



# The Constitutional Court of South Africa

## THE ADMINISTRATIVE SUPPORT STAFF TO THE JUDICIARY ANNUAL ORGANIZATIONAL PERFORMANCE REPORT 2007/2008



WE CARE



WE BELONG



WE SERVE

The Guardian of the South  
African Constitution

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Annual Organizational  
Performance Report for  
the period 2007/2008 by  
the Director of the  
Constitutional Court of  
South Africa

Mr. V MISSER  
Director

**OUR VISION**

Is to be a dynamic and innovative support mechanism to the Judiciary, external stakeholder/clients and the Department

**OUR MISSION**

Is to provide an excellent service that best meets the needs and expectations of the Judiciary, external stockholders/clients and the Department

**OUR PRINCIPLES AND VALUES**

- Accessibility
- Accountability
- Customers
- Diversity
- Valued Employees
- Pursuit of Excellent
- Mission Driven
- Integrity, Loyalty and Trust
- Stewardship, and
- Teamwork



## General Information

Forward by the Director

The period under review was both exciting and challenging for the Administrative support staff to the Judiciary (Constitutional Court).



The administrative backbone of most organizations is often not recognized and appreciated. This is in part because it is not visible and in part because we only notice them when there is a problem. Yes! Quietly and efficiently it continues day after day to provide vital support and substance to the organization it serves.

My message for the performance period (2007/2008) reaffirms the importance of the administration and also recognized our dedicated men and women; in every level they serve, as a collective to support the Highest Court of our Land, South Africa.

During the performance cycle, our time and energy were focused on nine (9) strategic areas embracing:

- Administrative Leadership
- Case Flow Management
- Financial Management
- Human Resources Management
- Provisioning and Procurement Management
- Security and Disaster Management
- Facilities Management
- Information/Knowledge/Library Management, and
- Information Technology Management

This annual report will focus on the overall performance of the administrative support staff to the judiciary as identified in the annual Strategic/Business Plan which enshrines the nine (9) strategic areas identified.

Overall we have achieved most of the identified objectives that were set for the year.

All the attributes that you will require as a leader can be developed – even drive and energy, self – confidence and self determination, combined with an ability to manage people and money will make you a strong leader, able to attain your targets, vision, mission and objectives as determined in order to create a conducive environment that promotes the organizations corporate culture, A Sense of Belonging!

It is therefore with pride that I present this Annual Organizational Performance Report for 2007/2008. I wish to express my sincere appreciation to the Chief Justice, Deputy Chief Justice, Justices, all men and women of the staff who provided support under existing arrangements, for their professionalism, dedication, commitment, loyalty and team effort. Without their respective contributions we would have not been able to achieve what we have achieved in the year under review.

**V MISSER**

## STRATEGIC AREA ONE (1)

### STRATEGIC ADMINISTRATIVE LEADERSHIP

#### Goal

Giving Administrative leadership, direction and guidance to the Judiciary and administrative staff of the Court

#### Performance Outputs

1. The implementation and adoption of an Annual Strategic/Business Plan has provided a sound foundation and platform for the administrative support staff to enhance quality service delivery to the judiciary they serve.
2. The staff is focused on becoming one of the leading organizations in the Administration of justice, by ensuring that the vision, mission, principles and values and objectives together with their respective Operational Plans enhanced their performance abilities and contributions to the Judiciary, external stakeholders and the Department.
3. We have embraced the adoption of new, advance and International best practices Technology to enable the Judiciary and its staff to provide quality enhance service delivery. This matter will be further elaborated under the Strategic Area: Information Technology Management
4. The provision of Strategic Administrative Leadership to the Management Team, staff and the Judiciary, thereby capacitating and ensuring that each staff member's contribution and role in some way or another has contributed to the successful overall performance of the organization.



5. The principles and values as determined have instilled a Conducive working environment and have enhanced the corporate culture of a sense of belonging and being part of this great winning team.
6. The Development and implementation of job descriptions, performance agreement and operational plans emanating from the annual strategic/business plan has ensured the achievement of the respective strategic objectives and overall organizational performance as revealed in this report.
7. The Development and adoption of an Information Technology Policy (E-mail/Internet), Disaster and Security Management Plan(Internal, Disaster and Recovery Strategic Policy and Plan for Information technology and the Selection/Recruitment and appointment Policy for Law Researchers has also cemented a sound strategic administrative leadership direction for the court. The aforementioned internal policies are in line with the Departments Policies and Procedures.
8. The annual review of the organizations structure and establishment is a crucial managerial function in any organization. The organizations business needs continuously changes in terms of changing circumstances, environmental changes, and areas of competencies required for an organization to provide the required standard of services and areas of expertise. The organizational establishment structure as proposed in terms of its business needs in contained in the next Strategic/Business Plan (2008/2009).
9. The monthly supervision, checking and control of all deliverables and quality assurance, monitored and evaluated for total quality management and to eliminate the scope for risk, mal administration, theft and corruption.



10. In order to assess the overall performance of each individual's contribution and ensure the compliances of policies, regulations etc are adhered to, a monthly monitoring and evaluating reporting system has been adopted which ensure that the various strategic goals and objectives have been achieved. This also aids the individuals' performance appraisal process.

## Challenges

1. The lack of Delegations during the Performance Cycle impacted on Service Delivery. (Received as per circular 18/2008 dated 27 February 2008)
2. All current policies applicable and utilized by the Department are in draft. The non adoption of final policies impacts on compliances.
3. The turnaround time in the consideration of proposed creation of new positions based on the Courts business needs impacts service delivery.
4. The quality assurance of circulars and general-minutes issued by the Department should be enhanced (incorrect file numbers, citations, spelling and grammar)
5. There should be a focal point of entry from the Court to the Department (Director of the Court to a identified person at National Office)

## **STRATEGIC AREA TWO (2)**

### **CASE FLOW MANAGEMENT**

#### **Strategic Goal**

“Access to the Court and to protect the rule of Law”

#### **Objective**

To ensure that adequate consideration is given to each case and that decisions are based on legally relevant factors they by affording every citizen/litigant the full benefit of the judicial process.

The Main Objectives of the Court and Case Flow Management Administration Support Staff to the Judiciary includes the following:

To adopt measures aimed at ensuring that the judiciary (Constitutional Court Justice’s) maintains control of case flow and management of proceedings at court.

To secure the commitment from all role players in the application of case flow management system as a standard business practice

To foster accountability by implementing mechanisms to ensure compliance with performance standards, and the Rules of the Court by the office of the Registrar

To enhance efficiency by implementing processes aimed at ensuring the functioning of legal and administrative procedures in a timely fashion

**To ensure that all documents relevant to the case is available and forwarded to Justice's and Law clerks**

**To set reasonable timeframes for the finalization of case filed at court (3 months)**

**To instill public confidence in the judicial system and to the equally and timeously available to all persons.**

## **Performance Output**

This strategic area is capacitated by the staff of the general office who on a daily basis are driven by the Principles and values as enshrine in the strategic/business plan to achieve quality service delivery by providing excellent and professional services to the Judiciary, Law Researchers, Parties appearing and the Legal Fraternity. In order for the staff in the general office to be effective, efficient and competent they practice and promote a culture of Learning (Practical/Task Orientated Training/ Man to man Training) which is a team effort and is results driven.

### **Performance Input:**

- Cases carried over from (period being measured -April 07 to March 08) = 0
- New cases lodged as per period being measured -April 07 to March 08) = 97
- Total Case Load as per period being measured – (April 07 to March 08) =97

### **Performance Output:**

- Awaits Direction = 12
- Dismissed = 58
- Judgment Handed Down = 4
- Total Finalized = 63
- Pending/Outstanding = 34

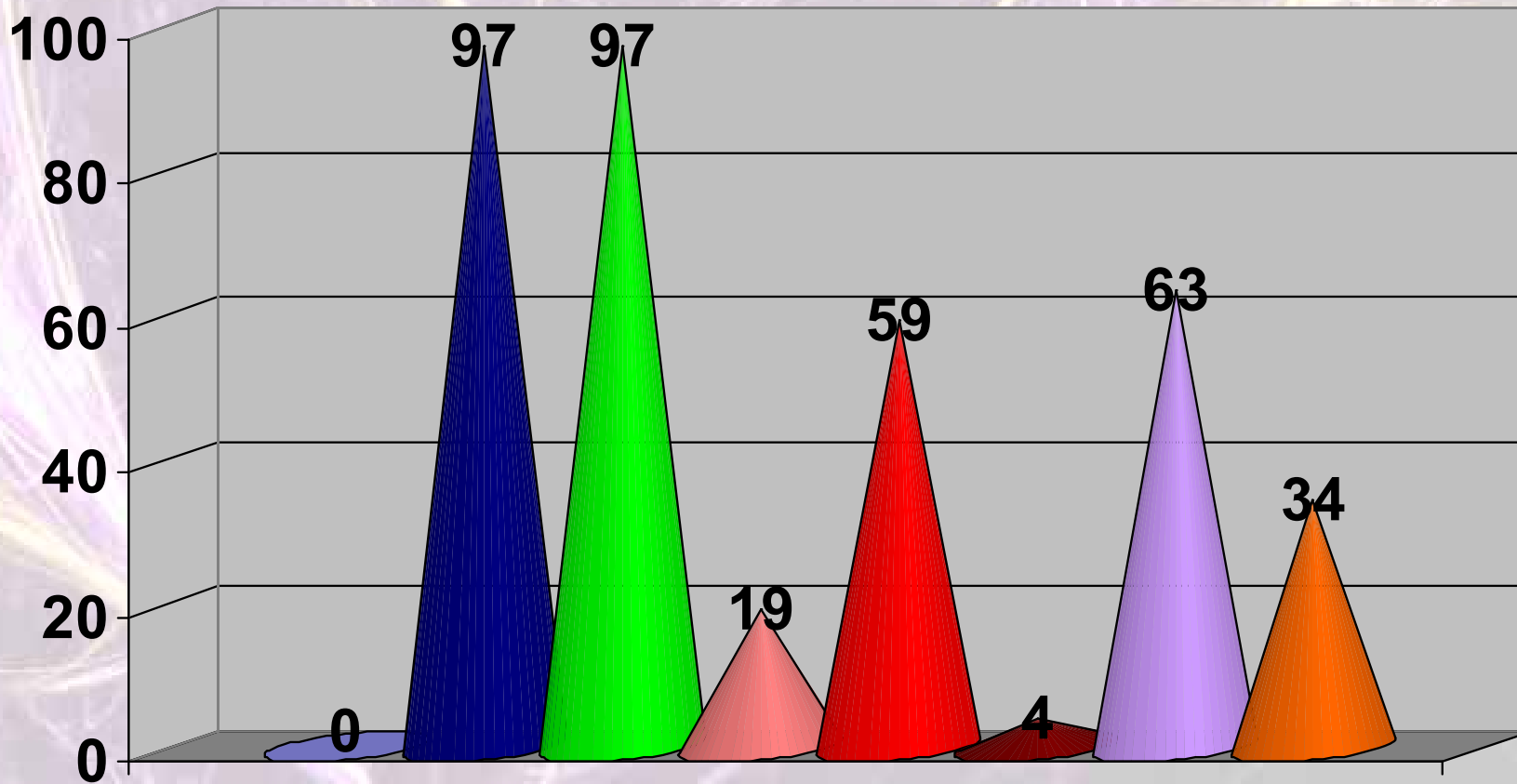


## Statistics of Case Flow Management

PERIOD APRIL 2007 TO MARCH 2008								
Months from April 2007 to March 2008	Input			Output				
	Old Cases	New Cases	Total Case Load	Awaits direction	Dismissed	Judgment Handed Down	Total Finalized	Pending /Outstanding
April 2007	0	14	14	0	12	0	12	2
May 2007	0	8	8	0	5	2	7	1
June 2007	0	13	13	0	8	1	9	4
July 2007	0	8	8	0	6	0	6	2
August 2007	0	10	10	0	9	0	9	1
September 2007	0	6	6	0	6	0	6	0
October 2007	0	9	9	0	8	0	8	1
November 2007	0	9	9	0	4	0	4	5
December 2007	0	10	10	10	0	0	0	10
January 2008	0	2	2	2	0	0	0	2
February 2008	0	6	6	5	1	1	2	4
March 2008	0	2	2	2	0	0	0	2
<b>TOTAL</b>	<b>0</b>	<b>97</b>	<b>97</b>	<b>19</b>	<b>59</b>	<b>4</b>	<b>63</b>	<b>34</b>

Statistics provided until 7 March 2008

### CASE FLOW MANAGEMENT – PERIOD 1 APRIL 2007 UNTIL 31 MARCH 2008 GRAPHIC DISPLAY OF STATISTICS AS PER COURT PERFORMANCE



Old Cases	New Cases	Total Case Load	Awaits Directions
Dismissed	Judgment Handed Down	Total Finalized	Pernding/Outstanding

## Law Researchers Program

The Law Researchers program is modeled on similar programs in other constitutional democracies, adapted to meet the needs peculiar to South Africa. It was intended to serve two purposes. First to provide training in Human Rights and Constitutional Law to recent law graduates. Appointments are made for one year at a time, with the view to establishing over a number of years, a corps of young lawyers committed to Human Rights and skilled in Constitutional Law, legal research and writing. The appointments are made with due regard to the pressing need that the law profession be transformed to reflect broadly the racial and gender composition of South Africa. The law researchers work together under the supervision of the judges for one year, learning skills from their judges, and transferring to each other life skills from their different back grounds.

The program is a capacity building program which has been extremely successful, and which has enhanced the skills of the young South African lawyers who have participated in it. Approximately 273 of them have passed through this program over the past thirteen years.

The second purpose of the program is to provide assistance to the Justices of the Court. The Constitution introduced a new legal order into South Africa, in which the Constitution is the supreme law. Statutes and executive actions which are inconsistent with the constitution are invalid, and all laws, including the common law, must be developed so as to reflect the values of the new constitutional order.

The approved establishment of the court provided for 23 Law Researchers positions. These positions were Job evaluated by the Department during the performance cycle and has been approved by the Director-General (DG) to roll out the program to all other High Courts in the country, in order to enhance service delivery to the Judiciary as based on its successes at the Court.

### **Foreign Law Researchers Program**

This program is running in association with the current Law Researchers program, which is conducted at no cost to the court. Under this program young Law graduates for foreign Jurisdictions spend time at the court, financing their own travel to and accommodation and subsistence in South Africa. They usually obtain the financial assistance to enable them to participate in this program from their Governments or universities who are anxious to promote contact with the court. The foreign law researcher program has proved to be enriching for both The Local Researcher and Foreign Researchers on issues relevant to jurisprudence, human rights and constitutional matters.

### **German Law Researchers Program**

A program based on the Foreign Law Researcher Program has also been adopted by the Court in the Constitution and on the request of the German Embassy.

### **Acting Justices at the Court**

In terms of the Judges Remunerations Act, Justices of the Court are entitled to go on long leave:

The following acting Justices were appointed by the Minister in Consultation with the Chief Justice:

#### Justice on Leave

- Justice Yacoob
- Justice Mokgoro
- Justice O'Regan
- Justice Ngcobo
- Justice Sachs
- Deputy Chief Justice Moseneke



Acting Justice appointed:

- Justice Jafta (2008)
- Justice Kondile (2007)
- Justice Kroon (2008)
- Justice Mpati (2007)
- Justice Nafsa (2007)
- Justice van Heerden (2007)

Justice O'Regan currently acts as the Deputy Chief Justice in the absent of Justice Moseneke (February – April 2008).

### **Professional Assistance to the Justices and the Director of the Court**

The current establishment of the court provides for 10 secretaries and 2 executive Professional Assistants (P.A). The two executive P.A's are allotted to the Chief Justice and Deputy Chief Justice respectively.

The proposed/amended establishment structure for the court identifies the need for 3 relief secretaries for two reasons:

- The establishment is not self contained for leave purposes; and
- Justice's who are on leave; require their respective secretaries to continue managing their day to day activities of their offices.

The relief secretaries are required when acting Justice are appointed to the court.

