court, the Supreme Court of Appeal, the high courts, including any High Court of Appeal that may be established or recognised in terms of an Act of Parliament to hear appeals from high courts, magistrates' courts and any other courts established or recognised in terms of an Act of Parliament, including any court of a status similar to either the High Courts or the Magistrates' Courts. The abovementioned courts (civil and criminal courts) are thus responsible for the administration of justice in South Africa. Section 165(4) of the Constitution provides that "organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence [...]"
<b>Government Departments</b>			
Department of Arts and Culture	A custodian of South Africa's diverse cultural, artistic and linguistic heritage	Directly	Facilitator of social cohesion and nation-building cluster
Department of Home Affairs	Maintains the national population register (civil registry), including recording births, marriages and deaths, and issuing identity documents and passports	Directly	Decides on how to establish procedures in terms of which particulars of persons to be included on the register should be forwarded Verification of registration of birth of children and travel status

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
Department of Social Development	Management and oversight over social security, encompassing social assistance and social insurance policies	Directly	<ul style="list-style-type: none"> <li>- Assists in terms of international social services</li> <li>- Conducts investigations on the Department's behalf in foreign countries</li> <li>- Refers all family-related matters to the Office of the Chief Family Advocate</li> </ul>
Department of Health	Responsible for the Health Portfolio in the Republic of South Africa	Directly	Provides psychiatric observation services and DNA testing services
Department of Planning, Monitoring and Evaluation	Holds the mandate for planning, monitoring and evaluation	Directly	Ensures planning, monitoring and evaluation
Department of Public Works and Infrastructure	Custodian of the state's immovable assets portfolio and acts as property manager for privately owned leased accommodation	Directly	Provides accommodation, maintenance and cleaning services for the state's immovable assets
Department of Public Service and Administration (DPSA)	Holds the mandate to promote an ethical public service through programmes, systems, frameworks and structures that detect, prevent and combat corruption.	Directly	Set norms and standards, provide support, monitor compliance, and promote good governance
National Treasury	Allocation of the budget	Directly	Responsible for managing South Africa's national government finances Allocates budget and monitors its implementation
South African Police Service (SAPS)	Oversees law and order in the country	Directly	Gives confirmation as to whether a person is pending investigation before the removal or expungement of a criminal record

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			Assists with the service of process, subpoena and invitation letters
<b>Civil society</b>			
Civil Society	Organisations found in communities as non-profit organisations, advocacy groups, foundations or faith-organised groups	Directly	Participate in the implementation of departmental programmes and hold government to account for the use of public resources
Citizens	Beneficiaries of the state	Directly	Beneficiaries of justice services
<b>Entities</b>			
Legal Aid South Africa	Independent statutory body established by the Legal Aid South Africa Act 39, 2014 as amended	Directly	Provides legal aid to indigent people and legal representation at the state's expense, as set out in the Constitution and the Legal Aid Act, 2014 (Act No 39 of 2014)
Information Regulator	Independent body established in terms of section 39 of the Protection of Personal Information Act 4 of 2013	Directly	Monitor and enforce compliance by public and private bodies with the provisions of the Promotion of Access to Information Act, 2000 (Act 2 of 2000) and the Protection of Personal Information Act, 2013 (Act 4 of 2013)
SIU	Independent statutory body established in terms of the Special Investigating Units and Special Tribunals Act, Act No. 74 of 1996 (SIU Act)	Directly	Investigate 'serious malpractices or maladministration in connection with the administration of state institutions, state assets and public money as well as any conduct which may seriously harm the interests of the public'.
State Information Technology Agency (SITA)	Manages the procurement of ICT products and services in government and the provision of mandatory	Directly	Ensures that transversal contracts are in place from which the Department can procure ICT goods and services

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
	ICT services in terms of the SITA Act		Procures ICT goods and services on behalf of the Department should there no transversal contract be in place
<b>Integrated Justice System</b>			
Integrated Justice System	Integrated Justice System (IJS) is the JCPS programme aimed at transforming, integrating and modernizing the Criminal Justice System into a modern, efficient, effective and integrated solution	Directly	Electronically enable and integrate the end-to-end criminal justice processes (from the report of crime to the release of convicted person), through technology solutions.  Manage the related inter-departmental information exchanges across CJS  Improve efficiency and coordination across the criminal justice space, focusing on system integrations and court performance enhancement.
<b>Other stakeholders</b>			
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 various countries
Private sector	Driver of economic growth Major stakeholder in the Justice system	Directly	Provides capital through investment
The South African Board for Sheriffs (SABFS)	Statutory body established under the Sheriffs Act (Act 90 of 1986) that aims to maintain the esteem, enhance the status, and improve the training and functions of sheriffs in South Africa.	Directly	Serve court processes like summonses and subpoenas. Play an important role in the execution of court orders like the attachments of immovable and movable property; evictions, demolitions etc

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
Debt Collectors' Council	Independent statutory body established by the Debt Collectors' Act, 1998 (Act No 114 of 1998), as amended	Directly	Regulatory authority to the Debt Collectors' profession; provides regulation of Debt Collectors' profession as well as management of complaints against Debt Collectors.
Legal Practice Council	Independent statutory body established by the Legal Practice Act, 2014 (Act No 28 of 2014), as amended.	Directly.	Regulatory authority to the legal practitioners; promotes regulation and transformation of the legal profession and practitioners; and manages complaints against attorneys and advocates.

**The status of the Department's compliance with the Broad-Based Black Economic Empowerment Act 53 of 2003, as amended**

The Department has finalised its B-BBEE Audit Verification and as such has obtained the requisite B-BBEE Certificate as per the below table:

*Table 6: B-BBEE Verification*

<b>ELEMENT</b>	<b>TARGET</b>	<b>ACHIEVED</b>
Ownership	N/A	N/A
Management Control	20.00	14.60
Skills Development	25.00	2.67
Enterprise and supplier development	50.00	10.26
Socio-Economic Development	05.00	0.00
<b>Total</b>	<b>100.00</b>	<b>27.53</b>

Measures will be implemented in the 2025/26 financial year across all elements to improve the departmental status on compliance with the Broad-based Black Empowerment Act.

In terms of a spend per B-BBEE Rating level the Department has performed as per the below table:

*Table 7: Status of compliance with the Broad-based Black Economic Empowerment Act*

<b>EXECUTIVE SUMMARY - B-BBEE LEVEL 01 APRIL 2023 TO 31 March 2024</b>		
<b>DESCRIPTION</b>	<b>TOTAL AMOUNT</b>	<b>%</b>
Level 1	R1 287 835 375,76	92,74%
Level 2	R26 493 034,84	1,91%
Level 3	R55 552 999,08	4,00%
Level 4	R5 991 599,11	0,43%
Level 5	R2 157 346,51	0,16%
Level 6	R246 598,18	0,02%
Level 7	R0,00	0,00%
Level 8	R17 931,89	0,00%
Non-compliant contributor	R10 361 153,21	0,75%
<b>GRAND TOTAL</b>	<b>R1 388 656 038,58</b>	<b>100,00%</b>

Table 8: Executive Summary - B-BBEE Level

<b>EXECUTIVE SUMMARY - B-BBEE LEVEL</b>		
<b>01 APRIL 2023 TO 31 March 2024</b>		
<b>Enterprise Type</b>	<b>Value Spent</b>	<b>% Total</b>
GEN	R345 667 570,90	24,89%
QSE	R617 508 294,42	44,47%
EME	R425 480 173,26	30,64%
<b>Grand Total</b>	<b>R1 388 656 038,58</b>	<b>100,00%</b>

### **The status of the Department in responding to interventions relating to women, youth and people with disabilities**

The Department continues to comply with the aim of the revised Framework for Strategic Plans and Annual Performance Plans which is to institutionalise planning for women, youth and people with disabilities. In its previous APPs the Department included a number of output indicators whose targets were focused on women, youth and people with disabilities. These indicators will continue to form part of the Department's plans. As at 31 January 2025, women at SMS level accounted for 52% of the total establishment which exceeded the Department of Public Service and Administration (DPSA) target of 50%. Positions occupied by youth accounted for 21% while those occupied by people with disabilities accounted for 2.3%. The Department will continue to empower, women, youth and people with disabilities through procurement and allocation of briefs.

### **Interventions to curb opportunities for fraud and corruption**

The Department has the ethics management structure that is overseeing ethics in line with Regulation 22 of the Public Service Regulations and the National Anti-Corruption Strategy (2020-2030). This ethics management structure is incorporated as part of the HR and Ethics EXCO Sub-Committee

The Ethics Management Strategy is in place and will be reviewed in the next financial year, in line with the Anti-Corruption and Ethics Management Policy. Overall, the strategy addressed issues of misconduct related to employees conducting business with State institutions, reporting of audit queries where employees were found to have performed outside remunerative work without permission, pre-employment screening of candidates in accordance with the Recruitment and Selection policy as well as the Vetting policy, the vetting of employees in critical posts as well as collaborating with other departments to investigate and deal with employees who are directors of companies conducting business with State institutions.

In addressing issues of fraud and corruption, the Department has reviewed the fraud prevention plan and aligned it with chapter 2 of the Public Service Regulations of 2016 that specifically requires a comprehensive approach to ethics management as well as establishing an integrity management framework. A new ethics management strategy that is mainly informed by the risk analysis and the National Anti-Corruption Strategy was adopted. Together with the strategy, the fraud policy was reviewed, and a new Anti-Corruption and Ethics Management Policy was adopted.

The Human Resource & Ethics Management EXCO Sub-Committee was established, focusing on overseeing ethics management, and ensuring that an EXCO member is delegated to champion issues of ethics at a higher level thus providing leadership and guidance. An anti-corruption pledge was signed first by the EXCO members, and then all employees, pledging to abide by the requirements of ensuring good ethical conduct, that fraud and corruption is prevented before it happens, thereby promoting integrity in the workplace and providing assurance to the members of the public.

The whistle blowing policy was reviewed in line with the Protected Disclosure Amendment Act as well as the Public Service Regulations of 2016. The reviewed policy provided other ways of reporting unethical conduct, fraud and corruption and protected workers in general.

The Department will implement the ethics management strategy in line with the national Anti-Corruption Strategy 2020/2030 and focus its resources on the implementation of recommendations by structures such as the Special Investigating Unit in the offices of the Master of the High Court and other identified high-risk areas. The department will continue to ensure clean procurement processes to prevent fraud and corruption, as well as institutionalise the ethics functions in the Department – that is, implementation of the directive to professionalise ethics functions through job evaluation etc.

**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. This influences the way the Department executes its mandate. In preparation for the 2025-30 Strategic Plan and 2025/26 APP, branches were engaged to reflect on their strategic direction and to ensure that they are in line with the revised Framework for Strategic Plans and Annual Performance Plans. Subsequent to that, the Department held its strategic planning sessions on 12-14 September 2024. The purpose of the session was for the Minister and Deputy Minister to provide policy direction and for senior management of the Department to have strategic discussions that will inform the first draft 2025-30 Strategic Plan and 2025/26 APP. The outcome of the strategic planning session was the pronouncement of the nine outcomes for the department.

In developing the first draft 2025-30 Strategic Plan and 2025/26 APP, the Theory of Change was used as a planning tool to map out interventions that will assist the Department to achieve the desired outcomes and impact. Table 5 below outlines the Theory of Change.

Table 9: Theory of Change

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
<b>A capable, efficient, effective, and ethical department</b>	<ul style="list-style-type: none"> <li>Unqualified audit opinion on Vote obtained</li> <li>Unqualified audit opinion on all accounts obtained</li> <li>Percentage of material audit findings on performance information reduced</li> <li>The rate of finalising grievance cases improved</li> <li>The rate of finalising misconduct cases improved</li> <li>Percentage of SMS and MMS with skills gap reduced</li> <li>Number of courts rolled out with electronic security measures</li> <li>Percentage of incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in court premises reduced.</li> <li>Number of training programmes conducted to reduce skills gap in the</li> </ul>	<ul style="list-style-type: none"> <li>Unqualified audit opinion on Vote, Funds and predetermined objectives obtained</li> <li>Disciplinary hearing finalised within prescribed timeframe</li> <li>Grievances resolved within prescribed timeframe</li> <li>Programmes conducted to reduce skills gap in the Cluster and the Department</li> <li>Courts rolled out with new electronic security infrastructure</li> <li>Incidences of attacks in court houses reduced</li> <li>Specialised training programmes conducted</li> <li>Modernized Case Management System modules rolled out nationally</li> </ul>	<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>Procure/ source service provider to install electronic securing system</li> <li>Automate the justice</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> <li>Legislations</li> <li>Training material</li> </ul>	<ul style="list-style-type: none"> <li>Employees will follow financial management prescripts</li> <li>Employees will take part in the training programmes</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>cluster and the Department</li> <li>Number of specialised training programmes conducted</li> <li>Percentage completion of redevelopment and modernization of the Departmental Integrated Case Management System (ICMS).</li> <li>Number of justice services accessible online increased.</li> <li>Percentage of courts providing court proceedings virtually increased.</li> <li>Percentage of government departments that have established and are maintaining a contingent liability register in compliance with the policy</li> <li>Number of Intergovernmental National Litigation Forum meetings held.</li> <li>Percentage of management of assessed litigation cases against the Department</li> </ul>	<ul style="list-style-type: none"> <li>Justice services accessible online increased</li> <li>Digital Transformation of Justice Services and Integration with the JCPS Cluster</li> </ul>			

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
<b>Reformed, integrated and modernised criminal justice system</b>	<ul style="list-style-type: none"> <li>• Criminal Procedure Bill introduced and finalised in Parliament</li> <li>• Number of modern CJS case management systems seamlessly integrated to enable the exchange information electronically</li> <li>• Percentage increase in departments/ entities connected to transversal CJS platform and the exchange of information electronically</li> <li>• Number of interventions for the effective coordination of Criminal Justice System implemented</li> </ul>	<ul style="list-style-type: none"> <li>• IJS Governance intervention sessions held</li> <li>• IJS Operational Sites assessed for vulnerability to cyber attacks</li> <li>• SAPS Police stations deployed with Integrated Person Management (IPM)</li> <li>• Government departments and/or entities connected to transversal platform and exchanging information electronically</li> </ul>	<ul style="list-style-type: none"> <li>• Connect departments/ entities to the transversal hub</li> <li>• Deploy IPM to SAPS police stations</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Legislations</li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders will cooperate</li> </ul>
<b>Efficient, resilient and strengthened Justice System enhanced for improved accessibility</b>	<ul style="list-style-type: none"> <li>• Number of Policy Reforms on Civil Justice System finalised</li> <li>• Number of Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan</li> <li>• Number of sexual offences courts established</li> <li>• Percentage of child justice preliminary inquiries monitored for</li> </ul>	<ul style="list-style-type: none"> <li>• Policy Frameworks on Civil Justice submitted</li> <li>• Report on the Recommendation of the State of Traditional Courts</li> <li>• Sexual Offences Courts established</li> <li>• District courts upgraded in line</li> </ul>	<ul style="list-style-type: none"> <li>• Upgrade buildings to ensure that they are in a good condition and accessible by all, including people with a disability and victims of domestic violence</li> <li>• Establish sexual offences court</li> <li>• Finalise family advocate and masters services</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Court infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Cooperation by relevant stakeholders (e.g. DPWI)</li> <li>• Dedicated and committed staff</li> <li>• Sufficient capacity</li> <li>• Budget will be available</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	finalization within 30 days after the date of first appearance <ul style="list-style-type: none"> <li>• Number of courts upgraded in line with the minimum standards for domestic violence support services</li> <li>• Percentage of convicted sex offenders registered in the NRSO within 10 days of receipt of the order</li> <li>• Percentage of NRSO clearance certificate issued within 10 days of receipt of compliant application (employers and individuals)</li> <li>• Number of courts providing additional Justice services increased</li> <li>• Percentage reduction in criminal cases backlog on the court roll</li> <li>• Number of justice service points (footprint), new courts increased</li> <li>• Number of courts refurbished and upgraded (major renovations).</li> <li>• Number of minor capital works projects</li> </ul>	with the minimum standards for domestic violence support services <ul style="list-style-type: none"> <li>• Sex Offenders Registered on the NRSO register within a prescribed timeframe</li> <li>• NRSO clearance certificates issued</li> <li>• Criminal cases postponed due to unavailability of court administration services reduced</li> <li>• Court facilities refurbished and upgraded through minor and major capital works</li> <li>• Liquidation and distribution accounts in deceased estates examined</li> <li>• Letters of appointment in deceased estate issued</li> </ul>			

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>implemented to refurbish and upgrade the courts</li> <li>Percentage of Master's services finalised in line with the Standard Operating Procedures (SOPs)</li> <li>Percentage Master's turn-around strategy interventions implemented</li> <li>Percentage of Family Advocate services finalised in line with the SOPs</li> <li>Number of Rules of Courts to improve access to justice submitted to the Rules Board for approval</li> <li>Number of research papers on the review of the civil justice system submitted to the South African Law Reform Commission for consideration and approval</li> </ul>	<ul style="list-style-type: none"> <li>Guardian's Fund applicants paid</li> <li>Certificates of appointment in all bankruptcy matters issued</li> <li>Liquidation and distribution accounts in bankruptcy matters examined</li> <li>Letters of authority in trusts issued</li> <li>Letters of appointment in curatorship estates issued</li> <li>Master's Turnaround Strategy implemented</li> <li>Family Advocate litigation matters finalised</li> <li>Family Advocate Alternative Dispute Resolution Mechanism (ADRM) matters finalised</li> </ul>			

