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## **FOREWORD**

by

**The Minister of Justice, Dr A M Omar**

It gives me great pleasure to present ***Justice Vision 2000***.

*Justice Vision 2000* describes the vision for a new system of justice for South Africa. It is a vision that we have committed ourselves to implementing over the next five years, and beyond.

*Justice Vision 2000* sets out the policy guidelines and provides a framework for managing the transformation of the justice system and all the institutions that deliver legal and legislative services to the public and the state departments. It maps out the concrete steps that will be taken to make the vision come true. It outlines the ways in which progress will be evaluated and how the system will be made accountable to the public.

### **The New Vision**

We are transforming the justice system so that we can implement the values of the new Constitution, especially the values of equality and dignity, and so that we can ensure that the policies of South Africa's first democratic government really work. The vision of *Justice Vision 2000* is a system of justice that:

- Gives every person fair and equal access to justice, and
- Guarantees the dignity, rights and security of every person, and of all communities, regardless of race, gender, money or any other difference.

### **The Old Order**

The new administration has inherited a legal system that was designed to implement colonial and, later, apartheid policies. It was a fragmented system. It was unfit to meet the demands of the new constitutional democracy that was ushered in by South Africa's first ever non-racial democratic elections in 1994. In the past, the court system, the administration of estates, and all the other parts of the system of justice were moulded around the needs of white people who made up 20% of the national population. The black majority, including coloureds and Indians, who made up 80% of the population, had marginal services that were segregated and of a low standard. Instead of being helped by the justice system, black people were most often the victims of it.



## CHAPTER 1

# THE GUIDING PRINCIPLES

The principles that will guide the transformation process of the justice system are set out in the Department's new mission, values and vision.

## The Mission

The Department of Justice will:

- Develop and maintain a legitimate system for administering justice and state legal affairs. This will be done through a democratic process of transformation. All the changes made will fit in with the spirit of the Constitution. The system will be efficient, accessible, responsive, humane, accountable, user-friendly and representative of the whole South African community
- Exercise its administrative powers, and perform its duties and functions in an efficient, cost effective and transparent manner. This will ensure that mechanisms are always in place to uphold justice.
- Provide legal and legislative services to the government in a cost effective and efficient way.
- Promote justice, fairness and human dignity. It will achieve equality. It will promote and advance human rights and freedoms.
- Uphold the Constitution and the Rule of Law.
- Incorporate and expand community participation in the administration of justice.

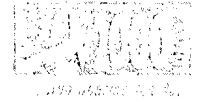
## The Values

The mission and vision of the Department are based on values that seek to:

- Administer the law and legal affairs of the state in an open and accountable way. This will be in keeping with the ideals expressed in the Constitution such as:
- Human rights
  - Democracy
  - Equality
  - Human dignity
  - Freedom
  - Non-discrimination

It will also be in keeping with the ideals expressed in government policies on reconstruction and development, such as:

- The improvement of the quality of life for all people, and
- The reconstruction and development of society in South Africa



- Promote fair and equal access to justice for all people
- Adopt policies that will eliminate racial and other social, economic and cultural disparities that are rooted in the experiences of the past
- Address the special needs of disadvantaged groups such as women, children, persons with disabilities and rural communities
- Provide effective and appropriate redress for victims
- Administer the law humanely, impartially, justly and fairly
- Provide a friendly, efficient and professional service that is responsive to people's different needs
- Treat all the people who work in the justice system fairly and make sure that our working environment is affirming
- Provide career advancement possibilities for all people who work in the justice system regardless of their race, gender, sexual orientation, status, cultural background, political affiliation, religious affiliation, disability or any other distinction. This includes being pro-active in addressing the imbalances of the past.

## The Vision

The vision of the Department of Justice is to transform the justice system so that it reflects the basic constitutional ideals, as well as goals of the government policies on reconstruction and development. The system of justice that we see will :

- Provide fair and equal access to justice for all South Africans, regardless of their race, gender, marital status, ethnic or social origin, sexual orientation, age, economic status, disability, religion, belief, culture, language or any other attribute
- Ensure justice processes that are fast, effective and as cheap as possible. They should also be sensitive to the needs of all users, and understandable to all users.
- Provide legal services to the government that are efficient and cost effective. This means that the present frameworks will have to be simplified and made more efficient, more effective and more sensitive to people's different needs.
- Be able to gain the confidence of the public in the administration of justice

Our vision is reinforced in the identification of the seven **Key Result Areas**. These are the areas that we will be concentrating on in our transformation process. They are:

- An integrated, efficient and representative Department of Justice
- A legitimate, service-oriented and efficient system of courts and other structures administering justice, that is staffed by people who represent everybody in South Africa
- Safety, security and freedom from crime for everybody
- Fair and equal access to justice for all, taking into account the diversity of people's needs
- Effective and efficient human resource development systems
- A well trained, broadly representative, accessible and evenly distributed legal profession
- Effective and efficient provision of legal and legislative services to the state



## CHAPTER 2

# THE STRATEGIES

This chapter outlines the strategies or ways that we will use for transformation. It is divided into seven sections. Each section deals with one of the seven Key Result Areas as specified in Chapter 1. Each section is subdivided into four parts:

- A. The Challenges
- B. The Strategic Goals and Key Indicators of Success
- C. The Strategies
- D. The Action Plans

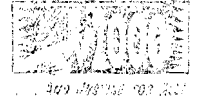
## 1 The Department of Justice

### A The Challenges

#### *The Business of the Department*

The business of the Department Justice covers at least, the following:

- The administration of about 165 Acts of Parliament. These Acts cover virtually every facet of the administration of justice, including the protection and promotion of human rights and many aspects of social justice.
- All legal services to the state
- The enforcement and maintenance of various laws
- The provision of policy and, in most cases, also administrative services for the national courts and tribunals. These include:
  - The Constitutional Court
  - The high courts
  - The magistrates' courts
  - Specialist courts like the labour courts, the small claims courts, and the traditional courts
- The provision of administrative and court-supporting structures like:
  - The Judicial Services Commission
  - The Magistrates Commission
  - The Rules Board
  - The Board of Sheriffs
  - The Justices of the Peace
- The administration of prosecutorial services
- The administration of estates
- The provision of state legal aid
- The state attorneys' offices
- The state law advisors



- The South African Law Commission
- Various special investigation units
- Various matters that relate to legal practitioners
- Inquests
- The handling of state liabilities
- Extradition arrangements
- Various state institutions that support constitutional democracy
- Other ad hoc measures where appropriate

### **Achieving Our Vision**

The administrative institutions of the Department will play a very important role in achieving our strategic vision. It is therefore critical for the Ministry and the Department to review the administration. We will have to make sure that the administrative institutions in the Department have:

- Enough people to implement the changes
- People with the right kinds of skills and knowledge
- People who want to make the changes
- Procedures for regular review of the process

### **Getting Started**

One of the first major challenges that the Department faced was the process of integrating the eleven separate justice departments that we inherited after April 1994, into one unified Department. To do this, we immediately began:

- Rationalising laws and institutions
- Forming a coherent and uniform legal system throughout the country
- Streamlining the structures of various justice institutions
- Making processes and standards uniform
- Ensuring that resources are distributed equally

This was the start of the transformation process, a process that is continuing and that has now been documented as *Justice Vision 2000*.

### **Infrastructure and Capacity**

The new Constitution and the government policy on reconstruction and development place a high value on delivering quality services to the public. They also emphasise equal access to services like justice, for all communities.

In order to do this, all the justice institutions will have to have the same basic infrastructure. This is a challenge.

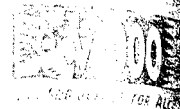
Many courts and other institutions that deal with justice do not have any basic infrastructure. This problem is particularly serious in the former TBVC states and the other old self-governing territories.

Many rural justice offices do not have access to basic things like telephones, faxes and computers. This prevents the Department from giving efficient and effective service to the public in these areas. It also means that rural, and predominantly black communities, do not yet have equal access to justice services.

### **Service Delivery**

Now that we have a democratic government, people expect us to deal with their problems quickly and effectively. Also, Section 195 of the Constitution sets out minimum conditions for public service. These include:

- Efficiency
- Effectiveness
- Responsiveness to peoples' needs



Unfortunately, many of the systems and processes that we have inherited prevent us from being efficient and effective. We also have to provide for the needs of communities with very few resources. This means that the Department itself, and all the justice institutions inside it, must be as productive as possible within the limited resources that the government has.

As a vital part of our service delivery, we need to improve and update our information systems. There is a very serious shortage of computers and other information technology in the Department. This means that we have problems with:

- Storing and retrieving information
- Making sure that information flows easily amongst the different institutions that are involved in the administration of justice
- Accessing international data systems that are essential for the effective and efficient administration of justice and state legal affairs

### **Human Resources**

The Department has human resource problems that are legacies of the past. Some of these are:

- A high staff turnover
- An uneven distribution of skills
- No uniform standard of service delivery

The main reasons for these problems are:

- The fragmented institutional framework that we have inherited from the past
- The unequal allocation of resources that was an important part of the system

These inequalities mean that we cannot yet provide equal services for all the people in the country.

Another human resource consequence of the past is a non-representative workforce, particularly with regard to race and gender, and inequality of opportunity. For example:

- There are few black people or women at senior management levels or among the professional staff
- At our head office, most of the black people who work there are doing menial jobs, while the white people hold most of the professional and managerial posts
- The few black professionals that there are in the Department at present, are mostly found in the former self-governing territories and TBVC states

This Department, along with all the other government departments, has to meet the human resource targets for a representative public service that have been set by the Commission for Public Service and Administration.

These targets demand that by the year 1999, no fewer than 50% of public employees in management echelons should be black people, 30% should be women and a significant number should be people with disabilities.

In order to achieve this result, we will have to adopt accelerated measures to promote equal representation of these three historically excluded groups. We will have to:

- Introduce programmes that will deal effectively with the social consequences of past statutory discrimination
- Focus on current discrimination by providing fair and equal entry into the Department for black people, women and disabled people





- Support their promotion and general job satisfaction, and retain their services

In order to solve some of our human resource problems, we need to create a friendly and supportive working environment. It should:

- Affirm diversity
- Foster mutual trust and co-operation
- Promote teamwork
- Offer career paths
- Find ways of developing and using peoples' potential

This will create new challenges for managers in the Department. They will have to be able to manage change in the Department and achieve and manage a culturally diverse workforce. At the same time, they will have to lead the transformation process. We need to provide special training and development for managers so that they can meet these new challenges.

### **Government Contracts**

The Constitution, as well as the government's policy on reconstruction and development, set clear requirements for promoting equality. We will therefore have to make sure that we also promote equality when we award government contracts work. This means, amongst other things, that we will have to:

- Draw up briefing policies that do not reinforce existing disparities in the legal profession
- Foster tendering policies that give fair access to opportunities, especially for historically disadvantaged groups

### **Our Image**

The Department of Justice does not have a positive image in the eyes of the South African community as a whole. There are two important aspects to this.

- On the one hand, many people still do not see the Department of Justice as a legitimate institution. They equate justice institutions and processes with the injustices of the past. This means that many people do not trust in the justice system and are reluctant to use it at all.
- On the other hand, the public is not really aware of exactly what the Department can and cannot do. As a result, the public sometimes holds the Department responsible for things that fall outside the scope of its activities, or else they do not make full use of services that the Department does provide.

We will have to make the public aware of the new values in the Department of Justice, and also of the services that we do provide. At the same time, we have to make visible improvements to our service delivery.

In order to do this we will have to change the attitudes and mind-sets of many of the people who work in the justice system, so that they will serve all people, irrespective of their differences or disadvantages, with due respect for their dignity and their rights.

### **A Human Rights Culture**

Achieving a justice system that provides fair and equal access to justice for all, and respect for dignity and rights, requires the existence of a human rights culture.

The introduction of constitutional democracy and the constitutional entrenchment of a Bill of Rights are milestones in the evolution of a human rights culture. The challenge before us now is to nurture this new culture. We must encourage people to:



- Respect and protect the human rights of others
- Assert their own rights
- Have a basic level of legal literacy
- Become familiar with the laws that govern their lives

This should help individuals and communities to use their knowledge of the law to resolve legal problems before they become serious disputes that have to be sorted out in courts of law.

### **The Way Forward**

These challenges before us are great. We have to re-examine the Department of Justice in a critical way in order to provide an efficient, swift and responsive justice service to the people of South Africa. To achieve this we will definitely need more resources.

This places a responsibility on the national government to rethink its current investment in the justice system, and to decide whether it is adequate or not. While the budgets of the South African Police Services (SAPS), the Correctional Services and the Department of Defence, for example, compare well with international benchmarks, the same cannot be said for the current budget for the Department of Justice. This is particularly troubling because a good justice system lies at the heart of any truly democratic society. It is vital that the government addresses this funding disparity urgently.

## **B The Strategic Goals and Key Indicators of Success**

<b>Strategic Goals</b>	<b>Indicators of Success</b>
<p><b>1. An integrated and efficient Department with uniform standards, systems and procedures.</b></p>	<p>1 The number of uniform institutions throughout the country                      2 The number and distribution of centres that have an adequate basic infrastructure                      3 The average lapse of time between the making of key policy decisions and their implementation</p>
<p><b>2. Rationalised laws that are consistently applied throughout the country</b></p>	<p>1 The percentage of rationalised laws</p>
<p><b>3. Sound human resource policies and a Department that is representative, particularly with regard to race and gender, and that is attractive as an institution offering fair and equal access to employment opportunities</b></p>	<p>1 A reduction in staff turnover                      2 Visible and balanced representation of previously disadvantaged groups, including women, in all structures and at all levels, with an emphasis on decision-making structures in the Department                      3 Little or no industrial conflict</p>
<p><b>4. A positive relationship with communities, greater human rights awareness and a culture of respect for human rights, especially the rights of disadvantaged people</b></p>	<p>1 Increased human rights awareness in the general public                      2 Fewer complaints about the Department from the general public                      3 Greater public participation, especially from formerly marginalised groups</p>



## C The Strategies

1. **We aim to achieve an integrated and efficient Department with uniform standards, systems and procedures. We also aim to achieve rationalised laws that are consistently applied throughout the country. We will use the following strategies:**
  - 1.1 Finalising the rationalisation of the institutions in the Department. Making sure that all the laws that are administered by the Department are rationalised and are then applied in the same way, everywhere in the country.
  - 1.2 Redesigning the systems and processes in the Department in areas like budgeting, provisioning, administration and planning, so that they are uniform and efficient.
  - 1.3 Providing computers and automated systems in the Department, especially in previously neglected areas, and then integrating them with other information systems to make sure that our management is efficient and effective and that we deliver good service.
  - 1.4 Rationalising and streamlining the administration of the Department and decentralising enough powers and functions to the regional and subregional offices to make sure that the Department's objectives are implemented effectively and efficiently.
2. **We aim to achieve sound human resource policies and a Department that is representative, particularly with regard to race and gender, and that is attractive as an institution that offers fair and equal access to employment opportunities. We will use the following strategies:**
  - 2.1 Developing a clear programme for building up the culture and the institutional support that we will need to achieve our objectives for transforming the justice system.
  - 2.2 Implementing an employment equity policy that promotes representativeness, and eliminates, at all levels, the historical inequalities that prevent people from entering, advancing or remaining in the Department. In this process, we are prioritising the elimination of all discrimination or disadvantage based on race, gender and disability.
  - 2.3 Making sure that tendering policies give equal access of opportunity to all entrepreneurs, especially those from disadvantaged groups, and that briefing policies contribute towards eliminating current race and gender disparities in the legal profession.
3. **We aim to achieve a positive relationship with communities, greater human rights awareness and a culture of respect for human rights, especially the rights of disadvantaged people. We will use the following strategies:**
  - 3.1 Developing and implementing communication programmes to provide information to the public regarding the role, functions and services offered by the Department of Justice. This process should also promote human rights and the values underpinning the process of transformation.
  - 3.2 Re-orientating people who work in the Department so that we promote a culture of customer service and also make sure that we deliver quality service to all members of the public.

## **D The Action Plans**

### **GOAL NUMBER 1**

We aim to achieve an integrated and efficient Department with uniform standards, systems and procedures. We also aim to achieve rationalised laws that are consistently applied throughout the country.



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.1</b> Finalising the rationalisation of the institutions in the DoJ and the laws of the country</p> <p>Ensuring uniform application of the law in SA</p>	<p>1 Number of rationalised and uniform laws and institutions</p> <p>2 Success of training programmes on the new legal framework</p> <p>3 Percentage of infrastructural short-falls that have been addressed</p> <p>4 Fewer public complaints about the uniform application of laws and the uniformity of institutions</p>	<p><b>DJ001</b> Implement the Rationalisation of Laws Act. Ensure that there is enough physical infrastructure to implement laws covered by the Act</p>	<p>Lead: Legal Services Support: Regional Co-ordination</p>	<p>Implementation of Rationalisation of Laws Act by SEP 1997</p>	<p>APR 1997 to MAR 1998</p>
		<p><b>DJ002</b> Develop &amp; conduct training on amended laws for institutions in the former TBVC states and self governing territories</p>	<p>Lead: Human Resources Support: Legal Services / Regional Co-ordination</p>	<p>40% of personnel trained by DEC 1997</p>	<p>Until JUN 1998</p>
		<p><b>DJ003</b> Develop &amp; conduct communication programmes &amp; create a helpline for officials who need help applying the new laws</p>	<p>Lead: Corporate Services Support: Legal Services / Regional Co-ordination</p>	<p>Systems set up by end of DEC 1997</p>	<p>APR 1997 to MAR 1998</p>
		<p><b>DJ004</b> Review laws not yet rationalised. Rationalise Legal Practitioners Bill. Implement reorganised Magistrates Commission. Rationalise traditional courts and the Office of the State Attorney</p>	<p>Lead: Legislation and Research Support: Legal Services / Regional Co-ordination</p>	<p>Draft bill(s) on rationalisation of remaining laws and institutions by DEC 1998</p>	<p>APR 1997 to MAR 1999</p>
		<p><b>DJ005</b> Rationalise the Sheriffs profession</p>	<p>Lead: Legislation and Research Support: Legal Services / Regional Co-ordination</p>	<p>Draft bill by FEB 1998</p>	<p>APR 1997 to MAR 1999</p>

Note 1: DoJ = Department of Justice

Note 2: The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.2</b> Redesigning the systems and processes in the DoJ in areas like budgeting, provisioning, administration and planning, so that they are uniform and efficient</p>	<p>1 Fewer complaints about service delivery</p> <p>2 Less time between decision making and implementation</p> <p>3 Annual cost savings</p> <p>4 Correlation between the budget of the DoJ and the priorities in Justice Vision 2000</p>	<p><b>DJ006</b> Rationalise and streamline the DoJ systems and processes to ensure efficiency and cohesion throughout the country</p> <p><b>DJ007</b> Streamline the implementation of policy decisions within the DoJ to ensure efficiency and to devolve responsibility</p> <p><b>DJ008</b> Establish bench marks or best practice instruments within the DoJ for monitoring and evaluating performance</p> <p><b>DJ009</b> Realign DoJ budget with the strategic vision</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Majority of management systems streamlined and uniformly applied throughout the country by MAR 1998</p> <p>Audit of current practices, international comparison, and evaluation of public service regulations completed by JUN 1998</p> <p>Research &amp; statistics unit by MAR 1998. Report &amp; recommendations by DEC 1998</p> <p>Revised budget matrix by DEC 1997</p>	<p>Completed by MAR 1999</p> <p>Completed by MAR 1999</p> <p>Completed by MAR 1999</p> <p>Finalised by JUN 1998</p>

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.3</b> Providing computers for all functions in the DoJ, especially in previously neglected areas</p> <p>Integrating them with information systems to make sure that our management is efficient and effective and that we deliver good service</p>	<ol style="list-style-type: none"> <li>1 Annual decrease in infrastructural disparities between offices</li> <li>2 Number and distribution of offices linked to the Internet</li> <li>3 Percentage &amp; distribution of offices with basic information technology</li> <li>4 DoJ budget on infrastructure</li> </ol>	<p><b>DJ010</b> Upgrade infrastructure in previously neglected areas, starting with the Eastern Cape region</p> <p><b>DJ011</b> Supply every sub-office with basic information technology</p> <p><b>DJ012</b> Install e-mail facilities in all offices to facilitate communication and ensure access to vital data systems</p> <p><b>DJ013</b> Evaluate the efficiency and effectiveness of internal communication processes and redesign them appropriately</p> <p><b>DJ014</b> Implement a pilot project involving computerised court statistics</p>	<p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p>	<p>Business plans on Eastern Cape infrastructure in progress by OCT 1997</p> <p>Automated management systems in all regional offices by MAR 1999</p> <p>All head office components and regional offices linked by e-mail by JUL 1998</p> <p>Planning, allocation of resources and appointment of executing agency by DEC 1997</p> <p>Project scoping and appointment of executing agency by DEC 1997</p>	<p>MAR 1997 to MAR 1999</p> <p>Completed by MAR 2000</p> <p>Completed by MAR 2000</p> <p>Implemented by JUN 1998</p> <p>SEP 1997 to DEC 1998</p>

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.4</b> Rationalising and streamlining the administration of the DoJ and decentralising enough powers and functions to the regional and sub-regional offices to make sure that the DoJ's objectives are implemented effectively and efficiently</p>	<p>1 Success rate and speed in the supply of adequate infrastructure to the regional offices</p> <p>2 Distribution of DoJ budget on infrastructure</p> <p>3 Percentage of delegated powers and functions performed by regional and sub-offices</p>	<p><b>DJ015</b> Establish basic physical infrastructure for the administration of justice and the provision of legal services at regional and, where necessary, sub-regional level</p>	<p>Lead: Regional Co-ordination                      Support: Corporate Services</p>	<p>Existence of staffed regional offices by DEC 1997 and 50% of basic infrastructure needs by MAR 1998</p>	<p>DEC 1998</p>
		<p><b>DJ016</b> Examine DoJ powers and functions and decide where these would be best executed to maximise efficiency</p>	<p>Regional Co-ordination</p>	<p>Planning and appointment of executing agency completed by end of MAR 1998</p>	<p>Report by DEC 1998</p>
		<p><b>DJ017</b> Assess and reorganise personnel in the light of the decentralised functions and the pursuit of efficiency</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Report on findings of investigation by MAR 1998</p>	<p>Report by JUN 1998</p>
		<p><b>DJ018</b> Review the staff complement to ensure right-sizing for optimal performance and, where necessary, introduce programmes to facilitate the deployment of personnel</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Recommendations on right sizing and personnel recycling strategy by JUN 1998</p>	<p>Implemented by DEC 1998                      Completed by 2002</p>





## **GOAL NUMBER 2**

*We aim to achieve sound human resource policies and a Department that is representative, particularly with regard to race and gender, and that is attractive as an institution that offers fair and equal access to employment opportunities*