## Safekeeping of National and Provincial Acts.

Sections 82 and 124 of the Constitution provide that:

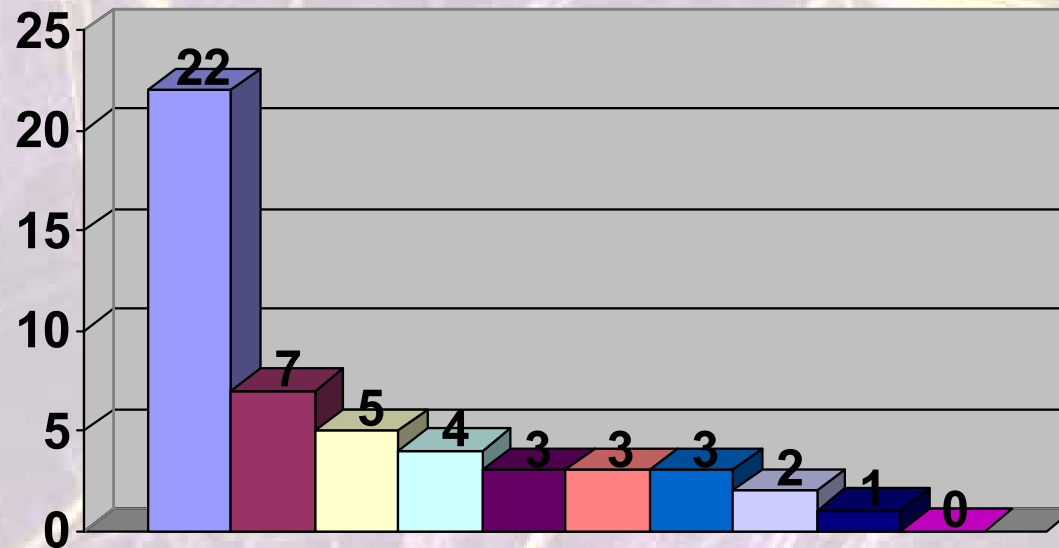
### ***“82 Safekeeping of Acts of Parliament, 124 Safekeeping of Provincial Acts”***

*The signed copy of an Act of Parliament (Provincial Act) is conclusive evidence of the provisions of that Act and, after publication, must be entrusted to the Constitutional Court for safekeeping”.*

The total number of signed copies of the National and Provincial Acts received for safekeeping for the 2007/2008 performance period are:

1. National Acts (Parliament)	=	22
2. Free State Provincial Acts	=	7
3. Western Cape Provincial Acts	=	5
4. Eastern Cape Provincial Acts	=	4
5. Kwa-Zulu Natal Provincial Acts	=	3
6. Limpopo Provincial Acts	=	3
7. Northern Cape Provincial Acts	=	3
8. Gauteng Provincial Acts	=	2
9. Mpumalanga	=	1
10. North West Provincial Acts	=	0
<b>Total</b>		<b>50</b>

## BAR GRAPH OF THE SAFEKEEPING OF NATIONAL AND PROVINCIAL ACTS, PERFORMANCE CYCLE 2007/2008



<span style="color: blue;">■</span> National Acts (Parliament)	<span style="color: maroon;">■</span> Free State Provincial Acts	<span style="color: yellow;">■</span> Western Cape Provincial Acts
<span style="color: cyan;">■</span> Eastern Cape Provincial Acts	<span style="color: purple;">■</span> Kwa-Zulu Natal Provincial Acts	<span style="color: red;">■</span> Limpopo Provincial Acts
<span style="color: blue;">■</span> Northern Cape Provincial Acts	<span style="color: lightblue;">■</span> Gauteng Provincial Acts	<span style="color: darkblue;">■</span> Mpumalanga
<span style="color: magenta;">■</span> North West Provincial Acts		

## Archives and Record Management

The goal of Record Management is to organize our internally generated information and to pursue the advancement of our storage place. Also, to archive information on outstanding personalities involved at the Court. Better information and Record Management makes a better business.

### Objectives

1. To furnish accurate, timely and complete information for efficient decision making in the management and operation of the Case Flow Management process.
2. To preserve all documentation, judgment and records for future generations,

The archives currently have a file plan, layout and space allocations for the various components of the court.

The archives are currently divided into 3 Record Rooms *viz*:

- Chief Justice and Deputy Chief Justice,
- Other Justices and
- Case Flow and other administrative management components



The following performance areas pertaining to archives and record management will be dealt with in the next performance cycle (2008/2009):

- Develop an electronic archiving
- Develop a program for disaster recovery
- Create an integrated achieves system, and
- Develop formal policies and procedures on record management systems.

### **Delegations and VIP Guests: Visits to the Court (National/International)**

The visitors committee of the court hosted entertained and received many delegations; VIPs' and guests during the performance cycle under review:

- The Prime Minister of India, Mr. Manmohan Singh and his entourage.
- Delegations from Thailand, Shri Lanka, Nepal, China. International Law Association, Sudan, The Registrars Workshop hosted by the South African Judges Association and Co-hosted by the Venice Commission and others.
- Justice Lam Shang Lee from Mauritius
- Students from Universities of Tshwane, Wits and Limpopo
- Candidates attorneys form Edward Nathan Sonnebergs Attorneys
- Lord Mayor from Korea
- Journalist form India and Brazil
- Mott Foundation, and
- The Ambassador of Spain, The California Choir, Italian Ambassador, Minister of DRC, and many others

The aforementioned delegations were all taken on a tour of the court, hosted by the Chief Justice and or a Justice, provided with light refreshments and/or snacks. They were also handed a copy of the Constitution, Bill of Rights Posters, documentations on requests and the Constitutional Court lapel pin.

## Challenges

1. Numerous applicants requesting direct access to the Court, but can not proceed due to financial constraints (See here under)
2. The presences of a Legal Aid Board Clinic representative to be stationed at the Court to assist will potential legal matter/applications to be brought before the Court for direct access.
3. Numerous delegations visiting the Court impacts on Registrars Office (Therefore there should be a Public Relations Officer appointed to deal with this)
4. The creation and appointment of an achieves manager to deal with Record Management.

## STRATEGIC AREA THREE (3)

### FINANCIAL MANAGEMENT

#### Goal

To administer the Budget/voted funds allocated to the court in an effective, efficient, economical, accountable and responsible manner.”

#### Objectives

To ensure the effective and efficient management of the Constitutional Court’s budget.

2. To ensure the effective and efficient management of the Constitutional Court’s equipment and all assets.
3. To compile and manage the budget.
4. To put in place adequate controls for managing the cash flow.
5. To institute risk management and administer the procurement process.
6. To ensure effective utilization of financial resources.
7. To continuously look for new opportunities to obtain funds and avoid unfruitful expenditure.
8. To demonstrate knowledge of general concepts of financial planning, budgeting and forecasting and how they interrelate.
9. To strive towards achieving unqualified audits.

10. To provide adequate skills training for staff to ensure that they are knowledgeable about procedures.
11. To keep a register of equipment and assets.
12. To strive towards achieving no incidents of corruption and/or financial mismanagement.

## Performance Outputs

### 1. **Presentation of Financial Statement**

#### 1.1. **Basic of Preparation**

The Financial Statements have been prepared on a cash basis of accounting. Under the cash basis of accounting transactions and other events are recognized when cash is received or paid when the final authorization for payments is effected in the Basic Accounting System (BAS) (by not later than 31 March of each year)

#### 1.2. **Presentation currency**

All amounts have been presented in the currency of the South African rand (R) which is also the functional currency of the Department. Many of our service providers are internationally located and payments to them are effect via the Department, National Treasury and the Reserve Bank of South Africa

#### 1.3. **Rounding**

Unless otherwise stated the financial figures have been rounded to the nearest one thousand Rand (R'000)



#### 1.4. **Comparative Figures**

A comparison between actual and budget amounts per major classifications of expenditure is included in the appropriation statements

### 2. **Expenditure**

#### 1. **Compensation of Employees**

Salaries and wages comprise payments to employees. Salaries and wages are recognized as expenditure in the statement of financial performance when the final authorization for payment is effected on the PERSAL system (by no later than 31 March of each year). Capitalized compensation form part of the expenditure for current expenditure in the financial statement.

#### 2. **Goods and Services**

Payments made for goods and/or services are recognized as an expense in the statement of financial performance when the final authorization for payment is effected on BAS (by no later than 31 March of each year). Goods and Services form part of the expenditure for current expenditure in the financial statement.

#### 3. **Expenditure for capital assets**

Payments made for capital assets are recognized as an expense in the statement of financial performance when the final authorization for payment is effected on BAS (by no later than 31 March of each year).

#### 4. **Asset Register**

Assets are recorded in an asset register, at cost on receipt of the item. Cost of an asset is defined as the total cost of acquisition. Assets reflected in the financial statement exceed R 5,000 (therefore capital assets only) for the current financial year. The assets are reflected at the cost as recorded in the asset register and not the carry value, as depreciation is not recognized in the financial statement under the cash basis of accounting.

#### 5. **CAPTURING/AUTHORIZING**

- Total of 2262 batches was captured and authorized on the Basic Accounting System (BAS)
- Total of 315 Subsistence and Traveling Claims was submitted to Regional Office.

**Statement of Budget Allocated for the 2007/2008 Fiscal year ended 31 March 2008**

<b>ECONOMIC CLASSIFICATION</b>	<b>BUDGET 2007/08</b>
<b>TOTAL COMPENSATION OF EMPLOYEES</b>	<b>12,500,000.00</b>
<b>TOTAL GOODS AND SERVICES</b>	<b>13,627,400.00</b>
<b>TOTAL CURRENT PAYMENTS</b>	<b>26,127,400.00</b>
<b>TOTAL MACHINERY &amp; EQUIPMENT</b>	<b>1,680,344.00</b>
<b>TOTAL SOFTWARE &amp; OTHER INTANGIBLE ASS</b>	<b>165,256.00</b>
<b>Total Payments for Capital Assets</b>	<b>1,845,600.00</b>
<b>GRAND TOTAL</b>	<b>28,013,000.00</b>

Additional funds of R 300,000.00 was received during the Performance cycle

**Statement of Financial Expenditure for the year ended 31 March 2008**

<b>ECONOMIC CLASSIFICATION</b>	<b>ACTUAL EXPENDITURE TO END OF APRIL 2007 TO MARCH 2008</b>
<b>TOTAL COMPENSATION OF EMPLOYEES</b>	<b>10,626,712.17</b>
<b>TOTAL GOODS AND SERVICES</b>	<b>14,729,762.26</b>
<b>TOTAL CURRENT PAYMENTS</b>	<b>25,356,474.43</b>
<b>TOTAL MACHINERY &amp; EQUIPMENT</b>	<b>1,427,322.72</b>
<b>TOTAL SOFTWARE &amp; OTHER INTANGIBLE ASS</b>	<b>165,216.72</b>
<b>TOTAL PAYMENTS FOR CAPITAL ASSETS</b>	<b>1,592,539.44</b>
<b>GRAND TOTAL</b>	<b>26,949,013.87</b>



**Statement of saving for the year ended 31 March 2008**

<b>ECONOMIC CLASSIFICATION</b>	<b>SAVINGS / OVER EXPENDITURE</b>
<b>TOTAL COMPENSATION OF EMPLOYEES</b>	<b>1,873,287.83</b>
<b>TOTAL GOODS AND SERVICES</b>	<b>-1,102,362.26</b>
<b>TOTAL CURRENT PAYMENTS</b>	<b>770,925.57</b>
<b>TOTAL MACHINERY &amp; EQUIPMENT</b>	<b>253,021.28</b>
<b>TOTAL SOFTWARE &amp; OTHER INTANGIBLE ASS</b>	<b>39.28</b>
<b>Total Payments for Capital Assets</b>	<b>253,060.56</b>
<b>GRAND TOTAL</b>	<b>1,063,986.13</b>

The under expenditure is due to the vacant post that were budgeted for but not filled before the financial year end. The vacant posts that still needed to be filled are as followed:

- Deputy Director: Finance
- Deputy Director: HR Management (to be translated to Deputy Director: Information Management)
- Provisioning Administrative Officer
- Senior Personnel Officer
- Accounting Clerk
- Webmaster, and
- Librarian

The aforementioned positions will be filled during the 2008/2009 performance period. HR is already dealing with the selection/recruitment process.

## Challenges

1. The timeous allocation of the approved budget on the Basic Accounting System (BAS) and Justice Yellow Pages (JYP) commencing 1 April Annually. (This reporting period indicated that our budget allocation were authorized on 1 June 2007)
2. Delegations – Previous delegations to Director of the Court was R 100,000.00 for procurement and provisioning (Circular 23/2002), currently delegation only R 30,000.00 allocated to the Director of the Court (Circular 18 of 2008).
3. The synergy between the interfacing of BAS and JYP impacts tremendous on effecting payments. (Shifting needs to be continuously done on BAS).
4. The position of accounts clerk for the Court, is held out of adjustment on the establishment of Regional Office: Gauteng.

## STRATEGIC AREA FOUR (4)

### HUMAN RESOURCES MANAGEMENT

#### Goal:

“Appoint professional, suitably qualified, experienced Administrative Staff and Law Researchers.”

#### Objectives

1. To recruit and select, highly skilled, professional and experienced staff to enhance its Human Resource efficiency, effectiveness and accountability in serving the Judiciary (Section 14(1) of the Constitutional Court’s Complimentarily Act).
2. To develop a management and administration Human Resource reporting system.
3. To develop an efficient decision making process, in consultation with the Chief Justice, to address the various Human Resource issues that might arise.
4. To create a culture which respects human rights and human dignity as enshrined in the Constitution.
5. Continuously review the establishment of the Constitutional Court, develop Job Descriptions and Performance Agreements which can correctly be matched to its role and responsibility;
6. To develop a workplace skills plan, a culture of life-long learning and a fair performance assessment system to develop the staff’s capacity, skills and positive perception for the work and or areas of development.

7. To promote career pathing and ensuring that staff are studying to obtain qualifications which provide upward mobility to the management echelon.
8. To develop a monitoring and evaluation system that can indicate individual and overall achievement and performance of each section of the Constitutional Court.
9. To ensure that personnel administration, records, files, etc are in place and updated on a continuous basis.

## Performance Outputs

### 1.1. RECRUITMENT AND SELECTION

The following vacant funded positions as per the approved organizational establishment structure were advertised during the reporting performance cycle (2007/2008) viz:

- Provisioning and Procurement Administrative Officer (Level 7)
- Provisioning Clerk (Level 4)
- Principal Personnel Officer (Level 7)
- Senior Personnel Officer (Level 6)
- Deputy Director: Facilities (Level 11)
- Library Assistant (Level 4)
- Senior Registrar's Clerk (Level 4)
- Food Services Aid (Level 2)
- Senior Typist (Level 4)

The recruitment and selection process for the afore-mentioned positions resulted in the following outcomes:



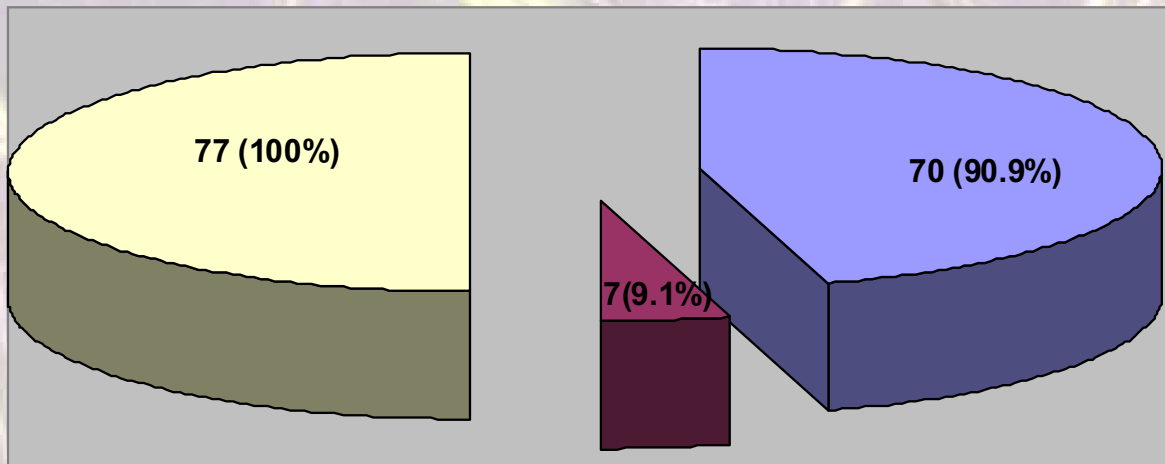
- Provisioning and Procurement Administrative Officer: (no suitable candidate identified- **(vacant)**)
- Provisioning Clerk : Successfully filled (Mr H Visagie – wef 1/3/2008)
- Principal Personnel: Officer Successfully filled (Miss AD Ndou – to be confirmed)
- Senior Personnel Officer: (no suitable candidate identified- **(vacant)**)
- Deputy Director: Facilities: Successfully filled (Mr E Brewis –date of appointment to be confirmed )
- Library Assistant: Successfully filled (Ms FN Mthimkhulu – wef 7 January 2008)
- Senior Registrar’s Clerk: Successfully filled (Ms A Munsami– wef 7 January 2008)
- Food Services Aid : Successfully filled (Mr MD Modiba wef 7 January 2008)

The following vacant funded positions on the establishment as at 31 March 2008 are as follows:

- Deputy Director: Finance
- Deputy Director: HR Management (to be translated to Deputy Director: Information Management)
- Provisioning Administrative Officer
- Senior Personnel Officer
- Accounting Clerk
- Webmaster, and
- Librarian

The process of the Selection and Recruitment for the above mentioned positions have already been submitted to Human Resource, Gauteng Regional Office for advertisement and will be filled during the next reporting performance cycle (2008/2009).