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
		<ul style="list-style-type: none"> <li>Rules of Courts to improve access to justice submitted to the Rules Board for approval</li> <li>research papers on the review of the civil justice system submitted to the SALRC for consideration and approval</li> </ul>			
<b>Advancing Constitutionalism, Human Rights, the Rule of Law and International Cooperation</b>	<ul style="list-style-type: none"> <li>Number of Community Advice Offices (CAO's) supported through the PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness</li> <li>Number of Community Advice Offices supported to provide justice services in all districts</li> <li>Number of regulations to address TRC Recommendations finalised and implemented (TRC regulations on Housing, Health and Community Rehabilitation)</li> </ul>	<ul style="list-style-type: none"> <li>Community Advice Offices (CAO's) supported through the PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness</li> <li>Regulations to address TRC Recommendations finalised and implemented</li> <li>Initiatives to strengthen public participation in democratic processes implemented</li> </ul>	<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>Timeously submit country reports on conventions to treaty bodies</li> <li>Conduct dialogues and engagements</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> <li>Legislation and policies</li> </ul>	<ul style="list-style-type: none"> <li>Policies will be approved</li> <li>There will be compliance with international obligations</li> <li>There will be stakeholder support, commitment participation and cooperation</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>• Number of initiatives conducted to strengthen public participation in democratic processes.</li> <li>• Number of advisory opinions issued to streamline the implementation of recommendations and directives of constitutional institutions by various organs of state</li> <li>• Number of initiatives conducted to operationalise Chapter 5 of PEPUDA</li> <li>• Number of government departments advised to comply with constitutional jurisprudence</li> <li>• Percentage compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations</li> <li>• Number of bilateral agreements on extradition/mutual legal assistance/judicial cooperation negotiated.</li> <li>• Number of engagements undertaken in international fora to</li> </ul>	<ul style="list-style-type: none"> <li>• Advisory opinions issued to streamline the implementation of recommendations and directives of constitutional institutions by various organs of state</li> <li>• Initiatives to operationalise Chapter 5 of PEPUDA implemented</li> <li>• Government departments advised to comply with Constitutional jurisprudence</li> <li>• Compliance with international, regional, sub-regional human rights and other relevant treaty reporting obligations</li> <li>• Bilateral agreements on extradition/mutual legal assistance/judicial cooperation negotiated</li> </ul>	<ul style="list-style-type: none"> <li>• on constitutional and human rights education</li> <li>• Conduct continuous engagements with stakeholders</li> <li>• Facilitate the ratification of relevant international human rights instruments to fulfil the Department's obligations and contribute to the development of international norms and standards</li> <li>• Implement the NAP's Programme of Action activities applicable to the DoJ&amp;CD; coordinate implementation of the NAP by other departments and role-players, including providing Secretarial support to the NAP's governance structures</li> </ul>		

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<p>support the development and strengthening of international law, norms and standards</p> <ul style="list-style-type: none"> <li>• Number of engagements conducted in strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance</li> <li>• Number of materials developed to improve knowledge and understanding of the Constitution and human rights</li> <li>• Number of initiatives conducted to implement the National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations</li> </ul>	<ul style="list-style-type: none"> <li>• Engagements undertaken in international fora to support the development and strengthening of international law, norms and standards</li> <li>• Engagements conducted in strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance</li> <li>• Engagements to implement the Prevention and Combating of Hate Crimes &amp; Hate Speech Act conducted</li> <li>• Materials developed to improve knowledge and understanding of the Constitution and human rights</li> <li>• initiatives conducted to implement the</li> </ul>			

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
		National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations			
<b>Professionalised, modernised and quality State Litigation, Legal Advisory Services and legal reform</b>	<ul style="list-style-type: none"> <li>Percentage reduction of successful legal challenges on the constitutionality of Bills as certified/ legislation and subordinate legislation/ international agreements as scrutinised by Office of the Chief State Law Advisor (OCSLA)</li> <li>Percentage of Bills certified by OCSLA within 25 working days from the date of receipt of instructions</li> <li>Percentage of International Agreements scrutinised within 25 working days from the date of receipt of instructions</li> <li>Percentage of constitutionally sound legislative instruments successfully challenged in courts</li> </ul>	<ul style="list-style-type: none"> <li>Litigation cases settled</li> <li>Legal opinions finalised</li> <li>State Attorney Amendment Act, 2014, policies implemented</li> <li>International agreements</li> </ul> <p>Suggested Bills and subordinate legislation</p>	<ul style="list-style-type: none"> <li>Develop set of regulations in terms of the Legal Practice Act</li> <li>Settle litigation cases</li> <li>Finalise legal opinions, suggested Bills and international agreements within the set timeframe</li> </ul> <p>Implement the State Amendment Act</p>	<ul style="list-style-type: none"> <li>IT infrastructure</li> <li>Human resources</li> <li>Financial resources</li> <li>Legislations</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>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>Percentage of cases finalised through ADRM</li> </ul>				
<b>Transformed legal service for improved access to justice for all</b>	<ul style="list-style-type: none"> <li>Percentage of State Attorney Turn-around Strategy implemented.</li> <li>Percentage increase of previously disadvantaged individuals (PDI legal practitioners briefed.</li> <li>Percentage implementation of the Legal sector code to ensure participation of previously disadvantaged in the legal sector</li> <li>Amendment to the Legal Practice Act, 2014 finalised in Parliament</li> <li>Percentage implementation of Community service regulations</li> </ul>	<ul style="list-style-type: none"> <li>State Attorney turnaround strategy pillars implemented</li> <li>Briefs allocated to female legal practitioners</li> <li>Fees paid to female legal practitioners</li> <li>Fees paid to BBBEE firms</li> <li>Fees paid to PDI legal practitioners</li> <li>Value of briefs allocated to previously disadvantaged individual (PDI) legal practitioners</li> <li>Legal sector code implemented to ensure participation of previously disadvantaged in the legal sector</li> </ul>	<ul style="list-style-type: none"> <li>Empower PDIs by increasing the allocation of briefs in terms of numbers and value</li> <li>Implement the Turnaround strategy</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> <li>Legislations</li> </ul>	<ul style="list-style-type: none"> <li>Regulations will be approved</li> <li>PDI legal practitioners will be available</li> <li>Female legal practitioners will be 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> <li>Department will procure legal services through the State Attorney's offices</li> </ul>
<b>Fighting Crime and Corruption through prosecution</b>	<ul style="list-style-type: none"> <li>Report on the review of South Africa's anti-corruption architecture including the</li> </ul>	<ul style="list-style-type: none"> <li>Bills and Regulations approved by the Ministry</li> </ul>	<ul style="list-style-type: none"> <li>Bills, Regulations, notices and proclamations developed</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> <li>Legislations</li> </ul>	<ul style="list-style-type: none"> <li>Sufficient resources will be available</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>Whistleblower Framework</li> <li>Percentage implementation of the reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework</li> <li>Number of identified legislation to strengthen anti-corruption efforts reviewed and overhauled</li> <li>Percentage of interventions implemented across the JCPS cluster in accordance with the Cluster implementation Plan to operationalize protection measures</li> <li>Number of Money Laundering and Terrorism Financing cases finalised</li> <li>Total value of recoveries</li> <li>Total value of freezing orders</li> <li>Conviction rate for identified crimes of the priority offences list (Serious Commercial and Organised Crime)</li> </ul>	<ul style="list-style-type: none"> <li>Victim-centric services enhanced</li> <li>Effective prosecutions conducted</li> <li>Fraud and corruption dealt with</li> <li>Proceeds of crime addressed</li> </ul>	<ul style="list-style-type: none"> <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>Court infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>All relevant stakeholders will cooperate</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>Conviction rate for corruption (PRECCA conviction rate)</li> <li>Conviction rate in Murder</li> <li>Conviction rate in Sexual Offences</li> <li>Number of Thuthuzela Care Centres established and operational</li> </ul>				
<b>Colonial/apartheid-era justice-related legislation reviewed and replaced</b>	<ul style="list-style-type: none"> <li>Number of Bills and justice related legislation seeking to repeal and replace colonial and apartheid era statutes</li> <li>Number of research papers on the Review of Colonial and Apartheid Era Legislation recommending to inform the Repeal, Amendment or Replacement of Legislation to be aligned it with the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Bills seeking to repeal or repeal and replace colonial/apartheid-era justice-related legislation submitted to the Ministry</li> <li>Research papers on the Review of Colonial and Apartheid Era Legislation recommending to inform the Repeal, Amendment or Replacement of Legislation to be aligned it with the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Develop legislation and repeal or repeal and replace colonial and apartheid-era legislation</li> <li>Conduct research on Legislation recommended for repeal or repeal and replacement</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> <li>IT infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Review reports will be completed on time</li> <li>Draft research papers will be approved on time</li> <li>Proposed legislation instruments will be approved</li> <li>Financial and human resources will be available</li> <li>Court orders relevant to DoJ&amp;CD will be addressed in planned review prescripts</li> </ul>
<b>improved awareness of the justice services and community outreach programmes</b>	<ul style="list-style-type: none"> <li>Number of magisterial districts where justice services and the Constitution (Chapter 2 Bill of Rights) information is promoted</li> </ul>	<ul style="list-style-type: none"> <li>Public education awareness sessions on justice services conducted</li> <li>Public education awareness</li> </ul>	<ul style="list-style-type: none"> <li>Conduct public education, communication activities and campaigns to raise awareness of justice services</li> </ul>	<ul style="list-style-type: none"> <li>Human resources</li> <li>Financial resources</li> </ul>	<ul style="list-style-type: none"> <li>People will attend awareness sessions</li> <li>All relevant stakeholders will cooperate</li> </ul>

IMPACT: IMPROVED PUBLIC PERCEPTION, CONFIDENCE IN THE JUSTICE SYSTEM AND RESPECT FOR THE RULE OF LAW					
OUTCOMES	OUTCOME MEASURES	OUTPUTS	ACTIVITIES	INPUTS	ASSUMPTIONS
	<ul style="list-style-type: none"> <li>Percentage of level of awareness public perception on prosecution, justice services and the Constitution</li> <li>Number of engagements conducted by DOJCD supported Community Advice Offices to promote the Constitution, human rights, rule of law, and legal literacy to strengthen participatory democracy and active citizenry</li> </ul>	<p>sessions on the Constitution and human rights conducted</p>	<ul style="list-style-type: none"> <li>Develop content material</li> </ul>		<ul style="list-style-type: none"> <li>Funding will be available</li> </ul>



# PART C: MEASURING OUR PERFORMANCE

**The  
Constitution**

of the Republic of South Africa, 1996

UTSHWE NGO-EPRELI 2

Issued May 2015

## 9. Institutional Performance Information

### 9.1 Measuring the Impact

<b>Impact Statement</b>	Improved public perception, confidence in the justice system and respect for the rule of law
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### 9.2 Measuring Outcomes

#### 9.2.1 Medium Term Development Plan

Table 10: Medium Term Development Plan Outcomes, Outcome Indicators, Baseline and 5-year targets

Outcome	Outcome indicators	Baseline	Five-year target
<b>Priority 2: Reduce Poverty and Tackle the High Cost of Living</b>			
1	<b>Social Cohesion and Nation Building</b>	1.1 Number of initiatives to promote equality, constitutionalism, tolerance and belonging to build a socially cohesive society	New indicator 30
<b>Priority 3: Build a Capable, Ethical and Developmental State</b>			
2	<b>Reformed, integrated and modernised Criminal Justice System (CJS)</b>	2.1 Percentage increase of departments/entities connected to transversal CJS platform and the exchange of information electronically	New indicator 100% of identified departments/entities
		2.2 Reviewed Legislation	New indicator Draft Bills/amended legislation costed and introduced in Parliament
3	<b>Secured Cyber Space</b>	3.1 UN Treaty on Cybercrime ratified	New indicator UN Treaty on Cybercrime implemented
4	<b>Increased feelings of safety of women and children in communities</b>	4.1 Percentage conviction rate for sexual offences	69% 72.3%
		4.2 Number of Thuthuzela Care Centres established and operational	64 10 new TCC (2 per year) 74 TCC
		4.3 Number of sexual offences courts established	98 35

Outcome		Outcome indicators	Baseline	Five-year target
		4.4 Percentage reduction on criminal cases backlog on the court roll	New indicator	70%
5	<b>Reduce number of priority offences</b>	5.1 Number of Money Laundering and Terrorism Financing cases investigated and prosecuted	86	120
		5.2 Report on the review of the South Africa's anti-corruption architecture including the whistleblower framework	New indicator	Implementation plan on recommendations of the review
			New indicator	Whistle-blower Protection Bill finalised through Parliament
		5.3 Conviction rate for identified crimes of the priority offences list	New indicator	90% conviction rate for serious commercial crime and serious organised crime
		5.4 Percentage improvement in the conviction rate for corruption	80%	84%
		5.5 Total value of recoveries	R400m	R800bn
		5.6 Total value of freezing orders	R1bn	R3.5bn
6	<b>Advance the South African Foreign Policy for a Better World</b>	Percentage compliance with all international obligations for ratified instruments	100% compliance	100% compliance with all international obligations for ratified instruments

## 9.2.2 Departmental Outcomes

Table 11: Departmental Outcomes, Outcome indicators, baseline and 5-year targets

Outcome		Outcome indicators	Baseline	Five-year target
1	<b>A capable, efficient, effective, and ethical department</b>	1.1 Unqualified audit opinion on Vote Account obtained	Unqualified Audit Opinion on Vote Account with findings	Unqualified Audit Opinion on Vote Account without material findings
		1.2 Unqualified audit opinion on other Funds obtained	Unqualified Audit Opinion on other Funds without findings (Guardian's, President and Justice Administered Funds)	Unqualified Audit Opinion on the other Funds without material findings obtained (Guardian's, President and Justice Administered Funds)
		1.3 Unqualified audit opinion on predetermined objectives obtained	Qualified audit opinion on predetermined objectives	Unqualified audit opinion on redetermined objectives without material findings obtained
		1.4 Number of training programmes conducted to reduce skills gap in the cluster and the Department	40	300
		1.5 Number of specialised training programmes conducted	No baseline	25
		1.6 The rate of finalising grievance cases improved	81% grievances finalised within 60 days	100% grievances finalised within 60 days from the date the grievance is lodged and investigated
		1.7 The rate of finalising misconduct cases improved	81% misconduct finalised within 90 days	100% misconduct finalised within 90 days from the first date of sat down of the hearing
		1.8 Percentage of SMS and MMS with skills gap reduced	No baseline	90%
		1.9 Percentage of incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in court premises reduced.	No baseline	0%

Outcome		Outcome indicators	Baseline	Five-year target
		1.10 Number of justice services accessible online increased.	5	16
		1.11 Percentage of courts providing court proceedings virtually increased.	No baseline	100%
2	<b>Reformed, integrated and modernised criminal justice system</b>	2.1 Criminal Procedure Bill submitted to Ministry for introduction and finalisation in Parliament	No baseline	Criminal Procedure Bill finalised in Parliament
		2.2 Number of modern CJS case management systems integrated to enable exchange of information electronically	2	3
		2.3 Percentage of departments/ entities connected to IJS transversal Hub and exchange information electronically increased	11 departments <sup>17</sup>	100% of identified departments/ entities
		2.4 Number of interventions for the effective coordination of Criminal Justice System implemented	No baseline	5
3.	<b>Efficient, resilient and strengthened Justice System enhanced for improved accessibility</b>	3.1 Number of Policy Reforms on Civil Justice System finalised	No baseline	6
		3.2 Number of Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan	No baseline	104
		3.3 Number of sexual offences courts established	16	90
		3.4 Percentage of child justice preliminary inquiries monitored	93% <sup>18</sup>	80%

<sup>17</sup> The indicator was previously measured in “number” and 11 departments were connected.

<sup>18</sup> The baseline of 93% was on a 90 days turnaround time hence the target is reduced to 80% in 30 days

Outcome	Outcome indicators	Baseline	Five-year target
	for finalisation within 30 days after the date of first appearance		
	3.5 Number of courts upgraded in line with the minimum standards for domestic violence support services	No baseline	180
	3.6 Percentage of convicted sex offenders registered in the NRSO within 10 days of receipt of the order	No baseline	100%
	3.7 Percentage of NRSO clearance certificate issued within 10 working days of receipt of compliant application	70%	100%
	3.8 Number of courts providing additional Justice services increased	610	625
	3.9 Percentage reduction on criminal cases backlog on the court roll	No baseline	70%
	3.10 Percentage of criminal cases postponed due to unavailability of administrative support services	0,49%	<1%
	3.11 Number of new court buildings completed	5	5
	3.12 Number of courts refurbished and upgraded (major renovations).	6	8
	3.13 Percentage of Master's services finalised in line with the Standard Operating Procedures (SOPs)	75% of Masters services finalised in line with the SOPs	95% of Masters services finalised in line with the SOPs
	3.14 Percentage Master's turn-around strategy	60%	100%

Outcome		Outcome indicators	Baseline	Five-year target
		interventions implemented		
		3.15 Percentage of Family Advocate services finalised in line with the SOPs	70% of Family Advocate services finalised in line with the SOPs	95% of Family Advocate services finalised in line with the SOPs
		3.16 Number of Rules of Courts to improve access to justice submitted to the Rules Board for approval	18	15
		3.17 Number of research papers on the review of the civil justice system submitted to the South African Law Reform Commission for consideration and approval	No baseline	3
<b>4</b>	<b>Advanced Constitutionalism, Human Rights, the Rule of Law and International Cooperation</b>	4.1 Number of Community Advice Offices (CAO's) supported through the PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness increased	50	85
		4.2 Number of Community Advice Offices supported to provide justice services in all municipal districts	No baseline	52
		4.3 Number of Regulations to address TRC Recommendations implemented	4	3
		4.4 Number of initiatives conducted to strengthen public participation in democratic processes.	No baseline	15
		4.5 Number of initiatives to assist departments to implement the recommendations and directives of	No baseline	20

Outcome	Outcome indicators	Baseline	Five-year target
	constitutional institutions by various organs of state conducted		
	4.6 Number of initiatives conducted to implement Chapter 5 of PEPUDA	No baseline	10
	4.7 Number of initiatives implemented for the protection of human rights and deepening constitutionalism	No baseline	25
	4.8 Percentage compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations	80%	100%
	4.9 Number of bilateral agreements on extradition/mutual legal assistance/judicial cooperation negotiated increased.	36	46
	4.10 Number of engagements undertaken in international fora to support the development and strengthening of international law, norms and standards	No baseline	25
	4.11 Number of engagements conducted in strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance	4	20