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.1</b> Developing a clear programme for building up the culture and the institutional support that we will need to achieve our objectives for transforming the justice system</p>	<ol style="list-style-type: none"> <li>1 Success rate in uniform application of human resource standards and systems</li> <li>2 Reduction in staff turnover</li> <li>3 Increase in service delivery</li> <li>4 Improved personnel performance</li> </ol>	<p><b>DJ019</b> Provide adequate staffing for the human resource branch at national, regional and sub-regional level</p> <p><b>DJ020</b> Rationalise and streamline human resource systems, functions and programmes at national, provincial and sub-office levels</p> <p><b>DJ021</b> Design and implement Organisational Development programme (OD business plan)</p>	<p>Lead: Human Resources                      Support: Regional Coordination</p> <p>Lead: Human Resources                      Support: Regional Coordination</p> <p>Lead: Human Resources                      Support: Regional Coordination</p>	<p>Appointment of senior managers at national and regional offices by SEP 1997</p> <p>50% of human resource systems between head, regional and sub-offices streamlined by JUN 1998</p> <p>Assignment of executing agency and commencement of orientation and team building programmes for top management by OCT 1997</p>	<p>MAY 1998</p> <p>DEC 1998</p> <p>Completed by APR 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.2</b> Implementing an employment equity policy that promotes representativeness, and eliminates, at all levels, the historical inequalities that prevent people from entering, advancing or remaining in the DoJ</p> <p>A priority is the elimination of all discrimination or disadvantage based on race, gender and disability</p>	<ol style="list-style-type: none"> <li>1 Demographic profile of staff at all levels</li> <li>2 Fewer employee complaints about discrimination and racism in the DoJ</li> <li>3 Demographic profile of recipients of DoJ contracts</li> <li>4 Number and quality of programmes implemented to promote equity and representivity</li> <li>5 More contracts &amp; briefs awarded to historically disadvantaged people</li> </ol>	<p><b>DJ022</b> Strengthen employment equity structures and programmes, with emphasis on research, education and training capacity</p> <p><b>DJ023</b> Implement employment equity units at regional and sub-office levels nationally</p> <p><b>DJ024</b> Audit and eliminate human resource practices that create barriers to employment opportunities, including staff benefits, that are not related to ability or work performance</p> <p><b>DJ025</b> Implement employment equity programmes with the emphasis on achieving and managing a representative and integrated workforce</p>	<p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p>	<p>Continuous flow of research and training material such as papers, handbooks and pamphlets</p> <p>All regions with equity structures and programmes by DEC 1998</p> <p>Planning including allocation of resources and appointment of executing agency by DEC 1997</p> <p>Implementation of business plan from employment equity/diversity workshop held in JAN 1997</p>	<p>Ongoing</p> <p>Implemented by JAN 1999</p> <p>Final report by JUN 1998</p> <p>JAN 1997 to MAR 2002</p>
<p><b>2.3</b> Making sure that tendering policies give equal access of opportunity to all entrepreneurs, especially those from disadvantaged groups, and that briefing policies contribute towards eliminating current race and gender disparities in the legal profession</p>	<ol style="list-style-type: none"> <li>1 Demographic profile of recipients of DoJ contracts</li> <li>2 More contracts and briefs awarded to historically disadvantaged people</li> </ol>	<p><b>DJ026</b> Examine DoJ contracts and briefs since May 1994 to identify a profile of recipients, and elicit factors which militate against affirming historically excluded legal practitioners and entrepreneurs</p> <p><b>DJ027</b> Develop an empowerment policy and programme to ensure fair access to contracts and legal briefs issued by the DoJ, especially for historically disadvantaged groups</p>	<p>Lead: Corporate Services Support: Human Resources / Regional Co-ordination</p> <p>Lead: Corporate Services Support: Human Resources / Regional Co-ordination</p>	<p>Planning including appointment of executing agency by DEC 1997</p> <p>Draft proposals by MAR 1998</p>	<p>Final report by JUN 1998</p> <p>APR 1998 to MAR 2002</p>



## **GOAL NUMBER 3**

We aim to achieve a positive relationship with communities, greater human rights awareness and a culture of respect for human rights, especially the rights of disadvantaged people



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.1</b> Developing and implementing communication programmes to provide information to the public about the role, functions &amp; services of the DoJ</p> <p>This process should also promote human rights and the values underpinning the process of transformation</p>	<ol style="list-style-type: none"> <li>1 Publicity for DoJ services</li> <li>2 Number and type of queries from the public on the basic services offered by the DoJ</li> <li>3 Number of public complaints about human rights issues</li> <li>4 Amount of communication with the public</li> </ol>	<p><b>DJ028</b> Consult with NGOs and the public in general on information needs and preferred strategies to meet the identified needs</p> <p><b>DJ029</b> Develop and implement an effective communications strategy involving all aspects of the media</p> <p><b>DJ030</b> Set up national and regional structures for effective and ongoing consultation with civil society institutions on aspects of the administration of justice</p> <p><b>DJ031</b> Develop and implement community outreach programmes to: (a) educate the public and promote the DoJ's mission, vision and values. (b) promote a human rights culture through pamphlets, posters, radio and TV programmes and open court days</p>	<p>Lead: Corporate Services Support: Regional Co-ordination</p> <p>Lead: Corporate Services Support: Regional Co-ordination</p> <p>Lead: Corporate Services Support: Regional Co-ordination</p> <p>Lead: Corporate Services Support: Regional Co-ordination</p>	<p>Inputs received from NGOs and communities by MAR 1998</p> <p>Increase in types of appropriate media channels used to convey information to the public</p> <p>Justice forums operating by JUN 1998</p> <p>50% increase in volume of public relations activities generated in DoJ structures by JUL 1998</p>	<p>DEC 1998</p> <p>MAR 1998</p> <p>DEC 1998</p> <p>DEC 1998</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.2</b> Re-orientating people who work in the DoJ so that we promote a culture of customer service and also make sure that we deliver quality service to all members of the public</p>	<p>1 Fewer complaints about the behaviour of justice officials</p> <p>2 Fewer complaints about delays in service delivery</p>	<p><b>DJ032</b> Develop and implement a programme to acquaint all personnel in the DoJ with the mission and vision of the DoJ. This will involve posters, pamphlets, audio cassettes, seminars and workshops</p> <p><b>DJ033</b> Review work-practices and align them to the delivery of quality services to all persons and communities</p> <p><b>DJ034</b> Launch a Justice Vision 2000 newsletter to be released on a quarterly basis</p>	<p>Lead: Human Resources                      Support: Corporate Services / Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p>	<p>Communication strategy developed by DEC 1997                      Ongoing implementation</p> <p>Complaints mechanism and service charter in place by APR 1998</p> <p>Planning and the assignment of editorial team by DEC 1997</p>	<p>JUN 1997 to JUN 1998</p> <p>JUN 1997 to MAR 1999</p> <p>JUN 1997 to MAR 2002</p>



## **2 Courts and The Administration of Justice**

### **A The Challenges**

Having a system of independent courts, tribunals and other structures that administer justice efficiently and effectively, is one of the cornerstones of any democracy. The courts and other structures in the justice system must also operate openly and fairly, so that every person can protect their rights and interests and resolve their disputes.

#### ***The Courts***

The courts must operate on the basis that everyone is equal before the law. Disputes must be resolved using procedures that are in line with the Constitution. Court facilities and services should be available when, and where, the people need them. This means that courts must cater for the needs of all the people who use them, including those who are not familiar with the courts and their procedures.

In South Africa, more than 95% of civil and criminal cases are dealt with at the magistrates' courts. These courts therefore play a critical role in building the public's trust and confidence in the law and in the justice system. We are challenged to pay particular attention to the magistrates' courts during our transformation process.

#### ***Public Confidence and Customer Service***

In any period of transition, people tend to take the law into their own hands, because they do not necessarily trust the courts and other structures that administer justice. We have to stop this by establishing public confidence in the justice system. This means providing customer-oriented services that are responsive to the needs people.

The courts cannot do this without adequate resources. At present, many of the magistrates' courts do not have:

- Enough people to provide a responsive customer service
- People who are properly trained
- An adequate basic infrastructure
- Access to relevant information
- Qualified administrative support staff
- Facilities to cater for the special needs of women and children

#### ***Court Management***

The need for efficient and effective management of courts is also a serious challenge. Administrative and judicial management have traditionally been fused and left largely in the hands of judges and magistrates, assisted by clerks. This has caused two major problems.

- The judges and magistrates do not have the necessary professional managerial skills
- It distracts them from their proper judicial work

In the magistrates' courts, this practice also undermines the separation of powers between the judiciary and the administration.

If courts are to be run efficiently, we will have to make sure that the administrative management of the courts is done by professional managers, and that the magistrates and judges have enough time to do their professional work and manage their cases.

#### ***Informal Structures***

Bureaucracy, slow and expensive court procedures, and other problems inherited from the past, have led to increased demands for a system of community-based tribunals or justice centres, where disputes can be dealt with quickly, inexpensively and in a way that is easy for the people who are involved in the dispute.

The challenge is to incorporate these structures, and other alternative dispute resolution mechanisms, into an integrated system of justice so that we can offer different options for different kinds of disputes. The courts would continue to play a critical role in resolving complex disputes that are best suited to the formal justice system, while community-based institutions, and other alternative institutions could deal with other issues.

### ***The Administration of Estates***

Many of the challenges that currently face the administration of justice also apply to the administration of estates. There are institutional overlaps. Black estates, for example, fall under the jurisdiction of magistrates while white estates are administered by the Master of the Supreme Court. The challenge is to create institutional and policy cohesion. We will have to do this in a way that is sensitive to the diversity of different cultures and yet does not compromise the values in the Constitution or undermine the rights of vulnerable groups such as children and women.

### ***People With Special Needs***

The question of meeting the special needs of groups such as women, children, people with disabilities, elderly people and rural communities applies to all the structures in the justice system. We cannot treat people in the same way if their circumstances are not equal. Some people need special treatment so that they, too, can enjoy equal rights. We will have to:

- Adapt our structures and processes to make sure that the needs of all people are catered for, especially those that are different
- Make sure that we have training programmes that focus on different social and psychological contexts. This will help to sensitise the judges and magistrates, and the other people who work in the justice system, to recognise and appreciate differences, especially in relation to legal disputes

### ***The People Who Work in The Justice System***

The composition of personnel in the justice system presents another critical challenge. The attitudes of the people who work in an institution, together with the culture or ethos of the institution, determine the relationship between the institution and the communities that it serves.

In terms of the Constitution, we are obliged to make sure that the people who work in the courts, including judges and magistrates, the people who are responsible for the administrations of estates and the people who work in all the other judicial institutions are broadly representative of the demography of the country.

### ***Community Participation***

We need to involve members of the public in the workings of the justice system. In particular there is a pressing need to involve more women from the community in the workings of the justice system. Their involvement would help to highlight the shortcomings of the administration of justice insofar as they have a bearing on women and children. If we do, communities will identify more closely with the administration of justice. Community participation is also important to:

- Make sure that the administration of justice stays in touch with actual community experiences, especially those that lead to disputes
- Address the increasing risk of formal justice losing touch with reality

In response to this challenge, we have introduced a pilot project in which community members sit with magistrates as lay assessors in criminal trials. Now, in order to implement the lay assessor's system fully, we need to introduce new laws to cover it, including a code of conduct for lay assessors.

We will also need to sensitise members of the legal profession, including some judges and magistrates, to the value of popular participation. Institutions like the Justices of the Peace and the Sheriffs Office also need to optimise their role in the administration of justice by including some popular participation.





## **Accountability to the Public**

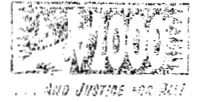
Finding the balance between judicial independence on the one hand, and public accountability on the other, is a critical challenge. We need to support judicial independence. At the same time, we need to establish mechanisms of accountability. We must provide effective systems for addressing public complaints about unfair or insensitive treatment by court officials, without jeopardising judicial independence.

## **B The Strategic Goals and Key Indicators of Success**

<b>Strategic Goals</b>	<b>Indicators of Success</b>
<p><b>1. An adequate network of accessible and service-oriented courts, judicial institutions and quasi-judicial institutions for all communities</b></p>	<ol style="list-style-type: none"> <li>1 Numbers and distribution of courts that reflect demography and usage</li> <li>2 Fewer complaints from the public</li> <li>3 More use of judicial structures</li> <li>4 More cases resolved by community justice structures</li> <li>5 More specialised courts</li> </ol>
<p><b>2. An integrated and coherent system that is fast, effective, inexpensive and responsive to the needs of all users, including, where appropriate, the provision of informal dispute resolution mechanisms</b></p>	<ol style="list-style-type: none"> <li>1 Efficiency</li> <li>2 Uniform services for the administration of estates</li> <li>3 Fewer case postponements as a result of inadequate coordination between investigating officers and prosecutors</li> <li>4 More cases resolved through informal dispute resolution</li> <li>5 Fewer incidents of corruption involving the disappearance of documents or information</li> <li>6 More public participation in the justice system</li> </ol>
<p><b>3. An independent judiciary and personnel who are professional, representative and sensitive to diversity and to special needs, especially to issues of race and the needs of women and children</b></p>	<ol style="list-style-type: none"> <li>1 Vertical and horizontal representativeness</li> <li>2 Fewer complaints about professional misconduct or insensitivity to diversity</li> <li>3 More officials who have received stipulated minimum standards of training</li> <li>4 More officials with experience</li> </ol>

## **C The Strategies**

- 1. We aim to achieve an adequate network of accessible and service-oriented courts and other judicial and quasi-judicial institutions for all communities. We will use the following strategies:**
  - 1.1 Increasing the capacity and distribution of lower courts in order to bring courts closer to the communities that they serve. In addition, ensuring that each court has sufficient capacity to handle its caseload without subjecting litigants to undue delays.
  - 1.2 Upgrading court facilities and information systems so that court officials can perform their duties professionally and swiftly. A priority will be to provide a basic infrastructure in courts in the former TBVC states and self-governing territories, as a way of addressing historical imbalances in access to resources.
  - 1.3 Developing and implementing policies and institutional frameworks for community courts (including traditional courts/tribunals), specialist courts for areas like family law, sexual offences and juvenile justice, and institutions that provide alternative dispute resolution (ADR), so that they can play a meaningful role in providing efficient, fair and equal access to justice.
  
- 2. We aim to achieve an integrated and coherent justice system that is speedy, effective, inexpensive and responsive to the needs of all users. We will use the following strategies:**
  - 2.1 Strengthening the management of the lower courts by coordinating the role players in the administration of justice and reorganising the lower courts into clusters that will be more efficient and effective.
  - 2.2 Designing, in consultation with the judiciary, an integrated and rational management system for all the national courts and giving professional status to the administrative management of courts.
  - 2.3 Redesigning case flow management by introducing sophisticated case tracking systems that will ensure efficient data storage and speedy case disposal. This will help to eliminate both corruption and unnecessary delays. At the same time it will create appropriate databases of crime and criminals. These can be used by all the institutions involved in the administration of justice.
  - 2.4 Reviewing the rules of court and court procedures in both criminal and civil justice, eliminating unnecessary technicalities and encouraging early settlement through ADR.
  - 2.5 Redesigning the system of administering estates and reviewing the Guardians' Funds procedures to ensure efficiency, openness, equal access to services, high standards, racially integrated services, responsiveness to vulnerable groups such as children and women and to maximise cooperation between role players.
  
- 3. We aim to achieve an independent judiciary and personnel who are representative, professional and sensitive to diversity and especially to issues of race, gender and children. We will use the following strategies:**
  - 3.1 Adopting policies that promote independence of the judiciary and that guarantee the operational independence of prosecutors and interpreters.
  - 3.2 Providing enough administrative and infra-structural support to enable judicial officers to offer a quality service to the public.
  - 3.3 Introducing policies and programmes to achieve representativeness, uniformity of standards, career orientation and internal cohesion within the judiciary and the prosecutorial services and to promote professional administrative management of judicial institutions. These policies and programmes should uphold a culture based on human dignity and the equal worth of all persons.



## **D The Action Plans**

### **GOAL NUMBER 1**

We aim to achieve an adequate network of accessible and service-oriented courts and other judicial and quasi-judicial institutions for all communities

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.1</b> Increasing the capacity and distribution of lower courts in to bring courts closer to the communities that they serve</p> <p>Ensuring that each court has sufficient capacity to handle its caseload without subjecting litigants to undue delays</p>	<p>1 Number of lower courts per population</p>	<p><b>CA001</b> Extend small claims courts nationwide</p> <p><b>CA002</b> Review territorial jurisdiction of magistrates' courts to ensure access and efficiency</p> <p><b>CA003</b> Investigate the need for additional courts and take measures to address the needs</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p>	<p>50% of major magisterial courts with small claims courts by JUN 1999</p> <p>Blueprint for the rationalised courts by JUN 1997</p> <p>Recommendations on distribution of courts by JUN 1998</p>	<p>DEC 2002</p> <p>DEC 1998</p> <p>DEC 2002</p>

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.2</b> Upgrading court facilities and information systems so that court officials can perform their duties professionally and swiftly</p> <p>A priority will be providing a basic infrastructure in courts in the former TBVC states and self-governing territories, as a way of addressing historical imbalances in access to resources</p>	<ol style="list-style-type: none"> <li>1 More cases disposed of</li> <li>2 Longer court hours</li> <li>3 More trained court personnel</li> <li>4 Reduction in average time taken to dispose of cases</li> </ol>	<p><b>CA004</b> Upgrade court infrastructure in the former self governing territories and TBVC states starting with Transkei</p> <p><b>CA005</b> Upgrade court infrastructure in the rest of South Africa</p> <p><b>CA006</b> Undertake training for all court personnel with emphasis on court management and process co-ordination skills</p> <p><b>CA007</b> Upgrade information services in all the courts with emphasis on data base on statutes, law reports, human rights documents etc</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>50% of Transkei business plan implemented by MAR 1998</p> <p>Needs assessment done by MAR 1998 DEC 2002</p> <p>Successful implementation of NCPS business plan on human resource development</p> <p>Needs assessment for business plan on information technology completed by DEC 1998</p>	<p>MAR 1999</p> <p>DEC 2002</p> <p>SEP 1997 to MAR 2002</p> <p>DEC 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.3</b> Developing and implementing policies and institutional frameworks for alternative courts, so that they can play a meaningful role in providing efficient, fair and equal access to justice</p> <p>Developing community courts (including traditional courts) and specialist courts for areas like family law, sexual offences and juvenile justice</p> <p>Encouraging and supporting institutions that provide alternative dispute resolution (ADR)</p>	<p>1 More community courts established</p> <p>2 Less conflict between traditional courts and other justice structures</p> <p>3 Number of specialist courts such as family courts, sexual offences courts and juvenile courts</p> <p>4 Fewer public complaints about traditional leaders or community courts</p>	<p><b>CA008</b> Adopt policies to define jurisdiction and rationalise the role of traditional and other community dispute resolution institutions in the administration of justice</p> <p><b>CA009</b> Extend pilot project on community courts to rural and other urban areas</p> <p><b>CA010</b> Develop a framework for a family court system which covers all family matters and implement a pilot project to test the system</p> <p><b>CA011</b> Strengthen human rights awareness, skills base (with emphasis on ADR) and infrastructural support for traditional courts and other community courts including the small claims courts and Justices of the Peace</p>	<p>Lead: Legal Services                      Support: Legislation and Research / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Corporate Services / Regional Co-ordination</p>	<p>Report on legal position of traditional courts in the light of the Constitution by JUN 1998</p> <p>Draft legislation by DEC 1998</p> <p>Pilot project completed and draft legislation by AUG 1998</p> <p>Needs assessment completed by JUN 1998 and training curriculum in place by DEC 1998</p>	<p>DEC 1999</p> <p>Completed by MAR 2002</p> <p>Completed by MAR 2002</p> <p>JAN 1998 to MAR 2002</p>



## **GOAL NUMBER 2**

We aim to achieve an integrated and coherent justice system that is speedy, effective, inexpensive and responsive to the needs of all users

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.1</b> Strengthening the management of the lower courts by co-ordinating the role players in the administration of justice and reorganising the lower courts into clusters that will be more efficient and effective</p>	<p>1 Percentage of courts using the cluster management system</p> <p>2 Level of improvement in coordination and flow of information</p> <p>3 Number of courts operating with professional administrative management</p> <p>4 Number of co-ordinating structures involving the judiciary, administration, prosecution, police and community</p>	<p><b>CA012</b> Introduce co-ordinating structures to facilitate management and flow of information between role players in the lower courts</p> <p><b>CA013</b> Introduce a pilot project involving a professional court administrative manager</p> <p><b>CA014</b> Investigate options for a framework for a clear and integrated system for effective and efficient management and administration of the entire judicial system</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p>	<p>Successful implementation of 50% of business plan on court management structures by JUN 1998</p> <p>Successful implementation of pilot in the context of the family court pilot project and at least two other courts by JUL 1998</p> <p>Draft recommendations by DEC 1998</p>	<p>See Court Management Structures business plan</p> <p>Completed by MAR 2002</p> <p>completed by MAR 2001</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.2</b> Designing, in consultation with the judiciary, an integrated and rational management system for all the national courts and giving professional status to the administrative management of courts</p>	<ol style="list-style-type: none"> <li>1 Number of prisoners awaiting trial</li> <li>2 More recorded court hours</li> <li>3 Average cost per trial</li> <li>4 Less disappearance of court documents or information</li> <li>5 Less case postponement due to poor co-ordination of witnesses and role players</li> </ol>	<p><b>CA015</b> Re-engineer the criminal justice process through a well co-ordinated case management system as outlined in the NCPS business plan on court management</p> <p><b>CA016</b> Explore ways of strengthening co-operation between public prosecutors and police investigations. Ensure joint training for investigating officers and prosecutors</p> <p><b>CA017</b> Redesign case management in the civil justice system to strengthen the hand of judicial officers to facilitate expeditious disposal of cases through stipulating time frames and encouraging early settlements through ADR and eliminating unnecessary technical procedures in appropriate cases</p> <p><b>CA018</b> Introduce automated or simultaneous recording of court proceedings through a pilot project</p>	<p>Lead: Legal Services                      Support: Corporate Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Corporate Services / Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Successful implementation of NCPS business plan on Court Management process</p> <p>Audit of current practices &amp; recommendations by MAR 1998</p> <p>Consultations and recommendations by task team by MAR 1998</p> <p>Planning completed and funding secured by DEC 1997</p>	<p>As per business plan</p> <p>Implemented by OCT 1998</p> <p>Implemented by SEP 1998</p> <p>JAN 2002</p>



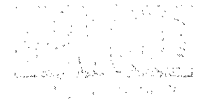
STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.3</b> Redesigning case flow management by introducing sophisticated case tracking systems that will ensure efficient data storage &amp; speedy case disposal</p> <p>This will help to eliminate both corruption and unnecessary delays. At the same time it will create appropriate databases of crime and criminals</p> <p>These can be used by all the institutions involved in the administration of justice</p>	<ol style="list-style-type: none"> <li>1 Fewer complaints about the administration of estates</li> <li>2 Incidence of corruption</li> <li>3 Number of laws reviewed</li> <li>4 Average cost of the process of winding up estates</li> <li>5 Less delay in settlements of administration of estates</li> </ol>	<p><b>CA019</b> Develop and implement an integrated policy framework for the administration of estates, including redesigning institutions to ensure effective and efficient national coordination</p> <p><b>CA020</b> Review and implement a structure whereby all persons with a direct or indirect interest in estates and the Guardians' Funds have easy access to such services</p> <p><b>CA021</b> Review the legal framework to assess the possibility of investigating all forms of mismanagement of estates by the Office for Serious Economic Offences and ensure effective punishment where necessary</p> <p><b>CA022</b> Review the existing substantive and procedural laws on the administration of estates in order to simplify the administration and ensure equity</p> <p><b>CA023</b> Review the existing laws and principles relating to the appointment of legal practitioners as well as the control and disciplining of such appointees</p> <p><b>CA024</b> introduce a program to orientate both personnel and the public on the new system</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Legal Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Policy paper by MAY 1998</p> <p>Position paper on options for structures by DEC 1997</p> <p>Draft report by MAR 1998</p> <p>Draft legislation by DEC 1997</p> <p>Staff training &amp; public education by MAR 1998</p> <p>Recommendations by APR 1998</p>	<p>SEP 1998</p> <p>DEC 1998</p> <p>DEC 1998</p> <p>DEC 1998</p> <p>DEC 1998</p> <p>DEC 1998</p>



## **GOAL NUMBER 3**

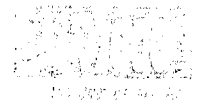
We aim to achieve an independent judiciary and personnel who are representative, professional and sensitive to diversity and especially to issues of race, gender and children

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.1</b> Adopting policies that promote independence of the judiciary</p> <p>Adopting policies that guarantee the operational independence of prosecutors and interpreters</p>	<p>1 Differences in conditions of service between high and low court judicial officers</p> <p>2 Public opinion on judicial independence</p> <p>3 Prosecutors not accountable to the magistrates</p>	<p><b>CA025</b> Consolidate the actual independence from the DoJ for lower court judicial officers</p> <p><b>CA026</b> Review conditions of work for magistrates to strengthen their independence</p> <p><b>CA027</b> Review and strengthen a working relationship between the Judicial Services Commission and the Magistrates' Commission</p> <p><b>CA028</b> Review the supervisory role of magistrates over public prosecutors</p> <p><b>CA029</b> Establish the professional status of interpreters</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Corporate Services / Regional Co-ordination</p>	<p>Recommendations regarding revised role of Magistrates' Commission by DEC 1997</p> <p>Review of DoJ inspectorial scrutiny of lower court judgments</p> <p>Improved administrative secretarial support for lower court judicial officers by DEC 1998</p> <p>Policy proposals by MAR 1998</p> <p>Implementation of new vocational qualification standards by JAN 1999</p>	<p>FEB 2000</p> <p>MAR 2002</p> <p>DEC 2002</p> <p>DEC 2002</p> <p>JAN 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.2</b> Providing enough administrative and infra-structural support to enable judicial officers to offer a quality service to the public</p>	<p>1 More decisions upheld by higher courts</p> <p>2 Longer court hours</p>	<p><b>CA030</b> Establish resource units to provide reading materials and set up computerised data systems involving decided cases, law books and other data for effective handling of cases</p> <p><b>CA031</b> Provision of administrative/ research support assistance to lower court judges and prosecutors</p> <p><b>CA032</b> Introduce professional development programmes which will include information technology training and supply personal computers to prosecutors and judicial officers</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Corporate Services / Regional Co-ordination</p>	<p>Two pilots implemented by DEC 1998</p> <p>Visible increase in productivity of courts by DEC 1998</p> <p>Significant number of judicial officers with personal computers by DEC 1999</p>	<p>MAR 2002</p> <p>MAR 2002</p> <p>MAR 2002</p>

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.3</b> Introducing policies and programmes to achieve representative-ness, uniformity of standards, career orientation and internal cohesion within the judiciary and the prosecutorial services</p> <p>Promoting professional administrative management of judicial institutions</p> <p>These policies and programmes should uphold a culture based on human dignity and the equal worth of all persons</p>	<p>1 Number and demographic profile of lower court judicial officers appointed to higher courts</p> <p>2 Staff fluctuations in judicial and prosecutorial services</p> <p>3 Demographic profile of judiciary and other personnel in structures administering justice</p>	<p><b>CA033</b> Promulgate and implement national legislation on National Director of Public Prosecutions</p> <p><b>CA034</b> Promote partial removal of legal professionals in the DoJ from the ambit of public service regulations and other regulations that hamper professional standards with special emphasis on the prosecution</p> <p><b>CA035</b> Design and implement empowerment programmes to facilitate vertical and horizontal mobility for especially historically disadvantaged groups</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Legislation and Research / Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>An Act promulgated by NOV 1997</p> <p>Negotiations with Department of Public Service and Administration (DPSA) and the Public Service Commission (PSC) concluded by JUN 1998</p> <p>Consultations completed and recommendations in place by JUN 1998</p>	<p>APR 1998 to SEP 1999</p> <p>JUN 1997 to MAR 1999</p> <p>JAN 1998 to MAR 2002</p>



## **3 Crime, Safety and Security**

### **A The Challenges**

Since the early 1990s crime has increased throughout South Africa. Today, crime is a major concern for both the government and the public. For example:

- South Africa has one of the highest incidences of rape in the world
- The abuse of women and children is rife
- Murder, armed robbery, car theft, stock theft, fraud and family violence happen every day
- There is also crime within the criminal justice system. Dockets sometimes get lost in the system and cases have to be stopped as a result

The high crime rate causes widespread feelings of fear and insecurity. Women and children are particularly vulnerable. Reducing the overall rate of crime is a top government priority.