**APPROVED ESTABLISHMENT (VACANCIES / FILLED)**  
**2007/2008**



**■ Positions Filled ■ Positions Filled ■ Total**

The total approved positions on the establishment of the Court are 77

Positions filled	=	70	=	90.9%
Positions vacant	=	7	=	9.1%
<b>Total</b>	=	<b>77</b>	=	<b>100%</b>

**1.2. Judicial Capacitation: Selection/Recruitment Law Researchers**

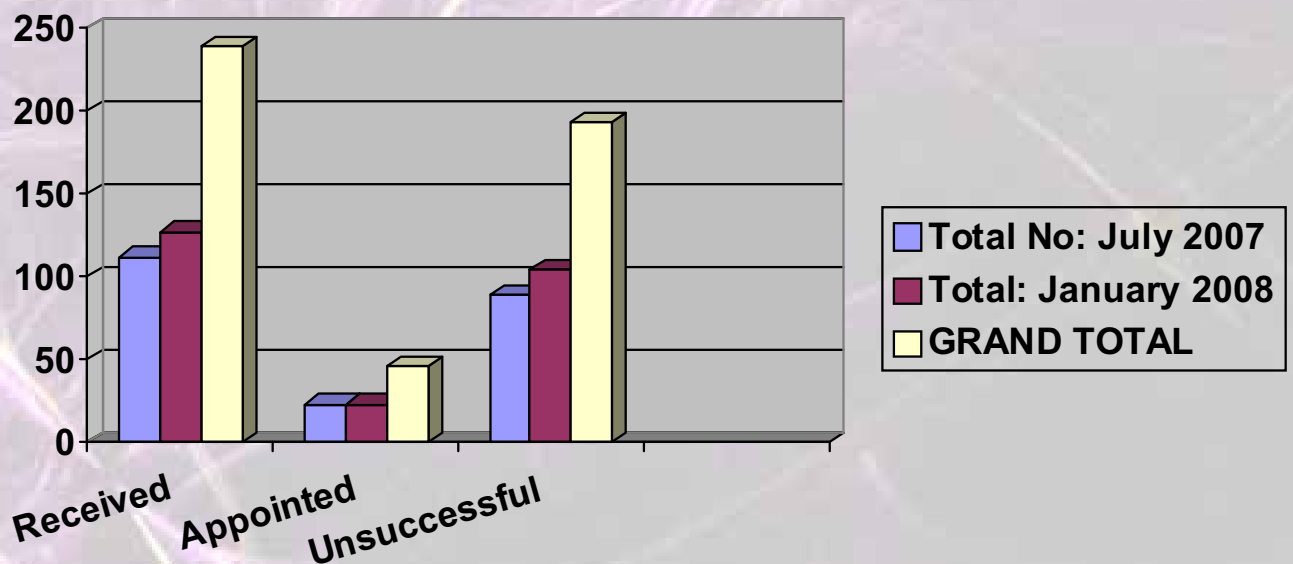
The selection and recruitment process of law researchers are conducted by the Judiciary. The process is undertaken during July and January annually.

The total number of applications received for July 2007 and January 2008 are:

July 2007:	112
January 2008:	127
<b>Total:</b>	<b>239</b>

The approved establishment of the Court provide for 23 funded Law Researchers positions which are graphically indicated here under for the performance reporting period.

**BAR GRAPH OF APPOINTED LAW RESEARCHERS FOR PERFORMANCE CYCLE 2007/2008**



	Received	Appointed	Unsuccessful
TOTAL NO: 2007(JULY)	112	23	89
TOTAL NO: 2008 (JANUARY)	127	23	104
<b>GRAND TOTAL</b>	<b>239</b>	<b>46</b>	<b>193</b>

### 1.3. Officials Not On Establishment

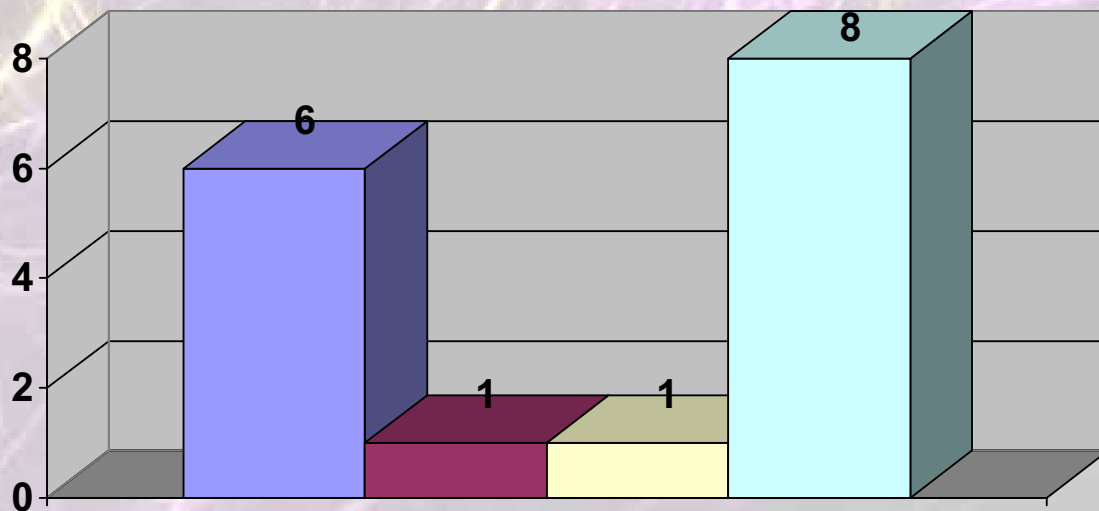
The following temporary appointments not on the establishment of the Court was employed on a contractual basis during the performance period 2007/2008 are:

6 Temporary Clerks (bar code and annual stock taking in library)

1 Registrar's Clerk (vacant post)

1 Provisioning Clerk (vacant post)

**Total 8**



■ Temporary Clerks - Library    ■ Registrar's Clerk  
■ Provisioning Clerk            ■ Total

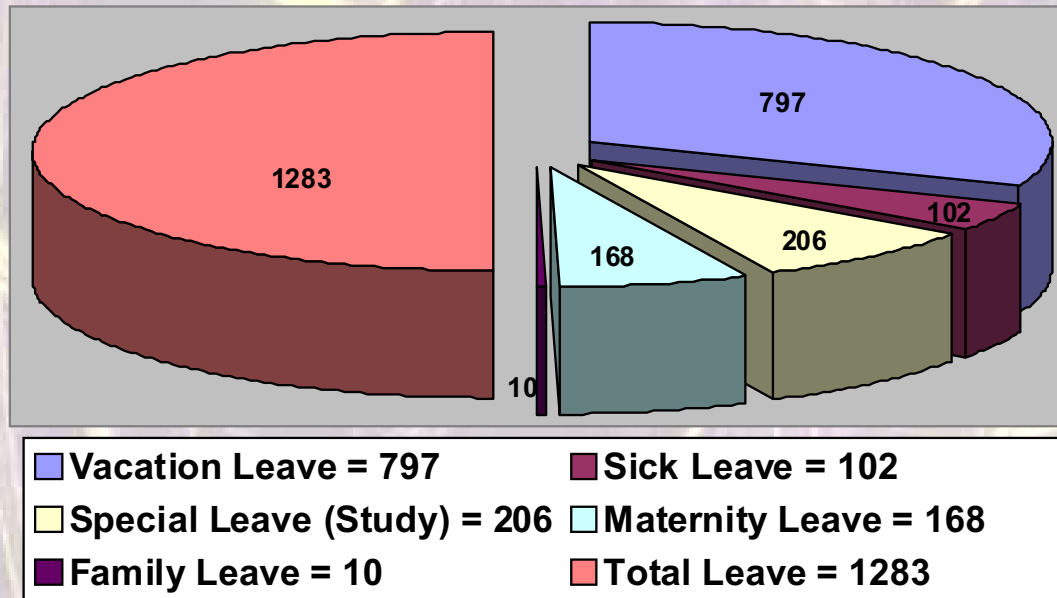


The total number of officials that were employed on temporary appointments was eight (8). There are no temporary or additional staff currently employed on the establishment of the court.

### 2.1. Leave: Various Categories of Leave Taken By Staff

The leave indicated here under reflects leave taken during the performance cycle 2007/2008.

Total Vacation leave	(797) which equates to ± 24 days per staff member
Sick Leave	(102) which equates to ± 6 days per staff member
Special Leave (Study Leave)	(206) which equates to ± 7 days per staff member
Maternity Leave	(168) which equates to ± 84 days x 2 staff member
Family Responsibility Leave	(10)
<b>Total Leave</b>	<b>1283</b>
<b>Total number of actual Working days</b>	<b>249</b>

**Pie Graph Reflecting Leave Categories**

Total of 1283 ÷ 70 staff = an average of 18 days per staff member

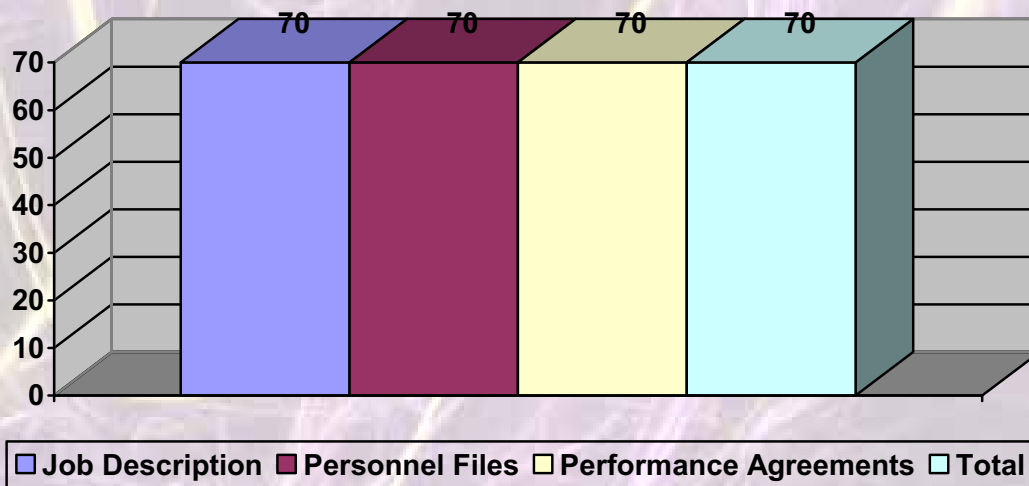
The leave register coupled with the personnel file is a true reflection of leave taken during the performance cycle, furthermore all leave indicated herein have been captured and process on the Persal Administration System. This has been verified and audit by HR division.

### 3. PERSONNEL ADMINISTRATION

#### 3.1. Job Descriptions/Personnel Files and Performance Agreements

All appointed staff inclusive of Law Researchers on the approved establishment is in possession of their respective Job Descriptions, Personnel files and Performance Agreements.

#### Job Descriptions/Personnel Files and Performance Agreements



The code of Ethics and Business Conduct as per Circular 55/2001 have been brought to all staffs attention, dually signed, flagged on Personnel files and forwarded to National Office.

All staff have signed the other of secrecy which is also filed off record on their respective personnel files.

All appointments and endorsements of applicable staff performing regulated duties have been appointed in terms of the relevant prescripts, codes, regulations etc which is filed on their respective personnel files, file 2/1/4 and on a ring binder register.

## TRAINING AND DEVELOPMENT

In order to achieve a conducive working environment, it is essential that the Human Recourse division of the court is continuously abreast with the changing environment. In that context, we have motivated our staff in order to foster a greater sense of belonging. In order to achieve this we further promote their professional skills, training, competencies, and areas of development so that they could mature and advance into the upper echelons of Management as future Court Leaders/Managers.

### 4.1. TRAINING

The under mentioned officials attending outsourced/in house/departmental, practical /task oriented training in order to enhance their skills and expertise as identified during the performance appraisal process which were indicated in the 2006/2007 performance cycle.

M Visagie	Justice College	Court and Office Managers
M Visagie	Poussiere Detoiles	Supervisory and Leadership
M Visagie	Regional Office	Pilir
M Stander	Poussiere Detoiles	Management Skills
M Stander	USB	Project Management
L Grobler	USB	Project Management
S Nel	Poussiere Detoiles	Business writing
S Nel	Justice College	Court and Office Managers
S Nel	Wits	Introduction to Accounting
Z Naidoo	Justice College	Court and office Managers
Z Naidoo	CCNA	Intellect Computer Solution
P Moleko	Justice College	Court and office Managers
P Moleko	Regional Office	Pilir



D Louw	Regional Office	Frontline training
G Disemelo	Regional Office	Frontline training
Jeffrey Makamu	Regional Office	Frontline training
Sifiso Madonsela	Justice College	Court and office Managers
Zodwa Cibane		PFMA

#### 4.2. DEVELOPMENT

The under mentioned officials are currently studying to advance their respective qualification standards via an accredited institution.