Outcome		Outcome indicators	Baseline	Five-year target
		4.12 Number of materials developed to improve knowledge and understanding of the Constitution and human rights	No baseline	20
		4.13 Number of initiatives conducted to implement the National Mechanism on Reporting, Implementation and Follow up (NMRIF) of human rights treaty obligations	No baseline	5
		4.14 UN Convention Against Cybercrime ratified	No baseline	UN Convention Against Cybercrime ratified
5	<b>Professionalised, modernised and quality State Litigation, Legal Advisory Services and legal reform</b>	5.1 Percentage of successful legal challenges on the constitutionality of Bills as certified/ legislation and subordinate legislation/ international agreements as scrutinised by the OCSLA reduced	No baseline	<5%
		5.2 Percentage of Bills certified by the OCSLA within 30 working days from the date of receipt of instructions	82%	82%
		5.3 Percentage of International Agreements scrutinised within 30 working days from the date of receipt of instructions	82%	82%
		5.4 Percentage of constitutionally sound legislative instruments successfully challenged in courts	No baseline	<2%

Outcome		Outcome indicators	Baseline	Five-year target
		5.5 Percentage of litigation cases finalised through ADRM	No baseline	50%
		5.6 Percentage of State Attorney Turn-around Strategy implemented.	No baseline	100%
		5.7 Percentage of Intergovernmental National Litigation Forum (INLF) resolutions to streamline and strengthen state litigation implemented	No baseline	100%
		5.8 Percentage reduction in litigation costs.	3%	50%
6.	<b>Transformed legal service for improved access to justice for all</b>	6.1 Percentage increase of previously disadvantaged individuals (PDI) legal practitioners briefed.	2%	20%
		6.2 Percentage value of briefs to Females	28 <sup>19</sup>	42%
		6.3 Number of initiatives implemented to increase access to legal profession by youth and women	No baseline	15
		6.4 Percentage of state attorney legal services outsourced in line with legal sector code	No baseline	100%
		6.5 Amendment to the Legal Practice Act, 2014 finalised in Parliament	No baseline	Amendment to the Legal Practice Act, 2014 finalised in Parliament
		6.6 Percentage implementation of Community Service Regulations	No baseline	100%
7	<b>Fighting Crime and Corruption through prosecution</b>	7.1 Report on the review of South Africa's anti-corruption	No baseline	Report on the review of South Africa's anti-corruption architecture

<sup>19</sup> Baseline is as per Q4 of 2024/25 performance report

Outcome		Outcome indicators	Baseline	Five-year target
		architecture submitted in Parliament		costed and submitted to Parliament
		7.2 Whistleblower Framework/Bill amended and introduced in Parliament	No baseline	Whistleblower Framework/Bill amended costed and introduced in Parliament
		7.3 Percentage implementation of the reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework	No baseline	100%
		7.4 Number of identified legislation to strengthen anti-corruption efforts reviewed and overhauled	3	3
		7.5 Number of Money Laundering and Terrorism Financing cases finalised	86	120
		7.6 Total value of recoveries	R400m	R800m
		7.7 Total value of freezing orders	R1bn	R3.5bn
		7.8 Conviction rate for identified crimes of the priority offences list (Serious Commercial and Organised Crime)	No baseline	90%
		7.9 Conviction rate for corruption	80%	84%
		7.10 Conviction rate in Sexual Offences	69%	72.3%
		7.11 Number of Thuthuzela Care Centres established and operational	64	10 new TCC (2 per year) 74 TCC
8	<b>Colonial/apartheid-era justice-related legislation reviewed and replaced</b>	8.1 Number of Bills and justice related legislation seeking to repeal and replace colonial and apartheid era statutes introduced in Parliament	19	9

Outcome		Outcome indicators	Baseline	Five-year target
		8.2 Number of research papers on the Review of Colonial and Apartheid Era Legislation recommending to inform the Repeal, Amendment or Replacement of Legislation to be aligned with the Constitution submitted to the Commission for consideration and approval	No baseline	6
9	<b>Improved awareness of the justice services and community outreach programmes</b>	9.1 Number of engagements held in magisterial districts to promote justice services and the Constitution (Chapter 2 Bill of Rights)	No baseline	550
		9.2 Level of public awareness and perception on prosecution, justice services and the Constitution	55%	75%
		9.3 Number of engagements conducted by DoJ&CD supported Community Advice Offices to promote the Constitution, human rights, rule of law, and legal literacy to strengthen participatory democracy and active citizenry	No baseline	4000
		9.4 Number of forums created to advance public discourse on human rights and constitutionalism.	No baseline	20
		9.5 Number of information sessions conducted to foster social cohesion, tolerance, and unity in diversity.	No baseline	30

Outcome	Outcome indicators	Baseline	Five-year target
	9.6 Number of engagements conducted to promote awareness on Sexual Orientation, Gender, Identity, Expression, and Sex Characteristics (SOGIESC), the Prevention and Combating of Hate Crimes and Hate Speech Act	No baseline	45

### 9.3 Explanation of Planned Performance over the Five-Year Planning Period

#### Outcome 1: A capable, efficient, effective, and ethical department

**Unqualified audit opinion on vote account and other funds:** In the previous administration, the Department successfully addressed critical challenges by removing the qualified audit opinion, eliminating fruitless and wasteful expenditure, and significantly reducing irregular expenditure. Building on this foundation, the strategic focus for the next five years will be to ensure effective financial governance by strengthening financial management systems and achieving unqualified audit opinions across all accounts, including the Vote, President Fund, Guardian’s Fund, and Justice Administered Fund.

This will be achieved by modernising key financial systems, improving service delivery, enhancing financial compliance, and addressing budgetary constraints. The department is committed to ensuring transparency, efficiency, and full compliance with laws and regulations while streamlining administrative processes to sustain positive audit outcomes. Through these efforts, the department aims to inspire public confidence, promote good governance, and contribute to the realisation of a capable and ethical state

**Unqualified audit opinion on predetermined objectives obtained:** In the previous six consecutive financial years, the Department received a qualification on performance information. The audit qualification was due to information being captured incorrectly in the system and not updated in a timely manner. Consequently, the Department was qualified on the reliability of the reported performance information. The focus in the next five years is to enhance the control reviews at the service points, ensuring that the implemented standard operating procedures are consistently adhered to and applied across all provinces.

Supervisors, Managers, Provincial and Office Heads, together with Branch Heads, will ensure that data validation at the court level, in offices, and at branches is diligently updated. This directly influences the audit outcomes and the overall performance of the Department.

***Number of training programmes conducted to reduce skills gap in the cluster and the Department:*** The National Development Plan (Vision 2030), highlights the need to improve state citizen relations as the point of service delivery and position this in terms of routine accountability enabling the state to be more responsive to public concerns. For the next five-year period, the Department will continue to focus on providing tailor-made and targeted training and development interventions, as part of building a capable, ethical and developmental state. Emphasis will be put on the provision of progressive training interventions to empower and makes employees feel valued, with the aim of fostering a shared common understanding of the role and ethos of the public service, giving employees a chance to develop specific skills and knowledge and allowing a neutral working environment in which workers can thrive and service delivery is achieved.

***Number of specialised training programmes conducted:*** The Brigitte Mabandla Justice College Strategic Plan is a key contributor to the Department of Justice (DoJ) Strategic Plan, ensuring that legal education, leadership and administrative training align with DoJ&CD' strategic focus and global best practices. To enhance the competency and efficiency of legal and other professionals, the college will expand the number of training programs, integrating internationally benchmarked curricula that reflect evolving legal trends. A case-based learning approach will be implemented to equip learners with practical, real-world problem-solving skills. In collaboration with professional legal bodies, the college will develop accredited programs that uphold the highest standards of legal education and professional development. Additionally, specialized short courses will be introduced to address emerging legal challenges, including cyber law, administrative law, commercial law and alternative dispute resolution. To modernize legal education, the college will leverage technology by incorporating e-learning platforms, virtual simulations, and AI-driven legal research tools, ensuring accessibility and efficiency. Furthermore, strong alliances with universities, local and international stakeholders will be established to foster academic collaboration, support exchange programmes and ensure that legal training remains research-driven and globally relevant. The institution will actively engage in access to justice initiatives, supporting the DoJ&CD broader goal of fostering a more inclusive and effective legal system. Through these strategic initiatives, the Justice College aims to strengthen the legal profession and contribute to a more responsive and globally competitive justice system.

***The rate of finalising grievances and misconduct improved:*** The Labour Relations Act 66 of 1995, put emphasis on the creation of a harmonious working relationship between employer and employee, through the promotion of Labour peace, employee participation in decision making and

effective resolution of labour disputes. The indicator intends to monitor the turnaround time in the finalisation of grievance and Misconduct cases within the prescribed timeframe. Over the MTDP period, the Department plans to meet the target of 100% for the finalisation of disciplinary cases within 90 days from the first day of sat down of the hearing and 100% for grievance cases within 60 days from the date the grievance is lodged and investigated. Records indicate that a rise in cases is mainly related to grievances on Occupation-Specific Dispensation (OSD) matters for the non-implementation of the agreement and unfair labour practice matters. In order to achieve the set target, interventions such as Capacitation of Labour Relation Officers to expedite labour matters, as well as forming partnerships with other Government departments through the utilisation of the DPSA database to source presiding officers to assist in addressing the backlog.

***Percentage of incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in court premises reduced:*** The Department will focus on strengthening safety in the courts to reduce the incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in court premises.

***Number of justice services accessible online increased:*** The Department enables access to justice through the Online Justice Services, where a number of services and features were developed and/or piloted over the past MTDP period. They allow the public to initiate new applications, monitor application progress, schedule appointments, track payments, submit follow-up applications after court orders, as well as integrate with other government agencies. Over this MTDP period, the Department envisages rolling out an additional 11 services which include Guardians Fund, Trusts, Insolvency, Expungement of Criminal Records, NRSO, State Attorneys, Curatorship, Small Claims Court, Family Advocate, Equality Court and Children's Court.

***Percentage of courts providing court proceedings virtually increased:*** The Department will implement the Court Recording Audio-Visual Solution (CRAVS) to replace the outdated Court Recording Technology (CRT). This technology will allow parties in a case to appear via video link, facilitating virtual legal processes such as appearances, remands, testimony, and trials. It will enable real-time automated transcriptions of court proceedings and support AI-driven language interpretation. Virtual Courts will also protect vulnerable victims, like women and children, by allowing them to attend court remotely, and reduce the risk of detainee escapes and transportation costs by enabling detainees to appear via video link for case remands. In this regard, the CRAVS solution is envisaged to be rolled out to all courts (~625 courts).

## **Outcome 2: Reformed, integrated and modernised criminal justice system**

***Criminal Procedure Bill introduced and finalised in Parliament:*** The South African Law Reform Project has been engaged in a research project to consider aspects related to the review of the Criminal Procedure Act, 1977 (Act No 51 of 1977), which is an outdated piece of legislation that is out of sync with modern technological development, and significantly, does not accord victims proper protection and rights in the criminal justice system, which is unevenly balanced in favour of accused persons. The Bill will overhaul the outdated legislation and replace it with a modernised and effective piece of legislation, as guided by the research.

***Number of modern CJS case management systems seamlessly integrated to enable the exchange information electronically:*** The ultimate goal is to create a more efficient, responsive, and transparent criminal justice system. By ensuring that at least three (3) case management systems are integrated, and information can flow seamlessly, this indicator of the IJS programme aims to improve coordination, reduce redundancies, and increase the overall speed and accuracy of case handling. This will ultimately help enhance public trust in the justice system, ensure fairer trials, and provide better outcomes for individuals involved in the criminal justice process

The IJS (Integrated Justice Systems) programme typically focuses on modernizing and streamlining case management systems within the criminal justice system. In this context, this performance indicator refers to the goal of ensuring that CJS member departments can effectively exchange information in real-time and in a secure, automated manner.

Over the next five years, the IJS programme will continue to focus on the seamless integration of at least three (3) of these modern case management systems within the criminal justice system to enable secure, real-time, electronic exchange of information, with the goal of improving efficiency, reducing delays, and enhancing coordination across its member departments.

***Percentage increase in departments/ entities connected to transversal CJS platform and the exchange of information electronically:*** In the previous strategic cycle, the IJS maintained the connectivity and exchange of information between eleven member departments/entities. In the 2025-30 strategic cycle, the plan is to connect 100% of the additional identified departments/entities to the transversal CJS platform and the exchange of information electronically in order to contribute to the outcome reform, integration and modernisation of the criminal justice system.

***Number of interventions for the effective coordination of Criminal Justice System implemented:*** The Department of Justice and Constitutional Development is taking responsibility for the effective co-ordination of the Integrated Criminal Justice System (ICJS) in terms of both the Criminal Justice System Seven Point Plan and the Integrated Crime Prevention and Victim Support Strategy.

As part of the seven-point plan action steps as submitted to Cabinet in 2008/09 and in 2015, the Department of Justice and Constitutional Development, takes responsibility for the following, as the co-chair of the JCPS Cluster and chairing the inter-Departmental Development Committee (DevComm):

1. Consultations and submission of a new and re-aligned CJS coordinating and management structure, finalised, in order to improve end-to-end coordination through national and provincial Justice, Crime Prevention and Security (JCPS) structures;
2. Identification and implementation of practical short-, medium- and long-term interventions to improve the performance of the courts;
3. Identify and address component parts with a critical need for intervention;
4. Monitor and advise on the establishment of an integrated and seamless national CJS information management system, by supporting, monitoring and advising on the Integrated Justice System (IJS) Programme; and
5. Alignment through a single vision and mission for the Criminal Justice System (CJS) with congruent objectives, plans, priorities and performance measurement targets, together with all the other relevant JCPS Government Departments.

### **Outcome 3: Efficient, resilient and strengthened Justice System enhanced for improved accessibility**

***Number of Policy Reforms on Civil Justice System finalised:*** The Civil Justice System is an important part of the services being undertaken in courts. When people have disputes or disagreements which cannot be resolved otherwise, members of the public require speedy, effective and efficient civil justice services, to resolve civil disputes amicably. Currently, civil disputes often take years to obtain a court date and/ or get matters heard in courts, resulting in monetary and time costs for individuals, and increased public dissatisfaction with the civil justice service. The aim of the Review of the Civil Justice System within the next five (5) financial years, is therefore to streamline the civil justice services to align with the Constitution of the Republic of South Africa; review the civil justice system processes to include alternatives such as the development, submission and implementation of an (1) Alternative Dispute Resolution (ADR) Framework, including Mediation and Arbitration Services; and (2) the Small Claims Courts Review, to enable persons to utilise alternatives to civil court processes, which will also assist with unclogging the civil court-rolls and clear up some of the civil case backlogs, Wills, Insolvency, Administration of Estate, and Trust. The target is to finalise the recommendations of the Civil Justice System review report and implement 100% thereof during the strategic cycle.

**Number of Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan:** The Legislation makes provision for the recognition of Traditional Courts as Courts of Law which adjudicate both criminal and civil cases. It empowers Traditional Leaders, Headmen or Headwomen to hear these cases as a clear institutionalisation of the system.

The first ever Traditional Courts Act for South Africa brings about practical equality of women representation in the Traditional Courts. A number of civil society organisations had raised the women representation issue which has now been addressed by the legislation. In the main, the Act promotes Restorative Justice in communities where the perpetrator and the affected victim can solve the issue in harmony and in the spirit of reconciliation. This means that the mainstream justice system is not clogged by less serious crimes resulting in case backlogs on matters that could be dealt with through the Alternative Dispute Resolution Mechanism. Today, the Traditional Courts exist in communities but are not necessarily regulated in terms of the legislation, do not operate with appointed personnel nor are there recording of the proceedings. In the next five years the department will capacitate 104 Traditional Courts.

**Number of sexual offences courts established:** 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. Sexual Offences Courts are statutory courts established in compliance with which the Minister of Justice and Correctional Services approved into operation in February 2020. Over the next five years, the Minister will establish 90 Sexual Offences Courts to increase access to justice services to victims as required by the Regulations.

**Percentage of child justice preliminary inquiries monitored for finalization within 30 days after the 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 next five years, the Department plans to finalise 80% of child justice preliminary inquiries within 30 days after the date of first appearance.

The Child Justice Act, 2008, places a legislative obligation on the Minister of Justice and Constitutional Development to table the Annual Report on the implementation of the Child Justice Act, 2008. Such a report is planned to be submitted to the Minister by 30 September of each financial year. The information is 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.

***Number of courts upgraded in line with the minimum standards for domestic violence support services:*** Through this indicator, the Department seeks to establish a victim-centered justice system for victims of domestic violence to reduce secondary traumatization and the high attrition rate in cases of domestic violence. During the strategic cycle, 180 courts will be upgraded in line with the National Strategy for Court-based Support Services for Victims of Domestic Violence.

***Percentage of convicted sex offenders registered in the NRSO within 10 days of receipt of the order and Percentage of NRSO clearance certificate issued within 10 days of receipt of compliant application (employers and individuals):*** The NRSO has been established as a result of the 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 they are vetted against the register and their name is cleared. Clearance certificates are issued to determine whether a person is suitable to work with vulnerable persons. In addition, the indicator is linked to Pillar 3 of the National Strategic Plan on Gender-based Violence and Femicide (NSP on GBVF). Over the next five years, the Department plans to issue 100% of clearance certificates within 10 days of receipt of the compliant application and register 100% convicted sex offenders in the NRSO within 10 days of receipt of the order.

***Number of courts providing additional Justice services increased:*** The country comprises of 732 courts. Out of the 732 courts, 129 courts are proclaimed as places for the holding of courts and seats on certain days of the week or months, providing only criminal services. These courts reflect the remnants of the pre-1994 regime, characterised by lack of infrastructure and personnel, and are only located in rural areas and townships. These communities and court personnel are forced to commute to the main seats of the districts to access other justice services at a high cost. In the next five years the Department will Increase access to justice services for victims and people with disabilities by upgrading 15 out of 129 periodical courts to provide full-service courts.