#### ***The National Crime Prevention Strategy***

People criticise the criminal justice system for the way it treats the victims of crime, especially when they are women or children. However, the courts alone cannot solve the problem. It can only be tackled effectively if we work together with other major role players such as the South African Police Services, the Department of Correctional Services and the Department of Welfare. At present, all these role players are working together to implement the National Crime Prevention Strategy (NCPS).

The Department of Justice is the main Department responsible for the re-engineering of the criminal justice process within the NCPS. The Department has completed a set of business plans that are aimed at fixing some of the problems in the criminal justice system. These deal with:

- Infrastructure
- Training
- Witness protection
- Witness management
- Information
- Court management

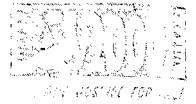
The implementation of the business plans will be funded from the Reconstruction and Development Programme. We have already secured funding for programmes that will:

- Streamline the criminal justice process
- Remove obstacles
- Make sure that justice is swift and efficient
- Strengthen the prosecution service (The "100 Prosecutors Project" that started in May 1997)

We must now make sure that every government department supports the NCPS and stays committed to it. In this way we hope, ultimately, to control crime and to make sure that all members of our society feel safe and secure.

#### ***Sending A Strong Message***

In order to fight crime effectively the criminal justice system must be predictable and must act as a deterrent. Potential criminals should know that they will be arrested, tried, convicted and sentenced for any crimes that they commit. They should also be aware that they will serve a substantial part of any sentences that the courts give them.



The Department of Justice has a crucial role to play in guaranteeing this degree of predictability. We must make sure that:

- There are adequate and consistent standards for bail and sentencing
- There is a national prosecutorial policy so that the approach to prosecutions will be consistent throughout the country
- We give urgent attention and priority to the special plight of women and children who have a special right to be protected from violence

### **Resources**

The criminal justice process must bring alleged criminals to trial quickly and must not prolong the cases endlessly. In order to do this we will have to staff the courts with well trained people and make sure that there is a proper infrastructure. Whatever resources are available will have to be used as effectively as possible.

### **Working Together**

The Department of Justice, the South African Police Services, the Department of Correctional Services and the Department of Welfare will all have to rationalise their resources and work together, interdependently, to fight crime.

We expect support from the business sector and people in the community in the fight against crime. We rely on them to:

- Report crime
- Identify perpetrators
- Provide witnesses

To get support from the business sector and the community, we will have to show people that the criminal justice system actually works. We need to do two things:

- Firstly, we will have to increase the effectiveness and efficiency of the criminal justice institutions
- Secondly, we will have to educate the public about:
  - How the criminal justice system works
  - The function of state prosecutors
  - Human rights and the values in the Constitution

### **The Victims of Crime**

Survey studies of the victims of crime show us that they are an important aspect of the justice system. People criticise the criminal justice system for the way that it treats the victims of crime, especially when they are women and children. They say that the justice system has marginalised victims and that it does not respond to their needs because we are too preoccupied with offenders.

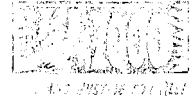
A part of the problem is that our courts are reluctant to handle civil law problems within the framework of the criminal justice system. This means that they will not give adequate compensation to the victims of crime, because compensation is a civil law issue.

We will have to create a legal framework, not only for victim support, but also for victim compensation. In developing such a framework will have to be guided by needs assessments and by overseas experiences with restitution and victim-offender reconciliation.

### **Economic Crime**

Another major problem at present is economic crime. This has increased greatly over the past few years. The people who commit economic crimes generally use sophisticated devices to hide their acts, and this makes it difficult to catch them. When economic crimes are reported, the investigation is long and expensive. It also takes a long time to prepare the case for prosecution, and the cases themselves run for many months and sometimes years.





As a result, the Office for Serious Economic Offences (OSEO) was created in 1992 to deal with these problems. Its chief aim is to curb economic offences through speedy and effective investigation.

At present, we are drafting legislation to allow the OSEO advocates who investigate the crimes, also to prosecute them in the high courts. This should save time and effort. However, given the present shortage of staff, it is impractical to require OSEO advocates to prosecute cases - that may last many weeks - without assigning other people to do their day-to-day office work. We therefore urgently need to create and staff more posts in the OSEO so that it can work more effectively.

**Witness Protection**

We cannot try cases properly without witnesses. At present, we often have to withdraw criminal cases, or postpone them indefinitely, because we have no witnesses. Witnesses are reluctant to come to court either because they are afraid of being victimised by the alleged criminals, or because they have very little confidence in the criminal justice system.

We need to make sure that our witnesses are safe at court proceedings, so that justice can be done swiftly. The criminal justice system is like a chain whose strength is as good as its weakest link. Our lack of witness protection is often our weak link.

**The Way Forward**

The criminal justice system must work as an integrated system. To achieve this, all the role players including the victims of crime and their communities, the police, the courts, the welfare system and the Department of Correctional Services, should act together to make sure that there are no obstacles in the system, and that it works efficiently and effectively.

**B The Strategic Goals and Key Indicators of Success**

Strategic Goals	Indicators of Success
<p><b>1. A bail and sentencing policy that balances the safety and security of everybody with the rights of the individual</b></p>	<p>1 Fewer serious offences                      2 Fewer repeat crimes                      3 Fewer juvenile offenders and serious offences committed by juveniles</p>
<p><b>2. A rational, efficient and effective prosecutorial policy</b></p>	<p>1 More prosecutions                      2 More convictions                      3 Fewer delays and less cost in processing criminal cases</p>
<p><b>3. A national crime prevention policy that strengthens and redesigns the justice institutions</b></p>	<p>1 The number of projects successfully implemented under the National Crime Prevention Strategy</p>
<p><b>4. A policy that increases the co-operation of witnesses and victims in the criminal justice system and is also sensitive to the needs and safety of victims and witnesses</b></p>	<p>1 More witnesses attending court                      2 Effective witness protection programmes                      3 Victim support structures</p>
<p><b>5. A criminal justice policy that addresses the special needs of vulnerable groups such as women and children</b></p>	<p>1 Child-friendly courts                      2 Special support facilities for vulnerable groups such as women and children</p>

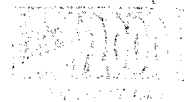


## **C The Strategies**

- 1. We aim to achieve a bail and sentencing policy that balances the safety and security of everybody with the rights of the individual. We will use the following strategies:**
  - 1.1 Implementing a bail system that addresses factors like the safety and the interests of victims and the general public, as well as the seriousness of the offence.
  - 1.2 Creating a uniform but flexible sentencing policy to ensure, among other things, that sentences are effective, that they fit the seriousness of crime, that they are applied consistently throughout the justice system, and that every convicted person serves a substantial portion of his or her sentence.
  - 1.3 Examining the need for judicial officers to use inquisitorial, rather than adversarial, methods when presiding over trials that involve certain kinds of offences, and looking at the feasibility of strengthening restorative elements, such as victim-offender reconciliation, in the criminal justice system.
  
- 2. We aim to achieve a rational, efficient and effective prosecutorial policy. We will use the following strategies:**
  - 2.1 Implementing the constitutional provisions regarding a national prosecutorial authority (Section 179).
  - 2.2 Developing a national prosecutorial policy that promotes fairness, efficiency, professionalism and consistency. This should include the development of prosecutorial guidelines especially for victims of violence, child witnesses and children who are in conflict with the law.
  - 2.3 Strengthening our prosecutorial capacity by increasing the number of prosecutors and by providing them with adequate training as well as professional, administrative and infra-structural support. This will include strengthening the capacity of the Office for Serious Economic Offences (OSEO).
  
- 3. We aim to achieve a national crime prevention policy that strengthens and redesigns the justice institutions. We will use the following strategies:**
  - 3.1 Providing intensive training to people that are involved in the criminal justice process so that they can handle and process criminal matters speedily and efficiently.
  - 3.2 Implementing a case management system that facilitates case tracking, coordinates role players and functions, and eliminates corruption and other obstacles in the criminal justice process. This will be implemented as part of a rational and integrated framework for court management.
  - 3.3 Providing effective leadership to the National Crime Prevention Strategy (NCPS). This will include: re-engineering the criminal justice process, centralising criminal justice information, gathering intelligence and crime information, designing effective prosecutorial policies, implementing appropriate sentence procedures, creating special programmes for minor offenders, providing secure care for juveniles, overhauling legislation, and supporting the victims of crime.
  
- 4. We aim to achieve a policy that increases the cooperation of witnesses and is also sensitive to the needs of witnesses and victims of crime. We will use the following strategies:**
  - 4.1 Developing and implementing a witness protection programme that enhances the cooperation of witnesses and also ensures their safety and well-being.
  - 4.2 Reviewing laws and procedures that relate to vulnerable witnesses, such as women and children, and bringing them into line with values enshrined in the Constitution.

**5. We aim to achieve a criminal justice policy that addresses the special needs of vulnerable groups such as women and children. We will use the following strategies:**

- 5.1 Reviewing the criminal laws and procedures that relate to vulnerable groups of people like women and children, so that we can secure their rights and protect their dignity.
- 5.2 Developing and implementing programmes that address the special needs of vulnerable groups, especially where they are the victims of violence.



## **D The Action Plans**

### **GOAL NUMBER 1**

We aim to achieve a bail and sentencing policy that balances the safety and security of everybody with the rights of the individual



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<b>1.1</b> Implementing a new bail system  It should address factors like the safety and interests of victims and the general public, as well as the seriousness of the offence	1 Number of public complaints about bail  2 Increased community participation	<b>CR001</b> Enact legislation on bail  <b>CR002</b> Conduct a study to explore the strengthening of community participation in bail applications  <b>CR003</b> Educate the community on its role in bail applications	Lead: Legislation and Research Support: Regional Coordination  Lead: Legislation and Research Support: Regional Coordination  Lead: Legal Services Support: Corporate Services / Regional Coordination	Draft bill by JUL 1997  Recommendations by MAR 1998  50% of magistrates courts using assessors by DEC 1997	DEC 1998  DEC 1999  JUN 1998

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.

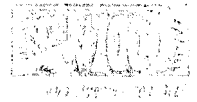
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.2</b> Creating a uniform but flexible sentencing policy to ensure that sentences are effective and that they fit the seriousness of crime</p> <p>Making sure that sentencing is applied consistently throughout the justice system and that convicts serve most of their sentences</p>	<p>1 Fewer public complaints about sentencing inconsistencies</p> <p>2 Repeat crime rate</p>	<p><b>CR004</b> Develop sentencing guidelines that include community building options and restorative justice and that are effective deterrents of crime</p> <p><b>CR005</b> Develop guidelines in consultation with Correctional Services on parole policy to ensure that parole practices do not undermine effective sentencing</p> <p><b>CR006</b> Amend laws to provide for minimum sentencing in respect of serious offences</p>	<p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Regional Coordination</p>	<p>Draft guidelines by DEC 1997</p> <p>Draft guidelines on parole by MAR 1998</p> <p>Draft Bill introduced in Parliament in MAR 1998</p>	<p>JUN 1998</p> <p>DEC 1998</p> <p>DEC 1998</p>
<p><b>1.3</b> Examining the need for judicial officers to use inquisitorial, rather than adversarial, methods when presiding over trials that involve certain kinds of offences, and looking at the feasibility of strengthening restorative elements in the criminal justice system</p>	<p>1 The length of trials</p> <p>2 Average cost of trials</p> <p>3 Incidence of criminal cases involving restorative justice</p>	<p><b>CR007</b> Review constitutional provisions with a view to establishing the extent to which they can accommodate inquisitorial proceedings in certain cases especially petty crimes and crimes committed by juveniles</p> <p><b>CR008</b> Undertake a feasibility study on restorative justice</p>	<p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Regional Coordination</p>	<p>Draft recommendations by DEC 1998</p> <p>Draft recommendations by MAR 1998</p>	<p>JUN 1999</p> <p>AUG 1998</p>

## **GOAL NUMBER 2**

We aim to achieve a rational, efficient and effective prosecutorial policy

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.1</b> Implementing the constitutional provisions regarding a national prosecution authority</p>	<p>1 Fewer prosecutorial inconsistencies</p> <p>2 Prosecutors' length of service</p> <p>3 Incidence of unjustifiable failure to prosecute</p>	<p><b>CR009</b> Enact and implement law on the National Prosecution Authority (Section 179)</p>	<p>Lead: Legislation and Research                      Support: Regional Coordination</p>	<p>Enactment of legislation by NOV 1997</p>	<p>JUN 1998</p>
		<p><b>CR010</b> Develop prosecutorial guidelines to promote uniformity of standards and efficiency and ensure sensitivity for vulnerable groups</p>	<p>Lead: Legal Services                      Support: Regional Coordination</p>	<p>Review guidelines on juvenile detention and on violence against women by APR 1998</p>	<p>DEC 1998</p>
		<p><b>CR011</b> Review terms and conditions of the prosecutorial service</p>	<p>Lead: Human Resources                      Support: Regional Coordination</p>	<p>Review terms of service by JUN 1998</p>	<p>DEC 1998</p>

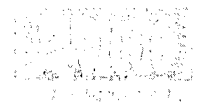




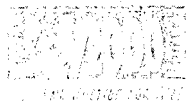
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.2</b> Developing a national prosecutorial policy that promotes fairness, efficiency, professionalism and consistency</p> <p>This should include the development guidelines for victims of violence, child witnesses and children who are in conflict with the law</p>	<ol style="list-style-type: none"> <li>1 Length of trails</li> <li>2 Case backlogs</li> <li>3 Conviction rate</li> <li>4 Staff turnover</li> </ol>	<p><b>CR012</b> Fill vacant prosecutorial posts and create additional posts to strengthen prosecutorial capacity</p> <p><b>CR013</b> Implement a pilot project to provide for assistant prosecutors</p>	<p>Lead: Human Resources                      Support: Regional Coordination</p> <p>Lead: Human Resources / Support: Legal Services / Regional Coordination</p>	<p>All posts to be filled by MAR 1999</p> <p>Agreement with State Expenditure on additional posts by MAR 1998 &amp; needs assessment completed by MAR 1998</p>	<p>DEC 1999</p> <p>DEC 1999</p>
		<p><b>CR014</b> Provide basic administrative and communication infrastructure</p>	<p>Lead: Corporate Services                      Support: Regional Coordination</p>	<p>Project implemented by JUN 1998</p>	<p>Roll-out nationally by JUN 1999</p>
		<p><b>CR015</b> Review the programmes for training prosecutors to meet new professional challenges</p>	<p>Lead: Human Resources                      Support: Regional Coordination</p>	<p>Training reviewed by DEC 1997</p>	<p>APR 2002</p>
<p><b>2.3</b> Increasing the number of prosecutors and providing them with adequate training as well as professional, administrative and infrastructural support. This will also strengthen the capacity of the Office for Serious Economic Offences (OSEO)</p>	<ol style="list-style-type: none"> <li>1 Number of posts filled</li> <li>2 Volume of case backlogs</li> <li>3 Staff turnover</li> </ol>	<p><b>CR016</b> Increase number of OSEO personnel and facilitate the prosecution of commercial crimes by OSEO advocates</p>	<p>Lead: Human Resources                      Support: Legislation and Research / Regional Coordination</p>	<p>Legislation passed by SEP 1998</p>	<p>Implemented by DEC 1998</p>

## **GOAL NUMBER 3**

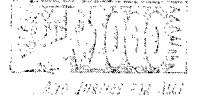
We aim to achieve a national crime prevention policy that strengthens and redesigns the justice institutions



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.1</b> Providing intensive training for people who are involved in the criminal justice process so that they can handle and process criminal matters speedily and efficiently</p>	<p>1 More people trained in each occupational group                      2 Incidence of staff turnover                      3 Reduction in case backlogs</p>	<p><b>CR017</b> Implement training programmes based on business plans</p> <p><b>CR018</b> Assess training needs and review training programmes to align with needs</p>	<p>Lead: Human Resources                      Support: Legal Services / Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>All senior prosecutors, clerks of the court and senior interpreters to have attended at least one training course by DEC 1998</p> <p>Training needs must have been assessed by MAR 1998</p>	<p>DEC 1999</p> <p>DEC 1998</p>
<p><b>3.2</b> Implementing a case management system that facilitates case tracking, co-ordinates role players and functions, and eliminates corruption and other obstacles in the criminal justice process. This will be implemented as part of a rational and integrated framework for court management</p>	<p>1 Fewer postponements due to incomplete investigations                      2 Fewer dockets lost by public prosecutors                      3 Reduction in average cost                      4 Number of people awaiting trial</p>	<p><b>CR019</b> Study current practices in case management (Refer to Court Management business plan and NCPS Information Management plan)</p> <p><b>CR020</b> Upgrade information systems and technology to expedite case management. (Implementation through NCPS business plans on Court Management, Infrastructure and Information Technology)</p>	<p>Lead: Legal Services                      Support: Corporate Services / Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Planning completed by DEC 1997</p> <p>Pilots implemented within six months of completion of study</p>	<p>DEC 1998</p> <p>APR 2002</p>



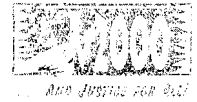
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.3</b> Providing effective leadership to the National Crime Prevention Strategy (NCPS). This will include: re-engineering the criminal justice process, centralising criminal justice information, gathering intelligence and crime information, designing effective prosecutorial policies, implementing appropriate sentence procedures, creating special programmes for minor offenders, providing secure care for juveniles, overhauling legislation, and supporting the victims of crime</p>	<ol style="list-style-type: none"> <li>1 More interdepartmental meetings</li> <li>2 More joint training sessions</li> <li>3 More shared data systems</li> </ol>	<p><b>CR021</b> Refer to Action Plans under the NCPS</p>	<p>Lead: Legal Services                      Support: Corporate Services / Regional Coordination</p>	<p>All projects implemented by JUN 1998</p>	<p>JUN 1998</p>



## **GOAL NUMBER 4**

We aim to achieve a policy that increases the cooperation of witnesses and is also sensitive to the needs of witnesses and victims of crime

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>4.1</b> Developing and implementing a witness protection programme that enhances the cooperation of witnesses and also ensures their safety and well-being</p>	<p>1 Percentage of people applying for witness protection</p> <p>2 Incidence of witness attendance in serious crimes</p> <p>3 Number of insecure witnesses dropping out of the programme</p>	<p><b>CRO22</b> Enact and implement witness protection legislation</p> <p><b>CRO23</b> Provide infrastructure including adequate human resources for witness protection programmes</p> <p><b>CRO24</b> Training of personnel involved in witness protection as well conducting a public awareness campaign</p>	<p>Lead: Legal Services                      Support: Legislation and Research / Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Corporate Services / Regional Coordination</p>	<p>Draft legislation in place</p> <p>Regional panels in place by MAR 1998</p> <p>Planning and curriculum development by MAR 1998</p>	<p>APR 1998</p> <p>DEC 1998</p> <p>Ongoing</p>



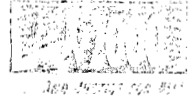
STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>4.2</b> Reviewing laws and procedures that relate to vulnerable witnesses such as women and children, and bringing them into line with values enshrined in the Constitution</p>	<p>1 Number of established child friendly courts</p> <p>2 Number of courts with secure waiting rooms</p> <p>3 Number of justice employees trained to deal with children, women &amp; victims of violence</p>	<p><b>CR025</b> Provision of court infrastructure to facilitate giving of evidence by means of closed-circuit television</p> <p><b>CR026</b> Establish child-friendly courtrooms</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>10% of courts with infrastructure in place by DEC 1997</p>	<p>DEC 1998</p>
		<p><b>CR027</b> Establish secure waiting rooms for child witnesses and women victims of violence</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>100% by 2002</p>	<p>JAN 1997 to MAR 2002</p>
		<p><b>CR028</b> Define and develop guidelines on treatment of children and women victims of violence by functionaries</p>	<p>Lead: Human Resources                      Support: Legal Services / Corporate Services / Regional Co-ordination</p>	<p>100% by 2002</p>	<p>JAN 1997 to MAR 2002</p>
		<p><b>CR029</b> Design and develop training programmes for functionaries dealing with women victims of violence and children</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Consultation completed by MAR 1998                      Planning completed by JUN 1998</p>	<p>JUN 1998</p>



## **GOAL NUMBER 5**

We aim to achieve a criminal justice policy that addresses the special needs of vulnerable groups such as women and children





STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>5.1</b> Reviewing the criminal laws and procedures that relate to vulnerable groups of people like women and children</p> <p>We will secure their rights and protect their dignity</p>	<p>1 More women using the Family Violence Act</p> <p>2 More public awareness of family violence legislation</p> <p>3 More mechanisms in rural areas for getting family violence interdicts</p>	<p><b>CR030</b> Conduct research on sentencing options for people convicted of child abuse</p> <p><b>CR031</b> Review <i>Family Violence Act</i> to address inadequacies in the Act &amp; to extend the interdicts to children</p> <p><b>CR032</b> Establish mechanisms for enabling women and children in rural areas to obtain family violence interdicts</p> <p><b>CR033</b> Develop and implement education programmes for women and children on their rights and remedies under the <i>Family Violence Act</i></p> <p><b>CR034</b> Develop prosecutorial guidelines for sexual crimes</p> <p><b>CR035</b> Review the rules of evidence for sexual offences</p>	<p>Lead: Legislation and Research Support: Regional Co-ordination</p> <p>Lead: Legislation and Research Support: Regional Co-ordination</p> <p>Lead: Legal Services Support: Regional Co-ordination</p> <p>Lead: Corporate Services Support: Regional Co-ordination</p> <p>Lead: Legal Services Support: Regional Co-ordination</p> <p>Lead: Legislation and Research Support: Regional Co-ordination</p>	<p>Finalisation of consultation completed by DEC 1998</p> <p>Planning completed by MAR 1998</p> <p>Researched by JUN 1998</p> <p>Researched by JUN 1998</p> <p>Intensification of a campaign to combat violence against women</p> <p>Recommendations by JUN 1998</p>	<p>JUN 1998</p> <p>Legislation by SEP 1998</p> <p>Implemented by DEC 1998</p> <p>Implemented by DEC 1998</p> <p>APR 1998</p> <p>DEC 1998</p>



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>5.2</b> Developing and implementing programmes that address the special needs of vulnerable groups, especially where they are the victims of violence</p>	<p>1 More victims going through support programmes                      2 More justice officials trained to handle vulnerable groups                      3 Range and diversity of categories of vulnerable groups</p>	<p><b>CR036</b> Identify and define the needs of vulnerable groups other than women and children and develop programmes to address them</p> <p><b>CR037</b> Develop information services for addressing the needs of vulnerable groups</p> <p><b>CR038</b> Institute uniform training programmes for criminal justice officials within the Police, Justice and Welfare to sensitise them to the needs of the vulnerable groups</p>	<p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Corporate Services                      Support: Regional Coordination</p> <p>Lead: Human Resources                      Support: Regional Coordination</p>	<p>Needs identified and defined by MAR 1998</p> <p>Services available in MAR 1998</p> <p>Training programmes in place by JUN 1998</p>	<p>DEC 1998</p> <p>DEC 1998</p> <p>JUN 1999</p>



## **4 Access To Justice**

### **A Challenges**

Access to justice is essential for any legitimate justice system. It strengthens public respect for the law and gives people confidence in the legal system.