V Misser	MBA Final Year	Wits (Mancosa)
B Ketabake	Total Quality Management	Unisa
J Makamu	NDSCR	Unisa
C Rambuda	BA of Arts	Unisa
J Daniels	BCOM Accounts	Damelin
E Moloto	Diploma	Unisa
G Disemelo	Diploma in Security Management	Unisa
S Madonsela	Diploma in Public Management	Unisa
D Louw	LLB	Unisa
A Munsami	LLB	Unisa
S Nel	Financial Management	Unisa

## 4.3. EMPLOYMENT EQUITY

## BREAKDOWN OF RACE CLASSIFICATION 2007/2008

Occupational Categories	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers									
Professionals			1						1
Technicians and associate professionals				1	3		1	4	9
Clerks	4	1			6	1	1	4	17
Service and sales workers	7	2			8	1	2		20
Skilled agricultural and fishery workers									
Craft and related trades workers									
Plant and machine operators and assemblers									
Elementary occupations									
<b>TOTAL PERMANENT</b>	11	3	1	1	17	2	4	8	47
Non – permanent employees(law clerks)	3		1	5	6	1	1	6	23
<b>TOTAL</b>	14	3	2	6	23	3	5	14	70

PERCENTAGE OF RACE CLASSIFICATION BREAKDOWN OF EMPLOYMENT EQUITY 2007/2008

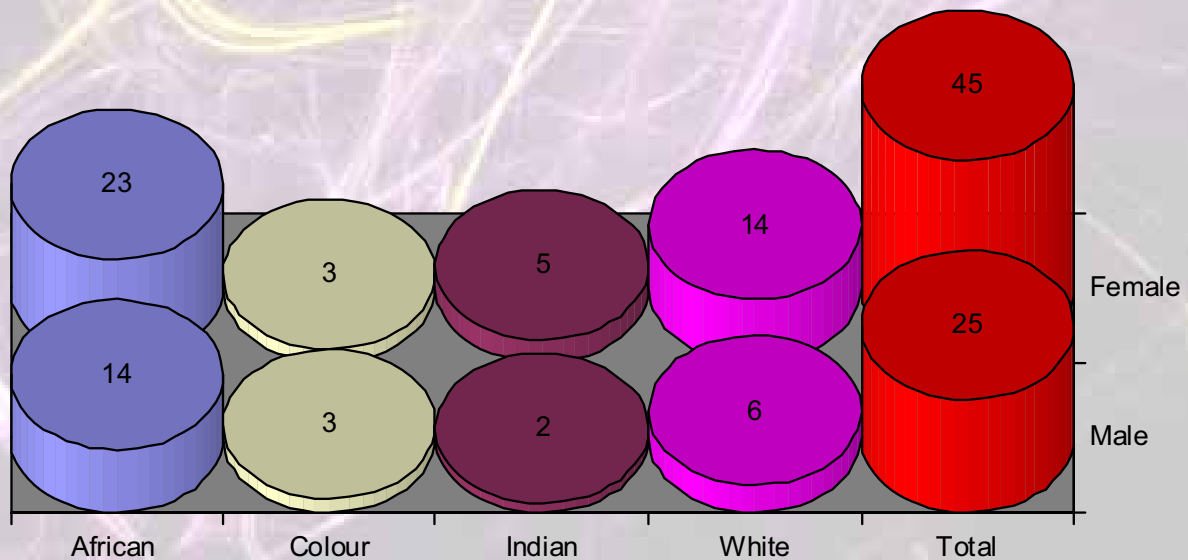
MALES

African	=	14	20%
Coloured	=	3	4.3%
Indian	=	2	2.9%
White	=	6	8.6%
<b>Total</b>	=	<b>25</b>	<b>35.7%</b>

FEMALES

African	=	23	33%
Coloured	=	3	4.3%
Indian	=	5	7%
White	=	14	20%
<b>Total</b>	=	<b>45</b>	<b>64.3%</b>

<b>Grand total</b>	=	<b>25</b>	+	<b>45</b>	=	<b>70</b>
<b>%</b>	=	<b>35.7%</b>	+	<b>64.3%</b>	=	<b>100%</b>



RACE BREAKDOWN

	African	Colour	Indian	White	Total
Male	14	3	2	6	25
Female	23	3	5	14	45

**BUDGETS**

The allocated budget for Personnel Expenditure for the performance period 2007/2008 is as follows:

<b>ECONOMIC CLASSIFICATION</b>	<b>ACTUAL EXPENDITURE AS ON 26 MARCH 2008</b>	<b>SHIFTING</b>	<b>BUDGET 2007/2008</b>	<b>SAVINGS / OVER EXPENDITURE</b>	<b>AVAILABLE FUNDS</b>	<b>PERCENTAGE OF EXPENDITURE</b>
<b>COMPENSATION OF EMPLOYEES</b>						
S&W: BASIC SALARY (RES)	7,660,762.43	0.00	9,541,000.00	1,880,237.57	1,880,237.57	80%
S&W: PERFORMANCE BONUS (RES)	186,048.18	0.00	305,000.00	118,951.82	118,951.82	61%
S&W: LEAVE DISCOUNTING (RES)	10,394.50	0.00	0.00	-10,394.50	-10,394.50	0%
S&W: OVERTIME (RES)	1,359.35	0.00	100,000.00	98,640.65	98,640.65	1%
S&W: COMPENS/CIRCUM OTHER (RES)	48,473.25	0.00	0.00	-48,473.25	-48,473.25	0%
S&W: SERVICE BONUS (RES)	300,261.40	0.00	469,000.00	168,738.60	168,738.60	64%
S&W: HOME OWNERS ALLOWANCE (RES)	135,364.00	0.00	232,000.00	96,636.00	96,636.00	58%
S&W: NON PENSIONABLE ALL OTH(RES)	1,490,271.32	0.00	159,000.00	-1,331,271.32	-1,331,271.32	937%
EMPL CONTR: PENSION (RES)	492,090.38	0.00	1,024,000.00	531,909.62	531,909.62	48%
EMPL CONTR: MEDICAL (RES)	299,577.36	0.00	569,000.00	269,422.64	269,422.64	53%
EMPL CONTR: UIF (RES)	0.00	0.00	100,000.00	100,000.00	100,000.00	0%
EMPL CONTR: BARGAIN COUNCIL(RES)	2,110.00	0.00	1,000.00	-1,110.00	-1,110.00	211%
<b>TOTAL COMPENSATION OF EMPLOYEES</b>	<b>10,626,712.17</b>	<b>0.00</b>	<b>12,500,000.00</b>	<b>1,873,287.83</b>	<b>1,873,287.83</b>	<b>85%</b>



## Challenges

1. Turnaround time on the Selection/Recruitment and appointment (which impacts Service Delivery)
2. Annual review of establishment needs submitted annually with no further interaction.
3. The provision of access to Persal for capturing of leave, extracting information.
4. The security clearance of staff submitted to National Office during 2005/2006 (not finalized)
5. Areas of development of staff as indicated during the performance cycle appraisal process not considered when submission and recommendation is made.
6. The dual HR reporting/synergy function in certain areas of HR (Regional/National Office)
7. The delay in the payments/effecting of salaries/benefits to employees via Persal (as mentioned here above)

## STRATEGIC AREA FIVE (5)

### PROVISIONING AND PROCUREMENT MANAGEMENT

#### Goal

Comply with and provide an effective, efficient and speedy Provisioning and Procurement Process thereby enhancing the Supply Chain Management Process at the Court.

#### Objectives

1. To ensure that the provisioning and procurement process of the Constitutional Court complies with the Department's capturing and monitoring system (Justice Yellow Pages – JYP); and
2. To provide a high standard of service delivery to the Judiciary and internal staff.

#### Strategies

1. Requesting provisioning or procurement of goods and services by completing the manual requisition form.
2. Ensure that manual requisition is submitted, captured on the JYP system for quality control.
3. Submit Manual Requisition Form to Regional Office (RCC) and National Office (BID) committees for approval/authorization.
4. Ensure that all labour saving devices purchased are recorded and taken on strength and that services/maintenance is carried out as per service/maintenance plan.

5. Ensure that all assets are bar coded and labeled and an asset register is maintained in this regard.
6. Take charge of the issuing and requisition of stationery and maintain a record thereof.
7. Ensure that BEE companies are considered in the Provisioning and Procurement Process.

## Performance Outputs

The following outputs were achieved during the performance cycle 2007/2008

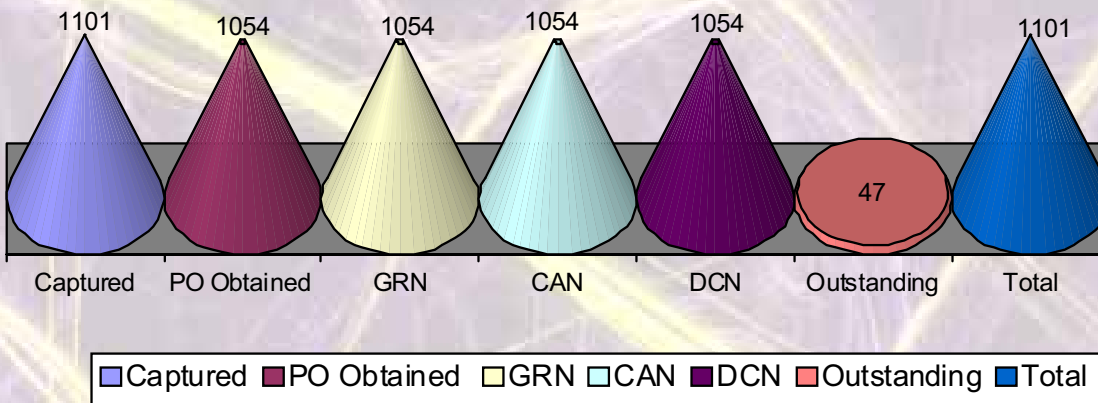
### 2. JUSTICE YELLOW PAGES (JYP)

#### ❖ CAPTURING

- Total of 911 Requisitions were captured on the Justice Yellow Pages (JYP).

#### ❖ PURCHASE ORDERS/ DELIVERY CONFIRMATION NOTES/ CREDITOR ADVICE/ GOODS RECEIVED NOTE.

- Total of 1101 Purchase Orders, Goods received note, Credit advice note and Delivery confirmation notes were obtain from the Justice Yellow Pages (JYP)
- Total of 27 Purchase Orders was Cancelled



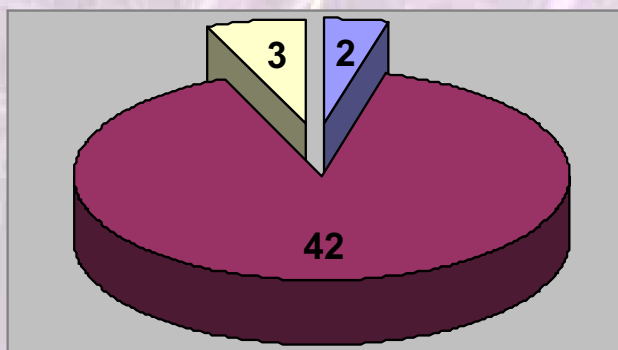
**OUTSTANDING PURCHASE ORDERS FOR 2007/2008**

❖ **NEW ITEM REQUEST**

- Total of 51 new Item Requests were submitted and 41 were received from Justice Yellow Pages (JYP) 10 outstanding.

❖ **FORWARDING TO REGIONAL OFFICE**

- A copy of the manual asset register was forwarded to the Department during the current performance cycle.



- Disapproved = 2
- Awaiting delivery = 42
- Outstanding RCC Approval = 3



❖ **USER SIGNATURE ON CERTIFICATE**

- All officials on the establishment have signed the user signature certificate confirming responsibility and accountability.

**3. STATISTICS**

❖ **PHOTOCOPY METER READING**

- Total number of photocopies made during the performance cycle are 4582384
- Average of 152746.1 per machine (30 Machines)

❖ **BREAKAGE/SERVICE/OBSOLETE/REDUNDANT EQUIPMENT**

- The reporting of all equipment, furniture and labour saving devices has been dealt with in accordance to the Departmental prescripts.

#### 4. BUDGET

##### ❖ EXPENDITURE

- The allocated budget for Stationery for the Performance period 2007/2008 is as follows:

ECONOMIC CLASSIFICATION	ACTUAL EXPENDITURE AS ON 26 MARCH 2008	SHIFTING	BUDGET 2007/2008	SAVINGS / OVER EXPENDITURE	AVAILABLE FUNDS	PERCENTAGE OF EXPENDITURE
<b>STATIONERY AND PRINTING</b>						
STA&PRINT:COMPUTER CONSUMABLES	121,686.65	-28,258.00	121,742.00	55.35	55.35	100%
STA&PRINT:SPECIAL STATIONERY	0.00	-50,000.00	0.00	0.00	0.00	100%
STA&PRINT:STATIONERY	302,684.67	2,685.00	302,685.00	0.33	0.33	100%
<b>GRAND TOTAL</b>	<b>424,371.32</b>	<b>75,573.00<sup>-</sup></b>	<b>424,427.00</b>	<b>55.68</b>	<b>55.68</b>	<b>100%</b>

## Challenges

1. Turnaround time i.r.o RCC/DBAC approvals
2. Delegations to Director (See Strategic Area 3)
3. The registering of Service Providers on the JYP

## STRATEGIC AREA SIX (6)

### SECURITY AND DISASTER MANAGEMENT

#### Goal

Ensure that the Physical Security and Disaster Management is a priority to its clients (internal/External).

#### Objectives

1. To provide, promote and develop internal policies;
2. to implement the policies; and
3. to strive to comply with best International Security and Disaster Management standards.

#### Strategies

1. Prevent risks in the Court Building by –
  - a) Crowd Control
  - b) Ensuring no property of the Constitutional Court leaves the building without authorization
  - c) Report all incidents of theft, damage and losses
2. Ensure that adequate security equipment in a working condition is available and provided to security staff: -
  - a) Surveillance cameras
  - b) Metal Detectors
  - c) Two Radios
  - d) Batons, handcuffs, torches etc.

3. Ensuring that the Public Access Control Act is adhered to:
  - a) Safe Keeping of Public/Visitors firearm in safes provide
  - b) Visitor Vehicles entering and exiting the building are control and manage
  - c) X-ray machine to monitor, Bags, Parcels entering and exiting the building
4. Ensure a fully equipped First Aid room is provided and all basic emergency medical assistance is available. Security Staff is trained on First Aid.
5. Ensure that an Emergency and Evaluation Plan is in place (Disaster) and all Emergency Team Leaders are abreast and informed of the evacuation plan.

## Performance Outputs

The development and implementation of an Internal Security and Disaster Management Policy is in place aligned to the Security Policy of the Department.

The implementation and adoption of an Evacuation Plan identifying team leaders is in place and four evacuation drills are held annually.

The provision of a fully equipped sick room with the necessary medical essentials is available in times when emergencies occur.

All appointed Security Officers have been trained in fire fighting and first aid, the necessary training was provided by the Fire Department and St. Johns Ambulance Services respectively.

### **Access Control (Main Entrance)**

The main purpose of the access control is to prevent envisaged risks in the Court environment, crowd control, that no property of the Court leaves the premises without



authorization and permission and as well as the safe keeping of visitors firearms in safes provided for.

The statistics recorded for the performance period indicates that 59725 visitors entered and exited the main entrance of the building. (Attending court, meetings, conferences, general visitors etc)

To enhance the security capacitation at the main entrance all bags, parcels etc are scanned via the x-ray machine for security quality control purposes (Visitors and staff)

The security division is also capacitated by an outsourced vetted accredited service provider, Khulani Fidelity Company to provide additional and after hours (24 hours) security control at the court.

#### **Access Control (Basement/Parking)**

The basement parking statistics revealed that 1294 visitors entered the building and were allocated parking during the period under review:

VIP, Dignitaries etc	=	344
Other visitor	=	950
<b>Total</b>	=	<b>1294</b>

Vehicles are search upon entry and exit of the building, security staff are equipped with mirror reflectors to ensure that the vehicles entering are not equipped with security risks devices.

All vehicles entering the building via the Basement Parking are registered in a register and given a temporary permit for parking. The visitors are then given a colour code access sticker which indicates which level of the building the visitor will be given access to.

All staff members are issued with office keys and access cards, no keys or access cards were issued without being entered in a register which the recipient acknowledges receipt.

All duplicate keys are kept in a safe and taken on strength in a duplicate key register.

### **Security Equipment/ Apparatus**

During the performance reporting period the following additional security equipment were purchased in order to capacitate the security division:

- Batteries for two way radio
- VHS cassettes for security recording system (24 hours)
- Replacement of remotes for judges parking area.
- Installation of two additional pin hole camera's (entrance/exit of basement parking)
- Walkthrough metal detectors

The security division is fully equipped with the necessary apparatus and to successfully perform their duties.

The CCTV cameras were inspected by our 2 National Intelligence Agents and they recommended that the existing system should be upgrade to a digital recording system. The recommendation will be dealt with in the next performance cycle.

### **Contingency Plan: Evacuation and Disaster Management**

All evacuation plans are continuously updated with new incumbent's details, telephone numbers and emergency services.

All team leaders are trained i.r.o emergency and are provided a visible team leader jacket.

Evacuation drill are held 4 time during a performance cycle to ensure staff and Judiciary are aware of escape exits and comply with the evacuation plan as lead by the identified team leaders

### **Security Meetings**

The under mentioned security meetings were held during the performance cycle:

- Provincial Security Meetings: 4
- Outsourced Security Meetings: 12
- Joint Operation Committee: 19
- Internal Security Division Meetings: 12
- Crime Prevention Meetings: 6

Total Number of Security Meetings = 53

**BUDGETS**

The allocated budget for Stationery and Computer Consumables for the performance period 2007/2008 is as follows:

ECONOMIC CLASSIFICATION	ACTUAL EXPENDITURE AS ON 26 MARCH 2008	SHIFTING	BUDGET 2007/2008	SAVINGS / OVER EXPENDITURE	AVAILABLE FUNDS	PERCENTAGE OF EXPENDITURE
STA&PRINT: COMPUTER CONSUMABLES	150,000.00	-28,258.00	121,742.00	55.35	55.35	100%
STA&PRINT: SPECIAL STATIONERY	50,000.00	-50,000.00	0.00	0.00	0.00	100%
STA&PRINT: STATIONERY	300,000.00	2,685.00	302,685.00	0.33	0.33	100%
<b>GRAND TOTAL</b>	<b>500,000.00</b>	<b>-75,573.00</b>	<b>424,427.00</b>	<b>55.68</b>	<b>55.68</b>	<b>100%</b>

**Challenges**

1. The conversion of the current security recording system from analogue to digital.
2. The vulnerability in terms of security risks (location of Court) (Smash & Grab, Robberies etc)
3. To monitor external visitors (National/ International) visiting the Court
4. The management of crowd control in matter of interest to public.