***Percentage of criminal cases postponed due to unavailability of administrative support and Percentage reduction of criminal cases on the backlog roll in the regional and district courts:*** The National Development Plan seeks to create a society in which South Africans are and feel safe in all walks of their lives. Crime in general has, however, gone up and public confidence in the administration of justice has declined. An analysis of the performance of the courts indicates an increase in backlogged matters, with the regional courts showing the highest number of backlog cases.

The criminal justice system is a complex system that is made up of various independent role players that can, if they do not commit to cooperation, result in huge backlogs. The Integrated Case Management System (ICMS) report that tracks reasons for postponement reveals the management of language services, availability of court recording systems, water and power as some of the areas that lead to postponement of cases that eventually lead to increased case backlogs. These areas are within the scope of control of the Department and if managed properly, backlogs can be reduced, and the performance of the courts increased.

In the current Medium-Term Development Plan, the Department will thus devote resources to providing alternative energy sources to keep the lights on in the courts, install water tanks and boreholes to keep ablution facilities functional and hygienic, and pay more attention on the management of court personnel contributing towards postponement of cases. Policy changes will also be effected to address the provision of foreign language interpreters in the courts. Technology and modernization will also be exploited to support virtual appearances in courts. The same technological platforms will be pursued to provide for the virtual appearance of language practitioners that will be aided by Artificial Intelligence. These interventions will ensure that the criminal justice system performs optimally and restore public confidence in the administration of justice. The performance of this outcome indicator will be incremental over the 5-year period with the target of less than 2% of cases postponed due to unavailability of administrative support services to contribute to the 70% reduction in criminal case backlog in regional and district courts.

**Number of new court buildings completed:** To enhance access to justice, the Department will continue constructing new court buildings to ensure that legal services are available in closer proximity to communities. Adequate and well-equipped facilities are essential for the effective delivery of justice services. In this regard, the Department is committed to establishing six (6) new courts and expanding existing facilities to meet growing demand.

**Number of court facilities refurbished and upgraded through major capital works:** In addition to building new courts, the Department is focused on maintaining and upgrading existing infrastructure to support efficient service delivery. To achieve this, several projects have been registered with the Department of Public Works and Infrastructure (DPWI) and are currently at various stages, including feasibility, planning, implementation, and completion. Over the five-year period, the Department aims to complete eight (8) major renovations through maintenance and refurbishment projects, ensuring improved functionality and extended service life of court assets.

**Percentage of Master's and Family Advocate services finalised in line with the Standard Operating Procedures (SOPs); Percentage Master's turn-around strategy interventions implemented:** The five-year target will enable the Department to deliver satisfactorily on their legislative mandate and improve service delivery, public confidence in and perception of the Department. The Family Law Services office is a customer-facing office, delivering specialized

services to the vulnerable and sometimes distressed, in society. The office service people from all walks of life- rich, poor, literate, illiterate etc. It is important that the services are easily accessible, understandable and available. Ensuring this does not only entail providing an accessible entry point for the customers but also enabling our personnel to be able to deliver the quality and expedient services which is required and expected by our customers. The five-year target will enable the Department to increase efficiencies and improve service delivery. Development of systems will enhance transformation and assist the Department in achieving its intended impact. Full implementation of the Master's turn-around strategy interventions will improve and transform the Master's office.

***Number of Rules of Courts to improve access to justice submitted to the Rules Board for approval:*** The Rules Board for Courts of Law is tasked with the drafting of rules of court, through which members of the public, legal representatives, and the judiciary access the courts. While the Rules of Court undergo regular amendment, attention will be paid to the outcomes of the civil justice review to identify further rules of court that require amendment, in line with enhancing access to justice.

***Number of research papers on the review of the civil justice system submitted to the South African Law Reform Commission for consideration and approval:*** The South African Law Reform Commission is undertaking a project on the review of the civil justice system. This project will focus on mediation, review of substantive civil law, including the review of Aspects of Matrimonial Property Law and the Administration of Wills and Deceased Estates, among others. It will also focus on the review of civil procedure, including E-Justice systems rules and legislative framework for civil representation in person.

#### **Outcome 4: Advanced Constitutionalism, Human Rights, the Rule of Law and International Cooperation**

***Number of Community Advice Offices (CAO's) supported through the PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness increased:*** The Department will continue to implement the Programme for Legal Empowerment and Access to Justice (PLEAJ) project with the aim of supporting CAOs in expanding access to justice for vulnerable and marginalized communities. The department will be providing financial support to CAOs in the PLEAJ which aims to enhance their capacity to deliver quality legal advice services, including legal advice, representation, and community legal education. Over the medium-term and during the remainder of the implementation of the PLEAJ project, it is envisaged that at least 85 CAO's will be supported. The pilot project is envisaged to assist in the development of a policy to support community advise offices in South Africa.

***Number of Community Advice Offices supported to provide justice services in all districts:***

as CAOs will change the landscape in the next five years. The Department will support CAOs to assist them in providing free, basic legal advice services in all districts, thereby expanding the provision of justice services nationally across all 52 districts over the next five years.

It is widely recognised that access to lawyers simply is not a reality for many. Access to justice has in most case been a difficult reach because of the prohibitive cost that it carries. Community advise offices may not be staffed by lawyers, but with the needed support they are fundamental in providing basic forms of legal advice and assistance to persons in communities. This can provide practical remedies and facilitate access to justice through a variety of tools, including the provision of legal advice and education, mediation and alternative dispute resolution services, advocacy, and public awareness raising

***Number of regulations to address TRC Recommendations finalised and implemented (TRC regulations on Housing, Health and Community Rehabilitation):***

The full and effective implementation of the recommendations of the Truth and Reconciliation Commission (TRC) is crucial for achieving national reconciliation, addressing the legacies of apartheid, and ensuring justice for victims. The finalization and implementation of the three outstanding TRC regulations are critical steps towards fulfilling this important objective. The Parliament-approved TRC regulations over the medium term within the next five-year period relate to:

- Community rehabilitation regulations, through a number of the projects launched by the Minister of DOJ&CD per year;
- Housing regulations – TRC-identified victims enabled to access housing assistance reparations, and
- Medical Assistance regulations.

By implementing these regulations effectively, the government can take significant steps towards fulfilling its commitment to address the legacies of apartheid and ensure justice for victims.

***Number of initiatives conducted to strengthen public participation in democratic processes:*** Public participation is the cornerstone of a healthy democracy. It ensures that citizens have a voice in decisions that affect their lives and promotes transparency, accountability, and good governance. Strengthening public participation is essential for building a more inclusive and responsive democracy.

Over the next five years, the Department plans to conduct 15 initiatives to strengthen public participation in democratic processes. The initiatives are intended for engaging key sectors and developing guidelines for strengthening public participation processes across government and national/provincial legislatures. Public participation is a mechanism for entrenching democracy, and it promotes social cohesion between government and the citizens, particularly in the provision

of quality and sustainable services. People, as both citizens and consumers of services, should be allowed and encouraged to express their views on governance and service delivery matters. In South Africa, prior to 1994, the government suppressed all forms of public participation especially among the black communities. The opinions and socio-economic needs of the majority were not considered important by the apartheid-led government. Access to information on social, economic and security matters was suppressed in an attempt to stifle opposition and criticism of its policies of racial supremacy. The principles and values in a democratic order mandate the creation of forums for all to participate meaningfully in matters that impact their lives. Government has committed itself to embrace a people centred development approach, and as such, public participation became a Constitutional imperative.

***Number of initiatives to assist departments to implement the recommendations and directives of constitutional institutions by various organs of state:*** Constitutional institutions play a vital role in upholding the rule of law and safeguarding human rights. Their recommendations and directives are crucial for ensuring that organs of state operate in a manner consistent with the Constitution. There will be action initiated to ensure that the Department implement the recommendations and directives of constitutional institutions.

***Number of initiatives conducted to implement Chapter 5 of PEPUDA:*** Over the next 5 years, the department will focus on implementing a series of initiatives to operationalise Chapter 5 of Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA). The operationalization of Chapter 5 of PEPUDA will involve increased initiatives on training court officials and increasing public awareness of remedies for unfair discrimination. The DOJ&CD will also monitor the impact of these courts to ensure they effectively address systemic inequalities and protect vulnerable groups. In addition, there will be efforts to ensure the operationalisation of Chapter 5 of PEPUDA including the costing and socio-economic impact assessment (SEIAS) towards implementation of the chapter. Significance of the operationalisation of Chapter 5 includes:

- fulfilling constitutional mandates of section 9 of the Constitution which requires both state and private actors to advance substantive equality. Chapter 5 will operationalise these obligations.
- Addressing Systemic Inequalities - structural inequalities persist in South Africa, including those rooted in race, gender, disability, and socioeconomic status. Chapter 5 provides a proactive framework to dismantle these systemic barriers.
- Accountability – this Chapter imposes accountability on entities to take measurable actions to prevent and redress unfair discrimination, fostering transparency and public trust.

**Number of initiatives implemented for the protection of human rights and deepening constitutionalism:** The Constitution, in section 165, proclaims that the judicial authority of the Republic is vested in the courts, which are independent and subject only to the Constitution and the law. It enjoins organs of state to assist and protect the courts to ensure the courts' independence, impartiality, dignity, accessibility, and effectiveness through legislative and other measures. This obligation includes positive duties by the State to take deliberate steps through legislative and other measures to assist and protect the courts to achieve a positive outcome: ensure the courts' independence, impartiality, dignity, accessibility, and effectiveness. The Department will assist government departments to comply with constitutional jurisprudence within their policies and programmes. This will centre discussions of constitutionalism and its streamlining across government, based on the Department's mandate to advance human rights. The pursuit of socio-economic rights (such as the right to health care, food, water social security, housing, environment, and education) is a struggle for the millions of people suffering and living in poverty in South Africa. The failure to implement the Constitutional court's judgments or orders concerning socio-economic rights amounts to not only the denial of human rights and the dream of a better life for all, but the violation of human rights and obliteration of the hope for the fulfilment of the constitution's promise of a society based on equality, freedom and dignity for all.

The Department's mandate, in the context of this subject matter, is to provide for the effective and efficient administration of justice, relative to the Minister's responsibility of the administration of the Constitution, and related legislation, as well as the coordination, development, and implementation of legislative and other measures and programs that seek to promote and advance constitutionalism, the rule of law, and respect for human rights and freedoms. The Department thus has a pivotal role in ensuring that organs of state fulfil their constitutional obligations, and more pertinently comply with and implement court orders or decisions.

**Percentage compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations:** South Africa has made significant strides in recent years in its commitment to upholding and promoting human rights at both domestic and international levels. This commitment is reflected in the country's increased compliance with regional and international human rights instruments and obligations.

Having become a signatory to many international and regional human rights instruments over the past 30 years, South Africa has strived to comply with obligations emanating from these instruments. The NDP recognises that South Africa's development is interlinked with what happens in the region and the world. Over the next five years, the Department will increase its compliance with South Africa's international reporting obligations arising out of core human rights treaties such as the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); and the African Charter on Human and People's Rights.

**Number of bilateral agreements on extradition/mutual legal assistance/judicial cooperation negotiated increased:** In order to strengthen international cooperation in the fight against transnational crime and corruption, the department will pursue bilateral agreements with other countries on matters of extradition, mutual legal assistance and judicial cooperation. This will contribute positively to the fight against crime whilst also strengthening bilateral relations and cooperation in the judicial field between South Africa and foreign countries. During the strategic cycle the plan is to increase bilateral agreements on extradition/mutual legal assistance/judicial cooperation negotiated from 36 to 46.

**Number of engagements in international fora to support the development and strengthening of international law, norms and standards:** Over the years, the Department has contributed to the development of international law by participating in various forums such as the International Criminal Court, and the International Court of Justice where the Department has led South Africa's inputs on the Gaza conflict (Israel/Palestine) and other international organizations. Over the next five years, the Department will continue to play an active role in various international forums, which include the Southern African Development Community (SADC), African Union, Asian-African Legal Consultative Organisation (AALCO), Brazil, Russia, India, China and South Africa (BRICS), Commonwealth and various United Nations committees to contribute to the development and strengthening of international law, norms and standard

**Number of engagements in strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance:** The department will conduct engagements towards promoting the Constitution and related legislations (*Promotion of Equality and Prevention of Unfair Discrimination Act, Prevention and Combating of Hate Crimes and Hate Speech Act*); implementing the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP); addressing racial discrimination and related intolerances; and strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance. The Department plans to conduct 20 engagements over the next five years.

**Number of materials developed to improve knowledge and understanding of the Constitution and human rights:** 2026 will mark a milestone year as the Constitution's 30th anniversary. The Department will commemorate this milestone through awareness sessions, raising public awareness on constitutional rights and promoting democracy and constitutionalism. This will present the country with a chance to acknowledge the accomplishments of the last 30 years under the Constitutional democracy, while reaffirming the importance of adhering to the constitution and valuing human rights. Educational materials will disseminate information on the Constitution and its intent, while addressing the apathy to its promise, based on disinformation and misinformation.

***Number of initiatives to implement the National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations:*** The National Mechanism on Reporting, Implementation and Follow-Up (NMRIF), once approved by Cabinet, will provide a whole government approach on human rights treaty implementation and improve compliance with all human rights treaty reporting obligations. This multi-body mechanism will consist of focal points from various government departments, Chapter 9 institutions and Civil Society Organisations. A number of initiatives such as capacitating the structure and critical training to be provided by the United Nations Regional Office on Human Rights will be undertaken. These initiatives will then result in the Mechanism implementing its mandate within the five-year period to strengthen South Africa's ability to meet its reporting obligations and monitor the implementation of recommendations from the treaty bodies.

***UN Convention against Cybercrime ratified:*** The Convention aims to prevent and combat cybercrime more efficiently and effectively, by strengthening international cooperation and providing technical assistance and capacity-building support, particularly for developing countries. Over the strategic cycle period, the Department will focus on the constitutional process of ensuring that the convention is signed and ratified.

#### **Outcome 5: Professionalized, modernised and quality State Litigation, Legal Advisory Services and legal reform**

***Percentage of successful legal challenges on the constitutionality of Bills as certified/ legislation and subordinate legislation/ international agreements as scrutinised by the OCSLA reduced:*** Over the five-year period the Department plans to continue to render sound legal opinions to government departments and entities so that administrative decisions of government are lawful and thereby reduce potential litigation against the state. It will promote South Africa's diverse languages through translation of Bills into 10 official languages and development of legal terminology in all the official languages. Various related international agreements between RSA and other countries/regions and will also be scrutinised. These endeavors will contribute to the realization of "professionalized, modernized and quality State Litigation, Legal Advisory Services and legal reform" and the building of "a capable, ethical & developmental state".

***Percentage of Bills certified by OCSLA within 30 working days from the date of receipt of instructions:*** The Office of the State Law Advisers tests the approved Bills against the Constitution of the Republic of South Africa, 1996, international law, domestic law and relevant jurisprudence, and ensures that Bills that are certified comply with government policies and the requirements set out by the relevant Minister and the Cabinet. Over the five-year period, the Department plans to

finalise 100% of the Bills and subordinate legislation requests dispatched by the Chief State Law Adviser to clients within 30 days working days from the date of receipt of instructions.

***Percentage of International Agreements scrutinised within 30 working days from the date of receipt of instructions:*** The Department, through the Office of the State Law Adviser, scrutinises international agreements that guide government in entering into agreements that will not impact negatively on government and its citizens. Over the five-year period, the Department plans to scrutinise and provide 100% of international agreements and accompanying legal opinions dispatched by the Chief State Law Adviser within 30 working days from the date of receipt of instructions.

***Percentage of constitutionally sound legislative instruments successfully challenged in courts:*** The development of legislation generally focussed outputs. This indicator will measure the development of legislation qualitatively by measuring the number of pieces of legislation developed post-1994, that have been declared unconstitutional.

***Percentage of litigation cases finalised through ADRM:*** The office of the solicitor-general will send letters to the client departments, reminding them to settle matters at the letter of demand stage. While the Court induced mediation processes might at this point not be compulsory, there are certain activities that the Offices of the State Attorney have to collaboratively undertake, which are as follows:

- 100 percent assessment of new matters for eligibility for both the settlement and mediation;
- The identification of the on-going matters that become eligible for settlement on a monthly and quarterly basis, and thereafter ensure that the annual target of 55 percent of all the finalised matters is by way of settlement;
- In addition, to drive the finalisation or the closure of the matters the office of the State Attorney (OSA) and the clients have to collaborate to ensure that there is 100 percent referral of dormant matters (at High Court) to the process of administrative archiving in terms of Rule 37B of the High Court Rules.

This indicator measures the percentage of cases finalized through ADRM and settlement (settled in/out of court). The branch will approach the rules board to propose the amendment of Section 41 (A) with the Rules court. The proposed amendment seeks to recommend mediation as compulsory, this will assist the branch in managing the cost of litigation for the state.

***Percentage of the State Attorney turnaround strategy pillars implemented:*** The bill of rights created a lot of expectations, and as a result the socio-economic rights triggered volumes of litigation against the state. Even though there is an increase in litigation, access to legal services

has to be of good quality, professional, easily accessible, cost effective, efficient and easily known and understood by the members of the public so that they can access their rights.

In accessing their rights, people need to know and be aware of their duties and obligations. The purpose of this turn-around Strategy is to improve the quality of legal services rendered and moreover to rebuild client and attorney confidence. It is anticipated that the implementation of the turn-around strategy will bring about the much-needed stability in the provision of legal service. The following activities will be carried out the next 5 years as part of the implementation of the state attorney turnaround strategy. The first year of implementation of the turnaround strategy will focus on the development and approval of the turn-around strategy. The 2026/2027 financial year will focus on the benchmarking and development of a suitable operating model for offices State Attorney operations. The branch will also engage in a number of in-depth stakeholder engagement both internally and externally on the state attorney model. The actual implementation of turn-around strategy pillars will only be measured from 2028/29 and 2029/30 financial year at 50% respectively.