Despite the advent of democracy in South Africa, many people and communities see themselves completely alienated from the legal system. Legal services are generally expensive and intimidating. Also, they are concentrated in urban areas. This means that rural communities seldom have the services of lawyers or legal advice offices. In many cases, this leads people to take the law into their own hands and to administer their own brand of justice - something that no government can encourage.

Access to justice involves:

- Resources
- Understanding
- Responsiveness to peoples' needs
- Speed and efficiency
- Effectiveness

We are challenged to make sure that every person in South Africa has equal access to justice. At the same time, we must remember that those people who have been disempowered or disadvantaged in the past, have special needs. This applies in particular to women and children.

### ***An Intimidating Process***

The legal system usually intimidates people. It uses:

- Highly technical processes
- Difficult and unfamiliar legal terminology
- Languages like Afrikaans and English that are not understood by everybody

This means that people can seldom participate meaningfully in the legal process. It also erodes peoples' confidence in our justice system.

To overcome this we will have to simplify court language and procedures so that people understand what is happening, and can participate more meaningfully in the process. We will also have to empower individuals and communities by making them more legally literate. In this way, they themselves will be able to minimise conflict and will have less need of the courts.

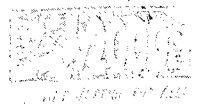
### ***Legal Representation***

Lawyers should be available to represent all people in court. Legal representation helps people to participate meaningfully in what is normally a complex system of justice.

However, most people cannot afford to pay for lawyers. And, although the state is constitutionally bound to provide legal representation to those who cannot afford it, this is not always possible because litigation is very expensive and the state's budget for legal aid is limited. This means that only a few people who need legal assistance actually get it.

But there are alternatives to state legal aid; at least in the urban areas. These include:

- University students working at legal aid clinics
- Paralegals
- Legal advice centres



We will encourage people to use these alternatives by developing them and facilitating their interaction.

We will also re-evaluate the whole system of granting legal aid, including the criteria for eligibility. This will mean that more people will have access to justice.

### ***Alternative Dispute Resolution (ADR)***

Another way of improving access to justice is to promote alternative dispute resolution mechanisms. These include:

- Mediation
- Arbitration
- Traditional courts
- Family courts
- Community courts

ADR mechanisms are usually cheaper, faster and easier to use than the traditional courts. We will explore the development and co-ordination of ADR mechanisms and encourage their use.

### ***People With Special Needs***

The present system of justice often does not recognise that people have different needs. The special needs of a number of disadvantaged groups, particularly the needs of children, women, the disabled and rural communities, are often overlooked.

We must urgently address these needs. We will focus particularly on:

- Maintenance for children
- Access to legal aid
- Violence (including physical, mental and sexual violence)
- The resolution of family-related legal disputes, including disputes about property and inheritance
- The needs of rural communities
- The needs of refugees and aliens, where appropriate

### ***Human Rights***

The Constitution obliges the justice system to protect all people and not to discriminate unfairly against any individual or community. To fulfill this obligation, we will have to actively promote:

- Human rights
- Awareness and appreciation of diversity

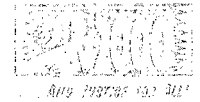
We will also have to make sure that there is a meaningful way of dealing with human rights violations when they happen. This means that the government will have to commit sufficient resources to promote human rights awareness and education.

In the promotion and protection of human rights and diversity we will co-operate with other institutions that support human rights. These include:

- The Human Rights Commission
- The Office of the Public Protector
- The Gender Commission
- The National Youth Commission

### ***Victims of Crime***

People are concerned that the administration of justice gives more attention to the rights of accused people than the rights of victims. People are also concerned that we marginalise victims, even at the level of compensation. People say that we pay little or no attention to repairing the social, financial, psychological or physical damage, that is suffered by the victims of crime. The transformation process must try to remedy this.



## B The Strategic Goals and Key Indicators of Success

Strategic Goals	Indicators of Success
<p><b>1. Accessible legal advice and legal representation for everybody, as well as better consumer protection for people who use lawyers</b></p>	<p>1 More legal representation 2 More legal advice centers and more people using them 3 Fewer complaints from the public about the unprofessional behaviour of lawyers</p>
<p><b>2. Systems, procedures and languages that are accessible, and easy for everybody to understand</b></p>	<p>1 Simplified rules of court and court procedures 2 Faster disposal of cases 3 The number of statutes and procedures that are written in plain language</p>
<p><b>3. More options for alternative dispute resolution (ADR)</b></p>	<p>1 More specialised courts 2 More laws that incorporate ADR options 3 More cases settled through ADR</p>
<p><b>4. A justice system that is responsive to the needs of vulnerable groups like women, children and disabled people, as well as people who are the victims of crime</b></p>	<p>1 More support structures for vulnerable groups such as women and children 2 Fewer complaints about the treatment of children in the justice system 3 Fewer complaints about the poor treatment of people who are the victims of crime</p>
<p><b>5. Social justice, with a strong emphasis on family law, property law and the law of inheritance, for everybody, especially for vulnerable groups like women and children</b></p>	<p>1 Fewer complaints about maintenance 2 Fewer defaults in maintenance payments 3 More success in tracing maintenance defaulters 4 More family courts 5 Less time taken to resolve family law disputes 6 Cheaper resolutions for family law disputes 7 More cases involving the family advocate 8 Faster administration of estates</p>
<p><b>6. A legal system that is in tune with the needs of society and the values in the Constitution</b></p>	<p>1 All existing statutes and regulations to be made consistent with the Constitution 2 All relevant International Conventions to be ratified and implemented 3 Less time lapse between Constitutional Court judgments and the implementation of legislative changes that arise from the judgements</p>

## C The Strategies

### 1. We aim to achieve accessible legal advice and legal representation for everybody, as well as better consumer protection for people who use lawyers. We will use the following strategies:

- 1.1 Developing cost effective state-funded legal aid that is accessible to everybody, taking into account the limited nature of resources available to government. This will include restructuring the Legal Aid Board to ensure community representation, reviewing the current criteria for legal aid to ensure equal access, extending the public defender system and providing legal advice offices in rural areas.
- 1.2 Implementing policies that will encourage the use of legal services offered by Non-Governmental Organisations (NGOs) and para-legals. This will include programmes to optimise the use of student services offered through legal aid clinics, paralegal services and advice centers. It will also involve the implementation of a pilot project to explore the feasibility of community legal centers and to improve community access to justice through one-stop centres that offer a number of related socio-legal services such as information, counselling, legal advice/representation, mediation and arbitration.
- 1.3 Facilitating everybody's access to lawyers by adopting policies that will increase the number of lawyers and make sure that they are evenly distributed in terms of geography, demography and specialised skills. These policies will also try to reduce legal costs and ensure more effective consumer protection for people who use lawyers.

### 2. We aim to achieve legal systems, procedures and languages that are accessible, and easy for everybody to understand. We will use the following strategies:

- 2.1 Simplifying the rules of court and court procedures in both criminal and civil justice so that disputes are resolved faster.
- 2.2 Making the language that is used in courts easier to understand. This will include expanding and professionalising our interpretation services, translating more of our materials into all official languages and into media that is accessible to everybody, including people who are not fully literate and people with visual disabilities. We will adopt plain language in court proceedings, statutes and all other legal documents, and develop policy on the language of record in courts and other judicial structures.
- 2.3 Introducing community outreach programmes like information desks in courts, pamphlets and media campaigns so that we can inform the public about the justice system and human rights.
- 2.4 Finding ways of encouraging people to participate in the justice system by becoming Justices of the Peace or lay assessors, and by getting involved in community justice forums and community courts.

### 3. We aim to achieve more options for alternative dispute resolution (ADR). We will use the following strategies:

- 3.1 Integrating elements of ADR into areas of the law like family law and commercial law, so that disputes can be resolved faster and cheaper, and so that dispute resolutions are lasting and promote better relationships between people.
- 3.2 Supporting and using community based dispute resolution services and integrating them into community court systems, including traditional courts, small claims courts and community legal centres. This will include developing a national framework for community-based ADR to maintain national standards and facilitate relationships between the Department of Justice and the NGOs and other organisations involved in ADR.



**4. We aim to achieve a justice system that is responsive to the needs of victims of crime, including vulnerable groups like women and children, and also to the special needs of other vulnerable groups like witnesses who need protection, the aged, rural communities, disabled people, and, where appropriate refugees and displaced people. We will use the following strategies:**

4.1 Assessing the responsiveness of the current criminal system to the needs of victims of crime, including the needs of women and children in the areas like physical, sexual, emotional and psychological abuse. Reviewing laws and procedures so that we can increase victim support services. This will include a review of the Prevention of Family Violence Act and a review of rape laws and other laws that deal with sexual violence.

Developing and implementing training programmes that will ensure that victims of crime get support and sensitive treatment.

Facilitating co-operation with other relevant government departments like the South African Police and the Department of Welfare.

Instituting restorative justice mechanisms, where appropriate, to ensure that we meet the needs of victims.

4.2 Developing programmes to identify and address the needs of specifically vulnerable groups, like witnesses, the aged and, where appropriate, refugees and displaced people.

**5. We aim to achieve social justice, with a strong emphasis on family law, property law and the law of inheritance, for everybody, especially for vulnerable groups like women and children. We will use the following strategies:**

5.1 Redesigning the maintenance system for children to make sure that it is efficient, effective, racially integrated and sensitive to all users. This will require cooperation between the Department of Justice, the Receiver of Revenue, the Department of Welfare and the Police Services in order to create a single national database for maintenance purposes.

5.2 Reviewing laws relating to succession, the administration of estates and the ownership and use of property to ensure efficiency, fairness and justice.

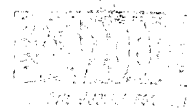
5.3 Redesigning the family law system to make sure that it is affordable, easy to access and responsive to the needs of all users.

**6. We aim to achieve a legal system that is in tune with the needs of society and the values in the Constitution. We will use the following strategies:**

6.1 Harmonising the common law, African customary law and religious law in areas like family law, the law of succession, property law and issues of legal status. Special attention will be given to the Black Administration Act so that it can be made consistent with the Constitution.

6.2 Auditing all existing and proposed statutes to make sure that they are consistent with the Constitution, implementing the equality clause and implementing the Constitutional provisions that make the Department of Justice responsible for promoting legislation. In doing this we will cooperate with other institutions like the Human Rights Commission, the Commission on Gender Equality, the Office of the Public Protector, the Department of Labour, the Department of Public Service Administration and the National Youth Commission.

6.3 Promoting ongoing law reform, through the work of the South African Law Commission, to make sure that our laws and legal system are relevant to the needs of a changing South Africa.

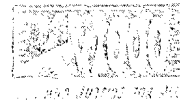


## **D The Action Plans**

### **GOAL NUMBER 1**

We aim to achieve accessible legal advice and legal representation for everybody, as well as better consumer protection for people who use lawyers





STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.1</b> Developing cost effective state-funded legal aid that is accessible to everybody, taking into account the limited nature of resources available to government</p> <p>This will include restructuring the Legal Aid Board to ensure community representation &amp; reviewing the current criteria for legal aid to ensure equal access</p> <p>It also includes extending the public defender system and providing legal advice offices in rural areas</p>	1 Number and distribution of legal aid outlets	<b>AJ001</b> Restructure the Legal Aid Board in terms of functionality, geographic coverage and composition	Lead: Legal Services Support: Regional Co-ordination	Structure and composition changed by MAR 1998	Completed by JUN 1998
	2 Number and distribution of recipients of state funded legal representation & advice	<b>AJ002</b> Review current criteria for eligibility for legal aid to ensure equality and fairness and to eliminate abuse of the system	Lead: Legal Services Support: Regional Co-ordination	Draft Bill by JUN 1998	Completed by MAR 1999
	3 Size of legal aid budget	<b>AJ003</b> Extend the Public Defender system and legal advice centres to rural areas	Lead: Legal Services Support: Human Resources / Regional Co-ordination	Extension to all provinces by MAR 1999	MAR 1998 to JUN 2002
	4 Number and distribution of cases handled by public defenders and legal advice centres	<b>AJ004</b> Develop a comprehensive policy on a cost effective and fair framework for providing state funded legal advice and legal representation	Lead: Legal Services Support: Regional Co-ordination	Planning phase including appointment of executing agency by MAR 1998	JUN 1998 to MAY 1999
	5 Profile of target group for legal aid versus research findings on the demand	<b>AJ005</b> Increase legal aid budget	Legal Services	Study on the need for adequate legal aid	Annually

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.2</b> Implementing policies that will encourage the use of legal services offered by Non-Governmental Organisations (NGOs) and para-legals</p> <p>This will include programmes to optimise the use of student services offered through legal aid clinics, paralegal services and advice centers &amp; the implementation of a pilot project to explore the feasibility of community legal centers</p> <p>It will improve community access to justice through one-stop centres that offer a number of social legal services such as information, counseling, legal advice, representation, mediation and arbitration</p>	<ol style="list-style-type: none"> <li>1 Number of people using legal aid clinics and NGOs</li> <li>2 Number of community legal centres &amp; cases processed</li> <li>3 Fewer public complaints about student and paralegal services</li> <li>4 Size of legal aid budget for NGOs and law school</li> </ol>	<p><b>AJ006</b> Introduce a policy framework for effective and professional provision of legal representation by student lawyers</p> <p><b>AJ007</b> Review reservation of work to legal practitioners to broaden scope for the provision of legal services by community based primary networks of legal services eg. students, paralegals, advice centres etc</p> <p><b>AJ008</b> Develop and implement a national framework for state collaboration with NGOs and academic institutions to provide legal services to indigent people. Introduce measures to ensure acceptable standards for service provision by paralegals and other service providers</p> <p><b>AJ009</b> Pilot the concept of community legal centres to promote access to justice through multi service centres offering legal information, advice, legal representation, counselling and information dispute resolution services</p>	<p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p>	<p>Draft legislation by JUN 1998</p> <p>Policy recommendations and guidelines for paralegals by DEC 1998</p> <p>Project on restructuring paralegals in place by JUN 1998</p> <p>Planning, allocation of resources &amp; appointment of executing agency completed by OCT 1998</p>	<p>Implemented by MAR 1999</p> <p>Implemented by JUN 1999</p> <p>JUL 1998 to JUN 2002</p> <p>NOV 1998 to MAR 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.3</b> Facilitating everybody's access to lawyers by adopting policies that will increase the number of lawyers and make sure that they are evenly distributed in terms of geography, demography and specialised skills</p> <p>These policies will also try to reduce legal costs and ensure more effective consumer protection for people who use lawyers</p>	<ol style="list-style-type: none"> <li>1 Number and demographic profile of lawyers as a function of national and provincial demography</li> <li>2 Number and distribution of entrants into legal profession as a function of national or regional demography and demand for legal services</li> <li>3 Average legal fees as compared to average income</li> <li>4 Number of public complaints about legal professionals in the handling of valid cases</li> <li>5 Distribution of skills and knowledge base as a function of national and regional demography</li> </ol>	<p><b>AJ010</b> Facilitate the implementation of accelerated measures to address imbalances in entry and advancement for historically disadvantaged groups and the distribution of skills and knowledge base within the legal profession, with emphasis on race, gender and the rural/urban dichotomy</p> <p><b>AJ011</b> Redesign entry policies to the legal profession to ensure the elimination of barriers that have no relationship to quality service and consumer protection, and that exclude historically disadvantaged graduates</p> <p><b>AJ012</b> Develop and implement policies and programmes to promote the affordability of legal fees, including exploring the feasibility of contingency fees</p>	<p>Lead: Legislation and Research Support: Regional Coordination</p> <p>Legislation and Research</p> <p>Lead: Legislation and Research Support: Regional Coordination</p>	<p>Programmes on specialised areas of law like commercial law and constitutional practice began in 1996</p> <p>Entry policies in place by DEC 1998</p> <p>Audit of current legal fees by MAR 1998</p>	<p>1996 - 2002</p> <p>DEC 1999</p> <p>1997 - 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
		<p><b>AJ013</b> Implement policies and programmes which promote access to information concerning legal services and alternatives to litigation for the public</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Existence of a government funded computerised data-base on legal services and fees and draft guidelines for legal practitioners by MAR 1999</p>	<p>MAR 1999 to JUN 2000</p>
		<p><b>AJ014</b> Investigate fee and service standard implications of granting reciprocity rights to foreign legal practitioners with emphasis on South African Development Community (SADC) and other Commonwealth countries</p>	<p>Legislation and Research</p>	<p>Report and recommendations by JUN 1999</p>	<p>Policy implemented by JUN 2000</p>
		<p><b>AJ015</b> Investigate fee and consumer protection implications of a fully integrated private legal profession</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p>	<p>Planning including appointment of executing agency by SEP 1998</p>	<p>DEC 1999</p>



## **GOAL NUMBER 2**

We aim to achieve legal systems, procedures and languages that are accessible, and easy for everybody to understand



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.1</b> Simplifying the rules of court and court procedures in both criminal and civil justice so that disputes are resolved faster</p>	<p>1 Fewer cases lost on technicalities</p> <p>2 Number of cases settled within stipulated time limits</p> <p>3 More unrepresented people assisted</p> <p>4 Average time for court procedures</p>	<p><b>AJ016</b> Review policy on language in court documents to improve understanding</p> <p><b>AJ017</b> Introduce stronger control by judicial officers to limit the time frame of civil cases involving fast tracking appropriate cases and encouraging early settlement of cases through informal dispute resolution</p> <p><b>AJ018</b> Introduce guidelines requiring court officials to provide special support to unrepresented litigants</p>	<p>Lead: Legal Services                      Support: Legislation and Research / Corporate Services / Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p>	<p>Study completed by JUN 1998</p> <p>Consultations with role players completed by DEC 1998</p> <p>Pilot on user friendly courts up and running by DEC 1997</p>	<p>Ongoing</p> <p>JUN 1998 to MAY 1999</p> <p>Pilot roll-out to other courts by DEC 1998</p>

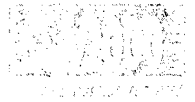


STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.2</b> Making the language that is used in courts easier to understand. This will include expanding and professionalising our interpretation services</p> <p>It will include translating more of our materials into all official languages and into media that is accessible to everybody, including people who are not fully literate and people with visual disabilities</p> <p>It will also mean adopting plain language in court proceedings, statutes and all other legal documents, and developing policy on the language of record in courts and other judicial structures</p>	<ol style="list-style-type: none"> <li>1 Number of trained interpreters</li> <li>2 Number of documents on audio cassettes</li> <li>3 Number of documents in all official languages</li> <li>4 Number of documents in plain language</li> </ol>	<p><b>AJ019</b> Introduce accredited professional training courses for interpreters</p> <p><b>AJ020</b> Reorganise interpretation services to ensure efficiency, uniform standards and responsiveness including, where possible, for the needs of people with non-South African mother tongues</p> <p><b>AJ021</b> Translate court documents into audio cassettes to assist illiterate people and those with visual impairments</p> <p><b>AJ022</b> Translate court documents and statutes into the official languages</p> <p><b>AJ023</b> Produce court/official documents simple language</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Legal Services /                      Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Curriculum and other planning requirements completed by OCT 1997</p> <p>Audit of current arrangements completed by DEC 1997</p> <p>Project planning and appointment of execution agency completed by SEP 1998</p> <p>Project planning and appointment of execution agency completed by SEP 1998</p> <p>Project planning and appointment of execution agency completed by JUN 1998</p>	<p>JAN 1998 to Jan 2002</p> <p>OCT 1997 to SEP 1999</p> <p>NOV 1998 to MAR 2002</p> <p>JAN 1998 to MAR 2002</p> <p>APR 1998 to MAR 2002</p>

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.3</b> Introducing community outreach programmes like information desks in courts, pamphlets and media campaigns.</p> <p>In this way we can inform the public about the justice system and about human rights</p>	<p>1 Number of pamphlet programmes on court processes</p> <p>2 Number of information desks</p> <p>3 Number of pamphlet programmes on law and human rights</p> <p>4 Number of radio/TV programmes on legal issues</p>	<p><b>AJ024</b> Introduce information kiosks/information desks in courts and community centres to assist users</p> <p><b>AJ025</b> Introduce pamphlets and posters to empower the public to use court processes, including maintenance and processes relating to the administration of estates</p>	<p>Lead: Legal Services                      Support: Human Resources / Corporate Services / Regional Co-ordination</p> <p>Lead: Corporate Services                      Support: Regional Co-ordination</p>	<p>Pilot in place by OCT 1997</p> <p>Campaign on violence against women is running. Children's rights highlighted on 16 JUN 1997. Family laws, maintenance and inheritance highlighted on 8 AUG 1997. Social justice highlighted on 10 DEC 1997</p>	<p>OCT 1997 to MAR 2002</p> <p>MAR 1997 to FEB 2002</p>
		<p><b>AJ026</b> Introduce programmes that inform the public about laws administered by the DoJ</p>	<p>Lead: Corporate Services                      Support: Legal Services / Regional Co-ordination</p>	<p>Brochures and posters on the mission and vision of the DoJ and on the business of the DoJ by MAR 1998</p>	<p>JUN 1997 to MAR 2002</p>
		<p><b>AJ027</b> Introduce pamphlets, posters and radio programmes to empower the public to use the law to organise their lives in a manner that limits future legal disputes</p>	<p>Lead: Corporate Services                      Support: Legal Services / Regional Co-ordination</p>	<p>Programmes on administration of estates and interstate succession by JUN 1998</p>	<p>MAR 1998 to MAR 2002</p>