## **STRATEGIC AREA SIX (7)**

### **FACILITIES MANAGEMENT**

#### **Goal**

Provide Facilities Management control by ensuring that the facilities are properly maintained.

#### **OBJECTIVE**

To provide quality and enhanced service delivery to the Court and the official residence of the Chief and Deputy Chief Justice in respect of Facility Management related issues.

#### **STRATEGIES**

1. Manage the day to day minor works (maintenance) of the Constitutional Court building and Official Residence of the Chief Justice.
2. Manage, control and monitor the execution of services of outsourced service providers:
  - (a) Outsourced Cleaning company
  - (b) Sub contractors (Plumbing, electrical etc)
  - (c) Contractors (building, Painting, lifts, etc)
3. Ensure a close working relationship with the department Facilities Management Section, Department of Public Works (DPW), Architects, Johannesburg Development Agency (JDA), Constitution Hill Facilities Manager and other relevant stakeholder/clients.
4. Implement directions and decisions emanating from the Building Committee.



5. Ensuring the provision of motor vehicles for the Judiciary, maintenance of vehicles and timeously procurement/ordering of vehicles for the Justice's personal use and for official travel.
6. Ensure that the building is on the major works program of the department and DPW.

## Performance Outputs

The following outputs were achieved during the performance period:

- The provision of Perspex cylinder to protect the Blue Dress (Art Work)
- The installation of extra shelving
- Refurbishment of conference and meeting room tables
- Replacement of counsels and media bench tops with Mebau wood
- Installation of a security counter reception area (main entrance)
- Sound system for court, repaired and serviced.
- Partitioning of office for additional office accommodation
- Cleaning of soft furniture
- Attended to the irrigation system, installation of stopcock pipes.
- Installation of the Constitutional Court signage, basement parking.
- A furniture Audit was conducted by all service providers who supplied/installed furniture at the court, in order to identify latent defects, wear and tear and or breakages.
- Installation of the stepping stones in ponds.
- Closure of the exhibition stairways
- Purchase of industrial dishwasher, heavy duty shampoo and vacuum machine, polishing machine and others.

**Official Residence of the Chief Justice**

- Installation of six (6) CCTV Cameras
- Locking mechanism system, were changed (inside and outside doors)
- Installation of bulletproof guard house for S.A.P.S static protection (Temporary Prefab Building).
- Painting of interior and exterior of official residence.
- Replacement of electronic motors (exit and entrance gates) to official residence.
- Installation of bulletproof guard house for S.A.P.S static protection at the DJC residence.
- The cleaning, providing maintenance to swimming pool and gardening services of official residence monitored weekly (2 cleaners/Housekeeping, 1 gardener and outsourced company maintaining swimming pool).

**Transport**

The performance period under review has been a challenging one in respect of the provisioning for vehicles for the Judges via the Department of Transport (Government Garage). Government Garage in Gauteng can not provide this office with the requested vehicles as per Judge's specifications, furthermore most of all if not all vehicles provided by Government Garage are not trustworthy, economical and/or safe. A letter issued by Government Garage indicates that they can not provide this office with vehicles as per judge's specifications.

The request for two allocated pool vehicles we decline by the Director-General in terms of our office's business needs.

Vehicles are therefore hired from service providers in order to provide the specified vehicles to the respective judge's on requests.

## BUDGETS

The allocated budget for Facilities for the performance period 2007/2008 is as follows:

ECONOMIC CLASSIFICATION	ACTUAL EXPENDITURE AS ON 26 MARCH 2008	SHIFTING	BUDGET 2007/2008	SAVINGS / OVER EXPENDITURE	AVAILABLE FUNDS	PERCENTAGE OF EXPENDITURE
MNT&REP:RESIDENCES (PERS/GAR)	0.00	-150,000.00	0.00	0.00	0.00	0%
MNT&REP:OFFICE BUILDINGS	122,830.81	-377,000.00	123,000.00	169.19	169.19	100%
<b>GRAND TOTAL</b>	<b>122,830.81</b>	<b>-377,000.00</b>	<b>123,000.00</b>	<b>169.19</b>	<b>169.19</b>	<b>100%</b>

## Challenges

1. Lack of facilities budget allocation to the Court
2. Lack of synergy between the Department, DPW and the Court
3. Additional accommodation (Staff)
4. The maintenance and upkeep of the image, standard and prestige of the Court building.
5. To place the Court on the major work program of the Department (2008/2009)
6. Maintenance and upkeep of the Official Residence (CJ)
7. The accessibility of the exhibition stairways to paraplegics
8. The lack of roadworthy reliable and the availability of government vehicles (GG) for Judiciary.

## STRATEGIC AREA EIGHT (8)

### INFORMATION/KNOWLEDGE/LIBRARY MANAGEMENT

#### GOAL

Ensuring accessibility of the library Services to the Judiciary and/or other relevant stakeholders/clients (Internal/External).

#### Performance Outputs

The Court Library's primary objective is to support the work of the Judges and Law researchers at the Court. The library is at a stage where it has a well developed collection to meet user's needs, as well as providing an efficient library service to users. Although all judgments are concerned with aspects of the Constitution, they also affect a wide range of fields of law including criminal law and procedure, insurance, company law, administrative law, insolvency law and many aspects of private law. To render an effective support service to the Judiciary, the court library must contain a comprehensive international law collection as well as a significant collection of materials from other legal systems. In the last two years, our acquisitions have largely managed to meet the requirements of our users.

#### TECHNICAL SERVICES

This department deals with the technical aspects of library work. It is responsible for the organization, the storage of material for retrieval and dissemination. It requires specific skills to organize material, analyze the subjects, and make material accessible to the user. The section has a section head, an acquisitions librarian, two cataloguers, and two library assistants.



## COLLECTION DEVELOPMENT

The library renews its book collection through the active acquisition of relevant, newly issued monographs and periodicals and new editions of earlier titles. The library's roles are served through its book, and through electronic resources.

Selection of material for purchase is done by an Acquisitions Committee which meets regularly, at least once in three months. During the last financial year the committee has focused on new titles, new editions, and a few periodicals that were considered as core to our research. The collection of primary source material has been largely covered. The next phase of acquiring secondary material like treatises and serials will now focus on new titles, and the maintenance of the existing periodicals collection. The number of books ordered over the years indicates this, in 2004 - 2279; 2005 – 1750; 2006 – 1251; and 2007 – 1524. (900 received)

Some of the new titles added in 2007, *African Renaissance*; *Amicus Curiae*; *Cayman Island Law Reports 1952-2006*; *Election Law Journal* ; *International journal of Transitional Justice* ; *Jersey Law Review 1997-2006* ; *Journal of Southern African Studies*;

*National Black Law*; *Without Prejudice*; and *the United Nations Yearbook*.

Publications from major jurisdictions are easy to locate through publishers catalogues, book reviews, book lists etc. Efforts by the acquisitions librarian to locate material from African countries are slowly being realized. Suppliers in the United Kingdom and India have turned out to be good sources of this material.

### **Budget allocation for 2007/08 - R6, 9m**

Amount spent:

Books – R822, 481.12

Subscriptions – R2, 587.626.66

Freight and VAT – R206, 584.13

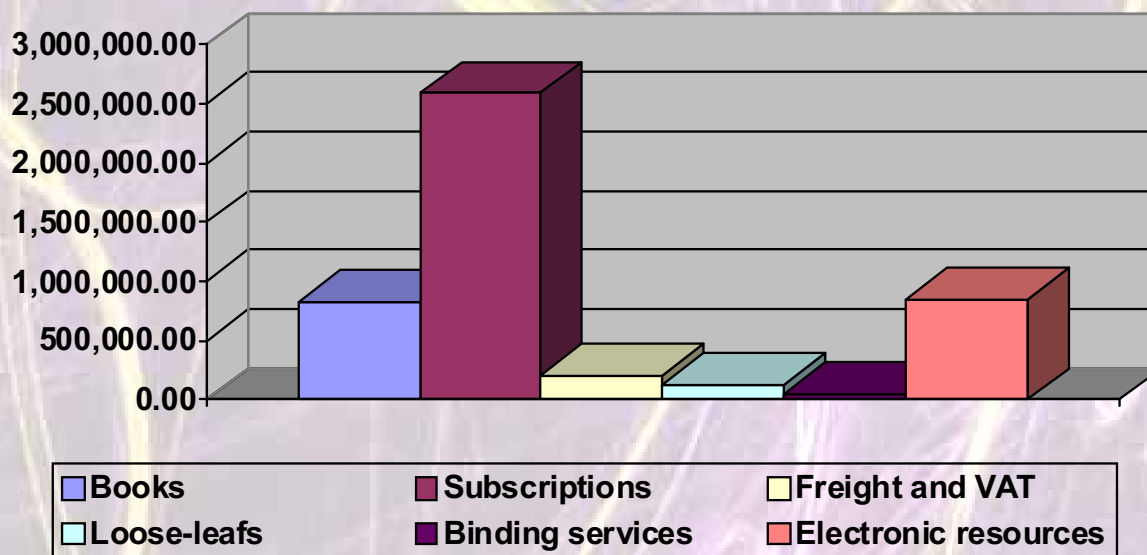
Loose-leafs – R123, 570.62



Binding services – R41, 719.44

Electronic resources – R848, 904.00

**Figure 1 Publications budget spending 2007/08**



## Donations

Another source of collection development is through donations. In 2007, Mrs. P. Schreiner donated her late husband's collection. This was a valuable addition to the collection as the extra sets of law reports and statutes are currently being used in the conference room, as well as the Public reading room. Donated items catalogued were 353. A second donation during 2007 was from the Centre for Applied Legal Studies of some Codes, documents and commission reports. These still need processing. The University of the Witwatersrand donated Prof. Kahn's library from his office. South African law journals were selected and a few old editions of textbooks – to complete second sets of the SA journals and to build our previous edition collection.

Another aim of collection development is to keep in step with technological development. A large portion of the resources are needed for the acquisition and

management of electronic resources, such as databases and electronic journals. This phase will focus on the acquiring of finding tools in electronic format to make information retrieval easier and faster, and also allow the sharing of resources among Courts. The Department has substantially increased the library budget allocation to meet this need. Other institutions in the department also benefit from these resources when the need arises – Department of Special Operations, State Law Advisors, researchers and Judges in other courts.

### **CATALOGUING AND CLASSIFICATION**

All books purchased or donated are processed – catalogued, subject headings allocated, to be included in the Court's library catalogue. Books catalogued for the period April – February 2007 are about 2200. The catalogue is constantly being worked on, for accuracy, and to comply with International standards. It is crucial that the catalogue is well maintained because it is on the web. Quality control of records is an ongoing function of the cataloguing section. The cataloguing section is constantly adding new books into our library system. The Library makes a huge contribution to the South African Catalogue maintained by Sabinet Online for Interlibrary loans purposes. Records are downloaded from the World Catalogue into the local system, our library is often the first to hold a title – it is then exported from the World Cat to SACat.

Regular subscriptions of bound volumes of Law Reports are also received and processed into the system, and spine labels put on all books. During 2007, 3029 volumes from the Rex Welsh Library were bar coded, spine labelled and added to the library system. Although this collection is not displayed on the catalogue, a record of the collection is kept.

A challenge facing this section is that the library is using a version of the library system SIRSI, which is two versions behind. Migration to the new operating system ORACLE is long overdue. The delay in acquiring a server is due the long processes the department has set up for the approval of purchases. This purchase will hopefully happen soon, now that the procurement of a server for this migration has finally been approved.

**Serials collection**

An increase in the number of subscriptions has resulted in a need for the position of a serial librarian. The acquisitions librarian deals with all matters regarding the ordering of law journals and law reports. The serials librarian maintains control of all publications - receiving, claiming, displaying on the shelves etc. The library subscribes to 600 law journals, 165 law reports, and 176 loose-leaf titles.

The serials librarian is also responsible for the preparation of publications for binding, to limit losses of loose parts. During 2007/8 financial year 850 volumes of subscriptions have been bound.

**Other publications**

Official Publications are received from various Government departments. The library staff currently ensures that Government and Provincial Gazettes; bills and Acts are filed for easy retrieval. There is a huge backlog in terms of the processing and storage of other official documents.

During 2007 a previous edition collection was started.

### **Stocktaking**

During 2007 a thorough stock taking exercise was undertaken. Five temporary workers were employed; it took 5 months to produce lists of publications not located. The number of volumes which is about 57, 000 volumes, will in the future require a more efficient method of stock taking. It is for this reason that extra staff was required not to keep librarians away from their work. The librarians then had to go through the lists to check publications reported missing, correct entries on the system and finally produce a list of missing book. The number of missing publications increases by the year, the value of these books amounts to R30, 992.00, which was reported to the Department.

### **REFERENCE SERVICES**

The purpose of information services or reference services at the Court Library is to support the Judiciary in their research needs. The reference section assists Justices and their Law researchers in sourcing and supplying material. In fulfilling the needs of the researchers the library staff requests books and articles through interlibrary loan from other institutions. During 2007 - 57 books and 7 articles were requested from other institutions on behalf of court members. The library supplied 32 articles (downloaded from Hein Online) and 24 books to other institutions. 16 requests were unfilled, either because they were loose leaf publications, or were not found as cited. There is also an informal inter lending system operating between various law firms and the Constitutional Court Library. The size of the collection at the Court may give a false comfort that we can fulfill all requests; we sometimes have to rely on the cooperation of other institutions to deliver a service.



## **Training**

The library provides instruction in the effective use of its resources. Such instruction, include the individual explanation of information resources or the training of users in the use of resources. The Head of Reference services participated in the two orientation sessions. The instruction involved a library tour and talk on print resources followed by an exercise on how to use resources. Training on the use of the different electronic resources was conducted to equip Law researchers to use information resources available at the Court.

The Library staff is also involved in the training of researchers from SAIFAC (South African Institute for Advanced Constitutional, Public, Human Rights and International Law) who are regular users of the reading room.

During 2007 performance cycle the library hosted Law researchers from the Eastern Cape High Courts of the SADC nations for training. Training was on the use of printed and electronic resources, librarians from the following High Courts came for training, Lobatse and Francistown in Botswana came for two weeks; two librarians from Lesotho visited for one week; a librarian from the SADC Tribunal also visited for a week. As part of training, the library received 30 Library Science students from the University of Limpopo for a day. First there was a presentation about the library, and then they visited all sections of the library to observe how different library functions are conducted. This involved most staff members to each explain what they do.

## **Newsletter**

The reference section provides a current awareness service that informs them of latest information and databases. An information service should anticipate as well as meet user needs. It should encourage user awareness of the potential of information resources to fulfill individual information needs. A newsletter is published fortnightly alerting users to recent decisions from other jurisdictions, legislation, news, and articles published in journals. This newsletter circulates to users outside the Court who find it very useful.



### **Reference activities**

The reference staff is also responsible for ensuring that all loose-leaf publications are updated, both in the library as well as in chambers. Keeping track of publications issued to chambers and Law researcher's offices is increasingly becoming a challenge. Publications have been replaced several times, only to go missing again.

The reference librarians update information on the library system indicating the latest issue of a law journal or law report received. Answering of enquiries by internal and external users of the library is a major part of reference work.

Evaluation of library resources for possible purchase - during 2007, trials for access to the following databases was requested; Justis – a UK based database that covers case law and has a good annotating service (different from Westlaw which is strong on US law); another service evaluated was the Oxford University Press Law journals database; and the Supreme Court Cases (India) database.

### **Public Reading Room**

The reading room was well used throughout the year, some times more than others. There was a time when the venue was extremely cold, and users could not use the facility. Heaters were purchased for workstations, and desk lamps were also provided to improve the lighting. Lighting still remains a problem, but the matter is receiving attention. Regular researchers are SAIFAC members, and Universities. 714 researchers visited during 2007, mostly from Universities – the following universities were represented - UNISA, UJ, UP, WITS, UCT, US, UWC, Univ. KZN and University of Fort Hare.

Other visitors to the reading room were from law firms around Johannesburg.