***Percentage of Intergovernmental National Litigation Forum resolutions to streamline and strengthen state litigation implemented:*** The Department will improve the management and coordination of state legal services through the establishment and running of the Intergovernmental National Litigation Forum. This forum will be constituted by all lawyers appointed by the state legal services sections. The forum will meet twice a year to discuss and determine policy direction and targets, streamlining the standard operational procedures as well as developing and implementing an integrated state legal service performance plan.

***Percentage reduction in litigation costs:*** The achievement of the targets has a number of dependencies which to a certain degree make it unrealistic. It depends on implementing the policies as provided by the State Attorney Amendment Act.

#### **Outcome 6: Transformed legal service for improved access to justice for all**

***Percentage value of briefs to Previously Disadvantaged Individuals (PDIs), Percentage value of briefs to Females; Number of initiatives implemented to increase access to legal profession by youth and women; Number of initiatives implemented to review and strengthen the legal practice Act; and Percentage of state attorney legal services outsourced in line with legal sector code:*** These are the initiatives that the Department will implement to drive the transformation agenda of the legal profession. These initiatives will assist the Department to achieve the outcome and its impact statement.

***Amendment to the Legal Practice Act, 2014 finalised in Parliament:*** Following the passing of the Act in 2014, several amendments have been suggested by the Legal Practice Council to improve the operation of the Act. The indicator measures the introduction and finalisation of these amendments in Parliament.

***Percentage implementation of Community Service Regulations:*** Community Service is mandatory in terms of the Legal Practice Act, 2014. Regulations were developed and consulted up, with the current newly appointed Council requesting an opportunity to make further inputs. Once these inputs are received, the regulations will be submitted for approval. The indicator measures the implementation of the regulations.

## **Outcome 7: Fighting Crime and Corruption through prosecution**

***Report on the review of South Africa's anti-corruption architecture submitted in Parliament and Whistle-blower Framework/Bill amended and introduced in Parliament:*** To strengthen the fight against corruption the department will amend and introduce to Parliament the Whistle-blower Framework/Bill. Additionally, the Department will also submit the report on the review of South Africa's anti-corruption architecture to Parliament.

***Percentage implementation of the reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework:*** This indicator measures the implementation of the RICA amendments once it is passed in Parliament and assented to by the President.

***Number of identified legislation to strengthen anti-corruption efforts reviewed and overhauled:*** Following the delivery of the report on the anti-corruption architecture, the draft report envisages various pieces of legislation that will require amendment, and following a process of prioritisation, at least three pieces of legislation will be targeted for approval.

***Number of Money Laundering and Terrorism Financing cases finalised:*** The indicator will require the NPA to continue collaborating with relevant government institutions to enhance the effectiveness of South Africa's anti-money laundering/counter terrorism financing regime to mitigate the risks of money laundering, terrorism financing and proliferation financing. The MTDP has committed to ensure that South Africa is removed from the Financial Action Task Force (FATF) grey list during the MTEF period, while extensive work is required from both the Directorate for Priority Crime Investigation (DPCI) and NPA in the investigation and prosecution of money laundering and terrorism financing matters.

**Total value of freezing orders and assets recoveries:** The Asset Forfeiture Unit (AFU) will explore a number of innovative and internationally recognised strategies to enhance its reach and impact. In the strategic period the AFU will focus on enhanced application of Prevention of Organised Crime Act (POCA), Chapter 6 proceedings, non-conviction based recoveries which are most effective in disrupting organised crime. Importantly, the AFU has more control over the process, thus enabling it to achieve performance targets.

The increased utilisation of Corporate Alternative Dispute Resolutions is bearing results through legally sound settlements, while the finalisation and operationalisation of the international asset recoveries related to state capture will form part of AFU priority over the strategic period.

**Conviction rate for identified crimes of the priority offences list (Serious Commercial and Organised Crime):** The indicator addresses illicit economic crimes, prioritised organised crime, including serious commercial crime and cybercrime through prevention, investigation, prosecution and conviction through the Integrated Organised Crime Plan.

**Conviction rate for corruption (PRECCA conviction rate):** The fight against corruption remains another priority focus. Over the strategic period, implementation of the National Anti-corruption Strategy by Departments in the JCPS value chain through prevention, investigation, prosecution and conviction shall contribute towards improved public confidence in the NPA and the criminal justice system.

**Conviction rate in Murder and Sexual Offences:** Directly contributes to the government priority of increasing feelings of safety and security in community, in particular amongst women and children. The NPA shall conduct effective prosecutions and strive for convictions. The pursuit for creating a safer community will be enhanced through the prioritisation of SOCA initiatives, namely; DNA backlog, serial rapist, teenage pregnancy and community prosecutions projects.

**Number of Thuthuzela Care Centres established:** The flagship Thuthuzela Care Centre (TCC) model will continue to be utilised to satisfy the obligations of the National Strategic Plan on Gender Based Violence (GBV) and Sexual Offences. The NSP seeks to increase access to justice for GBV victims and strengthen existing response, care and support services by the state and civil society in ways that are victim-centred, survivor-focused and trauma informed.

## **Outcome 8: Colonial/apartheid-era justice-related legislation reviewed and replaced**

***Number of Bills and justice related legislation seeking to repeal and replace colonial and apartheid era statutes:*** 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 introducing the Bills in Parliament and obtain approval from Ministry to subject them to a public consultation process. There are several pieces of old-era legislation that are obsolete and require repeal, while other pieces of old-era legislation require replacement.

***Number of research papers on the Review of Colonial and Apartheid Era Legislation recommending to inform the Repeal, Amendment or Replacement of Legislation to be aligned it with the Constitution:*** This indicator measures the number of research papers submitted to the SA Law Reform Commission on the repeal or repeal and replace Apartheid/Colonial era legislation. There are a number of pieces of old-era legislation that are obsolete and require repeal, while others require replacement. This is the focus of this indicator, however, it is not restricted to Justice-related legislation.

## **Outcome 9: Improved awareness of the justice services and community outreach programmes**

***Number of engagements held in magisterial districts to promote justice services and the Constitution (Chapter 2 Bill of Rights) and Level of public awareness and perception on prosecution, justice services and the Constitution:*** During the strategic cycle, the Department will direct its efforts to promoting justice services and the constitution in magisterial districts with the intention to improve the level of public awareness and perception on prosecution, justice services and the Constitution.

***Number of forums created to advance public discourse on human rights and constitutionalism:*** Fostering robust public discourse on human rights and constitutionalism is crucial for a thriving democracy. By engaging citizens in informed dialogue, the Department aims to promote accountability, strengthen the rule of law, and empower individuals to actively participate in shaping a more just and equitable society.

***Number of information sessions conducted to foster social cohesion, tolerance and unity in diversity:*** Social cohesion, tolerance, and unity in diversity are essential for building a harmonious and inclusive society. Over the next five years the department will conduct information sessions to raise awareness, promote understanding, and challenge prejudice and discrimination.

***Number of engagements to promote awareness on Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics (SOGIESC) and the Prevention and Combating of Hate Crimes and Hate Speech Act:*** The legal framework for combating hate crimes is crucial for fostering a society that respects and protects the rights of all individuals, regardless of their sexual orientation, gender identity, or gender expression. The department will be promoting awareness on SOGIESC through engagements aimed at reducing discrimination, promoting tolerance, and prevention of hate crimes.

## 10. Key Risks

Outcomes	Key Risks	Risk Mitigation
<p><b>A capable, efficient, effective, and ethical department</b></p>	<ol style="list-style-type: none"> <li>1. Non-compliance with laws and applicable prescripts leading to negative audit outcome.</li> <li>2. Systematic Fraud and Corruption impacting on the integrity of the department with far-reaching consequences on service delivery.</li> <li>3. Lack of specialised skills, knowledge gap in legal matters due to disparities in South African educational system.</li> <li>4. Suboptimal physical security measures in courts and aging security infrastructure</li> <li>5. Performance information may be based on inaccurate or incomplete data, which can lead to incorrect conclusions, decisions and ultimately impact on the overall strategy and direction of the Department</li> <li>6. Non-compliance with departmental SCM policies and procedures in relation to procuring of legal services leading to irregular expenditure</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of the Audit Action Plan.</li> <li>2. Foster a strong ethical culture from top-down, promoting integrity, transparency and zero tolerance for misconduct.</li> <li>3. Implementation of work skills plan and performance development plan. Alignment of the departmental needs to the Brigitte Mabandla Justice College (BMJC) training programmes.</li> <li>4. Identify courts for the installation of electronic security measures to enhance the overall safety and security at court buildings, including court efficiency.</li> <li>5. Perform consistent reviews of data</li> <li>6. Delegation for approving deviations</li> <li>7. Implementation of Departmental polices and procedures</li> </ol>
<p><b>Reformed, integrated and modernised criminal justice system</b></p>	<ol style="list-style-type: none"> <li>1. Unstable ICT infrastructure.</li> <li>2. Cybersecurity exposure.</li> <li>3. Lack of integrated criminal justice system impacting on the case management systems and the flow of information seamlessly</li> </ol>	<ol style="list-style-type: none"> <li>1. Stabilized ICT Solutions: Outdated systems will be replaced, leading to more efficient operations, improved integration and enhanced cybersecurity.</li> <li>2. Integration of modern case management systems within the Criminal Justice System.</li> </ol>
<p><b>Efficient, resilient and strengthened Justice System enhanced for improved accessibility</b></p>	<ol style="list-style-type: none"> <li>1. Business disruptions/ Service delivery interruptions due to: <ul style="list-style-type: none"> <li>- Infrastructure limitation including contravention notices</li> <li>- ICT challenges (Court recording technology)</li> <li>- Unavailability/ shortage of staff and equipment</li> <li>- Severe weather condition due to climate change</li> <li>- Power cuts and water challenges</li> </ul> </li> <li>2. The cost of accessing justice may be prohibitively expensive for many individuals, making it difficult for</li> </ol>	<ol style="list-style-type: none"> <li>1. Develop and implement the Business Continuity Management Plan to prevent the backlogs.</li> <li>2. The availability of the Alternative Dispute Resolution (ADR) Policy</li> </ol>

Outcomes	Key Risks	Risk Mitigation
	<p>them to seek legal remedies or access justice.</p> <ol style="list-style-type: none"> <li>3. Compromised best interests of children due to inability to fully implement the Children's Act and other pertinent legislation</li> <li>4. Exposure of sexual offence victims to secondary victimisation due to limited infrastructure to accommodate the requirements of the Regulations relating to Sexual Offences Courts.</li> <li>5. Inadequate court and office infrastructure resulting in noncompliance with occupational health and safety and potential facility closures.</li> <li>6. Inefficient and ineffective services provided by master service points due to system challenges leading to increased complains (erosion of public confidence)</li> </ol>	<p>Framework (Small claim courts, traditional courts etc.)</p> <ol style="list-style-type: none"> <li>3. Finalisation of preliminary inquiries within 30 days after the date of first appearance</li> <li>4. Implementation of regulations relating to Sexual Offences Courts and Guidelines for the establishment of the Sexual Offences Courts.</li> <li>5. Implementation of minor capital works projects to refurbish and upgrade the courts</li> <li>6. Implementation of Masters Turnaround Strategy which includes automation and roll out of the online services.</li> </ol>
<p><b>Advanced Constitutionalism, Human Rights, the Rule of Law and International Cooperation</b></p>	<ol style="list-style-type: none"> <li>1. Limited access to justice services by vulnerable and marginalised communities impacting on access to free, basic legal advice and other services offered by Community Advice Offices</li> <li>2. Growing social divisions due to lack of social cohesion and socio-economic conditions impact across the country resulting in intolerances and social unrest.</li> <li>3. Delays in rehabilitating the affected communities as recommended by TRC</li> <li>4. Potential for South Africa being red in the U.N. Human Rights Council leading to negative effect in our foreign policy priorities.</li> <li>5. Diplomatic tensions with other States due to foreign policy priorities</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness</li> <li>2. Enhancement of the functional requirements of the Virtual Data Repository for racism, racial discrimination, xenophobia and related intolerance</li> <li>3. Finalise and implement community rehabilitation regulations</li> <li>4. Exercise continuous Stakeholder engagements.</li> </ol>
<p><b>Professionalised, modernised and quality State Litigation, Legal Advisory Services and legal reform</b></p>	<p>Possibility of offering the state a subpar legal opinion that could go against the constitution due to quality of submissions received from the clients and ineffective IT systems and support services.</p>	<ol style="list-style-type: none"> <li>1. Conduct legal research, furnish legal opinion and make recommendations for law reform.</li> <li>2. Issue the guide on how clients can request legal opinion from OCSLA</li> </ol>

Outcomes	Key Risks	Risk Mitigation
<b>Transformed legal service for improved access to justice for all</b>	<ol style="list-style-type: none"> <li>1. Limitations in reforming, modernizing and evolving the legal service</li> <li>2. Slow progress in transformation of female and young legal counsel due to limited pool of female counsel in certain geographical areas.</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of multilateral stakeholder forums</li> <li>2. Pairing of junior counsel with senior counsels.</li> <li>1. Open dialogue with Client Departments to educate and persuade them to use black female counsels and or joint briefs through continuous bilateral stakeholder engagements.</li> </ol>
<b>Fighting Crime and Corruption through prosecution</b>	<ol style="list-style-type: none"> <li>1. Insufficient technology to enhance efficiency and effectiveness in the NPA.</li> <li>2. Lack of required skills and people to attend to complex matters.</li> <li>3. Safety and security of Prosecutors including information security risks.</li> </ol>	<ol style="list-style-type: none"> <li>2. Implementation of knowledge management portal as learning platform to share skills and techniques in prosecuting complex matters.</li> <li>3. Conduct threats risk assessment and coordinate security for high-risk cases and special events.</li> </ol>
<b>Colonial/apartheid-era justice-related legislation reviewed and replaced</b>	The legacy of colonial and apartheid legislation can perpetuate social and economic inequalities, as well as discrimination targeting marginalized indigenous populations. This may contribute to civil unrest, including protests and conflicts	Compile research papers on the Review of Colonial and Apartheid Era Legislation
<b>improved awareness of the justice services and community outreach programmes</b>	<ol style="list-style-type: none"> <li>1. Limited access to and knowledge about justice services by vulnerable and marginalised communities impacting on access to free and basic legal advice</li> <li>2. Negative public perception and damage to the reputation of the Department.</li> </ol>	<ol style="list-style-type: none"> <li>1. Promote justice services through outreach programmes.</li> <li>2. Strengthen departmental platforms (website and social media sites) to drive more communication.</li> </ol>

## 11. Public Entities

Name of Public Entity	Mandate	Outcomes	Current annual Budget (Million Rand)
Legal Aid South Africa (LASA)	Renders or makes legal aid available to indigent persons and provides legal representation at the state's expense	Efficient, resilient and strengthened Justice System enhanced for improved accessibility	2203,2
Special Investigating Unit (SIU)	Provides professional forensic investigations and litigation services to all state institutions at national, provincial and local level	Fighting Crime and Corruption through prosecution	459,9
Information Regulator	Monitor and enforce compliance by public and private bodies with the provisions of the Promotion of Access to information Act 2000 (Act 2 of 2000), and the Protection of Personal Information Act, 2013 (Act 4 of 2013)	Efficient, resilient and strengthened Justice System enhanced for improved accessibility	135,7
Public Protector of South Africa	The Public Protector is an independent institution established in terms of section 181 of the Constitution, with a mandate to support and strengthen constitutional democracy. A supreme administrative oversight body, the Public Protector has the power to investigate, report on and remedy improper conduct in all state affairs. The Public Protector must be accessible to all persons and communities. Anyone	Efficient, resilient and strengthened Justice System enhanced for improved accessibility	388,0

Name of Public Entity	Mandate	Outcomes	Current annual Budget (Million Rand)
	can complain to the Public Protector.		
Justice Modernisation	Implements the 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	Reformed, integrated and modernised criminal justice system	695,3
Office of the Legal Services Ombud	Responsible for protecting and promoting public interest in relation to rendering legal services, investigating complaints of alleged misconduct against legal practitioners, and promoting independence and high standards of integrity in the legal profession	Transformed of the legal service for improved access to justice for all	22,5



# PART D: TECHNICAL INDICATOR DESCRIPTION (TID)

**The  
Constitution**

of the Republic of South Africa, 1996

UTSHWE NGO-EPRELI 2

Issued May 2015

**Outcome 1: A capable, efficient, effective, and ethical department**

<b>Indicator Title</b>	<b>1.1 Unqualified audit opinion on Vote account obtained</b>
<b>Definition</b>	This indicator measures progress relating to the achievement of unqualified audit opinion relating to the Vote account.
<b>Source of data</b>	Final management audit report from the Auditor-General
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	All managers will manage their delegated authority accordingly and resolve identified audit findings.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	To obtain an unqualified audit opinion on the Vote account
<b>Indicator Responsibility</b>	Chief Financial Officer

<b>Indicator Title</b>	<b>1.2 Unqualified audit opinion on other funds obtained</b>
<b>Definition</b>	This indicator measures progress relating to the achievement of unqualified audit opinion relating to other funds (President Fund, Guardian's Fund, and Justice Administered Fund)
<b>Source of data</b>	Final management audit report from the Auditor-General
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	All managers will manage their delegated authority accordingly and resolve identified audit findings.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term

<b>Desired Performance</b>	To obtain an unqualified audit opinion on other funds (President Fund, Guardian's Fund, and Justice Administered Fund)
<b>Indicator Responsibility</b>	Chief Financial Officer

<b>Indicator Title</b>	<b>1.3 Unqualified audit opinion on predetermined objectives obtained</b>
<b>Definition</b>	This indicator measures progress relating to the achievement of unqualified audit opinion relating to predetermined objectives.
<b>Source of data</b>	Communication of Audit Findings Register
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	The offices will capture the information accurate and complete.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Obtain unqualified audit opinion on predetermined objectives
<b>Indicator Responsibility</b>	DDG: Institutional Development and Support

<b>Indicator Title</b>	<b>1.4 Number of training programmes conducted to reduce skills gap in the cluster and the Department</b>
<b>Definition</b>	The indicator measures the number of training and development programmes conducted with aim to reduce skills gaps in the cluster and Department
<b>Source of data</b>	Training reports /registers
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Training budget allocated for the strategic cycle is not reduced