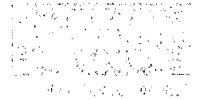


STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.4</b> Finding ways of encouraging people to participate in the justice system by becoming Justices of the Peace or lay assessors.</p>	<p>1 Incidence of popular participation</p> <p>2 Number of courts using assessors</p>	<p><b>AJ028</b> Evaluate and expand the pilot project on the lay assessor system currently running in the lower courts</p>	<p>Lead: Legal Services                      Support: Legislation and Research / Regional Co-ordination</p>	<p>Planning, including appointment of agency and allocation of resources, completed by JUN 1998</p>	<p>JUL 1997 to FEB 1998</p>
<p>Encouraging people to get involved in community justice forums and community courts</p>	<p>3 Number of public complaints about lay justice officers</p> <p>4 Number of lay persons trained</p>	<p><b>AJ029</b> Implement a national training programme for lay assessors</p>	<p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Planning, including appointment of agency and allocation of resources, completed by MAR 1998</p>	<p>JUL 1997 to JUN 2002</p>
		<p><b>AJ030</b> Initiate dialogue forums between communities and courts including informal courts</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p>	<p>Open court days at least 4 times a year beginning in MAR 1997. Community justice fora functioning by JUN 1998</p>	<p>MAR 1997 &amp; ongoing</p>
		<p><b>AJ031</b> Implement training programmes for Justices of the Peace and sheriffs</p>	<p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Training programme in place by JUN 1998</p>	<p>Ongoing</p>
		<p><b>AJ032</b> Evolve customer service charters and codes of conduct for informal justice institutions and encourage the same in the formal justice system including the administration of estates</p>	<p>Lead: Corporate Services                      Support: Legal Services / Regional Co-ordination</p>	<p>Pilot concept within the family court pilot project</p>	<p>OCT 1997 to MAR 2002</p>



## **GOAL NUMBER 3**

We aim to achieve more options for alternative dispute resolution (ADR)



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.1</b> Integrating elements of ADR into areas of the law like family law and commercial law, so that disputes can be resolved faster and cheaper, and so that dispute resolutions are lasting and promote better relationships between people</p>	<p>1 Number of laws reviewed to include ADR elements</p> <p>2 Number of early settlements through ADR</p>	<p><b>AJ033</b> Review family law and procedures to integrate and encourage early settlement of disputes through informal dispute resolution mechanisms</p> <p><b>AJ034</b> Review criminal procedures to encourage inquisitorial processes especially in petty crime</p> <p><b>AJ035</b> Review procedures relating to commercial disputes to integrate and encourage informal dispute resolution</p>	<p>Lead: Legislation and Research                      Support: Legal Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research / Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Legal Services / Regional Co-ordination</p>	<p>Evaluation of current procedures and practices by NOV 1998</p> <p>Policy recommendations by DEC 1998 and pilot in place by MAR 1999</p> <p>Policy recommendations by JUN 1998 and pilot in place by FEB 1999</p>	<p>APR 1998 to MAR 1999</p> <p>JUN 1999</p> <p>JUN 1998 to MAR 1999</p>

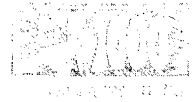


STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.2</b> Supporting and using community based dispute resolution services and integrating them into community court systems, including traditional courts, small claims courts and community legal centres</p> <p>This will include developing a national framework for community-based ADR to maintain national standards and facilitate relationships between the DoJ and the NGOs and other organisations involved in ADR</p>	<p>1 Number of community based ADR institutions working with the DoJ</p> <p>2 Number of cases resolved effectively through a system that excludes petty crimes from the formal judicial process</p> <p>3 Number of Justices of the Peace and small claims court officials retained in ADR methods</p>	<p><b>AJ036</b> Develop a national framework to ensure an effective and sustainable role of community based ADR in the justice system</p> <p><b>AJ037</b> Design and implement a pilot project on petty crimes, possibly involving Justices of the Peace and local government structures</p> <p><b>AJ038</b> Review small claims court to strengthen ADR elements and popular participation</p>	<p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p>	<p>Audit of current resources, needs and practices completed by JUN 1998</p> <p>Feasibility study completed by DEC 1998</p> <p>Evaluation of current practices by DEC 1998 and training of volunteers by MAR 1999</p>	<p>JUN 1998 to DEC 1999</p> <p>DEC 1989 to DEC 2001</p> <p>Ongoing</p>

## **GOAL NUMBER 4**

We aim to achieve a justice system that is responsive to the needs of victims of crime, including vulnerable groups like women and children, and also to the special needs of other vulnerable groups like witnesses who need protection, the aged, rural communities, disabled people, and where appropriate, refugees and displaced people

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>4.1</b> Assessing the responsiveness of the current criminal system to the needs of victims of crime, including the needs of women and children in areas like physical, sexual, emotional and psychological abuse</p>	<p>1 Number of programmes and size of state budget for victim support in the community and courts</p> <p>2 Incidence and extent of civil remedies awarded through the Criminal Procedure Act</p> <p>3 Number of restorative justice mechanisms implemented and quantum of awards to victims</p>	<p><b>AJ039</b> Conduct a study on victim needs with regard to the criminal justice system and redesign the criminal justice system accordingly</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p>	<p>Planning, including resource allocation and appointment of executing agency, by MAR 1998</p>	<p>JUL 1998 to DEC 1999</p>
<p>Reviewing laws and procedures so that we can increase victim support services. This will include a review of the Prevention of Family Violence Act and a review of rape laws and other laws that deal with sexual violence</p>		<p><b>AJ040</b> Review S300 of the Criminal Procedure Act to broaden scope for victim compensation</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p>	<p>Draft recommendations including guidelines for prosecutors and judicial officers by DEC 1998</p>	<p>APR 1998 to JUN 1999</p>
<p>Developing and implementing training programmes to sensitise court officials to the experiences of victims of crime and to ensure that victims get support and sensitive treatment</p> <p>Facilitating cooperation with other relevant government departments like the SAPS and the Dept of Welfare</p> <p>Instituting restorative justice mechanisms, where appropriate.</p>		<p><b>AJ041</b> Develop and implement a programme on restorative justice which will include the possibility of a victims compensation fund and encourage more proactive assistance by prosecutors</p>	<p>Lead: Legislation and Research                      Support: Legal Services / Regional Co-ordination</p>	<p>Conference on restorative justice by DEC 1998</p>	<p>APR 1998 to MAR 2002</p>



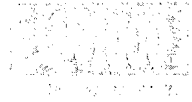
STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>4.2</b> Developing programmes to identify and address the needs of specifically vulnerable groups, like witnesses, the aged and, where appropriate, refugees and displaced people</p>	<p>1 Number of social programmes for protected witnesses and their families</p> <p>2 Percentage of state budget allocated to social programmes for protected witnesses and their families</p> <p>3 Number of social programmes for vulnerable groups like the aged, refugees and displaced people</p>	<p><b>AJ042</b> Develop policy guidelines to ensure that the social life of witnesses under state protection is not unduly compromised, with emphasis on family life and on parental responsibilities and privileges</p> <p><b>AJ043</b> Conduct a needs assessment for other vulnerable groups and design appropriate programmes</p>	<p>Lead: Legal Services                      Support: Regional Coordination</p> <p>Lead: Legal Services                      Support: Regional Coordination</p>	<p>Needs assessment completed by JUL 1998</p> <p>Planning and appointment of executing agency by SEP 1998</p>	<p>OCT 1998 to SEP 1999</p> <p>OCT 1998 to SEP 1999</p>



## **GOAL NUMBER 5**

We aim to achieve social justice, with a strong emphasis on family law, property law and the law of inheritance, for everybody, especially for vulnerable groups like women and children





STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>5.1</b> Redesigning the maintenance system for children to make sure that it is efficient, effective, racially integrated and sensitive to all users</p> <p>This will require cooperation between the Department of Justice, the Receiver of Revenue, the Department of Welfare and the Police Services in order to create a single national database for maintenance purposes</p>	<ol style="list-style-type: none"> <li>1 Less corruption and fewer race-based complaints</li> <li>2 Success rate in tracing defaulters and linking grants to the income of the better paid parent (Garnishee Order)</li> <li>3 Fewer defaulters</li> </ol>	<p><b>AJ044</b> Implement short term measures to enforce racial integration, including customary law cases; combat corruption and improve fair and equitable access to justice for custodial parents and children</p> <p><b>AJ045</b> Redesign maintenance system to ensure automation and expedient enforcement of orders through a national data base system involving the Receiver of Revenue, Department of Welfare, Local Government and Police Services</p> <p><b>AJ046</b> Incorporate maintenance system into an integrated and coherent family court system</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research / Corporate Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research / Corporate Services / Regional Co-ordination</p>	<p>Draft report from Ministerial task team by JUN 1998</p> <p>Pilot project on automated maintenance system implemented by MAR 1998 and SA Law Commission recommendations by JUN 1998</p> <p>First Family court pilot project implemented by OCT 1997</p>	<p>JUN 1998 to JUN 1999</p> <p>OCT 1998 to MAR 2002</p> <p>OCT 1997 to MAR 2002</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>5.2</b> Reviewing laws relating to succession, the administration of estates and the ownership and use of property to ensure efficiency, fairness and justice</p>	<p>1 Incidence of status related litigation                      2 Poverty statistics for widows and divorced women                      3 Incidence of racially based complaints about inheritance</p>	<p><b>AJ047</b> Investigate laws relating to status and eliminate race and gender discrimination</p> <p><b>AJ048</b> Review laws relating to family property to eliminate inequitable and unfair treatment of women and, where appropriate, children</p> <p><b>AJ049</b> Conduct an investigation into current laws and systems relating to inheritance to establish implications for race, gender equality and the rights of children with emphasis on female children</p>	<p>Lead: Legislation and Research                      Support: Human Resources / Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Human Resources / Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Human Resources / Regional Coordination</p>	<p>Draft legislation by JUN 1998</p> <p>Draft legislation by SEP 1998</p> <p>Draft legislation by JUN 1998</p>	<p>JUL 1998 to DEC 1999</p> <p>Completed by JUN 1999</p> <p>Completed by JUN 1999</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>5.3</b> Redesigning the family law system to make sure that it is affordable, easy to access and responsive to the needs of all users</p>	<p>1 Number of cases resolved through family courts</p> <p>2 Incidence of state funded legal representation for children/women in family matters</p> <p>3 Number and distribution of children's advocates</p>	<p><b>AJ050</b> Design and implement an integrated family court system covering all family issues including divorce, maintenance, family violence, custody, etc</p> <p><b>AJ051</b> Review legal representation of all children in family matters to ensure effective protection of the interests of every child</p> <p><b>AJ052</b> Undertake a study of women's needs with regard to legal advice and legal representation in family matters and design an equitable response</p>	<p>Lead: Legal Services                      Support: Legislation and Research / Human Resources / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Legal Services / Regional Co-ordination</p>	<p>First Pilot project implemented by OCT 1997</p> <p>Evaluation of pilot project on the family advocate and recommendations by JUN 1998</p> <p>Planning completed by MAR 1998</p>	<p>OCT 1998 to MAR 2002</p> <p>OCT 1997 to JUN 1999</p> <p>JUN to NOV 1998</p>



## **GOAL NUMBER 6**

We aim to achieve a legal system that is in tune with the needs of society and the values in the Constitution

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>6.1</b> Harmonising the common law, African customary law and religious law in areas like family law, the law of succession, property law and issues of legal status</p> <p>Special attention will be given to the <i>Black Administration Act</i> so that it can be made consistent with the Constitution</p>	<ol style="list-style-type: none"> <li>1 Fewer gender-related complaints about religious and customary law</li> <li>2 Fewer representations to the Minister concerning race related inheritance problems</li> <li>3 Fewer racially or customary based complaints about family law</li> <li>4 Percentage of legislation redesigned to remove racial segregation</li> </ol>	<p><b>AJ053</b> Recognise customary and religious marriages in terms of the values that underpin the Constitution</p> <p><b>AJ054</b> Review <i>Black Administration Act</i> of 1927 to harmonise inheritance rights of all children and ensure equality of access to justice in terms of race and gender</p> <p><b>AJ055</b> Develop an integrated, coherent and human rights based family law system which affirms the diversity of culture and is responsive to the socio-legal needs of especially children and women</p>	<p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Regional Coordination</p> <p>Lead: Legislation and Research                      Support: Legal Services / Regional Coordination</p>	<p>Draft legislation by JUN 1998</p> <p>Draft legislation by DEC 1997                      Investigation on scope and implications of Act by JUL 1998</p> <p>Planning, allocation of resources and appointment of executing agency by MAR 1998</p>	<p>Completed by DEC 1998</p> <p>Implemented by JUN 1998                      New framework by DEC 1998</p> <p>MAR 1998 to DEC 1999</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>6.2</b> Auditing all existing and proposed statutes to make sure that they are consistent with the Constitution, implementing the equality clause and implementing the Constitutional provisions that make the Department of Justice responsible for promoting legislation</p> <p>In doing this we will cooperate with other institutions like the Human Rights Commission, the Commission on Gender Equality, the Office of the Public Protector, the Department of Labour, the Department of Public Service Administration and the National Youth Commission</p>	<ol style="list-style-type: none"> <li>1 Number of statutes purified</li> <li>2 Time lapse between judgments and implementation</li> <li>3 Number of complaints about administrative justice</li> <li>4 Number of instruments passed or changed</li> <li>5 Number of international instruments implemented domestically</li> </ol>	<p><b>AJ056</b> Implement a project on the purification of statutes prioritising changes in laws relating to the cautionary rule in sexual offences cases, and to racial and gender discrimination in current statutes and regulations</p> <p><b>AJ057</b> Implement constitutional judgements that require legislative changes to be promoted by the DoJ</p> <p><b>AJ058</b> Develop and implement equality legislation as prescribed by Section 9 of the Constitution, to eliminate discrimination in all areas of social life and implement (CEDAW) Convention on the Elimination of Discrimination Against Women, the Convention on the Elimination of all Forms of Racial Discrimination and the Convention of the Rights of the Child</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Regional Co-ordination</p>	<p>Planning, resource allocation and appointment of implementing agency by OCT 1998</p> <p>90% of current judgements implemented by SEP 1998</p> <p>Consultations completed and policy proposals presented by JUN 1998 and draft legislation by JUN 1999</p>	<p>NOV 1998 to MAR 2002</p> <p>Ongoing</p> <p>JUL 1998 to JAN 2000</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
		<p><b>AJ059</b> Develop and implement legislation on administrative law as prescribed by S33 in the Constitution</p> <p><b>AJ060</b> Implement other legislative mandates for the DoJ emanating from the Constitution</p> <p><b>AJ061</b> Scrutinise all international human rights conventions and where possible transform them into domestic legislation</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Legislation and Research</p>	<p>Planning, appointment of executing agency, and draft legislation by JUL 1998</p> <p>At least 60% covered by FEB 1999</p> <p>Report by FEB 1999</p>	<p>APR 1997 to MAR 1999</p> <p>MAR 1997 to MAR 2002</p> <p>APR 1997 to MAR 2001</p>
<p><b>6.3</b> Promoting ongoing law reform, through the work of the South African Law Commission, to make sure that our laws and legal system are relevant to the needs of a changing South Africa</p>	<p>1 Number of legislative instruments and institutions redesigned</p> <p>2 Number and quality of law reform investigations per year</p>	<p><b>AJ062</b> Undertake a study of existing legislation to establish conformity with the Constitution and current diversity of needs</p> <p><b>AJ063</b> Redesign institutions and processes dealing with law reform to ensure capacity, efficiency and effectiveness</p>	<p>Lead: Legislation and Research                      Support: Regional Co-ordination</p> <p>Lead: Legislation and Research                      Support: Regional Co-ordination</p>	<p>Opinion survey from public by region, race, age and gender by FEB 1999</p> <p>Needs assessment completed by MAR 1999</p>	<p>APR 1999 to MAR 2002</p> <p>APR 1999 to MAR 2002</p>



## **5 Human Resource Development**

### **A Challenges**

All the people who in the justice system will have to work together to achieve the objectives of Justice Vision 2000. Every employee will have to be:

- Well trained
- Professional
- Sensitive to peoples' different cultural experiences
- Sensitive to peoples' different gender experiences
- Respectful of everybody's dignity and human rights
- Responsive to different peoples' needs
- Oriented towards excellent customer service

The full development of our human resources is a major challenge. Our human resource development policy will have to make the best use of our limited resources, and at the same time, foster a culture of continuous development and learning.

#### ***Training***

Aside from experience, training is the most important way of acquiring skills and knowledge. But, it is also an effective way of changing attitudes and of increasing personnel motivation. In addition to professional knowledge and expertise, people who work in the justice system need:

- Conflict resolution skills like mediation and arbitration
- Negotiation skills
- Leadership skills
- Decision-making skills
- Service skills and attitudes
- Appreciation of diversity
- Awareness of human rights and responsibilities

Having these skills, and understandings, will strengthen our ability to cope with the daily challenges of a contemporary workplace. They will also increase our motivation and our commitment to our work.

#### ***The Design of Training Programmes***

We must make sure that the programmes that we implement, produce the outcomes that we want. If we do not, we will be wasting our limited resources.

We have to make sure that our programmes are designed on the basis of systematically identified training needs. We also have to build evaluation mechanisms, or performance indicators, into the programmes at regular intervals, so that we can measure how effective they are, and redesign them if necessary.

To do this, we will have to develop the capacity in our training institutions. They must be able to identify:

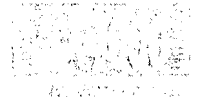
- Attitudinal problems
- Motivational problems
- Problems that come from a lack of skills or knowledge

Our human resources development programme must therefore have:

- Appropriate core courses
- Appropriate generic programmes from other institutions

This will mean combining the work of our own in-house network of trainers, with that of external training consultants from competent domestic and international agencies, including other government departments.





### **Vocational Training**

Most of the people in the justice system are legal professionals. Vocational training is therefore a major area of concern. To meet the challenge of providing relevant vocational training we will:

- Re-engineer our training institutions to cater specifically for vocational training
- Pay careful attention to the training of trainers
- Increase the number and distribution of trainers
- Reorganise the training institutions and review their structures and curricula
- Decentralise training to the regional offices

In doing all of this, we will cooperate closely with other institutions like the training institutions in other government departments, universities, technikons and legal institutions in foreign countries.

### **Representivity**

We want to achieve a personnel profile that reflects the demography of the South African society.

The Human Resource Development section of the Department will play a vital role in meeting the challenge of achieving representivity in all structures, and at all levels of the Department.

We will design and implement programmes to fast track the development of suitable candidates from historically disadvantaged groups. We will also design and implement programmes that create a supportive working environment and that affirm diversity. And here we will pay particular attention to issues of race and gender. In particular, we will encourage women to develop their skills so that they are able to advance their careers within the Department.

## **B The Strategic Goals and Key Indicators of Success**

<b>Strategic Goals</b>	<b>Indicators of Success</b>
<p><b>1. An independent, competent, representative and human rights driven judiciary</b></p>	<p>1 Fewer reversed judgments                      2 A representative profile of trained judicial officers                      3 Fewer complaints about judicial officers                      4 Increased productivity                      5 Vertical and horizontal mobility</p>
<p><b>2. A management team that is representative, competent and equipped with, among other things, leadership, awareness and appreciation of diversity, and change management skills</b></p>	<p>1 A representative profile of trained managers                      2 Lower staff turnover                      3 Fewer complaints                      4 Increased productivity                      5 Vertical and horizontal mobility</p>
<p><b>3. A professional staff that is well trained, representative, human rights driven and people friendly</b></p>	<p>1 A representative profile of professional officers trained                      2 Lower staff turnover                      3 Fewer complaints                      4 Increased productivity                      5 Vertical and horizontal mobility</p>



Strategic Goals	Indicators of Success
<p><b>4. An administrative and support staff that is well trained, representative, human rights driven and people friendly</b></p>	<p>1 A representative profile of administrative and support staff trained 2 Fewer complaints 3 Increased availability of documents and information 4 Increased productivity 5 Vertical and horizontal mobility</p>
<p><b>5. A human resources development system that is decentralised and that has a good training infrastructure and a representative network of competent trainers</b></p>	<p>1 More trainers trained 2 Geographic distribution of trainers 3 Success rate of trainees 4 Demographic profile of trainers 5 Vertical and horizontal mobility 6 More training done at a regional level</p>

## C The Strategies

1. **We aim to achieve an independent, competent, representative and human rights driven judiciary. We will use the following strategies:**
  - 1.1 Facilitating a professional development programme for judicial officers in the spirit of Section 180 of the Constitution. We will give priority to case management, social context training (including issues like diversity, and violence against women and children) and implementation of the Constitution.
  - 1.2 Facilitating greater functional coherence in the judiciary and broadening the opportunities for magistrates to be appointed to the higher courts.
  - 1.3 Supporting training programmes that will broaden the pool from which judicial appointments are made so that we can address the imbalances of the past.
2. **We aim to achieve a management team that is representative, competent and equipped with, among other things, leadership skills, awareness and appreciation of diversity, and change management skills. We will use the following strategies:**
  - 2.1 Implementing development programmes to facilitate the transformation process. This will include aspects like principles of public management, change management, strategic management and management of diversity.
  - 2.2 Designing support systems for new and future managers to facilitate their upward mobility and career development.
3. **We aim to achieve a professional staff that is well trained, representative, human rights driven and people friendly. We will use the following strategies:**
  - 3.1 Designing programmes and policies for each professional occupational group that will promote representativeness, professionalism, a service ethos and sensitivity to diverse public needs. Emphasis will be placed on functional training, implementation of the Constitution, diversity issues and attitudinal training.



3.2 Implementing policies that will promote representativeness in the public service and programmes that will facilitate career development as well as horizontal and vertical mobility.

**4. We aim to achieve an administrative and support staff that is well trained, representative, human rights driven and people friendly. We will use the following strategies:**

4.1 Implementing training programmes and policies to promote quality service to the public.

4.2 Implementing policies that promote representativeness and training programmes that will facilitate personal career development and the personnel integration.

**5. We aim to achieve a human resources development system that is decentralised and that has a good training infrastructure and a representative network of competent trainers. We will use the following strategies:**

5.1 Establishing and implementing an organisational development programme that will make sure that we achieve the objectives of Justice Vision 2000.

5.2 Reviewing and redesigning existing training systems and institutions and promoting decentralised training.

5.3 Implementing a programme that will enhance the skills of the existing trainers, broaden the pool of trainers involved in in-house training and provide a supportive infrastructure for trainers.