### **WEBSITE MATTERS**

The presence of a website has made communication between the Court and the public very easy and convenient. Requests received during 2007/08 sent directly to the library

email were 258. These enquiries come from different parts of the world – Sri Lanka, Lithuania, US, UK, Malaysia, Nigeria, Namibia, and The Netherlands. The majority of these are requests for judgments, and related documents. New software will be investigated for the hosting of the judgments and index databases. The library system currently in use has limitations.

ISAlpi - an index to South African legal periodicals was launched on the website by the Court Library. This is the only legal index to South African periodicals, and it has become very useful to researchers. It is freely available and covers the period from 1982 – to current.

### **Intranet**

The Department in 2007 entered into an agreement with Juta and LexisNexis for Corporate Licenses for their databases. This package makes available all electronic resources by the two vendors accessible to Justice Offices. A similar arrangement was entered into with Westlaw to give access to all Justice Sub offices. The Court and other High Courts will be included in the contract when the next renewal is due.

Westlaw usage statistics 2007 – 3151 searches and downloads of material. The monetary value of these searches is US\$ 235,422.96 – we paid a fixed amount of US\$ 23,750 for the 2007 subscription.

2007 – Hein Online - articles down loaded 4455. This subscription includes other High Courts - there is no breakdown of figures reflecting different locations.

### **GENERAL**

The profession of law librarianship is changing. As access to information grows, the organizations served by law libraries evolve and technology changes the delivery of information. These changes provide both challenges and opportunities for librarians.

Law librarians see a need to reinvent themselves in response to their changing environment, the proliferation of information, and the rapid changes in technology. Librarians at the Court belong to library associations, and attend courses to meet these challenges. Mrs. Miller and Ms Stephens are members of the OSALL Committee; they are involved with identifying programmes that benefit law librarians.

As part of staff development, staff attended the following:

an OSALL (Organization of South African Law Libraries) conference in June 2007; a workshop hosted by SAFLii on privacy; a talk hosted by OSALL – Mr Winterton delivered a talk August 2007, on *Legal Information on the Web – can we trust the official version?*; Ms Luthuli attended a conference hosted by the International Association of Law Libraries in India on the Indian legal system – December 2007.

OSALL held its AGM on 8 August 2007 at the Court – about 90 law librarians attended. The presentation was - SAFLII – Free Access to Law: the Safflii experience.

Staff also attended a session on how to conduct US research using Westlaw, hosted by the US consulate in Johannesburg.

In August 2007 – Ms Luthuli was invited to present paper at the IFLA (International Federation of Library Institutions) law section. The conference was held in Durban, and the presentation was on - *Open access law and free legal information for democracy and human rights: the Constitutional Court website - a case study.*

At a workshop attended by Registrars from SADC countries in December 2007, Mrs. Miller gave a presentation on the Constitutional Court library to the delegates.

**BUDGETS**

The allocated budget for Print & Publishing for the performance period 2007/2008 is as follows:

ECONOMIC CLASSIFICATION	ACTUAL EXPENDITURE AS ON 26 MARCH 2008	SHIFTING	BUDGET 2007/2008	SAVINGS / OVER EXPENDITURE	AVAILABLE FUNDS	PERCENTAGE OF EXPENDITURE
STA&PRINT:BINDING	156,435.31	81,500.00	156,500.00	64.69	64.69	100%
STA&PRINT:BOOKS, JOURNALS ETC	504,300.85	-5,345,490.00	504,510.00	209.15	209.15	100%
STA&PRINT:OTHER PUBLICATIONS	96.55	97.00	97.00	0.45	0.45	0%
STA&PRINT:PRINTING GOVT. PRINTER	4,471.65	4,480.00	4,480.00	8.35	8.35	0%
STA&PRINT:PUBLICATIONS, ABROAD	23,197.50	23,200.00	23,200.00	2.50	2.50	100%
PRINTING AND PUBLICATIONS	4,348,310.34	4,350,000.00	4,350,000.00	1,689.66	1,689.66	100%
PROF BODIES & MEMBERSHIP FEES	347,537.30	347,600.00	347,600.00	62.70	62.70	100%
SUBSCRIPTIONS	16,706.82	16,710.00	16,710.00	3.18	3.18	100%
<b>GRAND TOTAL</b>	<b>6,061,314.70</b>	<b>-1,361,603.00</b>	<b>6,063,397.00</b>	<b>2,082.30</b>	<b>2,082.30</b>	<b>100%</b>



## Challenges

1. The registering of International Service Providers on the JYP impacts on procurement and provisioning of up to date International Knowledge, Management issues.
2. The annual stocktaking of library Books.
3. The tagging of books for security and control purposes.
4. The growing library requires the existing accommodation occupied by SAFLI and the Office of the Chief Justice.
5. The consideration of making the Public Reading room available and accessible to the Legal Fraternity on Saturdays and currently opened until 17H00 even 18H00.
6. Official publication deposits – lack of staff to manage



## **STRATEGIC AREA NINE (9)**

### **INFORMATION TECHNOLOGY MANAGEMENT**

#### **Goal**

Provide and ensure best International Practice and state of the art Information Technology to the Judiciary and support staff of the Constitutional Court

#### **Objective**

To enhance the management of the local area network (LAN) and the website ([www.constitutionalcourt.org.za](http://www.constitutionalcourt.org.za)) of the Constitutional Court through international best practices and standards in terms of applying technologically up to date software, hardware and peripherals.

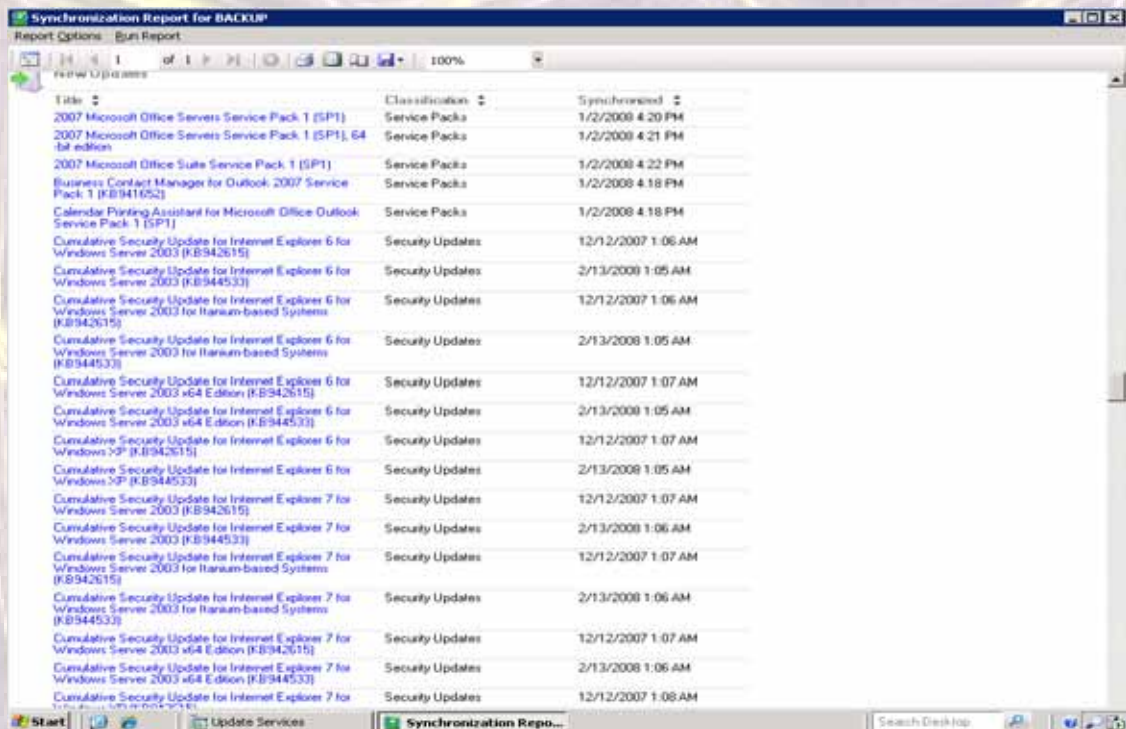
#### **Performance Output**

The Court Manages and operates its own domain, Local Area Network (LAN), Wide Area Network (WAN) and remote access.

##### **1.1. UPDATE SOFTWARE TO THE LATEST**

PDF Converter 4 was procured during the current performance period and has been installed-converting PDF documents into office documents much more speedily thus enhancing software delivery.

Managing the updating of workstations via the automated windows update service currently utilized by Windows operating systems (as display hereunder).

**EXTRACT OF LAST UPDATES FOR WINDOW SYSTEMS**

Title	Classification	Synchronized
2007 Microsoft Office Servers Service Pack 1 (SP1)	Service Packs	1/2/2008 4:20 PM
2007 Microsoft Office Servers Service Pack 1 (SP1), 64-bit edition	Service Packs	1/2/2008 4:21 PM
2007 Microsoft Office Suite Service Pack 1 (SP1)	Service Packs	1/2/2008 4:22 PM
Business Contact Manager for Outlook 2007 Service Pack 1 (KB941652)	Service Packs	1/2/2008 4:18 PM
Calendar Printing Assistant for Microsoft Office Outlook Service Pack 1 (SP1)	Service Packs	1/2/2008 4:18 PM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 (KB942615)	Security Updates	12/12/2007 1:06 AM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 (KB944533)	Security Updates	2/13/2008 1:05 AM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 for Itanium-based Systems (KB942615)	Security Updates	12/12/2007 1:06 AM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 for Itanium-based Systems (KB944533)	Security Updates	2/13/2008 1:05 AM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 x64 Edition (KB942615)	Security Updates	12/12/2007 1:07 AM
Cumulative Security Update for Internet Explorer 6 for Windows Server 2003 x64 Edition (KB944533)	Security Updates	2/13/2008 1:05 AM
Cumulative Security Update for Internet Explorer 6 for Windows XP (KB942615)	Security Updates	12/12/2007 1:07 AM
Cumulative Security Update for Internet Explorer 6 for Windows XP (KB944533)	Security Updates	2/13/2008 1:05 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 (KB942615)	Security Updates	12/12/2007 1:07 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 (KB944533)	Security Updates	2/13/2008 1:06 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 for Itanium-based Systems (KB942615)	Security Updates	12/12/2007 1:07 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 for Itanium-based Systems (KB944533)	Security Updates	2/13/2008 1:06 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 x64 Edition (KB942615)	Security Updates	12/12/2007 1:07 AM
Cumulative Security Update for Internet Explorer 7 for Windows Server 2003 x64 Edition (KB944533)	Security Updates	2/13/2008 1:06 AM
Cumulative Security Update for Internet Explorer 7 for Windows XP (KB942615)	Security Updates	12/12/2007 1:08 AM

The aforementioned is an indication that the updates are distributed to the respective workstations

**1.2. NEW HARDWARE**

30 new workstation were purchased for administration and law researchers, replacing old, obsolete and unserviceable workstations.

6 new laptop for Judges were purchased to replace old, obsolete and worn-out laptops.

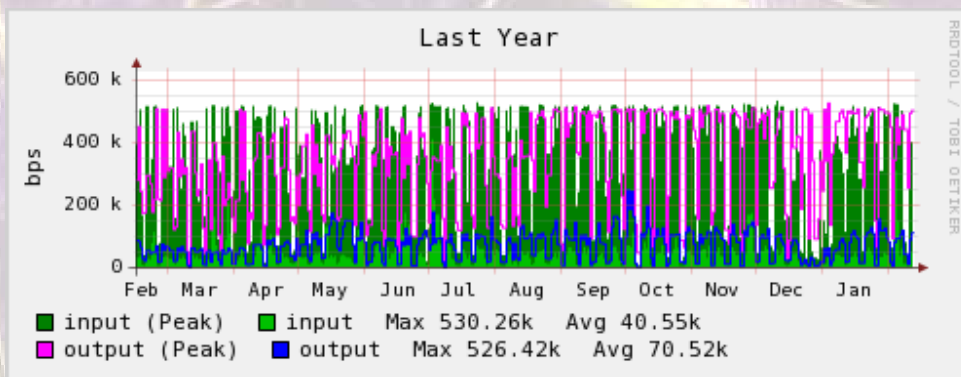
15 new printers for administration and law researchers were procured.


2 new laptops purchased for IT Controller and Director of the Court to replace old, unserviceable laptops.


## 2.1. Local Area Network (LAN) & Bandwidth

The Court maintains and operates its own Domain which includes Local Area Network (LAN), Wide Area Network (WAN) and remote access. Our current internet line operates on a 512KB and will be upgraded to a 768KB before the end of April 2008.

**Utilization of Bandwidth for the performance cycle 2007/2008 is shown below**



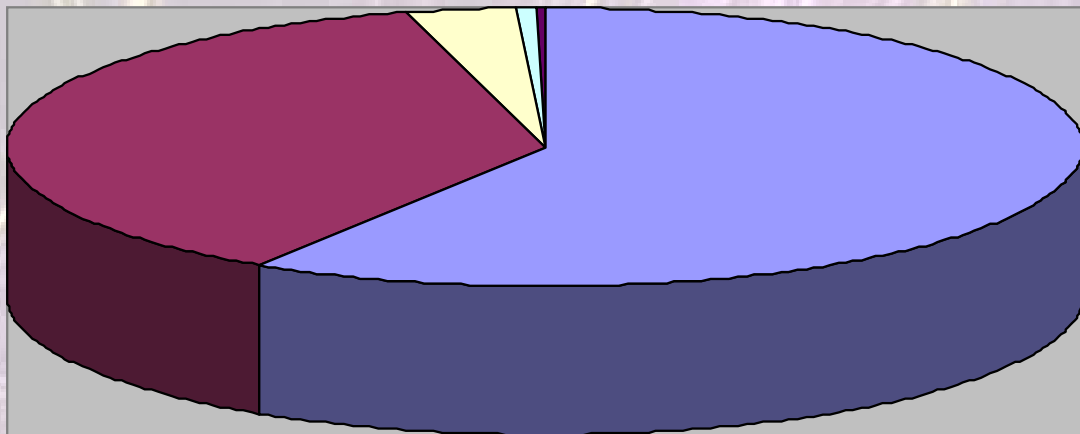
 Input indicates data sent to our service provider (outgoing e-mails etc)

 Output indicates what is sent from their side to us (incoming mail etc)

## 2.2. SECURITY OF NETWORK INFRASTRUCTURE

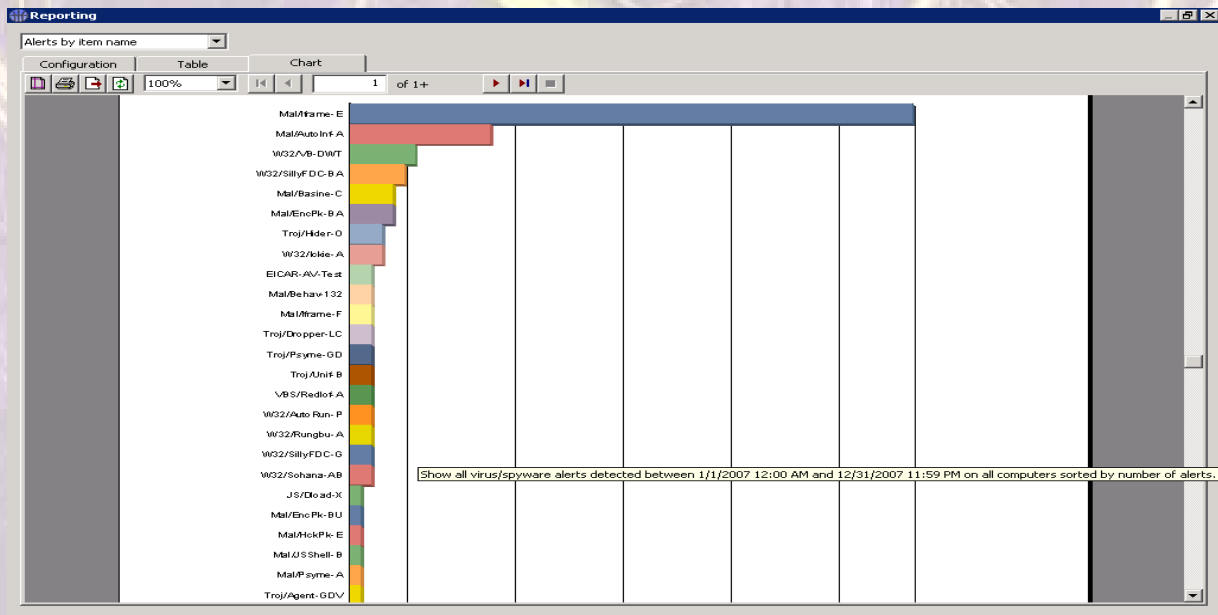
### E-mail scanning statistics for the performance cycle 2007/2008