<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All planned training programmes conducted within agreed timeframe
<b>Indicator Responsibility</b>	DDG Corporate Service

<b>Indicator Title</b>	<b>1.5 Number of specialised training programmes conducted</b>
<b>Definition</b>	This indicator measures the number of specialised training programmes that will be conducted by the Justice College during the reporting period.
<b>Source of data</b>	Attendance Registers
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	All specialised training programmes are conducted within the timeframes.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All specialised programmes conducted in within the time frame
<b>Indicator Responsibility</b>	Head of Brigitte Mabandla Justice College

<b>Indicator Title</b>	<b>1.6 The rate of finalised grievance cases improved</b>
<b>Definition</b>	The indicator intends to improve the rate of finalised grievance cases within the prescribed timeframe.
<b>Source of data</b>	Grievance database or register
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of grievance cases finalised within 60 days from the date the grievance is lodged and investigated / number of grievance cases finalised) *100
<b>Assumptions</b>	Investigations on reported cases will be finalised within the prescribed period, irrespective of the complexity and nature of the case.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All grievances finalised within the prescribed timeframe
<b>Indicator Responsibility</b>	DDG: Corporate Services

<b>Indicator Title</b>	<b>1.7 The rate of finalising misconduct cases improved</b>
<b>Definition</b>	The indicator intends to improve the rate of finalised misconduct cases within the prescribed timeframe.
<b>Source of data</b>	Database or register
<b>Method of Calculation/ Assessment</b>	Percentage = (number misconduct cases finalised within 90 days from the first day of sat down of the hearing / number of misconduct cases finalised) *100
<b>Assumptions</b>	Investigations on reported cases will be finalised within the prescribed period, irrespective of the complexity and nature of the case.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally

<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All investigations on reported cases finalised within a prescribed period
<b>Indicator Responsibility</b>	DDG: Corporate Services

<b>Indicator Title</b>	<b>1.8 Percentage of SMS and MMS with skills gap reduced</b>
<b>Definition</b>	This indicator measures the percentage reduction in the SMS and MMS skills gap
<b>Source of data</b>	Skills gap assessment report
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of SMS and MMS with the skills gap reduced/ total number of SMS and MMS with the skills gap identified) *100
<b>Assumptions</b>	Training will be conducted to address the skills gap
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Skills gap reduced to 90% as planned
<b>Indicator Responsibility</b>	DDG: Corporate Services

<b>Indicator Title</b>	<b>1.9 Percentage of incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in court premises reduced.</b>
<b>Definition</b>	This indicator measures the reduction of incidences of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses and members of the public in the court premises
<b>Source of data</b>	Incident register

<b>Method of Calculation/ Assessment</b>	Percentage = (Number of new reported incidents - Number of previous incidents reported/ Number of previous incidents reported) * 100
<b>Assumptions</b>	Security measures will be strengthened
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Incidents of attacks on court officials, judiciary, prosecutors, legal practitioners, witnesses, and members of the public in court premises reduced to 0%.
<b>Indicator Responsibility</b>	DDG: Corporate Services

<b>Indicator Title</b>	<b>1.10 Number of justice services accessible online increased</b>
<b>Definition</b>	This indicator measures the number of additional justice services that will be accessible online in pursuit of digitally transforming the Departments services, using online channels.
<b>Source of data</b>	List of additional services accessible online.
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Efficient procurement processes.</li> <li>• Sufficient budget.</li> <li>• Adequate human resources.</li> <li>• Adequate and stable underlying ICT Infrastructure.</li> <li>• Quality outsourced services (e.g. development services).</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Justice services accessible online and utilized as the preferred service delivery channel by the public.
<b>Indicator Responsibility</b>	DDG: Information and Communication Technology (ICT)

<b>Indicator Title</b>	<b>1.11 Percentage of courts providing court proceedings virtually increased</b>
<b>Definition</b>	This indicator measures the percentage of courts providing court proceedings virtually aimed at increasing access to justice services, reducing costs and improving efficiencies.
<b>Source of data</b>	List of courts providing virtual court proceedings
<b>Method of Calculation/ Assessment</b>	Percentage = (Total number courts providing court proceedings virtually/ Total number courts) *100
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Efficient procurement processes.</li> <li>• Sufficient budget.</li> <li>• Adequate human resources.</li> <li>• Adequate and stable underlying ICT Infrastructure.</li> <li>• Quality outsourced services (e.g. development services).</li> <li>• Cooperation by all stakeholders</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end of term
<b>Desired Performance</b>	100% of courts providing proceedings virtually
<b>Indicator Responsibility</b>	DDG: Information and Communication Technology (ICT)

## Outcome 2: Reformed, integrated and modernised criminal justice system

<b>Indicator Title</b>	<b>2.1 Criminal Procedure Bill submitted to Ministry for introduction and finalisation in Parliament</b>
<b>Definition</b>	This indicator measures the submission of the Criminal Procedure Bill submitted to Ministry for introduction and finalisation in Parliament
<b>Source of data</b>	Bill Memoranda to Ministry
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Criminal Procedure Bill introduced and finalised in Parliament
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>2.2 Number of modern CJS case management systems integrated to enable exchange of information electronically</b>
<b>Definition</b>	This indicator measures the number of modern CJS case management systems integrated to enable exchange of information electronically to create a more efficient, responsive, and transparent criminal justice system.
<b>Source of data</b>	IJS Transversal Hub
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Underlying infrastructure is upgraded and stable</li> <li>• SITA is capacitated.</li> <li>• Member departments have requisite skills to execute work</li> </ul>

	<ul style="list-style-type: none"> <li>Waste is removed in both SITA and departmental procurement processes</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end of term
<b>Desired Performance</b>	Three modern CJS case management systems seamlessly integrated to enable secure, real-time, electronic exchange of information
<b>Indicator Responsibility</b>	Chairperson: IJS Implementation Committee

<b>Indicator Title</b>	<b>2.3 Percentage of departments/ entities connected to IJS transversal Hub and exchange information electronically increased</b>
<b>Definition</b>	This indicator measures the percentage increase in departments and entities that are connected to transversal Hub and exchange information electronically.
<b>Source of data</b>	IJS Transversal Hub
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of departments or entities connected to IJS transversal Hub and exchange information electronically/ Total number of departments or entities identified to be connected to the IJS transversal Hub) * 100
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>All identified departments/entities will be integrated and share information.</li> <li>Member departments or entities are ready to connect to the IJS Transversal Hub.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	100% of the identified departments /entities connected to the IJS transversal Hub platform and exchange information electronically
<b>Indicator Responsibility</b>	Chairperson: IJS Implementation Committee

<b>Indicator Title</b>	<b>2.4 Number of interventions for the effective coordination of Criminal Justice System implemented</b>
<b>Definition</b>	This indicator measures the interventions that will be implemented for the effective coordination of the Criminal Justice System
<b>Source of data</b>	Intervention mplementation plan
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Collaboration and cooperation of CJS role players</li> <li>• Sufficient budget.</li> <li>• Adequate human resources.</li> <li>• Reformed Legislation</li> <li>• Quality outsourced services (e.g. development services).</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	National
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All interventions for the effective coordination of Criminal Justice System implemented as planned
<b>Indicator Responsibility</b>	DDG: Lower Court Services.

**Outcome 3: Efficient, resilient and strengthened Justice System enhanced for improved accessibility**

<b>Indicator Title</b>	<b>3.1 Number of Policy Reforms on Civil Justice System finalised</b>
<b>Definition</b>	This indicator measures number of policy reform on Civil Justice system finalised namely, Alternate Dispute Resolution Mechanism, Policy Review on Small Claims

	Courts, Wills, Insolvency, Administration of Estate and Trust
Source of Data	<ul style="list-style-type: none"> <li>• Alternative Dispute Resolution (ADR) Policy</li> <li>• Small Claims Courts Review Policy.</li> <li>• Wills Policy</li> <li>• Insolvency Policy</li> <li>• Administration of Estate Policy</li> <li>• Trust Policy</li> </ul>
Method of Calculation	Simple Count
Assumptions	Information is readily available
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Policy Reforms on Civil Justice System finalised as planned
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.2 Number of Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan</b>
Definition	<p>This indicator measures the number of Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan.</p> <p>Capacitation may include; the human and financial capital, draft regulations, training of officials which enables operationalisation of the Act.</p>
Source of Data	Register of the identified capacitated Traditional Courts
Method of Calculation	Simple Count
Assumptions	<ul style="list-style-type: none"> <li>• The resources to be provided</li> <li>• The Infrastructure support in place</li> </ul>
Disaggregation of Beneficiaries (where applicable)	National
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-term
Desired Performance	All identified Traditional Courts in the Magisterial Districts capacitated in line with the implementation plan
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.3 Number of sexual offences courts established</b>
Definition	This indicator measures the number of sexual offences courts established
Source of Data	List of sexual offences courts established
Method of Calculation	Simple count

Assumptions	<ul style="list-style-type: none"> <li>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>.</li> <li>The judiciary will cooperate with the Minister in the designation of places of sitting at which sexual offence courts must be established</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Women, children, persons with disabilities, older persons, LGBTQIA+ persons and male victims.
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Sexual offences courts established as planned
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.4 Percentage of child justice preliminary inquiries monitored for finalization within 30 days after the date of first appearance</b>
Definition	<p>This indicator measures the percentage of child justice preliminary inquiries monitored for finalization within 30 days after the date of first appearance.</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 = (child justice preliminary inquiries monitored for finalisation within 30 days after the date of first appearance/ number of child justice preliminary inquiries finalised) *100
Assumptions	Preliminary inquiries are finalised within 30 days after the date of first appearance.
Disaggregation of Beneficiaries (where applicable)	Children in conflict with the law
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Child justice preliminary inquiries finalised within 30 days after the date of first appearance
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.5 Number of courts upgraded in line with the minimum standards for domestic violence support services</b>
Definition	This indicator measures the number of district courts upgraded in line with the Minimum Standards of the

	National Strategy for Domestic Violence Support Services to establish a victim-centred justice system.
Source of Data	<ul style="list-style-type: none"> <li>List of district courts upgraded in line with the minimum standards for domestic violence support services</li> <li>Minimum Standards of the National Strategy for Domestic Violence Services</li> </ul>
Method of Calculation	Simple count
Assumptions	<ul style="list-style-type: none"> <li>There are courts with adequate space to accommodate the resource requirements for upgrades in line with the Minimum Standards of the National Strategy for Domestic Violence Support Services</li> <li>Cooperation of stakeholders.</li> <li>There are adequate resources for the upgrading of district courts</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, older persons, LGBTQIA+ persons and persons with disabilities
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Identified courts upgraded in line with the minimum standards for domestic violence support services as planned
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.6 Percentage of convicted sex offenders registered in the NRSO within 10 days of receipt of the order</b>
Definition	This indicator measures the percentage of convicted sex offenders whose particulars are registered in the NRSO by the Registrar or delegated official within 10 working days from the date of receipt of the conviction order.
Source of Data	Courts, NRSO database, FORM 5
Method of Calculation	Percentage = (Number of convicted sex offenders registered in the NRSO within 10 days of receipt of the order / Total number of convicted sex offenders required to be registered) * 100
Assumptions	<ul style="list-style-type: none"> <li>Timely issuance of conviction orders</li> <li>Accurate and complete data</li> <li>No delays to register the conviction on the NRSO register by officials</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Vulnerable persons (as defined by the Criminal Law Sexual Offences and Related Matters Amendment Act, Amendment Act 13 Of 2021
Spatial Transformation (where applicable)	National
Reporting Cycle	Mid-term and end-of-term
Desired Performance	100% convicted sex offenders registered in the NRSO within 10 days of receipt of the order
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.7 Percentage of NRSO clearance certificate issued within 10 working days of receipt of compliant application</b>
Definition	<p>This indicator measures the percentage of NRSO clearance certificates issued by the Registrar or delegated official within 10 working days from the date of receipt of the compliant applications with all required documents by the Registrar or delegated official.</p> <p>An 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 their own particulars and employees working with or applying to work in sectors involving vulnerable persons and any other person who seeks 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 the NSP on GBVF.</p>
Source of Data	ICMS: NRSO
Method of Calculation	Percentage = (number of NRSO clearance certificates issued within 10 working days from the 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) *100
Assumptions	<ul style="list-style-type: none"> <li>• Compliant applications</li> <li>• Functional systems (CITRIX and ICMS: NRSO)</li> </ul>
Disaggregation of Beneficiaries (where applicable)	Vulnerable persons
Spatial Transformation (where applicable)	National
Reporting Cycle	Mid-term and end-of-term
Desired Performance	NRSO clearance certificate issued within 10 working days of receipt of compliant application as planned
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.8 Number of courts providing additional Justice services increased</b>
Definition	This indicator measures the increase in the number of courts providing additional Justice services.
Source/Collection of Data	List of courts providing additional justice services
Method of Calculation	Simple count

Assumptions	<ul style="list-style-type: none"> <li>• Adequate human capital to provide additional Justice services as per Justice Service Model/strategy.</li> <li>• Infrastructure will permit the provision of additional services, as per the model specifications</li> <li>• Stakeholder support</li> <li>• Adequate budget allocations</li> </ul>
Disaggregation of Beneficiaries (where applicable)	All court users, including vulnerable court users (children, women, older persons, persons with disabilities)
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All identified courts to provide additional justice services as planned to increase access to justice to disadvantaged communities.
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.9 Percentage reduction on criminal cases backlog on the court roll</b>
Definition	This indicator measures the percentage reduction of criminal cases on the backlog court roll.
Source of Data	ICMS
Method of Calculation	Percentage = (Number of criminal cases on backlog court roll cleared/ Number of criminal cases on backlog court roll) * 100
Assumptions	<ul style="list-style-type: none"> <li>• Resources will be available</li> <li>• The system will be functional</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Criminal cases on the backlog court roll in regional and district courts reduced as planned
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.10 Percentage of criminal cases postponed due to unavailability of administrative support services</b>
Definition	This indicator measures the percentage of criminal and civil cases on the court roll that were postponed due to the unavailability of administrative support services (Interpreters, court support staff, power outages, water outages, CRT not working)
Source/Collection of Data	ICMS Report
Method of Calculation	Percentage = (Number of cases postponed due to administrative support services / Number of cases postponed) *100
Assumptions	<ul style="list-style-type: none"> <li>• Availability of administrative support services and functioning Integrated Case Management System</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation	N/A

(where applicable)	
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Less than 1,5% criminal cases postponed due to unavailability of administrative support services
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.11 Number of new court buildings completed</b>
Definition	This indicator measures the number of new court buildings completed to expand justice footprints for the purposes of bringing justice services to the people.
Source of Data	Completion certification
Method of Calculation	Simple count
Assumptions	Funds will be available
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Desired Performance	All new court buildings completed as planned
Indicator Responsibility	DDG: Lower Court Services
<b>Indicator Title</b>	<b>3.12 Number of courts refurbished and upgraded (major renovations)</b>
Definition	This indicator measures the number of court facilities to be refurbished and upgraded through major capital works to ensure that the infrastructure is maintained and fit for the intended purpose.
Source of Data	<ul style="list-style-type: none"> <li>List of projects to be implemented</li> <li>Completion certificates</li> </ul>
Method of Calculation	Simple Count
Assumptions	<ul style="list-style-type: none"> <li>Competent service providers will be available.</li> <li>Seamless supply chain processes to appoint the contractors.</li> <li>Availability of technical capacity</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All identified courts refurbished and upgraded as planned to fit the intended purpose.
Indicator Responsibility	DDG: Lower Court Services

<b>Indicator Title</b>	<b>3.13 Percentage of Master's services finalised in line with the Standard Operating Procedures (SOPs)</b>
Definition	This indicator measures the percentage of Masters' services finalised in line with the SOPs

Source of Data	Case file and register
Method of Calculation	Percentage = (Number of Master's services finalised in line with the SOPs/the total number of services finalised) *100.
Assumptions	All relevant stakeholders will fully participate in the provision of services to clients.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All Master's services finalised in line with the SOPs
Indicator Responsibility	Chief Master

<b>Indicator Title</b>	<b>3.14 Percentage Master's turn-around strategy interventions implemented</b>
Definition	This indicator measures the percentage of interventions that will be implemented from the Master's Turnaround Strategy. These interventions are: <ul style="list-style-type: none"> <li>i. Creation and roll out of an online Trust registration and appointment platform in 3 Masters' offices</li> <li>ii. Finalisation of the development of the Guardian's Fund Financial System</li> <li>iii. Creation and roll out of an online Insolvency platform in 3 Masters' offices</li> </ul>
Source of Data	Master's turn-around strategy implementation report
Method of Calculation	Percentage = (Number of Master's turnaround Strategy interventions implemented/ Number of the Master's turnaround Strategy planned interventions) * 100
Assumptions	<ul style="list-style-type: none"> <li>• Meetings/ workshops will take place as planned</li> <li>• Available budget</li> <li>• Full staff compliment</li> <li>• Stakeholder collaboration</li> <li>• Network stability</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end of term
Desired Performance	All planned interventions implemented
Indicator Responsibility	Chief Master

<b>Indicator Title</b>	<b>3.15 Percentage of Family Advocate services finalised in line with the SOPs</b>
Definition	This indicator measures the percentage of Family Advocate services finalised in line with the SOPs.
Source of Data	Case file and register
Method of Calculation	Percentage = (Number of Family Advocate services finalised in line with the SOPs/the total number of services finalised) *100.
Assumptions	All relevant stakeholders will fully participate in the providing of services to clients.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end of term
Desired Performance	All Family Advocate services finalised in line with the SOPs
Indicator Responsibility	Chief Master
<b>Indicator Title</b>	<b>3.16 Number of Rules of Courts to improve access to justice submitted to the Rules Board for approval</b>
Definition	This indicator measures the number of Court Rules and final reports on the review of Court Rules prepared and submitted to the Rules Board for approval.
Source of Data	Draft rules and extracts from the agendas of Rules Board meetings indicating the rules submitted to the Rules Board
Method of Calculation	Simple count
Assumptions	Research will be conducted and the research facilities will be available. Regular Committee and Board meetings will be held to interrogate and consider the rules submitted. Adequate Rules Board and Secretariat component. Stakeholder engagement.
Disaggregation of Beneficiaries (where applicable)	Not applicable as rules drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All planned Court Rules to be submitted and reviewed during the reporting period
Indicator Responsibility	DDG: Legislative Development