## **D The Action Plans**

### ***GOAL NUMBER 1***

We aim to achieve an independent, competent, representative and human rights driven judiciary



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.1</b> Facilitating a professional development programme for judicial officers in the spirit of Section 180 of the Constitution</p> <p>We will give priority to case management, social context training (including issues like diversity, and violence against women and children) and implementation of the Constitution</p>	<p>1 Number of public complaints about judicial officers</p> <p>2 Number of lower court decisions overturned by higher courts</p> <p>3 Demographic profile of the judiciary</p>	<p><b>HR001</b> Enact legislation to establish a framework to co-ordinate judicial training as envisaged by S180 in the Constitution</p>	<p>Legislation and Research</p>	<p>Draft bill by JAN 1998</p>	<p>Twice a year from 1997 to 2002</p>
		<p><b>HR002</b> Support orientation programmes for new judges</p>	<p>Human Resources</p>	<p>First course by MAR 1998</p>	<p>Four courses a year in nine provinces from 1998 to 2002</p>
		<p><b>HR003</b> Support continuing education for incumbent judicial officers with emphasis on human rights, constitutional analysis, social context training (including sensitivity to the needs and vulnerabilities of children, violence and racism), case management skills and computer literacy</p>	<p>Lead: Human Resources / Support: Legal Services / Regional Co-ordination</p>	<p>Curriculum development by DEC 1998 (Business Plan for lower courts)</p>	<p>1998 to 2002</p>
		<p><b>HR004</b> Conduct an assessment of training needs and redesign curriculum for lower court judicial officers</p>	<p>Lead: Human Resources / Support: Legal Services / Regional Co-ordination</p>	<p>Assessment by MAR 1998</p>	<p>Ongoing</p>
		<p><b>HR005</b> Promote dialogue opportunities between communities and the judiciary</p>	<p>Lead: Legal Services / Support: Regional Co-ordination</p>	<p>Existence of regional justice forums by DEC of 1998</p>	<p>Ongoing</p>

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.2</b> Facilitating greater functional coherence in the judiciary and broadening the opportunities for magistrates to be appointed to the higher courts</p> <p>Supporting training programmes that will broaden the pool from which judicial appointments are made so that we can address the imbalances of the past</p>	<p>1 Incidence of promotion of lower court judges to higher courts</p> <p>2 Demographic profile of judiciary</p> <p>3 More joint seminars for magistrates and judges</p> <p>4 More legal professionals other than advocates appointed to higher courts</p>	<p><b>HR006</b> Review entry criteria for lower court judicial officers</p> <p><b>HR007</b> Implement a pilot training project targeted at a group of lower court judicial officers for fast tracking selection for higher courts</p> <p><b>HR008</b> Implement training measures fostering institutional coherence and uniformity of standards</p> <p><b>HR009</b> Implement accelerated programmes to facilitate the integration of the judiciary in terms of race and gender and to promote representativeness at all levels and in all structures</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Recommendations by APR 1998                      Planning and executing agency in place by JUL 1998</p> <p>Planning completed by JUN 1998</p> <p>Joint seminars for senior magistrates and judges by APR 1998</p> <p>Consultations with the judiciary and regulating bodies and agreed proposals by JUN 1998</p>	<p>APR to DEC 1998</p> <p>Implemented by DEC 1998</p> <p>APR 1998 to APR 2002</p> <p>Rationalised institutions by APR 1999</p>



## **GOAL NUMBER 2**

We aim to achieve a management team that is representative, competent and equipped with, among other things, leadership skills, awareness and appreciation of diversity, and change management skills



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.1</b> Implementing development programmes to facilitate the transformation process</p> <p>This will include principles of public management</p> <p>It will also include change and strategic management and management of diversity</p>	<p>1 Number of strategic targets met</p> <p>2 Incidence of diversity related conflicts</p> <p>3 Less financial mismanagement</p> <p>4 Lower staff turnover</p>	<p><b>HR010</b> Orientation or induction courses for all managers</p> <p><b>HR011</b> Conduct an assessment of training needs</p> <p><b>HR012</b> Implement continuing management courses for all managers</p> <p><b>HR013</b> Strategic management and leadership courses for all managers</p> <p><b>HR014</b> Run continuous Labour Relations and Diversity Management programmes for managers</p>	<p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p>	<p>Generic curriculum developed by DEC 1997</p> <p>Planning completed by OCT 1997</p> <p>Draft curriculum &amp; course catalogue by JUN 1997</p> <p>Curriculum and course catalogue by OCT 1998</p> <p>Initial courses run in JAN 1997</p>	<p>Ongoing</p> <p>Completed by DEC 1997</p> <p>OCT 1997 to MAR 2002</p> <p>JUL 1997 to MAR 2002</p> <p>Ongoing till 2002</p>
<p><b>2.2</b> Designing support systems for new and future managers to facilitate their upward mobility and career development</p>	<p>1 Number of strategic targets met</p> <p>2 Number of women promoted to senior management</p> <p>3 Demographic profile of managers, with emphasis on gender</p>	<p><b>HR015</b> Introduce a mentorship programme anchored on affirming and managing diversity</p> <p><b>HR016</b> Investigate barriers to women's entry and their profile at top management levels</p>	<p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p>	<p>Planning completed by OCT 1997</p> <p>Planning completed by OCT 1997</p>	<p>Running from APR 1998 to 2002</p> <p>Running from APR 1998 to 2002</p>





## **GOAL NUMBER 3**

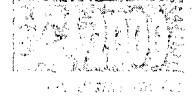
We aim to achieve a professional staff that is well trained, representative, human rights driven and people friendly



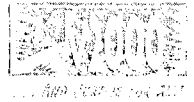
STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.1</b> Designing programmes and policies for each professional occupational group</p> <p>The programmes must promote representativeness, professionalism, a service ethos and sensitivity to diverse public needs</p>	<ol style="list-style-type: none"> <li>1 Number of public complaints</li> <li>2 Number of undue delays</li> <li>3 Demographic profile of staff</li> <li>4 Staff turnover</li> <li>5 Number of judicial complaints</li> <li>6 Number of suitably qualified interpreters</li> <li>7 Number of complaints about poor interpretation</li> <li>8 Less mismanagement</li> <li>9 Number of legislative drafts-people trained and used by government departments</li> </ol>	<p><b>HR017</b> Orientation courses for all officers</p> <p><b>HR018</b> Introduce specialised courses and training manual, in areas such as money laundering and sexual abuse, for prosecutors and the police</p> <p><b>HR019</b> Implement human rights and social context training with emphasis on cultural diversity, gender and children's needs for all justice officials including state attorneys, law advisors and officers involved in the administration of estates</p>	<p>Lead: Human Resources                  Support: Regional Co-ordination</p> <p>Lead: Human Resources                  Support: Regional Co-ordination</p> <p>Lead: Human Resources                  Support: Regional Co-ordination</p>	<p>Generic curriculum in place by JUL 1998</p> <p>Planning finalised by DEC 1997</p> <p>Planning finalised by DEC 1997</p> <p>Blueprint on case management in place by JUN 1998</p> <p>Manual in use by JUN 1998. Pilot project complete by DEC 1998</p>	<p>JUL 1998 to MAR 2002</p> <p>DEC 1997 to MAR 2002</p> <p>DEC 1997 to JAN 1999</p> <p>JUN 1998 to JAN 2000</p> <p>JUL 1998 to MAR 2002</p>
<p>Emphasis will be placed on functional training, implementation of the Constitution, diversity issues and attitudinal training</p>		<p><b>HR020</b> Case management courses including manuals for court personnel such as prosecutors, judicial officers, registrars, court administrators/clerks, police, sheriffs etc</p> <p><b>HR021</b> Family court and maintenance training, including a manual for appropriate officials</p>	<p>Lead: Legal Services                  Support: Human Resources / Corporate Services / Regional Co-ordination</p> <p>Lead: Legal Services                  Support: Human Resources / Corporate Services / Regional Co-ordination</p>		



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
		<p><b>HR022</b> Implement a legislative drafting programme for new, aspirant and existing legislative draftsmen</p>	<p>Lead: State Legal Advice                      Support: Legislation and Research / Human Resources</p>	<p>Planning and resources in place for pilot course by JUN 1998</p>	<p>FEB 1998 to FEB 2002</p>
		<p><b>HR023</b> Implement an accredited training programme for interpreters (include code of conduct)</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Planning, curriculum development and financing by DEC 1997</p>	<p>JUL 1998 to JUL 2002</p>
		<p><b>HR024</b> Review current training and redesign national training programme on the administration of estates</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Needs assessment by MAR 1998; draft and manual by MAR 1999</p>	<p>JUL 1997 to JUL 2002</p>
		<p><b>HR025</b> Implement training programmes for assessors, Justices of the Peace and sheriffs</p>	<p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Planning and draft manual by MAR 1998</p>	<p>Ongoing</p>
		<p><b>HR026</b> Conduct job audits, assessment of training needs and review vocational training programmes as well as entry qualifications for all occupational classes</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Planning, resources &amp; executing agency in place by DEC 1997</p>	<p>FEB 1998 to OCT 1998</p>
		<p><b>HR027</b> Implement a computer skills training programme for all personnel to work with computers</p>	<p>Lead: Human Resources                      Support: Corporate Services / Regional Co-ordination</p>	<p>Components of new IT system in place by APR 1998</p>	<p>Ongoing till DEC 2002</p>



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.2</b> Implementing policies that will promote representativeness in the public service</p> <p>Implementing programmes that will facilitate career development as well as horizontal and vertical mobility</p>	<ol style="list-style-type: none"> <li>1 Mobility</li> <li>2 Staff fluctuation</li> <li>3 Diversity with emphasis on race and gender</li> <li>4 Demographic profile of course attendants</li> </ol>	<p><b>HR028</b> Introduce mentorship and personnel development programmes</p> <p><b>HR029</b> Conduct exposure programmes through placements within the country and in international institutes as well as study trips</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Draft proposals on mentorship model by MAR 1998</p> <p>Planning and agreements with participating institutions by JUL 1998</p>	<p>MAR 1998 to MAR 2002</p> <p>OCT 1997 to MAR 2002</p>

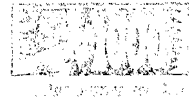


## **GOAL NUMBER 4**

We aim to achieve an administrative and support staff that is well trained, representative, human rights driven and people friendly



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>4.1</b> Implementing training programmes &amp; policies to promote quality service</p> <p>Implementing policies that promote representivity</p> <p>Implementing training programmes that will facilitate personal career development and personnel integration</p>	<ol style="list-style-type: none"> <li>1 Productivity</li> <li>2 Fewer public complaints</li> <li>3 Mobility by race and gender</li> <li>4 Less mismanagement and misconduct</li> <li>5 Lower staff turnover</li> <li>6 Representative staff profile</li> </ol>	<p><b>HR030</b> Leadership and strategic management training for all administrative personnel</p> <p><b>HR031</b> Implement human rights and diversity awareness training including gender and children's issues</p> <p><b>HR032</b> Strengthen and expand computer skills training</p> <p><b>HR033</b> Review job outputs, assessment criteria, training requirements and redesign vocational training courses</p>	<p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p> <p>Lead: Human Resources Support: Corporate Services / Regional Co-ordination</p> <p>Lead: Human Resources Support: Regional Co-ordination</p>	<p>Top and middle management completed as planned</p> <p>All personnel having had some form of training by OCT 1998</p> <p>Needs assessment by DEC 1997</p> <p>Assessment completed by DEC 199</p>	<p>1998 and ongoing</p> <p>OCT 1997 to MAR 2002</p> <p>APR 1998 to MAR 2002</p> <p>OCT 1997 to MAR 2002</p>



## **GOAL NUMBER 5**

We aim to achieve a human resources development system that is decentralised and that has a good training infrastructure and a representative network of competent trainers

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>5.1</b> Establishing and implementing an organisational development programme that will make sure that we achieve the objectives of Justice Vision 2000</p>	<p>1 Number of action plans implemented &amp; targets met                      2 Awareness of Justice Vision 2000 at all levels in the DoJ                      3 Fewer service related complaints against the DoJ</p>	<p><b>HR034</b> Implement a training programme to realign organisational culture with strategic vision in Justice Vision 2000   <b>HR035</b> Reorganise personnel assessment and human resource utilisation practices to be in line with the vision   <b>HR036</b> Develop a Human Resource Development database that reflects personnel growth paths for all personnel in the DoJ</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination                       Lead: Human Resources                      Support: Regional Co-ordination                       Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Planning finalised by DEC 1997                       Report on assessment system by OCT 1997                       Planning and installation of computer programme by MAR 1998</p>	<p>DEC 1997 to MAR 2002                       Completed by OCT 1998                       April 1998 and ongoing</p>
<p><b>5.2</b> Reviewing and redesigning existing training systems and institutions and promoting decentralised training</p>	<p>1 Productivity                      2 Number of courses redesigned                      3 Percentage and profile of personnel trained per year</p>	<p><b>HR037</b> Evaluate all courses and redesign in light of identified needs, taking into account courses offered in other institutions   <b>HR038</b> Assess DoJ training institutions, including Justice College and redesign in light of training needs and cost efficiency   <b>HR039</b> Develop a comprehensive training strategy   <b>HR040</b> Develop regional and sub-regional training components</p>	<p>Human Resources                       Human Resources                       Lead: Human Resources                      Support: Regional Co-ordination                       Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Training needs assessment by MAR 1998                       Existence of national &amp; regional DoJ training teams by DEC 1997                       Resources, trainers &amp; infrastructure in place by DEC 1997                       Training Programmes in place by JUN 1998</p>	<p>Ongoing                       Ongoing                       Ongoing                       Ongoing</p>





<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>5.3</b> Implementing a programme that will enhance the skills of the existing trainers, broaden the pool of trainers involved in in-house training and provide a supportive infrastructure for trainers</p>	<p>1 Number and demographic profile of trainers trained</p> <p>2 Success rate of students</p> <p>3 Complaints as gleaned from students opinion surveys</p>	<p><b>HR041</b> Conduct an assessment of training and infrastructure needs</p> <p><b>HR042</b> Implement continuing education including human rights and social context diversity awareness training for existing trainers</p> <p><b>HR043</b> Implement a training programme for new and prospective trainers covering adult training techniques</p> <p><b>HR044</b> Introduce a training programme which renders every manager or supervisor a trainer and mentor</p>	<p>Lead: Human Resources Support: Corporate Services / Regional Coordination</p> <p>Lead: Human Resources Support: Regional Coordination</p> <p>Lead: Human Resources Support: Regional Coordination</p> <p>Lead: Human Resources Support: Regional Coordination</p>	<p>Planning and appointment of executing agency by OCT 1997</p> <p>Planning and appointment of executing agency by OCT 1997</p> <p>Planning, identification of trainers and generic curriculum by OCT 1997</p> <p>Planning completed by MAR 1998</p>	<p>MAY 1998</p> <p>OCT 1997 to 2002</p> <p>OCT 1997 to MAR 2000</p> <p>APR 1998 to 2002</p>



## **6 The Legal Profession**

### **A Challenges**

The legal profession will play a critical role in fulfilling the transformation of the administration of justice. Lawyers provide:

- Legal advice
- Legal representation in courts
- Arbitration and mediation services
- The pool of senior lawyers from which high court judges are selected
- Create opportunities for women to advance in their career paths

#### ***The Image of The Legal Profession***

Because lawyers are central to any system of justice, they have a strong influence on how the public sees the justice system.

The process of political and social transformation in South Africa challenges lawyers in terms of the services that they provide to the public. In line with our new Constitutional values, lawyers will have to develop:

- Their awareness and understanding of diversity
- Their awareness of changes in society
- Their knowledge and understanding of human rights

It is not enough to have a Constitution that guarantees that all people are equal before the law. The Constitution has also to be upheld, and this means that lawyers should believe in it and be prepared to act accordingly.

For the legal profession, this will mean:

- Making it easier for people to use their services
- Making their services more affordable
- Ensuring that the profession is sensitive and responsive to peoples' different needs
- Making the profession representative of all the people who live in South Africa

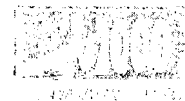
#### ***Representivity***

Lawyers in South Africa will have to start a process of internal self-appraisal, and also one that will make the profession itself more representative.

At present the profession does not reflect the diverse nature of the South African society. Disadvantaged groups, especially black people, are not well represented in the legal profession. Few black graduates are able to enter the profession. To a lesser extent, the same is true of white female graduates. Of those that do enter the profession, only a few develop specialised expertise in areas like corporate law, tax law, commercial law and constitutional practice.

The profession must become more representative. To do this, lawyers will have to:

- Institute programmes that complement the expertise and exposure of aspirant and legal professionals from historically disadvantaged groups
- Remove the constraints that make access to the profession unduly difficult, and sometimes impossible
- Improve professional training programmes and strengthen the capacity of existing training institutions
- Change the uneven distribution of expertise because the concentration of certain specialised expertise in particular segments of the profession, increases the cost of such services



## ***Access to Lawyers***

Most people cannot afford legal representation or legal advice. This is partly because court cases take a long time, and partly because lawyers charge excessive fees. This situation is made worse by the stratified nature of the legal profession. A client who has a case in a high court usually still has to pay for the services of both an attorney and an advocate or sometimes two advocates, despite the fact that attorneys can now get right of appearance in the high courts.

Other areas of concern about access are:

- The reservation of certain kinds of legal work, like the conveyancing of fixed property, to the private legal profession
- The fact that most people do not really understand the role of lawyers and the workings of the legal system, so they easily believe that lawyers are there only to serve the interests of rich people and large companies
- The concentration of lawyers in urban centres. This leaves rural communities with very few professional legal services

## ***The Role of The Department of Justice***

The Department of Justice is reluctant to exert pressure on the legal profession because it could be interpreted as interference.

But the Department believes that transformation of the profession is essential. The way that the legal profession operates must be brought into line with the values in the Constitution. In particular, it is necessary to transform the composition of:

- The profession
- Its governing bodies

We will therefore start facilitating a framework for discussions with the governing bodies of the legal profession on the question of transformation. This will have to go beyond merely examining the governing bodies and their admission procedures. It will also have to address the values and the assumptions that underlie the present legal profession.

There are many questions that we must ask:

- Should legal education be primarily geared towards private practice?
- Should legal education not also focus more on the public sector?
- How should legal education be standardised and harmonised among the various training institutions?
- How can this be done without undermining each institution's academic freedom?
- How should public money be allocated to law schools to ensure that lawyers from disadvantaged groups are able to enter and develop careers within the profession?

We are also challenged to remove the present artificial barriers of entry into the profession, and to make reasonable arrangements for practical post-graduate training of advocates and attorneys, especially in the light of the proposed new uniform law degree.

The Department will have to initiate discussions with all role players, including the public, to facilitate the transformation of the legal profession. Hopefully, after that, the legal profession will be willing to address the issues itself. Then the Department will play a facilitating role in the discussion and also prepare the necessary legislation for any reforms.



## **B The Strategic Goals and Key Indicators of Success**

<b>Strategic Goals</b>	<b>Indicators of Success</b>
<b>1. A legal profession that is representative and accessible, and that reflects the diversity of South African society</b>	1 More people entering the legal profession 2 A representative group of people entering the legal profession 3 Vertical and horizontal mobility in the legal profession and related branches 4 Opportunities to acquire and transfer skills
<b>2. An affordable legal system</b>	1 More legal representation 2 More attorneys offering voluntary services 3 Fewer complaints about legal fees
<b>3. High standards in the legal profession</b>	1 Uniform training and admission standards 2 Mechanisms for acting against fraudulent and negligent behavior by lawyers 3 Fewer complaints about professional misconduct

## **C The Strategies**

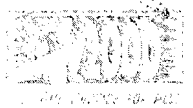
- 1. We aim to achieve a legal profession that is representative and accessible and that reflects the diversity of South African society. We will use the following strategies:**
  - 1.1 Developing policies that support uniform standards and procedures for entry into all branches of the legal profession. This framework will include alternative ways of entering the profession.
  - 1.2 Developing policies, opportunities and structures that will ensure mobility within the legal profession, especially for lawyers from disadvantaged backgrounds. This will include encouraging of companies, attorneys and government departments to engage the services of previously disadvantaged attorneys and advocates, and providing alternative ways of entering the profession for previously disadvantaged people.
- 2. We aim to achieve an affordable legal system. We will use the following strategies:**
  - 2.1 Promoting policies and programmes that will increase awareness of the services provided by the legal profession and facilitate access to them. This will include providing assistance to consumers on information about the cost of various legal services, from flat-rate transactions such as wills and conveyancing through to rates and charging practices in more complex areas.
  - 2.2 Promoting policies that will rationalise the legal profession. This will include an investigation into the merits and demerits of a fully integrated legal profession.
- 3. We aim to achieve high standards in the legal profession. We will use the following strategies:**
  - 3.1 Reviewing the training that takes place in law schools and professional training institutions to make sure that standards are comparable and that curricula are relevant.
  - 3.2 Reviewing all aspects of governance, admission and professional standards to ensure effectiveness and public accountability.
  - 3.3 Promoting programmes that will facilitate continuing legal and professional education so that our legal professionals will maintain high standards and be aware of, and responsive to the diverse needs of people in South Africa.



## **D The Action Plans**

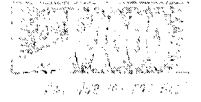
### **GOAL NUMBER 1**

We aim to achieve a legal profession that is representative and accessible and that reflects the diversity of South African society

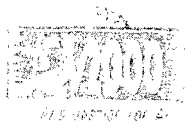


<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<b>1.1</b> Developing policies that support uniform standards and procedures for entry into all branches of the legal profession This framework will include alternative ways of entering the profession	1 The range of alternative methods of entry into the legal profession 2 The percentage increase in number of graduates given articles and pupillage 3 The range and availability of bursaries and related assistance for legal training 4 A common governing body for the profession	<b>LP001</b> Examine alternative methods of entry into the legal profession  <b>LP002</b> Strengthen schemes and mechanisms for obtaining and enhancing legal qualifications	Legislation and Research  Human Resources	Multi-entry framework into the profession  Bursaries and support programmes for graduates	JUN 1997  Ongoing
		<b>LP003</b> Examine possibility of creating uniform standards of entry for all branches of the legal profession	Legislation and Research	An integrated legal profession	Ongoing

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.



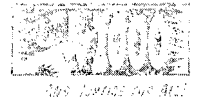
STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>1.2</b> Developing policies, opportunities and structures that will ensure mobility within the legal profession, especially for lawyers from disadvantaged backgrounds</p> <p>This will include encouraging of companies, attorneys and government departments to engage the services of previously disadvantaged attorneys and advocates, and providing alternative ways of entering the profession for previously disadvantaged people</p>	<p>1 The number of lawyers from disadvantaged backgrounds in senior professional position (Senior counsel)</p> <p>2 Number of specialised training courses.</p> <p>3 Number of lawyers from disadvantaged background appointed to high positions in the judiciary</p>	<p><b>LP004</b> Facilitate the development of a national controlling body for branches of the profession</p> <p><b>LP005</b> Review criteria for nomination to the judiciary and recognition within the profession</p> <p><b>LP006</b> Support the provision of the accelerated training opportunities and exposure to lawyers from disadvantaged groups in diverse areas of the law</p>	<p>Legislation and Research</p> <p>Lead: Legal Services                      Support: Human Resources</p> <p>Human Resources</p>	<p>Consultations completed and draft proposals by AUG 1998</p> <p>Review guidelines for nomination to judiciary and recognition within the profession by OCT 1998</p> <p>Continuing legal education programmes commenced in 1996 and new programmes to be launched by MAR 1998</p>	<p>Implemented by 1999</p> <p>APR 1999 to MAR 2002</p> <p>MAR 1996 to MAR 2002</p>



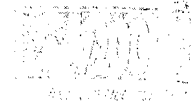
## **GOAL NUMBER 2**

We aim to achieve an affordable legal system





STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.1</b> Promoting policies and programmes that will increase awareness of the services provided by the legal profession and facilitate access to them</p> <p>This will include providing assistance to consumers and information</p> <p>Information will include the cost of various services, from flat-rate transactions such as wills and conveyancing through to rates for more complex areas</p>	<p>1 Average cost of legal services</p> <p>2 The range of information outlets in legal services</p>	<p><b>LP007</b> Review tariffs for professional services</p> <p><b>LP008</b> Encourage recognition of paralegals and law students through legal aid clinics</p> <p><b>LP009</b> Spread information through pamphlets, on-line communication and other media on services provided by the legal profession and the cost of services</p>	<p>Legislation and Research</p> <p>Legal Services</p> <p>Lead: Legal Services                      Support: Corporate Services</p>	<p>Reviewed guidelines on tariffs</p> <p>Draft legislation on recognition of paralegals and law students</p> <p>An information network on legal services in place by OCT 1998</p>	<p>1999</p> <p>1999</p> <p>OCT 1998 to MAR 2002</p>
<p><b>2.2</b> Promoting policies that will rationalise the legal profession</p> <p>This will include an investigation into the merits and demerits of a fully integrated legal profession</p>	<p>1 Mobility within various branches of the legal profession</p>	<p><b>LP010</b> Undertake a study on the merits and demerits of a single profession</p> <p><b>LP011</b> Organise a symposium on transformation of the legal profession to discuss issues of entry, advancement, integration, governance and the role of the profession in the transformation process</p>	<p>Legislation and Research</p> <p>Lead: Legal Services                      Support: Human Resources</p>	<p>Programme for the transformation of the legal profession by JUN 1998</p> <p>Recommendation by JUN 1998</p>	<p>Implemented by 2000</p> <p>APR 1998 to MAR 2002</p>



## **GOAL NUMBER 3**

We aim to achieve high standards in the legal profession



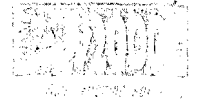
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.1</b> Reviewing the training that takes place in law schools and professional training institutions to make sure that standards are comparable and that curricula are relevant</p>	<ol style="list-style-type: none"> <li>1 Number of law schools using reviewed LLB degree</li> <li>2 Number of law school, with practical training facilities</li> <li>3 Percentage and demographic profile of graduates entering various branches of the legal profession annually, with an emphasis on race and gender</li> </ol>	<p><b>LP012</b> Review regulations relating to LLB degree</p> <p><b>LP013</b> Increase capacity of historically disadvantaged universities</p> <p><b>LP014</b> Increase practical training outlets, prioritising the need to render the profession representative</p>	<p>Legislation and Research</p> <p>Human Resources</p> <p>Lead: Human Resources                      Support: Legal Services</p>	<p>Draft legislation on new LLB degree</p> <p>Increased funding, infrastructural support and co-operation between historically advantaged and historically disadvantaged universities</p> <p>At least 50% increase in practical training outlets by FEB 1999</p>	<p>Implemented by JAN 1998</p> <p>OCT 1997 to MAR 2002</p> <p>1997 to MAR 2002</p>