Pie Graph indicating E-mail Scanning Statistics



**VIRUS STATISTICS**

All viruses detected are disinfected on the system and are reflected here under for the performance period 2007/02008

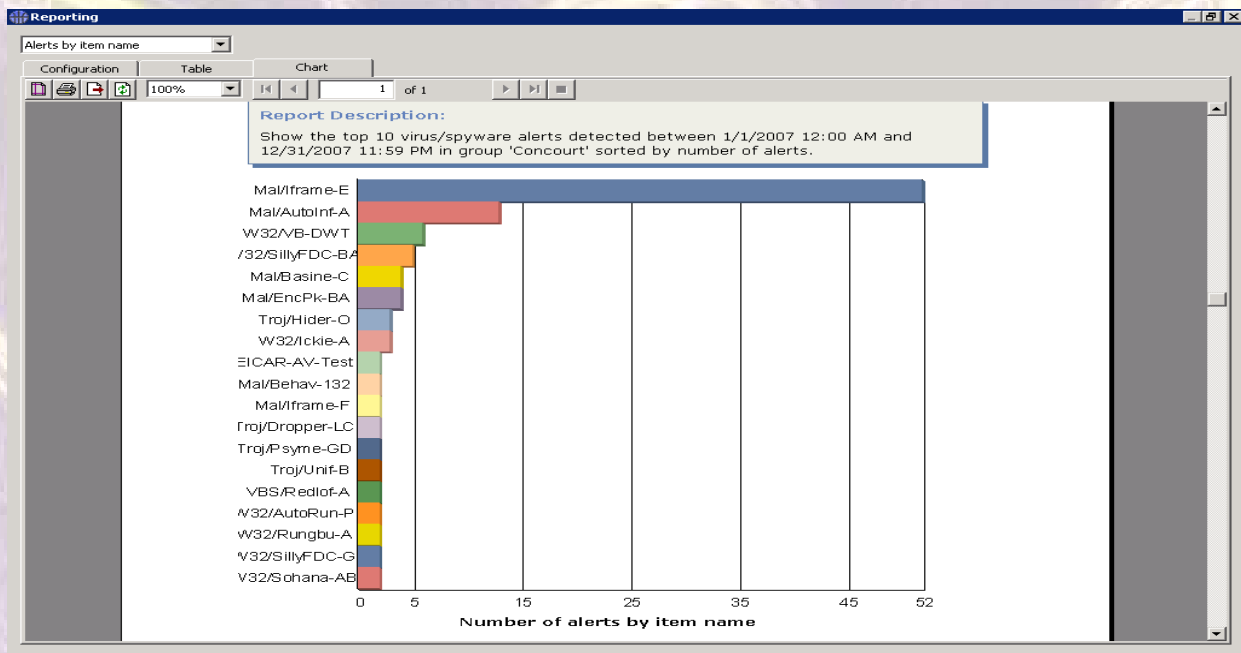


The virus indicated here above where attended to during the performance cycle

The current software utilized is Sophos which immediately identifies, disinfects and quarantines viruses

Top 10 viruses detected during the reporting period is indicated below





The most prominent virus/detected is the mal/iframe-E.

<b>Name</b>	Mal/iframe-E
<b>Type</b>	Malicious Behavior
<b>Affected operating systems</b>	Windows
<b>Protection available since</b>	20 February 2007 10:49:06 (GMT)
<b>Detected by</b>	All versions of Sophos Anti-Virus
<b>Included in our products from</b>	April 2007 (4.16)

### Description

This Section helps you to understand how it behaves

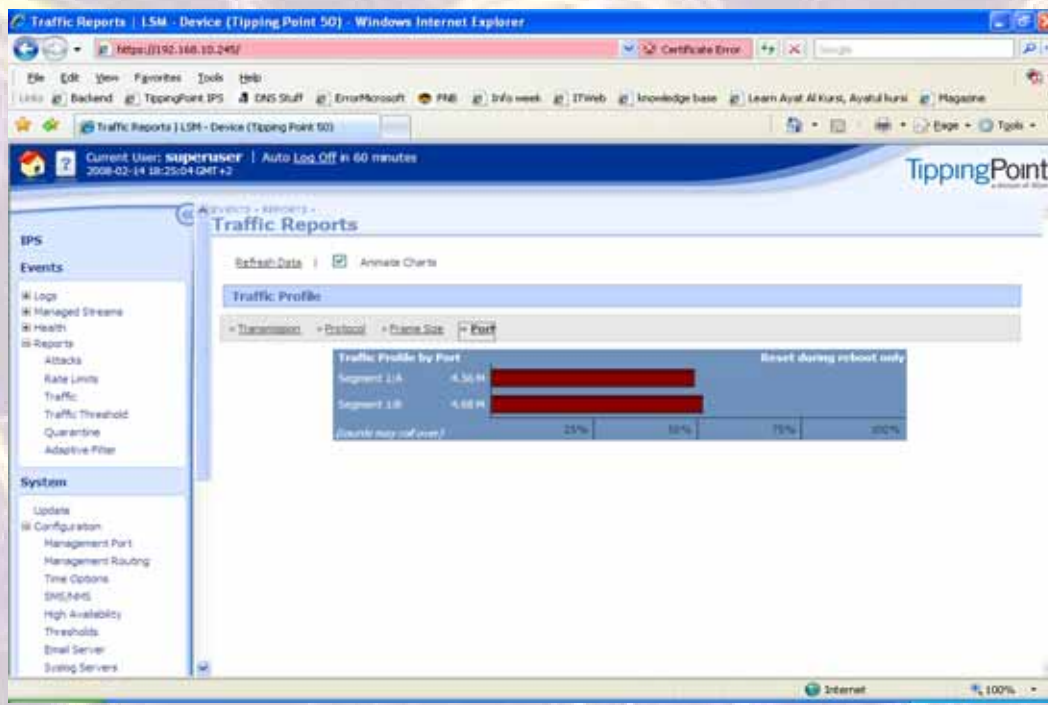
Mal/iframe-E detects e-mail files that attempts to run malicious files

### 2.3. INTRUSION, PREVENTION AND DETECTION SYSTEM

The intrusion, prevention and detection system was purchased during the performance cycle which enhanced the Information Technology division. The system/software is currently operational and functional which identifies hackers, unauthorized penetration and intruders into the Court's LAN.

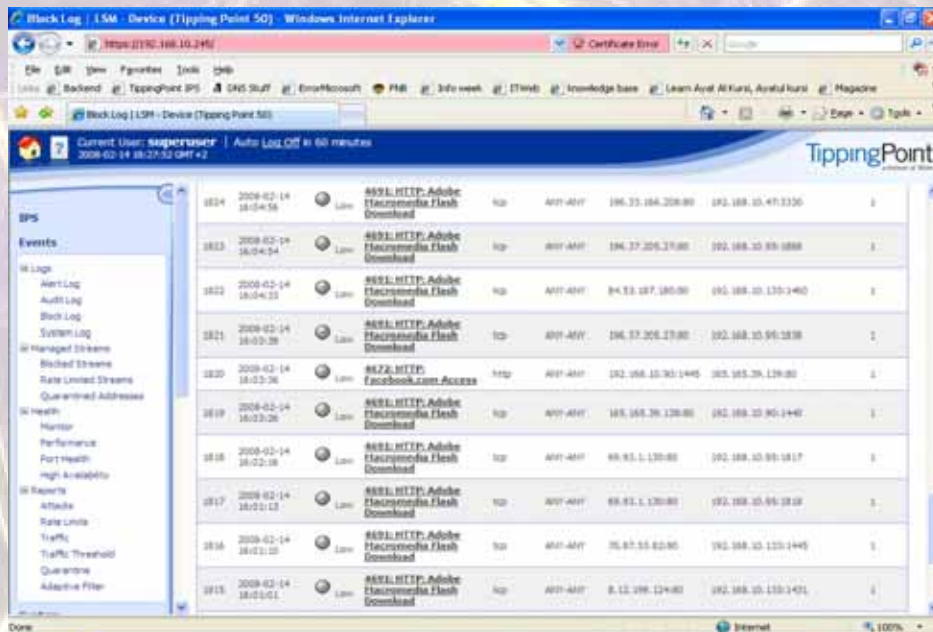


Since the installation of the intrusion, prevention detection system the traffic that passed through this system is indicated below.



All traffic going in and out of our network is thoroughly inspected by the intrusion, detection and prevention system and includes e-mails, web traffic, documents, files etc. The diagram above depict the amount of data passed through since the installation of intrusion, detection and prevention system

The following sites which were identified by the Prevention; detection and intrusion systems which were blocked are indicated below and has been denied access to our LAN and WAN.



The screenshot shows the 'Block Log' interface of a TippingPoint IPS device. The interface is displayed within a Windows Internet Explorer browser window. The main content area shows a list of blocked events with the following columns: ID, Date/Time, Action, Type, Protocol, Source IP, Destination IP, and Count. The events listed are:

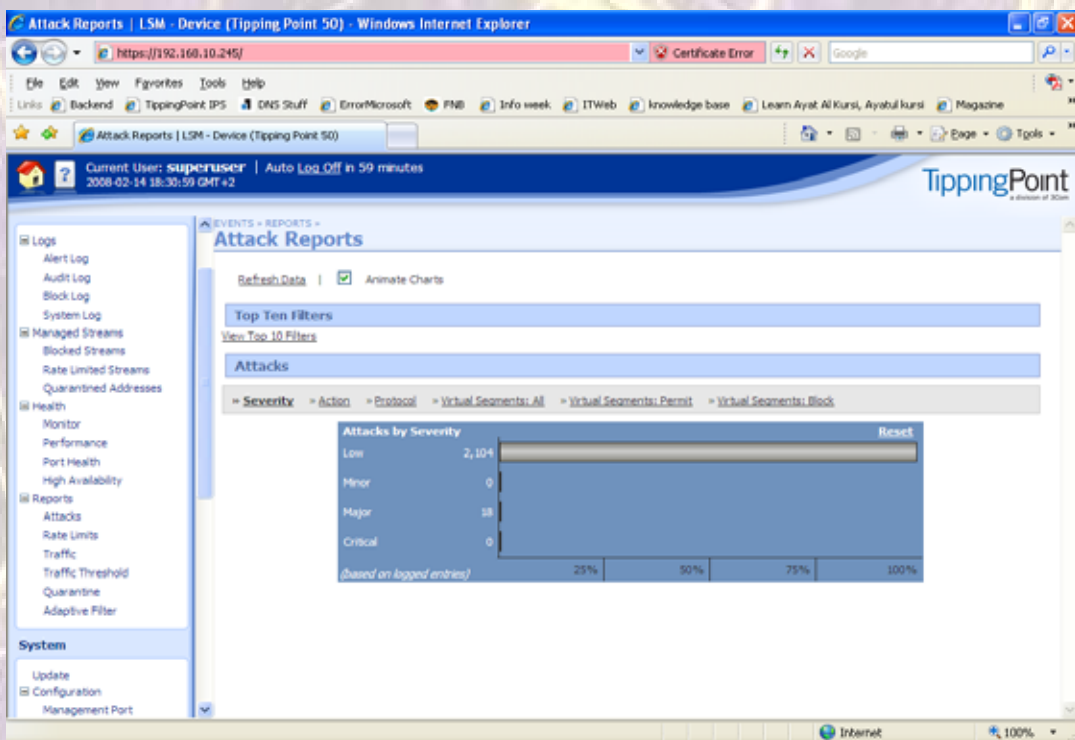
ID	Date/Time	Action	Type	Protocol	Source IP	Destination IP	Count
1824	2009-02-14 18:04:36	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	196.33.184.208:80	192.168.33.41:3330	1
1823	2009-02-14 18:04:34	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	196.37.206.27:80	192.168.33.95:8888	1
1822	2009-02-14 18:04:33	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	84.83.187.180:80	192.168.33.130:3460	1
1821	2009-02-14 18:03:38	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	196.37.206.27:80	192.168.33.95:8888	1
1820	2009-02-14 18:03:36	Block	Low	8872:HTTP:Facebook.com Access	192.168.33.90:1445	192.168.33.130:80	1
1819	2009-02-14 18:03:36	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	189.165.36.128:80	192.168.33.90:1440	1
1818	2009-02-14 18:02:38	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	88.93.1.130:80	192.168.33.95:8817	1
1817	2009-02-14 18:02:13	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	88.93.1.130:80	192.168.33.95:8818	1
1816	2009-02-14 18:02:10	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	76.87.55.82:80	192.168.33.130:1445	1
1815	2009-02-14 18:02:01	Block	Low	8851:HTTP:Adobe Macromedia Flash Download	8.12.198.124:80	192.168.33.130:1451	1

The diagram above illustrates some of the disallowed websites trying to be accessed but was blocked. They include movie clips using adobe Macromedia Flash and You Tube. How the Tipping Point IPS device works, is that the device scans all incoming and outgoing traffic inline with a minimal delay at a hardware/software level, matching all traffic against a Signature Database of about 3000+ signatures defined in a single policy. Once a packet match the Signature database, the exploit is stripped from the packet against that signature and a clean packet is forwarded to the destination seamlessly without the user knowing about it.



The following report depicts and indicates the severity of attacks as identified by the Prevention, detection and intrusion system

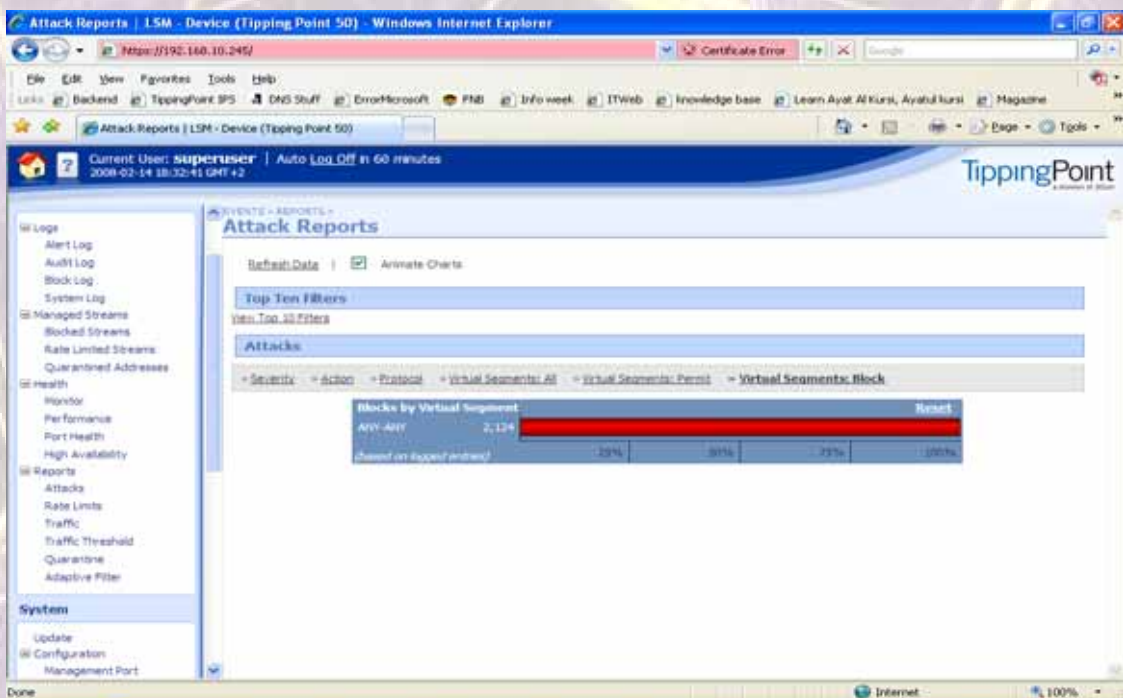
### ATTACK REPORTS



The following diagram depicts all websites that were blocked by the virtual segments: Low attacks include blocked websites, disallowed web content, movies and unwanted traffic which save the Court on bandwidth usage. The more configured to block in the Policy, the more bandwidth will be saved.