<b>Indicator Title</b>	<b>3.17 Number of research papers on the review of the civil justice system submitted to the South African Law Reform Commission for consideration and approval</b>
Short definition	This indicator measures the number of research papers relating to the review of the civil justice system submitted to

	the South African Law Reform Commission for its consideration and approval
Source of Data	<ul style="list-style-type: none"> <li>• Agenda of the meeting,</li> <li>• Copy of draft paper submitted,</li> <li>• Email on which the paper was submitted,</li> <li>• Meeting attendance register</li> </ul>
Method of Calculation	Simple count
Assumptions	<ul style="list-style-type: none"> <li>• Commissioners are appointed and are available to attend Commission meetings</li> <li>• Research will be conducted and adequate research facilities and resources are available.</li> <li>• Stakeholder consultation</li> <li>• Adequate research component</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All research papers on the review of the civil justice system submitted to the South African Law Reform Commission for consideration and approval as planned
Indicator Responsibility	DDG: Legislative Development and Legal Services

**Outcome 4: Advanced Constitutionalism, Human Rights, the Rule of Law and International Cooperation**

<b>Indicator Title</b>	<b>4.1 Number of Community Advice Offices (CAO's) supported through the PLEAJ project to expand the provision of free, basic legal advice and promotion of human rights awareness increased</b>
Definition	The indicator measures the increase in the number of CAOs supported financially to help them expand delivery of free, basic legal advice services and other CAO services to their communities.  The phrase 'provided with financial assistance' will mean quarterly grant payments to qualified CAOs.
Source/Collection of Data	<ul style="list-style-type: none"> <li>• Quarterly Requisition Forms.</li> <li>• BAS Records of payments.</li> <li>• CAOs Bank Statements</li> <li>• CAOs Confirmation of grant payments</li> </ul>
Method of Calculation	Simple count
Assumptions	Availability of funds
Disaggregation of Beneficiaries (where applicable)	Target to low-income communities Target to vulnerable communities
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Community Advice Offices (CAO's) supported through the PLEAJ project to expand provision of free, basic legal advice and promotion of human rights awareness as planned
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.2 Number of Community Advice Offices supported to provide justice services in all districts</b>
Definition	The indicator measures the number of CAOs supported to assist them to provide free, basic legal advice services in all districts.
Source/Collection of Data	<ul style="list-style-type: none"> <li>• Funding Model</li> <li>• Sector-Wide Engagement Strategy</li> <li>• Quarterly Requisition Forms.</li> <li>• BAS Records of payments.</li> <li>• CAOs Bank Statements</li> <li>• CAOs Confirmation of grant payments</li> </ul>
Method of Calculation	Simple count
Assumptions	Allocation of required resources
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National
Reporting Cycle	Mid-term and end-of-term
Desired Performance	52 Community Advice Offices supported to provide justice services in all districts as planned
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.3 Number of Regulations to address TRC Recommendations implemented</b>
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Definition	The indicator measures the implementation of TRC Regulations (Housing, Health and Community Rehabilitation) <ul style="list-style-type: none"> <li>Community rehabilitation regulations: The number of the projects launched by the Minister of DoJ&amp;CD per year</li> <li>Housing regulations: TRC-identified victims enabled to access housing assistance reparations</li> <li>Medical Assistance regulations: TRC-identified victims enabled to access medical assistance</li> </ul>
Source of Data	<ul style="list-style-type: none"> <li>List of TRC Reports referenced communities that have been affected by incidents of intense gross human rights violation to be rehabilitated for the purpose of contributing to the healing of wounds of the past and restoring human dignity.</li> <li>Volume 7 TRC report</li> <li>TRC identified victims file</li> <li>Application forms</li> </ul>
Method of Calculation	Simple count
Assumptions	Finalisation of the draft regulations on the: <ul style="list-style-type: none"> <li>Community Rehabilitation</li> <li>Housing Assistance</li> <li>Medical Assistance</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All 3 identified Regulations to address TRC Recommendations implemented
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.4 Number of initiatives conducted to strengthen public participation in democratic processes.</b>
Definition	This indicator measures the number of initiatives conducted to strengthen public participation in democratic processes
Source of Data	Reports Attendance Register
Method of Calculation	Simple count
Assumptions	Finalisation of guidelines for strengthening public participation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term

Desired Performance	15 initiatives conducted to strengthen public participation in democratic processes.
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.5 Number of initiatives to assist departments to implement the recommendations and directives of constitutional institutions by various organs of state conducted</b>
Definition	This indicator measures the number of initiatives to assist departments in implementing the recommendations and directives of constitutional institutions by various organs of state conducted
Source of Data	Concept Note for the planned initiatives
Method of Calculation	Simple count
Assumptions	Cooperation of stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	20 initiatives conducted to assist departments to implement the recommendations and directives of constitutional institutions by various organs of state
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.6 Number of initiatives conducted to implement Chapter 5 of PEPUDA</b>
Definition	This indicator measures number of initiatives to implement Chapter 5 of PEPUDA.
Source/Collection of Data	Concept Note for the initiatives to implement Chapter 5 of PEPUDA
Method of Calculation	Simple count
Assumptions	The amendments of the Act are finalised
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	10 initiatives conducted to implement Chapter 5 of PEPUDA
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.7 Number of initiatives implemented for the protection of human rights and deepening constitutionalism</b>
Definition	This indicator measures the number of initiatives implemented for the protection of human rights and deepening constitutionalism.
Source/Collection of Data	Concept Note
Method of Calculation	Simple count
Assumptions	Cooperation by stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	25 initiatives implemented for the protection of human rights and deepening constitutionalism
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.8 Percentage compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations</b>
Definition	This indicator measures the percentage compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations
Source of Data	<ul style="list-style-type: none"> <li>International Covenant on Economic, Social and Cultural Rights (ICESCR) report;</li> <li>Memorandum to the Minister</li> </ul>
Method of Calculation	Percentage= (Number of international, regional, sub-regional, human rights, and other relevant treaty reporting obligations complied with / total number of international, regional, sub-regional, human rights, and other relevant treaty reporting obligations to be complied with) *100
Assumptions	<ul style="list-style-type: none"> <li>Availability of resources</li> <li>High cooperation among departments in the preparation and submission of reports.</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	100% compliance with international, regional, sub-regional, human rights, and other relevant treaty reporting obligations
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.9 Number of bilateral agreements on extradition/Mutual Legal Assistance/judicial cooperation negotiated increased.</b>
Definition	This indicator measures the increase in the number of bilateral agreements on extradition/Mutual Legal Assistance/ judicial cooperation negotiated
Source/Collection of Data	Draft agreement being negotiated
Method of Calculation	Simple count
Assumptions	Cooperation from the foreign country.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	10 Bilateral Agreements on extradition/Mutual Legal Assistance/judicial cooperation negotiated.
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.10 Number of engagements undertaken in international fora to support the development and strengthening of international law, norms and standards</b>
Definition	This indicator measures the number of engagements undertaken in international fora to support the development and strengthening of international law, norms and standards
Source/Collection of Data	Briefing notes/ written inputs provided by Department/submissions for participation in multilateral engagements
Method of Calculation	Simple Count
Assumptions	<ul style="list-style-type: none"> <li>• Attendance of relevant multilateral meetings</li> <li>• Department invited to make contribution to position papers/briefing notes</li> <li>• Capacity to contribute on international law matters</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	25 engagements undertaken in international fora to support the development and strengthening of international law, norms and standards
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.11 Number of engagements in strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance held</b>
Definition	<p>This indicator measures the number of engagements held towards:</p> <ul style="list-style-type: none"> <li>• Promoting the Constitution and related legislations (<i>Promotion of Equality and Prevention of Unfair Discrimination Act, Prevention and Combating of Hate Crimes and Hate Speech Act</i>);</li> <li>• Implementing the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP)</li> </ul>

	<ul style="list-style-type: none"> <li>Addressing racial discrimination and related intolerances</li> <li>strengthening the effectiveness of the established NAP Governance Structure to promote social cohesion, equality and tolerance</li> </ul> <p>The phrase 'engagements' in this indicator will mean –</p> <ul style="list-style-type: none"> <li>engagements: relates to the meetings and conceptualization of interventions with a long-term, transformative policy impact. It further includes the monitoring sessions on the implementation of the NAP</li> </ul>
Source/Collection of Data	Concept Note per strategic engagements, Attendance registers, Minutes
Method of Calculation	Simple count
Assumptions	Support and collaboration by key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All engagements held as planned
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.12 Number of materials developed to improve knowledge and understanding of the Constitution and human rights</b>
Definition	<p>This indicator measures the number of materials developed towards:</p> <ul style="list-style-type: none"> <li>Raising awareness on the Prevention and Combating of Hate Crimes and Hate Speech Act; the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP);</li> <li>Improving knowledge and understanding of the Constitution and human rights</li> <li>Combating racism and related intolerance</li> </ul> <p>The phrase 'developed material' in this indicator will mean</p> <ul style="list-style-type: none"> <li>Creation of content to be used further include toolkit, key messages, pamphlets, factsheets</li> </ul>
Source/Collection of Data	Concept Note
Method of Calculation	Simple count
Assumptions	Approved content Support and collaboration by key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All materials developed as planned
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.13 Number of initiatives conducted to implement the National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations</b>
Definition	This indicator measures the number of initiatives conducted to implement the National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations
Source of Data	<ul style="list-style-type: none"> <li>• Approved Cabinet memorandum</li> <li>• Letters to Departments to appoint/confirm their nominations to the Mechanism</li> <li>• Engagement with the United Nations Human Rights Regional Office for Southern Africa to coordinate training for the Mechanism</li> </ul>
Method of Calculation	Simple count
Assumptions	<ul style="list-style-type: none"> <li>• Cabinet approval for the Mechanism</li> <li>• Stakeholders to cooperate and provide nominations timeously</li> <li>• UNHR regional office to provide capacitation training to the Mechanism</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	5 initiatives conducted to implement the National mechanism on reporting, implementation and follow up (NMRIF) of human rights treaty obligations
Indicator Responsibility	DDG: Constitutional Development

<b>Indicator Title</b>	<b>4.14 UN Convention against Cybercrime ratified</b>
Definition	This indicator measures the ratification of the UN Convention Against Cybercrime
Source/Collection of Data	Convention Against Cybercrime Memorandum to the Minister
Method of Calculation	N/A
Assumptions	Cluster meetings will take place on the scheduled dates to recommend approval
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Convention Against Cybercrime ratified
Indicator Responsibility	DDG: Constitutional Development

**Outcome 5: Professionalized, modernized and quality State Litigation, Legal Advisory Services and legal reform**

<b>Indicator Title</b>	<b>5.1 Percentage of successful legal challenges on the constitutionality of Bills as certified/ legislation and subordinate legislation/ international agreements as scrutinised by the OCSLA reduced</b>
Short definition	This indicator measures the percentage reduction of international agreements scrutinised and laws (Bills subordinate legislation) passed as certified by the OCSLA successfully challenged in court for constitutionality.
Source of Data	Register of requests from clients and court judgements
Method of Calculation	Percentage = (Number of international agreements scrutinized and laws passed by Parliament as certified by the OCSLA successfully challenged in court for constitutionality/number of international agreements and laws passed by Parliament as certified by the OCSLA) * 100
Assumptions	<ul style="list-style-type: none"> <li>• Factors accepted as true and certain to happen without proof</li> <li>• Laws and International Agreements scrutinised by the OCSLA to pass the constitutional muster</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	International agreements scrutinized and laws passed by Parliament as certified by the OCSLA pass constitutional muster.
Indicator Responsibility	Chief State Law Advisor

<b>Indicator Title</b>	<b>5.2 Percentage of Bills certified by OCSLA within 30 working days from the date of receipt of instructions</b>
Definition	<p>This indicator measures the percentage of Bills Certified by OCSLA within 30 working days from the date of receipt of the instruction.</p> <p>Finalisation refers to Bills and subordinate legislation dispatched by the Chief State Law Adviser to clients</p>
Source of Data	Register for Bills and other legislative instruments
Method of Calculation	Percentage = (Number of Bills certified by OCSLA within 30 working days from the date of receipt of the instructions / number of Bills certified by OCSLA) *100
Assumptions	Stakeholders will provide clear instructions
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All Bills certified within 30 working days
Indicator Responsibility	Chief State Law Adviser

<b>Indicator Title</b>	<b>5.3 Percentage of International Agreements scrutinised within 30 working days from the date of receipt of instructions</b>
Definition	This indicator measures the percentage of international agreements that are scrutinised within 30 working days from the date of receipt of instructions.
Source of Data	Register for international agreements and accompanying legal opinion requests
Method of Calculation	Percentage = (Number of international agreements scrutinised within 30 working days from the date of receipt of the instruction/number of international agreements scrutinised) *100
Assumptions	Stakeholders will provide clear instructions
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	All international agreements scrutinised within 30 working days from the date of receipt of instruction
Indicator Responsibility	Chief State Law Adviser

<b>Indicator Title</b>	<b>5.4 Percentage of constitutionally sound legislative instruments successfully challenged in courts</b>
Definition	This indicator measures the percentage of legislative instruments enacted since the beginning of the 2010/11 financial year which were successfully challenged for constitutionality in the Constitutional Court.
Source of Data	<ul style="list-style-type: none"> <li>• Government gazette,</li> <li>• Parliamentary reports,</li> <li>• Rules of court,</li> <li>• Emails,</li> <li>• Minutes of meetings and memoranda to the minister,</li> <li>• Rules board; whichever applicable.</li> </ul>
Method of Calculation	Percentage = (Number of legislative instruments challenged successfully in the Constitutional Court/number of legislative instruments developed and enacted since the beginning of 2010/11) * 100
Assumptions	<ul style="list-style-type: none"> <li>• Research will be conducted;</li> <li>• Drafting of legislative instruments will occur;</li> <li>• Ministerial engagements will take place</li> </ul>
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and end-of-term
Desired Performance	Less than 2% of constitutionally sound legislative instruments are successfully challenged in courts
Indicator Responsibility	DGG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>5.5 Percentage of litigation cases finalised through ADRM</b>
<b>Definition</b>	This indicator measures the percentage of litigation cases finalised through ADRM.
<b>Source of Data</b>	Court orders, settlement agreement, judgement and mediation outcome, arbitration award
<b>Method of Calculation</b>	Percentage = (Number of litigation cases finalised through ADRM / total cases finalised) * 100
<b>Assumptions</b>	Approval of proposed amendment Section 41 (A) by Rules Court
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	50% of litigation cases finalised through ADRM to reduce litigation cost
<b>Indicator Responsibility</b>	Office of the Solicitor-General

<b>Indicator Title</b>	<b>5.6 Percentage of State Attorney Turn-around Strategy implemented.</b>
<b>Definition</b>	This indicator measures the percentage progress of deliverables implemented from the State Attorney Turn-around strategy.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved turnaround strategy,</li> <li>• Report on the implementation of the state attorney Turn-around Strategy.</li> </ul>
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of deliverables from the State Attorney Turn-around strategy implemented/total number of deliverables from the State Attorney Turn-around Strategy) * 100
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Approval of the turnaround strategy.</li> <li>• Improved provision of legal services.</li> <li>• Saving of legal costs.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	State Attorney Turn-around Strategy implemented fully implemented as planned.