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.2</b> Reviewing all aspects of governance, admission and professional standards to ensure effectiveness and public accountability</p>	<p>1 Incidence of unresolved consumer complaints about legal practitioners</p> <p>2 Success rate in institutional inter-graduation</p> <p>3 Mobility rate between various branches of the profession</p>	<p><b>LP015</b> Investigate the effectiveness of consumer protection and professional accountability with regard to the provision of legal services by legal practitioners</p> <p><b>LP016</b> Rationalise standards and governance structures in the legal profession to facilitate lateral mobility and comparable standards</p> <p><b>LP017</b> Develop a multiple entry framework which facilitates entry into and mobility between various branches of the profession</p>	<p>Legal Services</p> <p>Legal Services</p> <p>Legislation and Research</p>	<p>Public hearings by OCT 1998</p> <p>Recommendation by OCT 1998</p> <p>Report including recommendations by OCT 1998.</p>	<p>New framework by MAR 2002</p> <p>Implemented by MAR 2001</p> <p>Implemented by DEC 1998</p>



STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>3.3</b> Promoting programmes that will facilitate continuing legal and professional education so that our legal professionals will maintain high standards and be aware of, and responsive to the diverse needs of people in South Africa</p>	<p>1 Number of professional development programmes &amp; profile of target groups</p> <p>2 Level of representativeness in the various structures and levels of the profession</p> <p>3 Social context training for the legal profession</p>	<p><b>LP018</b> Support programmes aimed at accelerated professional development with emphasis on specialised legal skills for historically disadvantaged professionals</p> <p><b>LP019</b> Support programmes that encourage dialogue between communities and the legal profession while sensitising the profession to the social context of the diverse South African communities and social groups</p> <p><b>LP020</b> Facilitate the implementation of accelerated measures to foster the achievement of equitable representation of historically disadvantaged groups in all structures and levels of the legal profession</p>	<p>Lead: Human Resources                      Support: Legal Services</p> <p>Lead: Legal Services                      Support: Corporate Services / Regional Coordination</p> <p>Legal Services</p>	<p>A commercial training programme has commenced with the support of academic institutions and the donor community</p> <p>National legal forum by DEC 1998</p> <p>Appointment of a representative task team to investigate problems with emphasis on race, gender and disability, make recommendations done by OCT 1997</p>	<p>NOV 1996 to MAR 2002</p> <p>Ongoing</p> <p>Implement recommendations between APR 1998 and MAR 2002</p>



## **7 State Legal and Legislative Services**

### **A The Challenges**

The Department of Justice administers three divisions that supply legal and legislative services to the national government and the provincial governments. They are:

- The Office of the State Attorney
- The Office of the State Law Advisor
- The South African Law Commission

#### ***The State Attorneys***

The state attorneys are the government's lawyers. They are qualified attorneys who work on behalf of the central government as attorneys, notaries and conveyancers. Like any other attorneys, they act on the instructions of their clients. In this case however, all the clients come from the various government departments. State attorneys handle:

- Criminal cases
- Civil claims and actions
- Notarial work
- Contracts
- Legal advice

Aside from the services they provide for the national government, state attorneys also:

- Act for the provincial governments if there is no conflict between the national government and the provincial government in the particular case
- Do legal work for various statutory bodies in which the government has financial or other interests

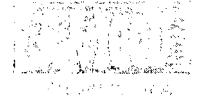
State attorneys save the central government and the provincial governments millions of rands in legal fees every year because they do not charge the departments for their services. Client departments do however have to pay for any expenses and all costs that have to be paid to opponents. Expenses include things like advocates' fees, sheriffs' fees and so on.

All legal costs that state attorneys get from opponents, are paid into the Consolidated Revenue Fund for Central Government Departments.

#### ***The State Law Advisors***

The state law advisors do the following:

- Draft and check parliamentary legislation
- Review government contracts
- Give legal opinions to the executive, to government departments and to statutory bodies
- Check subordinate legislation to make sure that is clear, correct and legal
- Scrutinise international agreements to make sure that they are not in conflict with the Constitution or with any South African municipal laws



### ***The South African Law Commission***

The South African Law Commission does research on law reform. It issues papers and reports and often drafts legislation if client departments ask for it.

### ***The Effect of the Constitution***

The new Constitution challenges the way that the state runs its legal affairs. Here are some of the challenges:

- The national government has grown in size
- There are nine new provinces with legislative and executive powers
- We need more people, and people with better skills
- State Law Services are not available everywhere
- We need more specialist people to handle a variety of legal issues. Many government departments are having to use external legal specialists and this is expensive
- The state attorney's office is too small to cope with the legal needs of all the government departments

The Constitution has also introduced a new value system, one that is based on human rights and democracy. At the same time the government has introduced a policy of reconstruction and development. This means that the people who are handle state legal affairs have now to give a different kind of service.

- Law advisors will have to make sure that draft legislation, government contracts, and legal opinions, are all in keeping with the new values
- State attorneys will have to handle litigation and debt collection services for the state in terms of the new values
- Everybody in the Department will have to be able to deliver fast service that is of a high quality
- The Department will have to be pro-active about promoting fair and equal access to justice

To do this, we will implement training programmes on the values in the Constitution, particularly human rights, and on the government's policy for reconstruction and development. We will have to make sure that peoples' mindsets and attitudes are compatible with the new values, and that they are committed to the goals of the new government.

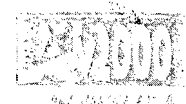
### ***A Representative Public Service***

The Constitution prescribes a representative public service. This places a duty on us to remove any artificial barriers that stop historically disadvantaged people from getting into the various professional ranks.

We will have to implement measures to attract, fast track and retain suitably qualified people from historically disadvantaged groups. So far, it has been difficult to attract new people and to retain experienced people because of heavy workloads, poor working conditions, low salaries and environments that do not support diversity. The loss of these people robs the Department of much-needed skills and experience, and prevents us from achieving our goal of a representative public service.

To make our Department representative, we will have to:

- Review the existing public service policies and regulations
- Adopt policies to facilitate the lateral recruitment of historically disadvantaged professionals from the private sector
- Improve peoples' working conditions in the whole Department
- Promote equality of employment opportunities
- Create opportunities for women to advance in their career paths



### ***Transforming the Institutions***

We will have to review the entire institutional framework for the administration of state legal affairs. Many of the existing laws do not conform with the Constitution. For example, the State Attorney's Act, No 56 of 1957 did not anticipate a unified South Africa with nine provincial governments that have substantial legislative powers. As a result, some of the provinces are now arguing for the establishment of provincial state attorneys.

The appropriate role of the state law advisors and how they should be organized in the new democracy, also needs some rethinking. Among other things, we will have to address issues like:

- Closeness of the services to users
- Accessibility
- Familiarity with the specific legal needs of client departments
- Capacity to handle issues quickly and responsively
- The position of provinces in cases of conflict, or potential conflict, with the central government or other provinces

These issues need to be addressed urgently because they have implications for fiscal discipline and for the common standards and practices in the justice system.

### ***Common Standards and Practices***

We need to make sure that common standards and practices become a part of the state legal and legislative services. At present, the lack of common standards and practices is causing problems, among them, the following:

- The offices of the state attorneys are located in the divisions of the high courts and each one operates according to its own standards and practices, and there is no policy framework except for the common standards set out in the national Treasury directives
- The provinces have state law advisors that are not connected to the national law advisors
- The Department of International Affairs handles the international legal affairs of the government and the Department of Justice handles matters like extradition treaties, extradition processes and the application of international legal documents but there are no common standards
- There are no common practices for handling the criminal and delictual matters that could arise from the deeds of the state or its employees during the apartheid era

These problems can only be solved with the creation of deliberate government policies and regulations.



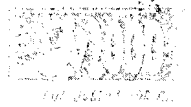


## B The Strategic Goals and Key Indicators of Success

Strategic Goals	Indicators of Success
<b>1. Policy and institutional cohesion in the administration of state legal affairs and the legislative process</b>	1 Fewer public complaints about the state's inconsistent litigation policies 2 All laws or regulations will be consistent with the Constitution 3 More policy consultations with other government departments and the public 4 More cases dealt with by state attorneys 5 More contracts awarded to historically disadvantaged professionals
<b>2. Systems that support efficient and economic delivery of responsive and effective legal and legislative services to government</b>	1 Fewer complaints by client departments about the services of the state attorneys 2 Fewer cases defended unsuccessfully by the state 3 More money collected through the state attorney's office 4 Faster processing of legislation
<b>3. Representative institutions that are based on sound and fair human resource policies</b>	1 Representivity in the offices of the state law advisors and state attorneys 2 Lower staff turnover 3 More people trained in legal drafting

## C The Strategies

1. **We aim to achieve policy and institutional cohesion in the administration of state legal affairs and the legislative process. We will use the following strategies:**
  - 1.1 Rationalising the state attorneys' office to ensure, effective and efficient coordination, an even distribution of service outlets, avoidance of duplication and integration of personnel from establishments in the former fragmented departments.
  - 1.2 Developing policies that foster consistency and the promotion of the values in the Constitution. Developing government policies on reconstruction and development and at the same time ensuring that the government can meet its international obligations in the administration of the legal affairs of government departments, provinces and parastatals.
  - 1.3 Redesigning the legislative process to make sure that it is efficient and rational and cost effective.
2. **We aim to achieve systems that support efficient and economic delivery of responsive and effective legal and legislative services to government. We will use the following strategies:**
  - 2.1 Updating the information systems that the people in state legal and legislative services use so that data can be stored effectively, and so that there is easy and efficient access to relevant legal information such as case law, law reports and international jurisprudence.



- 2.2 Reorganising the offices of the state attorney and state law advisor to make sure that the people who work there are responsive to the special needs of different government departments and where appropriate, to provincial administrations as well.
- 2.3 Providing systems for efficient case management so that litigation costs are lower, and that cases involving the government are resolved speedily.

**3. We aim to achieve representative institutions that are based on sound and fair human resource policies. We will use the following strategies:**

- 3.1 Implementing the employment equity policy of the Department through programmes that seek to achieve horizontal and vertical representation of historically excluded groups of people and that will remove all artificial barriers to entry and advancement in the profession and to remaining in the profession.
- 3.2 Re-engineering human resource policies and systems to create a framework that fosters professionalism, motivation and stability among all the people that are involved in the provision of legal services.



## **D The Action Plans**

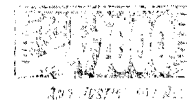
### **GOAL NUMBER 1**

We aim to achieve policy and institutional cohesion in the administration of state legal affairs and the legislative process



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.1</b> Rationalising the state attorneys' office to ensure, effective and efficient co-ordination, an even distribution of service outlets, avoidance of duplication and integration of personnel from establishments in the former fragmented departments</p>	<p>1 Time taken to process cases in-house as against time taken by external agencies</p> <p>2 Incidence of overlap between state attorney's work and work of state law advisors</p>	<p><b>LS001</b> Audit current establishments in terms of capacity, location and personnel</p> <p><b>LS002</b> Investigate the feasibility of reviewing the State Attorneys Act of 1957 to integrate the state attorney and legal advisor institutions into a single, integrated national entity with regional and sub-regional branches along the lines of the National Prosecution Authority</p>	<p>Lead: Corporate Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Legislation and Research / State Legal Advice / Regional Co-ordination</p>	<p>Planning, terms of reference and appointment of executing agency by MAR 1998</p> <p>Draft legislation by SEP 1998</p>	<p>MAR 1998 to MAR 1999</p> <p>Implemented Act by SEP 1999</p>

**Note:** The costing of the action plans will be done within the six branches of the Department as part of the rolling planning cycle.



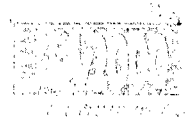
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.2</b> Developing policies that foster consistency and the promotion of the values in the Constitution</p> <p>Developing government policies on reconstruction and development</p> <p>Ensuring that the government can meet it's international obligations in the administration of the legal affairs of government departments, provinces and parastatals</p>	<p>1 Number of harmonised laws</p> <p>2 Incidence of inconsistent policy approaches between departments</p>	<p><b>LS003</b> Develop a policy to clarify the role of the national state attorney and legal advisor in relation to the provincial governments</p> <p><b>LS004</b> Review and clarify policies relating to the state attorney's role in defending employees and former state employees in criminal and delictual matters to ensure certainty and compliance with Constitutional values</p> <p><b>LS005</b> Establish a common approach to delictual actions brought against the current government for human rights violations, arising from the apartheid era to ensure that all actions are dealt with in a manner that is consistent with constitutional values</p> <p><b>LS006</b> Update guidelines on briefing policy to limit unnecessary expenditure and avoid reinforcing historical race and gender disparities</p>	<p>Lead: State Legal Advice                      Support: Legal Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / State Legal Advice</p>	<p>Draft recommendations and intergovernmental meeting by MAR 1998</p> <p>Draft guidelines and national intergovernmental meeting by MAR 1998</p> <p>Draft policy recommendations and national intergovernmental meeting by JUN 1998</p> <p>Draft policy guidelines agreed upon by SEP 1998</p>	<p>APR 1998 to MAR 1999</p> <p>JUL 1998 to JUN 1999</p> <p>OCT 1998 to SEP 1999</p> <p>OCT 1998 to SEP 1999</p>

<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>1.3</b> Redesigning the legislative process to make sure that it is efficient and rational and cost effective</p>	<p>1 Average time taken to process legislation                      2 Increase in cost of drafting legislation</p>	<p><b>LS007</b> Commission a study into the problems of the current legislative process and approaches in comparable jurisdictions</p> <p><b>LS008</b> Convene a national intergovernmental conference to examine the current legislative process and consider working options, including the feasibility of a National Legislation Services Unit</p>	<p>Lead: Legislation and Research                      Support: Legal Services / State Legal Advice</p> <p>Lead: Legislation and Research                      Support: Legal Services</p>	<p>Planning, resource allocation and appointment of executing agency by MAR 1998</p> <p>Planning completed by MAR 1998</p>	<p>MAR 1998 to MAR 1999</p> <p>To take place by JUN 1998</p>
		<p><b>LS009</b> Commission a study into the feasibility of a national legislative framework incorporating a National Legislative Services Unit and consider the respective roles of the state law advisor and legislation branch of the DoJ, including the role of the SA Law Commission</p>	<p>Lead: Legislation and Research                      Support: Legal Services</p>	<p>Draft report by SEP 1998</p>	<p>Implemented from SEP 1998 to MAR 2000</p>
		<p><b>LS010</b> Pilot the concept of a national legislative drafting training institute incorporating the concept of simple language with technical assistance from international development agencies</p>	<p>Lead: Human Resources                      Support: Legislation and Research / State Legal Advice</p>	<p>Planning, resource allocation and recruitment of first group of trainees by MAY 1999</p>	<p>JUN 1999 to MAY 2002</p>



## **GOAL NUMBER 2**

We aim to achieve systems that support efficient and economic delivery of responsive and effective legal and legislative services to government



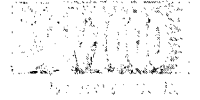
<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>2.1</b> Updating the information systems that the people in state legal and legislative services use, so that data can be stored effectively, and so that there is easy and efficient access to relevant legal information such as case law, law reports and international jurisprudence</p>	<p>1 Number of state legal institutions with on-time communication network</p> <p>2 Number of computerised information services</p>	<p><b>LS011</b> Upgrade infrastructure and administrative systems in the former TBVC states and self-governing territories, to bring them into line with other offices</p> <p><b>LS012</b> Implement an information system that ensures access for all governmental law advisors and attorneys, as well as the SA Law Commission and legal services division, to national and international information data systems of mutual interest</p>	<p>Lead: Corporate Services                      Support: Regional Co-ordination</p> <p>Corporate Services</p>	<p>Needs assessment done by OCT 1997</p> <p>Planning and allocation of resources by MAR 1998</p>	<p>APR 1998 to MAR 2001</p> <p>APR 1998 to MAR 2001</p>





STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.2</b> Reorganising the offices of the state attorney and state law advisor to make sure that the people who work there are responsive to the specialised needs of different government departments and where appropriate, to provincial administrations as well</p>	<p>1 Incidence of successful use of internal resources in specialised cases</p> <p>2 Number of specialist professionals in government employ</p> <p>3 Number of interdepartmental meetings to discuss legal services</p>	<p><b>LS013</b> Conduct an assessment of needs of various state departments with regard to specialist legal matters</p> <p><b>LS014</b> Reorganise the offices of the state attorney into specialist units to facilitate meeting the specialist legal needs of client departments</p> <p><b>LS015</b> Investigate the possibility of secondment of state attorneys to various government departments and if necessary, to provincial administrations to promote accessibility to users</p> <p><b>LS016</b> Organise regular dialogue with client departments to get feedback on services and information on further needs</p>	<p>Support: Legal Services / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: State Legal Advice / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / State Legal Advice / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: State Legal Advice / Regional Co-ordination</p>	<p>Appointment of task team by MAR 1998</p> <p>Pilot project up and running in office by OCT 1998</p> <p>Consultations with client departments completed by JUN 1998</p> <p>Ongoing</p>	<p>MAR 1998 to MAR 1999</p> <p>OCT 1998 to MAR 2002</p> <p>JUN 1998 to DEC 1999</p> <p>Ongoing</p>

STRATEGY	KPIs	ACTION PLANS	RESPONSIBILITY	MILESTONES	TIME FRAME
<p><b>2.3</b> Providing systems for efficient case management so that litigation costs are lower, and that cases involving the government are resolved speedily</p>	<p>1 Number of early settlements reached through ADR</p> <p>2 Percentage of national budget spent on litigation costs</p> <p>3 Average time taken to settle legal disputes</p>	<p><b>LS017</b> Introduce guidelines encouraging the use of informal dispute resolution options in civil proceedings to encourage early settlements and save litigation costs</p> <p><b>LS018</b> Introduce time limits for case handling to encourage speedy handling of cases</p> <p><b>LS019</b> Encourage teamwork to ensure that cases are not delayed due to the absence of the professional who is handling such a case</p> <p><b>LS020</b> Provide adequate administrative and professional support to maintain high standards</p>	<p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p> <p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Training in ADR for all professionals by OCT 1998</p> <p>Audit of current practices by OCT 1998</p> <p>Needs assessment completed by OCT 1997</p> <p>Needs assessment by OCT 1997</p>	<p>OCT 1998 to SEP 1999</p> <p>APR 1998 to MAR 2002</p> <p>APR 1998 to MAR 2002</p> <p>APR 1998 to MAR 2002</p>



## **GOAL NUMBER 3**

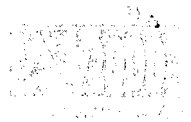
We aim to achieve representative institutions that are based on sound and fair human resource policies



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.1</b> Implementing the employment equity policy of the DoJ through programmes that seek to achieve horizontal and vertical representation of historically excluded groups of people and that will remove all artificial barriers to entry and advancement in the profession and to remaining in the profession</p>	<p>1 Demographic profile of state attorneys, advisors and legal drafters</p> <p>2 Incidence of conflict related to management of diversity</p> <p>3 Staff fluctuation by race and gender</p>	<p><b>LS021</b> Implement accelerated measures to identify and fast track suitably qualified persons from historically excluded groups for recruitment and advancement, including training, to ensure retention</p>	<p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Achievement of targets set out by the Public Service Commission for 1999</p>	<p>1996 to 2002</p>
		<p><b>LS022</b> Conduct an audit of the culture, systems and practice in relevant institutions to identify and eliminate all those barriers to entry, advancement and retention that have no demonstrable relationship to job performance</p>	<p>Lead: Legal Services                      Support: Human Resources / Regional Co-ordination</p>	<p>Planning and appointment of executing agency by MAR 1998</p>	<p>MAR 1998 to DEC 1998</p>



<b>STRATEGY</b>	<b>KPIs</b>	<b>ACTION PLANS</b>	<b>RESPONSIBILITY</b>	<b>MILESTONES</b>	<b>TIME FRAME</b>
<p><b>3.2</b> Re-engineering human resource policies and systems to create a framework that fosters professionalism, motivation and stability among all the people that are involved in the provision of legal services</p>	<ol style="list-style-type: none"> <li>1 Staff turnover</li> <li>2 Average output per professional person</li> <li>3 Fewer valid complaints by client departments concerning quality of work</li> </ol>	<p><b>LS023</b> Conduct an investigation into salaries and the current reward system and make recommendations concerning market-related scales and appropriate reward practices to promote high levels of motivation and productivity</p> <p><b>LS024</b> Review public service regulations to provide a framework that supports sound human resource policies to allow the DoJ to attract and retain suitably qualified professionals to provide high quality legal and legislative services to the state</p> <p><b>LS025</b> Develop and implement professional development programmes to orient new personnel and to improve the skills, knowledge and attitudes of serving personnel involved in providing legal and legislative services to government</p>	<p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p> <p>Lead: Human Resources                      Support: Regional Co-ordination</p>	<p>Planning and appointment of executing agency by MAR 1998</p> <p>Planning and appointment of executing agency by MAR 1998</p> <p>Allocation of adequate resources and programme and running by JUN 1998</p>	<p>MAR 1998 to DEC 1998 &amp; implemented by APR 1999 to MAR 2002</p> <p>MAR 1998 to DEC 1998 &amp; implemented by APR 1999 to MAR 2002</p> <p>JUN 1998 to JUL 2002</p>



## CHAPTER 3

# IMPLEMENTATION and MONITORING

The administration of justice is part of the work of the national government. In terms of the Constitution, the national government has to make sure that:

- Everybody is treated equally before the law
- Everybody has equal access to the justice system
- There is only one, uniform system of justice
- Justice is applied in exactly the same way everywhere in the country

During the time of apartheid, the justice system did not work like this. People were not equal before the law. They did not have equal access to justice, and the Department of Justice was subdivided into eleven separate justice systems. This has now changed.

### **The Management Structure**

On 1st October 1994, we joined the eleven different departments to form one, unified Department of Justice.

The new Department of Justice has more than 13 900 people working in it. They work in 540 sub-offices in about 610 buildings throughout the country. The head office is in Pretoria. We are now setting up regional offices in all the provinces. This will rationalise and decentralise the work of the Department and bring it closer to the people.

The political head of the Department is the **Minister of Justice**, Dr A M Omar. He is a member of the Cabinet and a Member of Parliament. He is responsible for the policy of the Department.

The Minister is assisted by the **Deputy Minister of Justice**, Dr Tshabalala-Msimang. She is also a member of Parliament. The Minister delegates some of his powers to her.

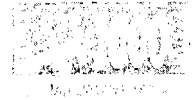
The administrative head of the Department is the **Director-General of Justice**. He is also the chief Accounting Officer of the Department.

The Department is divided into six branches. Each branch has a separate function and is headed by a **Deputy-Director General**. The branches are:

- State Legal Advice
- Legal Services
- Legislation and Research
- Regional Coordination
- Corporate Services
- Human Resources

Below each Deputy-Director General is at least one Chief Director. Below each **Chief Director** there is at least one **Director**.

The organisational structure of the Department is shown in Table 1.



## The Change Management Structures

Change Management has two distinct, but inter-related phases:

- The Planning Phase
- The Implementation Phase

The Planning Phase is handled by the **Change Management Team**. The Implementation Phase is handled by the **Implementation Structure**.

### The Change Management Team

The Change Management Team will drive the transformation process. They will mark the process from year to year with an annual *Lekgotla*, or meeting of the elders. The Minister, the Deputy Minister, the Director-General and the six Deputy-Directors General together form the Change Management Team.