The following report depicts all websites that were blocked by the virtual segments:

### ATTACK REPORT: WEBSITES BLOCKED BY VIRTUAL SEGMENTS



The virtual segment ANY –ANY refers to data moved from inside the LAN and data which tries to move out of the network but is blocked because a signature defines what has to be done with the type of information being sent out and if not allowed it will be blocked immediately.

### **3. DISASTER RECOVERY PLAN**

- 3.1. A disaster recovery plan has been developed and is currently being utilized on an interim basis pending the approval of the Information Technology Committee.
- 3.2. A Disaster Recovery site has been selected and identified.
- 3.3. The Disaster Recovery server which is to be located off site has been approved.
- 3.4. A memorandum has been prepared and sent to the Regional Control Committee (RCC) in order to approve the installation and monthly charges for the rental of the circuit from the court to the identified Disaster Recovery site. The aforementioned has been approved.

### **4. POLICIES**

- 4.1. All newly appointed staff and Law Researchers have been issued with the internet and e-mail policies.
- 4.2. An internal Information Technology Policy has been developed and is currently being utilized on an interim basis pending the approval of the Information Technology Committee.
- 4.3. All internal information and technology policies developed for the court's business needs are in line and compliance with the Departmental IT policy.
- 4.4. An internal Disaster and Recovery Strategy Policy and plan have been developed, pending the approval of the IT Committee.

## 5. BUDGETS

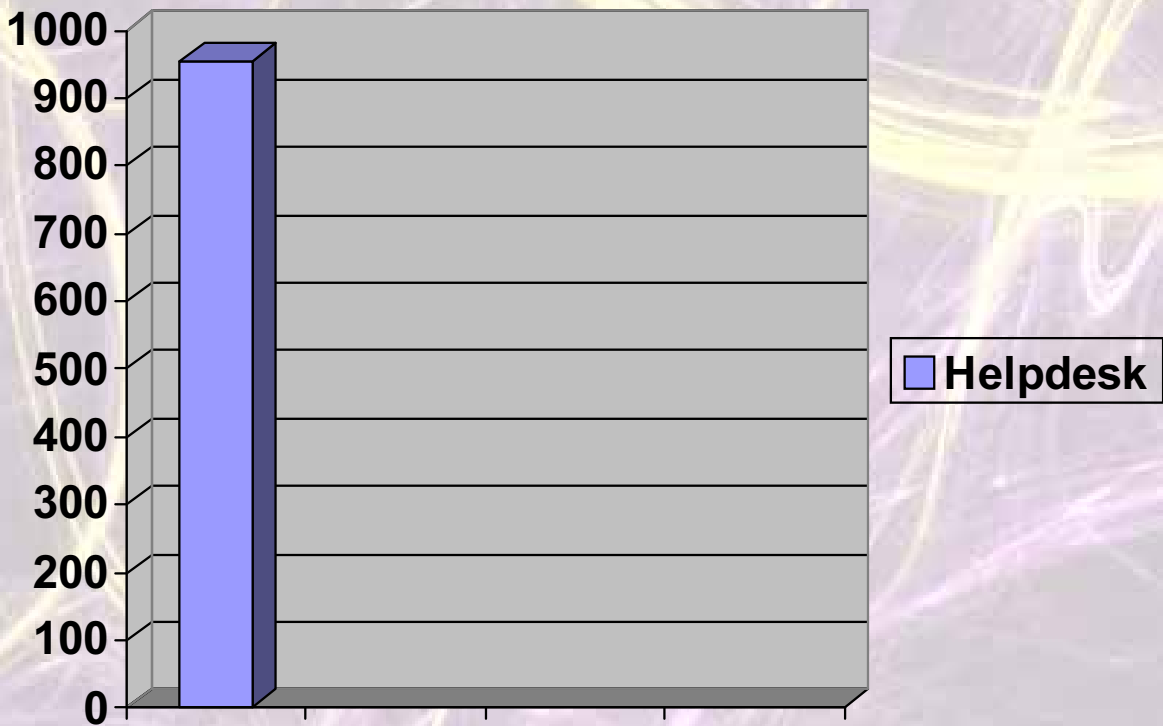
The allocated budget for Information Technology for the performance period 2007/2008 is as follows:

ECONOMIC CLASSIFICATION	ACTUAL EXPENDITURE AS ON 26 MARCH 2008	SHIFTING	BUDGET 2007/2008	SAVINGS / OVER EXPENDITURE	AVAILABLE FUNDS	PERCENTAGE OF EXPENDITURE
EXT COMP SER: DATA LINES	1,560.85	-498,400.00	1,600.00	39.15	39.15	98%
EXT COMP SER: INTERNET CHRG	658,697.53	-341,300.00	658,700.00	2.47	2.47	100%
EXT COMP SER: SOFTWARE LICEN	138,763.17	59,000.00	139,000.00	236.83	236.83	100%
EXT COMP SER: SPEC COMP SER	106,959.41	47,000.00	107,000.00	40.59	40.59	100%
EQUIP<R5000:AUDIO VISUAL EQUIPM	4,345.88	4,346.00	4,346.00	0.12	0.12	100%
EQUIP<R5000:COMPUTER HARDWARE&SY	48,596.55	-9,729.00	65,271.00	16,674.45	16,674.45	74%
EQUIP<R5000:PHOTOGRAPHIC EQUIPME	4,662.60	4,670.00	4,670.00	7.40	7.40	0%
EQUIP<R5000:COMPUTER SOFTWARE	5,305.90	0.00	20,000.00	14,694.10	14,694.10	27%
MNT&REP:COMPUTER H/WARE&SYST	17,592.17	-2,000.00	18,000.00	407.83	407.83	98%
MNT&REP:COMPUTER SOFTWARE	0.00	-6,000.00	0.00	0.00	0.00	100%
PUR/CAP/ASS: AUDIO VISUAL EQP	5,386.49	5,390.00	5,390.00	0.00	3.51	0%
PUR/CAP/ASS:COMP HARDWARE&SYS	246,989.27	-54,716.00	345,284.00	0.00	98,294.73	72%
PUR/CAP/ASS:COMPUTER SOFTWARE	165,216.72	135,256.00	165,256.00	0.00	39.28	100%
<b>GRAND TOTAL</b>	<b>1,404,076.54</b>	<b>-656,483.00</b>	<b>1,534,517.00</b>	<b>32,102.94</b>	<b>130,440.46</b>	<b>91%</b>



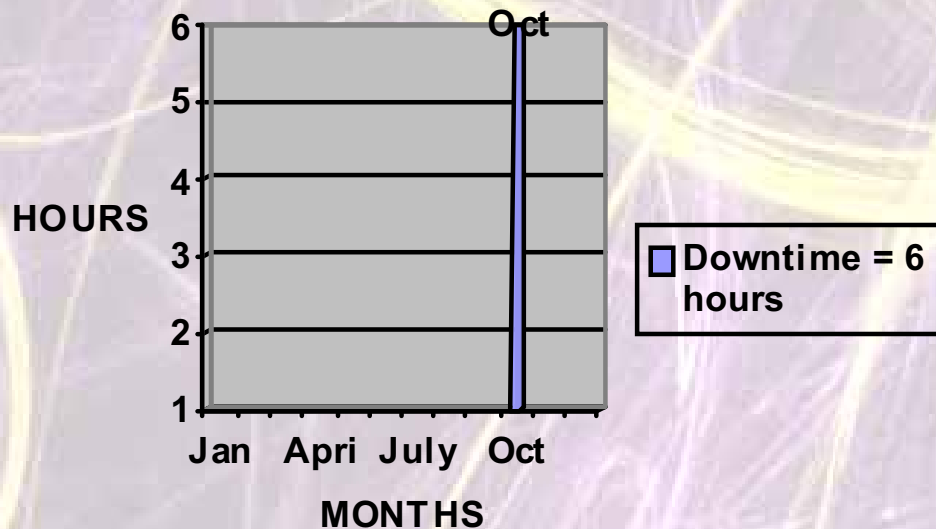
**6. INFORMATION TECHNOLOGY SERVICE DELIVERY TO THE COURT USERS:**

HELPDESK CAPACITATION: (APRIL 2007- MARCH 2008)



A total of 988 calls were logged via the helpdesk which is displayed graphically above, which indicated the number of calls received and attended to during the 2007/2008 performance period.

DOWNTIME/INTERRUPTIONS  
(2007/2008)



The diagram above displays the downtime of our network. This further indicates that only 1 downtime have occurred during the performance cycle which was in October 2007 (8:00-14:00: server corrupt)

October 2007 (08:00 – 14:00 = 6 Hours. the server was corrupt, and need to be rebooted and restarted.

The load shedding does not cause or pose any concern or disruptions to our operating systems as the court is capacitated by a Diesel powered generator which automatically switches on and enables our uninterrupted back up system (UPS) to provide the necessary power to enable our operating systems to function as normal.

## 7. OTHER INNOVATIVE INFORMATION TECHNOLOGY OPERATING SYSTEM

### 7.1. Best International Practice



The installation of the aforementioned system has many advantages viz

- Speed, efficiency and effectiveness
- Enhance Information Technology communication
- Cost effectiveness

## 7.2. **MTN & VODACOM CELL PHONE COVERAGE/RECEPTION**

Interaction between Vodacom and MTN were initiated during the performance period to enhance the reception/coverage of the aforementioned network service providers. There was no reception in many parts of the building due to the concrete and steel structures.

The installed booster is currently functional and operational.

### **MINI BASE STATION FOR MTN**

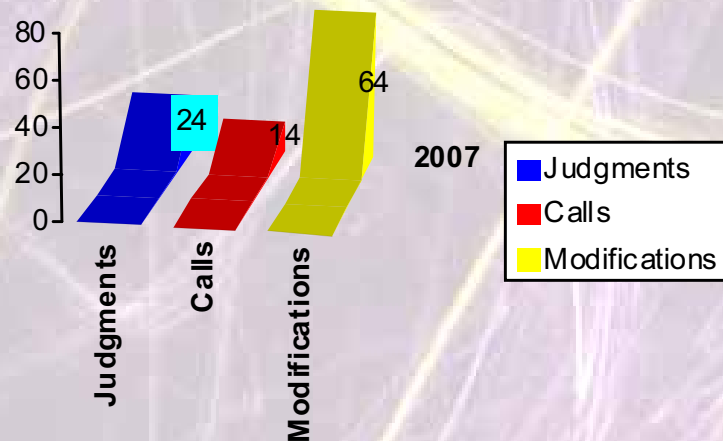


The aforementioned service provider's initiated a plan of action under took a need assessment and installed the necessary boosters to enhance their respective coverage and reception. The aforementioned were implemented and provided to the court at no costs or financial implementations.



## 8. THE COURT WEBSITE: ([www.constitutionalcourt.org.za](http://www.constitutionalcourt.org.za))

### 8.1. Statistics in term of court's website (2007/2008)



#### Modifications

Changes to the website are continuously updated upon request, for the 2007/2008 performance period.

The modifications are as follows:

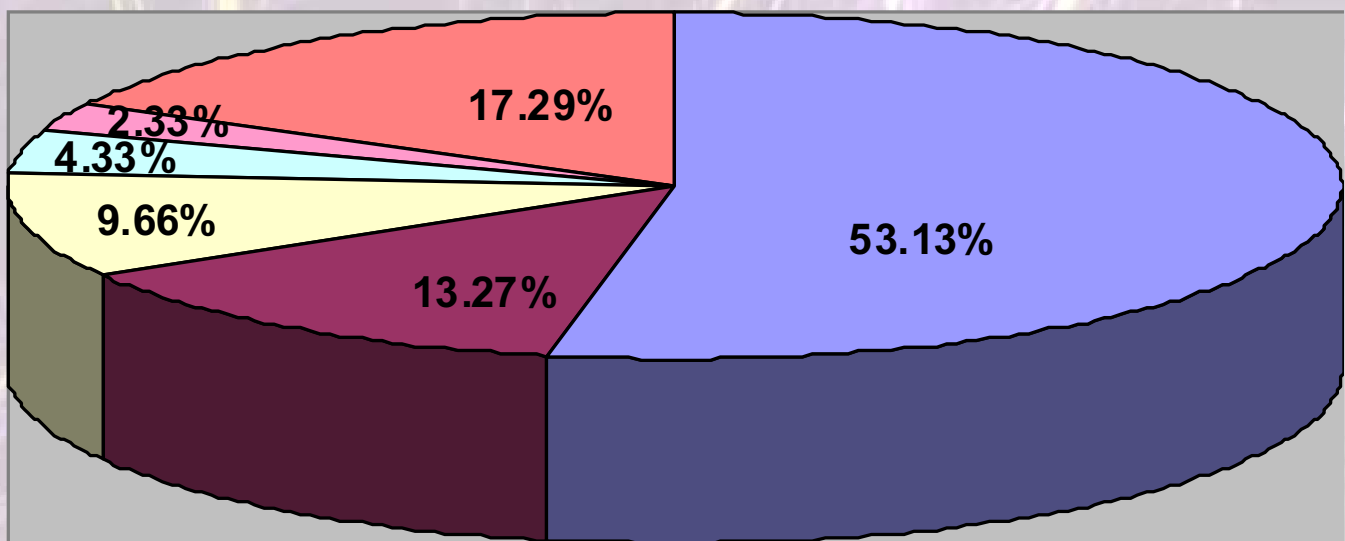
- Change to Home Page
- Hearings, Judgments
- General changes to the menu Index subjects

This is a continuous exercise in order to update the website with new relevant and changing information.

## 8.2. Information about the Website

This National and International legal information resource is intended to be a focal point research in the field of Constitutional, Public, International and Human Rights Law. The site aim to cater for interests of users of all levels from legal, to school learners and public visitors.

**Other statistics extracted from the website for the 2007/2008 performance cycle**



■ Direct Traffic = 53.13%

■ www.google.co.za 13.27%

■ www.google.com=9.66%

■ www.concourt.gov.za=4.33%

■ www.constitutionalcourt.org.za=2.33% ■ Other=17.29%

Visits	7,115
Average per Day	229
Average Visit Duration	00:07:1
Median Visit Duration	00:02:5
International Visits	67.63%
Visits of Unknown Origin	0.00%
Visits from Our Country: South Africa (ZA)	32.37%

## Challenges

1. Continuously update software on LAN, WAN for efficient, effective and enhance service delivery.
2. Continuously provide technical advice and training on system operations
3. Manage remote access to the Judiciary
4. Monitor intrusion, detection and prevention software
5. Continuously seek innovative and creative IT solutions on best international practices.

## ADMINISTRATIVE OUTREACH PROGRAMS

### Performance Outputs

#### CHOIR OF THE COURT

They have performed at numerous functions held at the court and externally as well

The project of compiling a CD/DVD of the South African National Anthem will be finalized in the 2008/2009 performance cycle.

#### BILL OF RIGHTS

The celebration and promotion of various important and identified days/week annually have been successfully achieved.

The court has also promoted sign language displaying the various sign language alphabets in the court.

The Bill of right have been converted into Braille together with the written version to assist the blind, this is also displayed at the court.

#### BLOOD DONATION

This is an ongoing outreach program which is held 4 times annually.



## ADJUSTABLE PODIUM

The court is the only court in the world currently that has a adjustable podium, making the podium accessible to paraplegics who appear in the court.

## PUBLIC ADDRESS

The Director has delivered two international papers at the workshop for Registrars hosted jointly by the Southern African Judges Association and the Venice Commission during the performance period under review.

The Director of the Court is also appointed as the Chief Adjudicator at the Children's Cultural Rally which is held on 19 March 2008 on behalf of the RamaKrishna Dham of South Africa, Lenasia South, Gauteng.

## “ADMIN TIMES”

An information based newsletter informing Court staff on all nine strategic areas deliverables and other Court related issues.

## WOMEN'S DAY CELEBRATIONS

The Regional Head: Gauteng provided Gift Hampers for all staff to recognize their contributions and honour them for the women's day celebration

## CHILDREN'S CHRISTMAS FUNCTION

The Regional Head: Gauteng provide Christmas Hampers for all Children of the Staff. This kind gesture also provided an opportunity of all staff's children to celebrate the occasion and meet one another, thus cultural diversity is enhanced.