<b>Indicator Responsibility</b>	Solicitor-General
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<b>Indicator Title</b>	<b>5.7 Percentage of Intergovernmental National Litigation Forum (INLF) resolutions to streamline and strengthen state litigation implemented</b>
<b>Definition</b>	This indicator measures the percentage of Intergovernmental National Litigation Forum (INLF) resolutions that will be implemented to streamline and strengthen state litigation
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Resolutions of the INLF meetings</li> <li>• Progress report on the implementation of the resolutions from members of the forum.</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	INLF resolutions will be implemented as planned.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All INLF resolutions implemented as planned
<b>Indicator Responsibility</b>	Solicitor-General

<b>Indicator Title</b>	<b>5.8 Percentage reduction in litigation costs</b>
<b>Definition</b>	This indicator serves to measure the reduction in percentage of litigation costs.
<b>Source of data</b>	BAS reports, Quarterly reports of the Office of the Solicitor-General and Office of the State Attorney.
<b>Method of Calculation/ Assessment</b>	Percentage = (Legal costs incurred in the current year – Legal costs incurred in the previous year)/ Legal costs incurred in the previous year) *100.
<b>Assumptions</b>	State will continue to incur Legal Costs. There will be always be litigation cases against the state.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	50% reduction in litigation costs for the State
<b>Indicator Responsibility</b>	Solicitor-General

**Outcome 6: Transformed of the legal service for improved access to justice for all**

<b>Indicator Title</b>	<b>6.1 Percentage increase of previously disadvantaged individuals (PDI) legal practitioners briefed</b>
<b>Definition</b>	This indicator measures the percentage of previously disadvantaged legal practitioners briefed.
<b>Source of data</b>	Dataset/register of NOCIMT
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of legal practitioners briefed/- number of legal practitioners briefed) *100
<b>Assumptions</b>	The pool will have enough new PDIs to be briefed.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	20% of PDIs newly briefed
<b>Indicator Responsibility</b>	Solicitor-General

<b>Indicator Title</b>	<b>6.2 Percentage value of briefs allocated to Females legal practitioners</b>
<b>Definition</b>	This indicator measures the percentage of monetary value (Rand) of briefs allocated to female legal practitioners
<b>Source of data</b>	BAS reports and batches monthly statistics
<b>Method of Calculation/ Assessment</b>	Percentage = (value of briefs allocated to female legal practitioners / value of briefs allocated to Legal Practitioners) *100
<b>Assumptions</b>	There is a sufficient pool of Female Legal Practitioners to present matters in the High Courts and other legal forums.
<b>Disaggregation of Beneficiaries (where applicable)</b>	42% value of briefs allocated to Female Legal Practitioners
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	42% value of briefs allocated to female legal practitioners

<b>Indicator Responsibility</b>	Solicitor-General
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<b>Indicator Title</b>	<b>6.3 Number of initiatives implemented to increase access to legal profession by youth and women</b>
<b>Definition</b>	This indicator measures the number of initiatives implemented to increase access to legal profession by youth and women
<b>Source of data</b>	Programme of action
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Funding will be available</li> <li>• There will be a growing pool of youth and female legal practitioners</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	Youth 10% Women 35%
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All initiatives conducted as planned
<b>Indicator Responsibility</b>	Solicitor-General

<b>Indicator Title</b>	<b>6.4 Percentage implementation of the Legal sector code in line with State Attorney legal services.</b>
<b>Definition</b>	This indicator measures percentage of state Attorney legal services outsourced in line with Legal Sector Code
<b>Source of data</b>	Legal Sector code implementation plan Reports from OSA
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of state Attorney legal services outsourced in line with Legal Sector Code/ Total number of state Attorney legal services outsourced) * 100
<b>Assumptions</b>	There will be buy in from all stakeholders
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A

<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	100% Legal Services outsourced in line with the Legal Code
<b>Indicator Responsibility</b>	Solicitor-General

<b>Indicator Title</b>	<b>6.5 Amendment to the Legal Practice Act, 2014 finalised in Parliament</b>
<b>Definition</b>	<p>This indicator measures the finalisation of amendment to the Legal Practice Act in Parliament.</p> <ul style="list-style-type: none"> <li>• Draft a Bill.</li> <li>• Subject a Bill to a public consultation process;</li> <li>• Ensure the introduction and finalisation of a Bill in Parliament within the timeframes set.</li> </ul>
<b>Source of data</b>	Bill Memoranda to Ministry
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Research will be conducted. Drafting of proposals will occur. Ministerial engagements will take place.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Bill developed as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>6.6 Percentage implementation of Community Service Regulations</b>
<b>Definition</b>	This indicator measures the percentage progress of deliverables implemented from Community Service Regulations

	<ul style="list-style-type: none"> <li>• Revise draft Regulations.</li> <li>• Subject a set of regulations to a public consultation process;</li> <li>• Ensure the finalisation of a set of regulations within the timeframes set.</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Revised regulations</li> <li>• Memoranda to Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of deliverables from Community Service Regulations implemented/total number of deliverables from the Community Service Regulations) * 100
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Community Service Regulations implemented as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

## Outcome 7: Fighting Crime and Corruption through prosecution

<b>Indicator Title</b>	<b>7.1 Report on the review of South Africa's anti-corruption architecture submitted in Parliament</b>
<b>Definition</b>	This indicator measures the report on the review of South Africa's anti-corruption architecture submitted in Parliament
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Report on progress</li> <li>• Memoranda to Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Report on review of South Africa's anti-corruption architecture submitted in Parliament as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>7.2 Whistle-blower Framework/Bill amended and introduced in Parliament</b>
<b>Definition</b>	This indicator measures the progress in the amendment and introduction of the Whistle-blower Framework/Bill in Parliament.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Report on progress</li> <li>• Memoranda to Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	N/A
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A

<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Whistle-blower Framework/Bill amended and introduced in Parliament as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>7.3 Percentage implementation of the reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework</b>
<b>Definition</b>	This indicator measures the percentage implementation of the reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Regulations</li> <li>• Memoranda to Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of implemented regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework/ Number of regulations) * 100
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Reviewed Regulation of Interception of Communications and Provision of Communication-related Information Amendment Framework implemented as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services
<b>Indicator Title</b>	<b>7.4 Number of identified legislation to strengthen anti-corruption efforts reviewed and overhauled</b>

<b>Definition</b>	<p>This indicator measures the number of identified legislation to strengthen anti-corruption efforts reviewed and overhauled.</p> <ul style="list-style-type: none"> <li>• Introducing a Bill into Parliament</li> <li>• to subject a Bill or a set of regulations or notices to a public consultation process, or to promulgating regulations</li> <li>• 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 timeframes set</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Bills, Regulations, Notices, Proclamations</li> <li>• Memoranda to Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Identified legislation to strengthen anti-corruption efforts reviewed and overhauled as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>7.5 Number of Money Laundering and Terrorism Financing cases finalised</b>
<b>Definition</b>	This indicator measures the number of prosecutions finalised with more focus and prioritisation on money laundering charges and terrorism financing.
<b>Source of data</b>	PCLU and DPP Datasheet and registers/ (HC, RC, DC and specialised unit central data sheets).
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Properly investigated matters, thoroughly screened dockets, cases prioritised for prosecution.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Mid-term and End Term
Desired Performance	50 (mid-term) 70 (end-term)
Indicator Responsibility	DNDPP: NPS

<b>Indicator Title</b>	<b>7.6 Total value of recoveries</b>
<b>Definition</b>	The amount of money paid into the Criminal Asset Recovery Account (CARA) and or to victims of crime through intervention by AFU (including C-ADR, other settlements or agreements). Recoveries also include the return of movable assets, immovable assets or immaterial goods (including but not limited to claims in terms of contractual obligations or rights and such claims resulting in savings) to the identified victims.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• The proof of payment or proof of recovery /</li> <li>• A case report form reflecting the recovery</li> <li>• Letters or emails or documents confirming receipt of assets</li> </ul>
<b>Method of Calculation/ Assessment</b>	The total amount paid, or the net market value of property transferred to the victims of crime or paid into CARA during the reporting period resulting from orders, agreements or C-ADR settlements obtained.
<b>Assumptions</b>	Proof of payments are received within the reporting period.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	R800m
<b>Indicator Responsibility</b>	DNDPP: AFU

<b>Indicator Title</b>	<b>7.7 Total value of freezing orders</b>
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<b>Definition</b>	The indicator measures the total value of the proceeds, instrumentalities or benefit of crime restrained or preserved from the control of criminals through freezing orders obtained.
<b>Source of data</b>	Case report form/ Court Orders
<b>Method of Calculation/ Assessment</b>	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.
<b>Assumptions</b>	The information to estimate the value of the assets is available at the reporting period.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	R 3.5bn
<b>Indicator Responsibility</b>	DNDPP: AFU

<b>Indicator Title</b>	<b>7.8 Conviction rate for identified crimes of the priority offences list</b>
<b>Definition</b>	The indicator measures the conviction rate of serious commercial crime and serious organised crime cases finalised in the Specialised Commercial Crime Court (SCCC) or lower courts and high courts.
<b>Source of data</b>	ECMS for lower courts and Daily Court Return for High Courts (until High Court module is available)
<b>Method of Calculation/ Assessment</b>	Percentage = (The total number of cases finalised with a guilty verdict (including Sec 57A of the CPA) divided by the total number of cases finalised with a verdict. Convictions are recorded at the date of sentencing in the case of a guilty verdict or on date of verdict of not guilty.
<b>Assumptions</b>	Quality investigation of cases, proper screening of dockets, cases to be prioritised for prosecution.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A

<b>Indicator Title</b>	<b>7.8 Conviction rate for identified crimes of the priority offences list</b>
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	90%
<b>Indicator Responsibility</b>	DNDPP: NPS

<b>Indicator Title</b>	<b>7.9 Conviction rate for corruption</b>
<b>Definition</b>	This indicator measures the percentage of cases finalised with a verdict for contravening the Prevention and Combating of Corrupt Activities Act, 12 of 2004 (PRECCA)
<b>Source of data</b>	ECMS for lower courts and Daily Court Return for High Courts (until High Court module is available)
<b>Method of Calculation/ Assessment</b>	Percentage = (The total number of cases finalised with a guilty verdict (including Sec 57A of the CPA) divided by the total number of cases finalised with a verdict. Convictions are recorded at the date of sentencing in the case of a guilty verdict or on date of verdict of not guilty.
<b>Assumptions</b>	Quality investigation of cases, proper screening of dockets, cases to be prioritised for prosecution.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	84%
<b>Indicator Responsibility</b>	DNDPP: NPS

<b>Indicator Title</b>	<b>7.10 Conviction rate in Sexual Offences</b>
<b>Definition</b>	The percentage of cases finalised with a guilty verdict for contravening the Criminal Law (Sexual Offences and Related Matters) Amendment Act, No 32 of 2007 in all court fora, HC, DC, RC and dedicated courts.
<b>Source of data</b>	ECMS for lower courts and Daily Court Return for High Courts (until ECMS High Court module is available).

<b>Indicator Title</b>	<b>7.10 Conviction rate in Sexual Offences</b>
<b>Method of Calculation/ Assessment</b>	Percentage = (The total number of cases finalised with a guilty verdict (including Sec 57A of the Criminal Procedure Act, 51 of 1977 “CPA”) divided by the total number of cases finalised with a verdict. Convictions are recorded at the date of sentencing in the case of a guilty verdict or on the date of the verdict of not guilty.
<b>Assumptions</b>	Quality investigation of cases, proper screening of dockets, cases to be prioritised for prosecution.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	72.3%
<b>Indicator Responsibility</b>	DNDPP: NPS

<b>Indicator Title</b>	<b>7.11 Number of Thuthuzela Care Centres established and operational increased</b>
<b>Definition</b>	The indicator measures the number of TCCs throughout the country to provide specialised victim-centric services to the victims of gender-based violence (GBV) and related offences
<b>Source of data</b>	List of operational TCCs and New TCC Establishment Verification Form
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Sufficient financial support and buy-in from all relevant stakeholders.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	74
<b>Indicator Responsibility</b>	DNDPP: NPS



## Outcome 8: Colonial/apartheid-era justice-related legislation reviewed and replaced

<b>Indicator Title</b>	<b>8.1 Number of Bills and justice related legislation seeking to repeal and replace colonial and apartheid era statutes introduced in Parliament</b>
<b>Definition</b>	<p>This indicator measures the number of Bills and related legislation 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>• Introduce the Bills in Parliament.</li> <li>• Obtain approval from Ministry to subject a Bill to a public consultation process.</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Bills and legislation</li> <li>• Memoranda to the Ministry</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Research will be conducted.</li> <li>• Drafting of proposals will occur.</li> <li>• Ministerial engagements will take place.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All Bills and legislation repealed or repealed and replaced as planned
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

<b>Indicator Title</b>	<b>8.2 Number of research papers on the Review of Colonial and Apartheid Era Legislation recommending</b>
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	<b>to inform the Repeal, Amendment or Replacement of Legislation to be aligned with the Constitution submitted to the Commission for consideration and approval</b>
<b>Definition</b>	This indicator measures the number of research papers reviewing old order legislation submitted to the Commission for its consideration and approval
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Agenda of the meeting,</li> <li>• Copy of draft paper submitted</li> <li>• Email on which the paper was submitted</li> <li>• Meeting attendance register</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Commissioners are appointed and are available to attend Commission meetings</li> <li>• Research will be conducted, and adequate research facilities and resources are available.</li> <li>• Stakeholder consultation</li> <li>• Adequate research component</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	All planned research papers submitted to the Commission during the reporting period.
<b>Indicator Responsibility</b>	DDG: Legislative Development and Legal Services

## Outcome 9: Improved awareness of the justice services and community outreach programmes

<b>Indicator Title</b>	<b>9.1 Number of engagements held in magisterial districts to promote justice services and the Constitution (Chapter 2 Bill of Rights)</b>
<b>Definition</b>	This indicator measures the number of engagements held in magisterial districts to promote justice services and the Constitution (Chapter 2 Bill of Rights) information.
<b>Source of data</b>	Annual report
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Budget availability,</li> <li>• Availability of project owners</li> <li>• Principals to support communication opportunities created</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Justice services and the Constitution promoted in all the identified areas
<b>Indicator Responsibility</b>	DDG: Institutional Development and Support

<b>Indicator Title</b>	<b>9.2 Level of public awareness and perception on prosecution, justice services and the Constitution</b>
<b>Definition</b>	This indicator measures the level of awareness and perception on prosecution, justice services and the Constitution by people who participated in the survey.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Awareness survey report</li> <li>• Survey questionnaire</li> </ul>
<b>Method of Calculation/ Assessment</b>	Percentage = (Number of respondent's perception and awareness on the prosecution, justice services and the Constitution/ Total number of respondents )* 100
<b>Assumptions</b>	People will participate in the survey
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A

<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	70% awareness and perception by respondents
<b>Indicator Responsibility</b>	DDG: Institutional Development and Support

<b>Indicator Title</b>	<b>9.3 Number of engagements conducted by DOJCD supported Community Advice Offices to promote the Constitution, human rights, rule of law, and legal literacy to strengthen participatory democracy and active citizenry</b>
<b>Definition</b>	This indicator measures the number of engagements conducted by DOJCD supported Community Advice Offices to promote the Constitution, human rights, rule of law, and legal literacy to strengthen participatory democracy and active citizenry
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• PLEAJ Business Plan</li> <li>• Invitations</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Funds available</li> <li>• Community members will attend the sessions</li> <li>• Community Advice Offices will conduct the session as expected</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	Nationally
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	4000 engagements held as planned
<b>Indicator Responsibility</b>	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.4 Number of forums created to advance public discourse on human rights and constitutionalism.</b>
<b>Definition</b>	<p>This indicator measures the number of forums created to advance public discourse on human rights and constitutionalism</p> <p>The phrase ‘forums’ in this indicator will mean and includes:</p>

	online seminars, online discussion boards, paper submissions, Moot Court competitions, and student engagements.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Concept Note</li> <li>• Forum Reports</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	The public will participate in the forums created
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Forums created to advance public discourse on human rights and constitutionalism as planned
<b>Indicator Responsibility</b>	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.5 Number of information sessions conducted to foster social cohesion, tolerance and unity in diversity.</b>
<b>Definition</b>	<p>This indicator measures the number of information sessions conducted to foster social cohesion, tolerance and unity in diversity.</p> <p>The phrase ‘information sessions’ in this indicator will mean:</p> <ul style="list-style-type: none"> <li>• Dissemination of information packs,</li> <li>• Fact sheets</li> <li>• Interactions on information provided in gathering spaces</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Concept Note</li> <li>• Information session reports</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Good reception of information shared
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term

<b>Desired Performance</b>	Information sessions conducted to foster social cohesion, tolerance and unity in diversity as planned
<b>Indicator Responsibility</b>	DDG: Constitutional Development

<b>Indicator Title</b>	<b>9.6 Number of engagements conducted to promote awareness on Sexual Orientation, Gender, Identity, Expression, and Sex Characteristics (SOGIESC), the Prevention and Combating of Hate Crimes and Hate Speech Act</b>
<b>Definition</b>	This indicator measures the number of engagements conducted to promote awareness on SOGIESC and the Hate Crimes Act  The phrase 'engagements' in this indicator will mean –workshops and information sessions
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Concept Note</li> <li>• Reports</li> </ul>
<b>Method of Calculation/ Assessment</b>	Simple count
<b>Assumptions</b>	Participation by key stakeholders
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Mid-term and end-of-term
<b>Desired Performance</b>	Public acceptance and understanding of SOGIESC issues
<b>Indicator Responsibility</b>	DDG: Constitutional Development

## ANNEXURE A: DISTRICT DELIVERY MODEL

Table 12: District Development Model (DDM)

Area of Intervention in the NSDF and DDM	Project name	Project Description	Budget Allocation	District Municipality	Specific Location	Project Leader	Social Partners	Responsible Branch
District Profiling	District Profiling	Identify prevalent crimes in a district Conduct needs assessment for resource allocation	N/A	All Districts	All districts	Area Court Managers Director Court Operations	N/A (Internal exercise)	Court Administration
Capacity building	Capacity building for identified municipal service delivery staff	1.GBVF First Responder Programme 2.Service Delivery Programme 3.Legal Drafting 4.Trial Advocacy 5.Administrative Law	R10m	All Districts	All Districts	Justice College	Mayors, Municipal Managers, Ward Councillors, Legal Practitioners at Municipal and Provincial level	BMJC
Crime prevention	Public Education	Awareness sessions and community engagements	R2m (JCPS Cluster adopted an integrated and cost sharing approach)	All Districts	All Districts	Court Admin Family Law Services Communication Management	Public SAPS NPA Judiciary Ward Councillors	Provincial Offices (Directors: Legal) Communication Management
State litigation	Prevention Strategy implementation	Stakeholder engagements	N/A	(District and Provinces generating litigation the most)	Specific districts	Office of the Solicitor (OSG)	OSG Legal representatives in municipalities SALGA	OSG

Area of Intervention in the NSDF and DDM	Project name	Project Description	Budget Allocation		District Municipality	Specific Location	Project Leader	Social Partners	Responsible Branch
Infrastructure Development	Justice Build Programme	<b>New Buildings</b>	<b>Total Allocation '000'</b>	<b>DDM Period '000'</b>			Infrastructure Delivery	DPWI Provincial offices	Corporate Services
		Mamelodi	R220m	R56m	Tshwane	Mamelodi			
		Keimoes	R107m	R100m	ZF Mgcau	Keimoes			
		Jan Kempdorp	R120m	R120m	Francis Baard	Jan Kempdorp			
		<b>Additional Accommodation</b>							
		Soshanguve	R492m	R149m	Tshwane	Soshanguve			
		Durban HC	R120m	R426m	Ethekwini	Durban			
		Humansdorp	R319m	R297m	Sarah Baartman	Humansdorp			
		Sundumbili	R392m	R354m	Ilembe	Sundumbili			
		<b>Refurbishment</b>							
		Rustenburg	R149m	R104m	Bojanala Platinum	Rustenburg			
		East London Old SARS	R36m	R9m	Buffalo City	East London - Old SARS			
		Klerksdorp	R116m	R97m	Dr Kenneth Kaunda	Klerksdorp			
		Vulamehlo	R33m	R14m	Ugu	Vulamehlo			





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