The Change Management Team will supervise the **planning processes**. In this work, they will be assisted by the **Corporate Planning Team** who will:

- Act as the secretariat for the Change Management Team
- Coordinate the planning process, that is, the time frames, the planning and budgeting structures and the formats
- Organise the meetings of the National Justice Transformation Forum and the National Justice Consultative Forum

The Change Management Team will also be assisted by seven Strategy Teams. There is one **Strategy Team** for each of the seven Key Result Areas described in *Justice Vision 2000*. Each Strategy Team consists of:

- A Deputy-Director General (Chairperson)
- Chief Directors
- Directors
- The key role players from Head Office
- The key role players from the regional offices and sub-offices
- Representatives of the organised legal profession, NGOs and technical advisors, depending on the nature of the specific Key Result Area

### The Implementing Structure

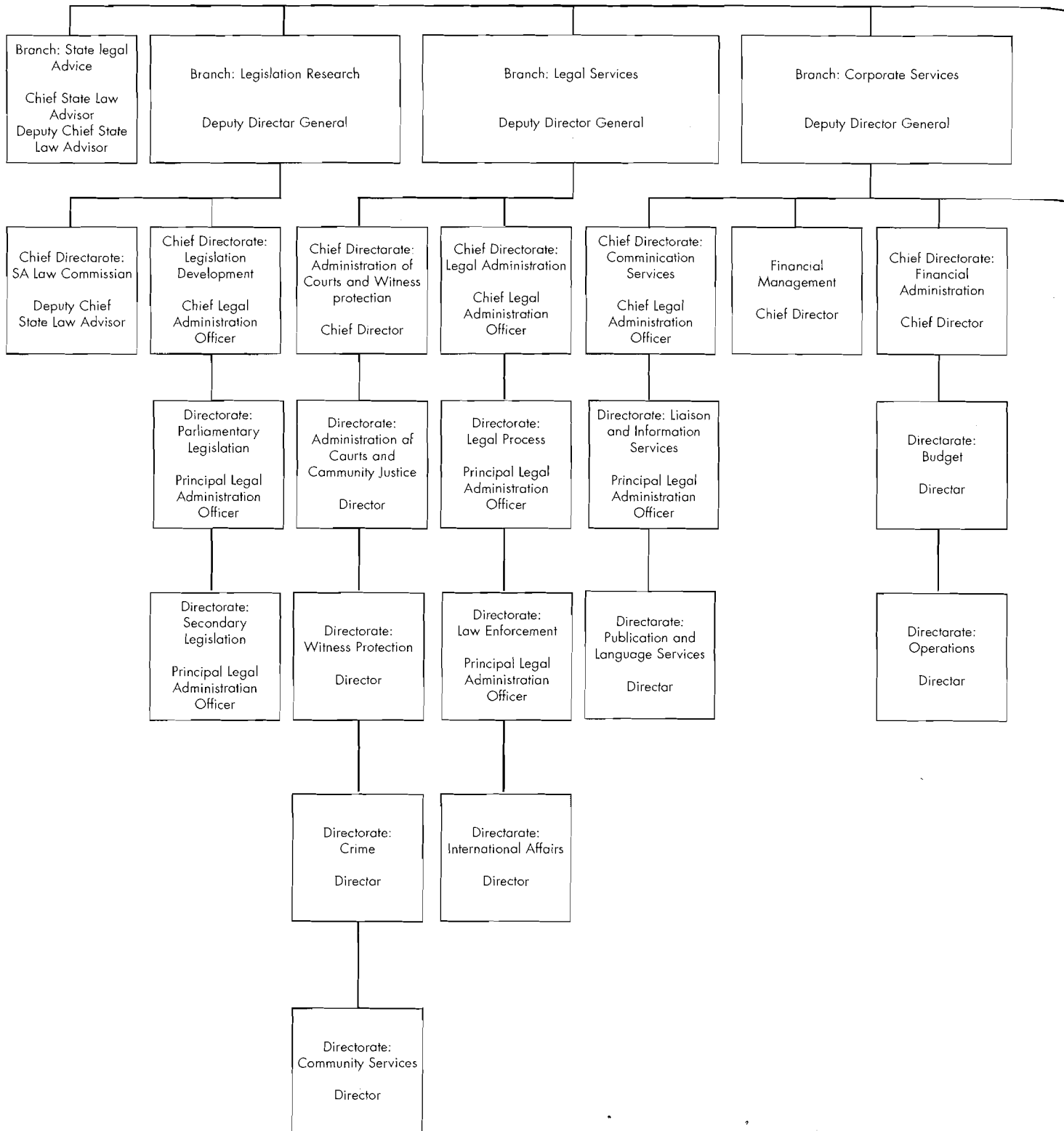
The Director General and the six Deputy-Directors General **implement** the plans, and run the Department from day to day.

The implementing structure within the Department looks like this:

- The Deputy-Directors General, the Chief Directors and the Directors, together with the nine Regional Office Heads, form the **Senior Branch Management**
- At provincial level, the nine Regional offices of the Department are headed by the **Regional Management**
- All **Units** in the Department

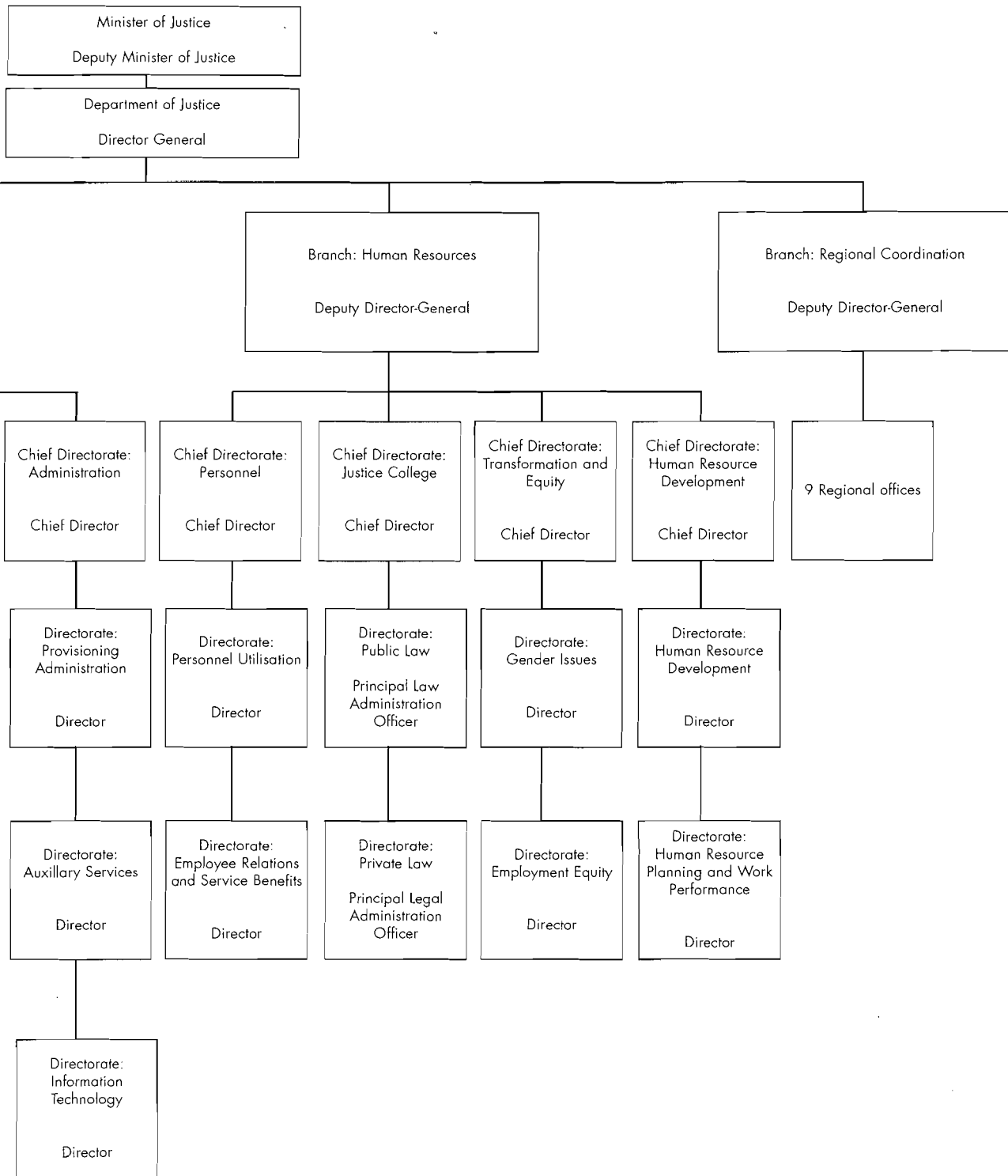
### Change Management Forums

During the transformation process it is essential to consult as widely as possible, so that the process is relevant and focussed at all times. We envisage two forums for consultation:



**Table 1: The Organisational Structure of the Department of Justice**



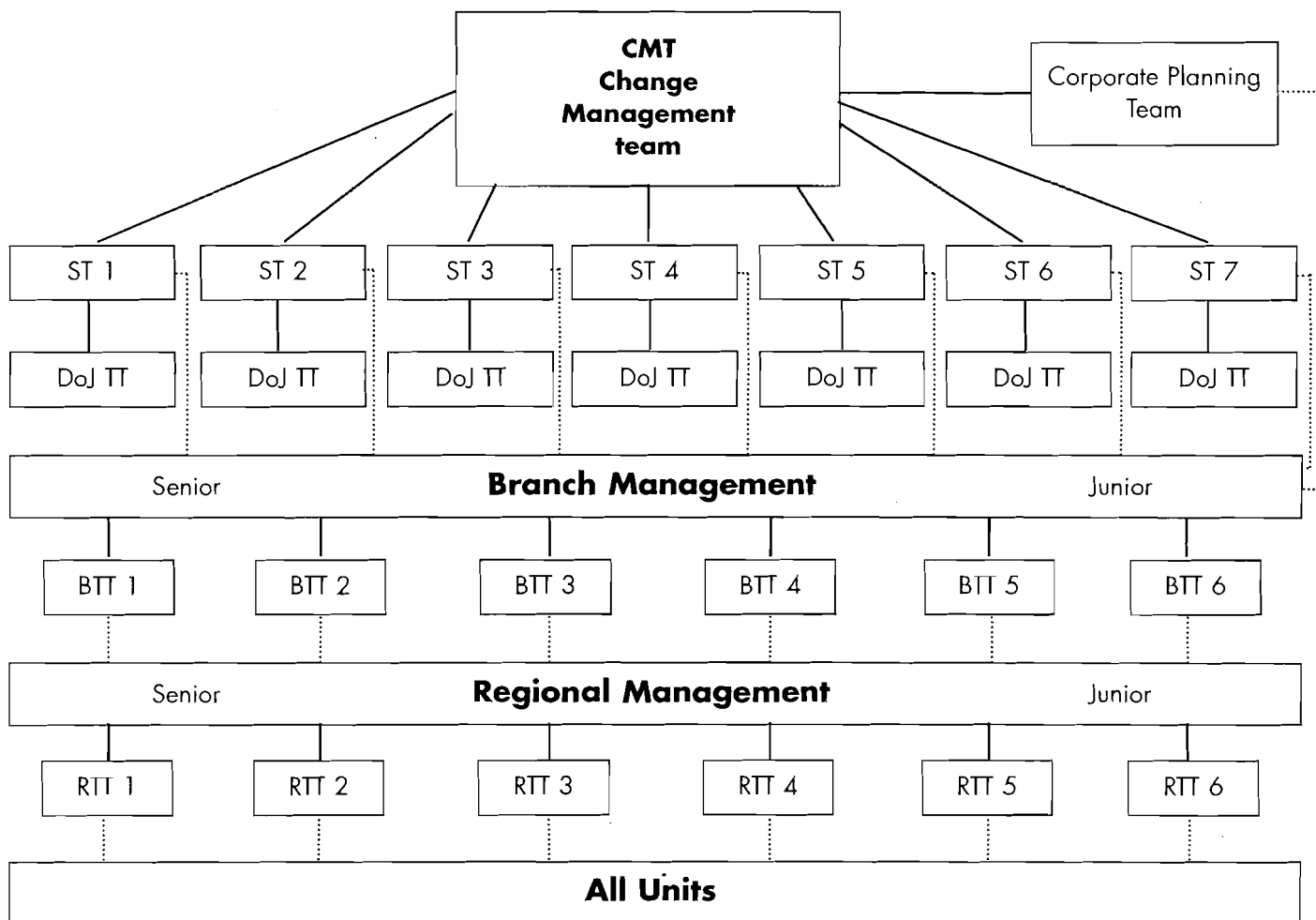




- A **National Justice Transformation Forum**, consisting of all the role players in the justice system, will meet at least twice a year, to deliberate and advise the Minister on the transformation process.
- A **National Justice Consultative Forum** will meet at least once every year. It will consist of a broader section of role players and interest groups in the justice system. (Some of these broader forums have already been held over the past three years.)

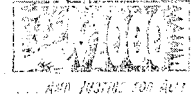
The Change Management Structures of the Department are shown in **Table 2**.

### Planning Structure

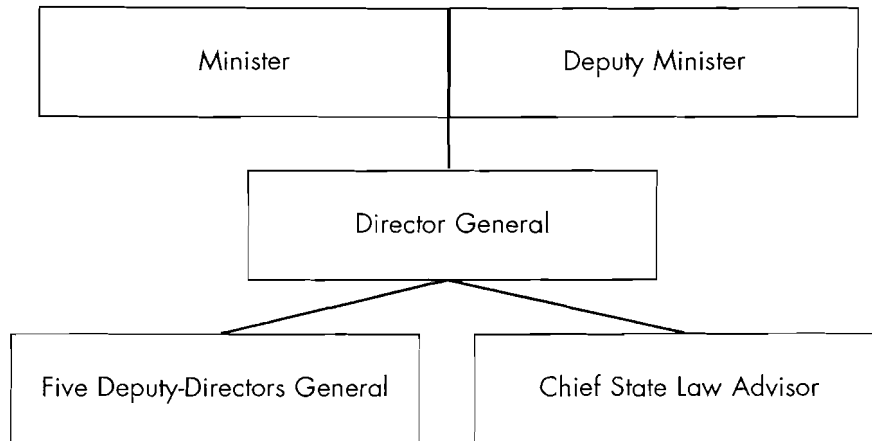


- ST: Strategy Team  
 DoJ TT: Department of Justice Task Team  
 BTT: Branch Task Team  
 RTT: Regional Task Team

**Table 2: The Change Management Structures of the Department**  
 Part 1: The Planning Structure

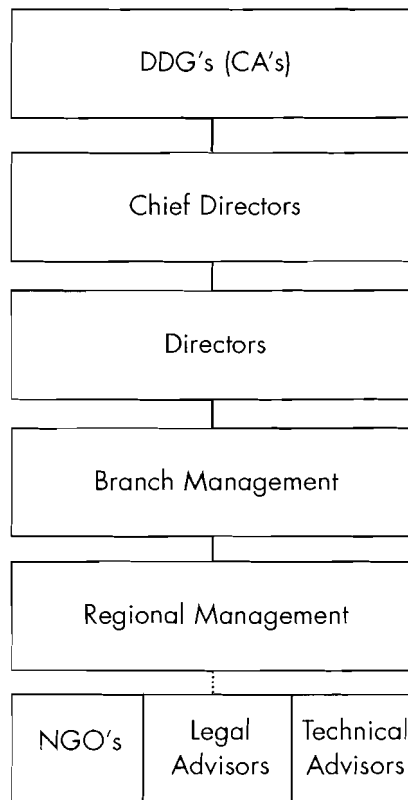


## The Change Management Team



**Function:** To supervise all activities in the six branches of the Department and with the assistance of the seven **Strategy Teams**, to oversee the implementation of the seven **Key Result Areas**

## The Strategy Teams

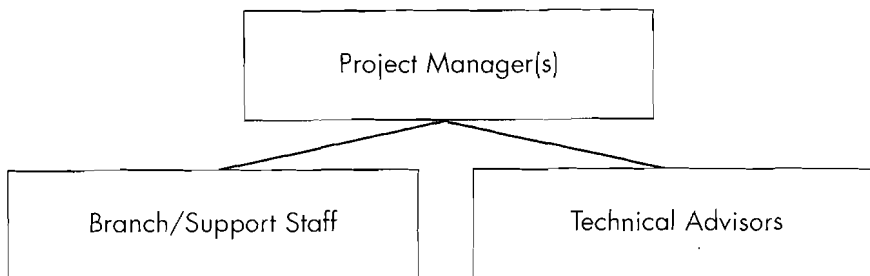


**Function:** To feed the **Change Management Team** and the **Senior Branch Management** with the policy guidelines and business plans worked out by the Department's **Task Teams**

**Table 2: The Change Management Structures of the Department**  
 Part 2: The Change Management Team and the Strategy Teams

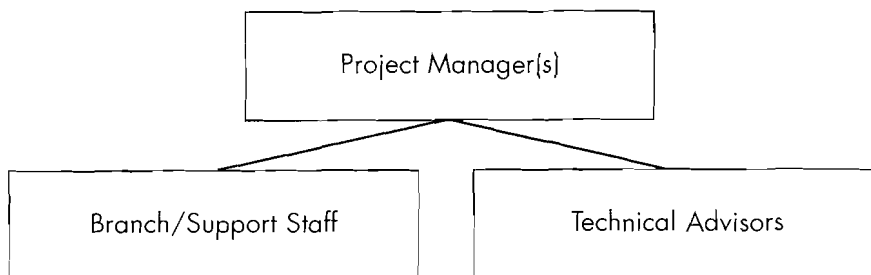


## Department of Justice Task Teams



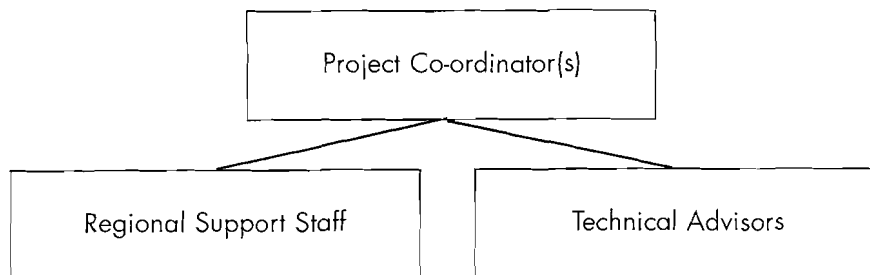
**Function:** To workout inter-branch business plans on a national level.  
 Implementation through line functions (Implementing Structures)

## Branch Task Teams



**Function:** To workout inter-branch business plans on a national level.  
 Implementation through line functions (Implementing Structures)

## The Change Management Team

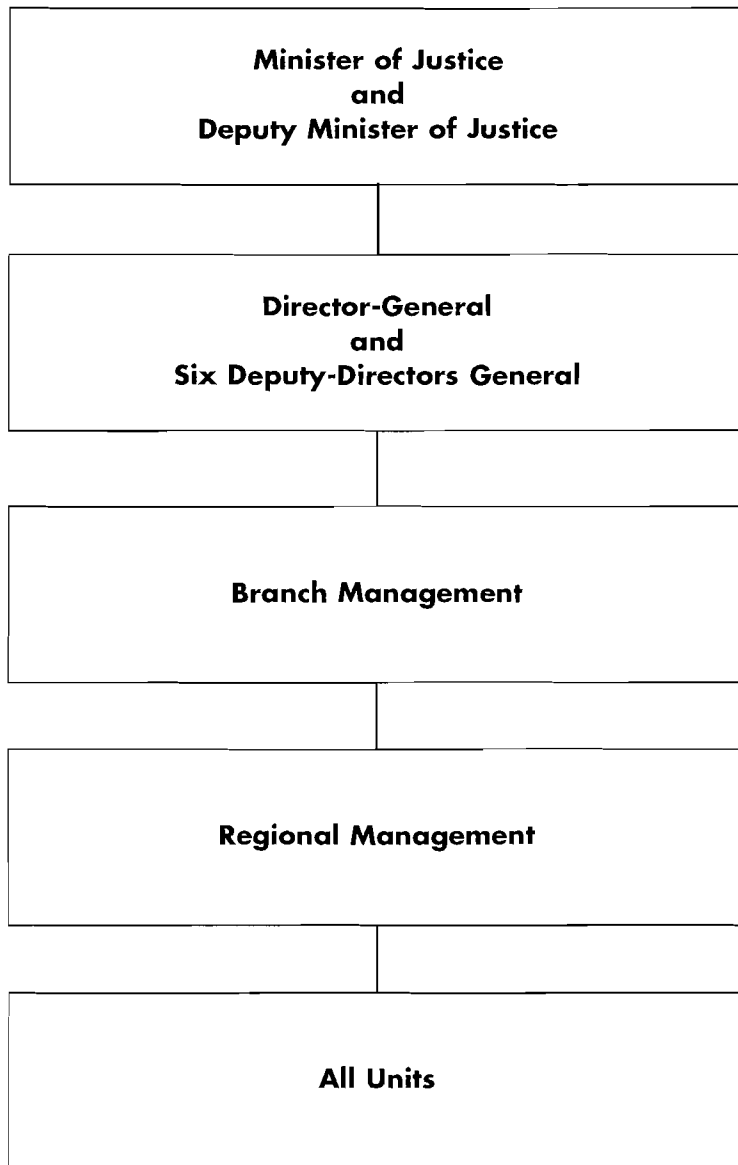


**Function:** To workout regional business plans on a regional level.  
 Implementation through line functions (Implementing Structures)

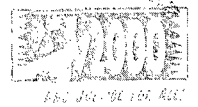
**Table 2: The Change Management Structures of the Department**  
 Part 3: The Task Teams



## Implementing Structure



**Table 2: The Change Management Structures of the Department**  
Part 4: The Implementing Structure



## The Planning Process

### *The Planning Base*

The planning process will be ongoing, in twelve-month cycles, from year to year. Each year will begin with a **Planning Base**. The Planning Base will be built up by the Corporate Planning Team. They will collect and develop information from:

- The six branches in the Department
- Various relevant studies
- Research findings on the Key Success Indicators (The Key Success Indicators consist of the Key Result Indicators that are in the strategies and the Key Performance Indicators that are in the business plans and budgets.)

When necessary, they will also be assisted by change agents and advisors.

### *The Planners*

Planning is an inclusive process. It involves all line managers in the Department.

- The **Change Management Team** will :
  - Inform on strategy, based on ideas from the Corporate Planning Team
  - Assist with problem solving
  - Supervise the activities of the six branches
  - Find the funding for the changes
- The **Senior Branch Management** will:
  - Feed the Change Management Team with ideas for strategy and change
  - Formulate functional plans
  - Identify projects for implementation
  - Oversee implementation on a national level
- The **Regional Management** will:
  - Feed the Senior Branch Management with ideas for strategy and change
  - Redefine the action plans
  - Formulate implementation plans on a regional level
- All other **Unit Managers** will be involved in the implementation and action planning process.

The planning process is essential for achieving the vision and the goals of *Justice Vision 2000*. It will also help the Change Management Team and the Senior Branch Management to decide on budgets from year to year and it

## The Planning Cycle

Month 1 The **Planning Phase** starts here.

The Corporate Planning Team will present the **Planning Base**, together with suggestions for the **SWOT analysis** and apparent challenges, to the Change Management Team. This body of information includes:

- Statistics
- Knowledge gained from research



- Knowledge based on analyses of past strategies
- Research findings on the Key Success Indicators

The Planning Base will enable the Change Management Team and the Senior Branch Management to do the SWOT analysis. (An analysis of the Strengths, Weaknesses, Opportunities and Threats facing the Department.) In the process, the effectiveness of the strategies adopted for the previous year will be evaluated.

After the SWOT analysis and evaluation, the Change Management Team will hold its **First Meeting**. Here it will define the challenges for the year ahead. It will also decide whether or not to change or adjust the mission, vision, values, goals and strategies. The Minister or Deputy-Minister may make a political input or give a policy directive based on the last vision, the planning base or the existing socio-political situation.

So that they can make informed choices, the Change Management Team will be given updates on all strategies and reviews of all the options available.

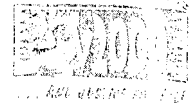
The Change Management Team will make decisions about the composition of the Strategy Teams and who will head each team. They will also allocate responsibility for the various departmental business plans.

**Month 2 & 3** The seven **Strategy Teams** will each develop their **strategies**. This will involve:

- Updating all strategy plans and business plans for the Key Result Areas
- Working out any additional plans that may be necessary
- Consolidating the broad strategy plan for each Key Result Area
- Working out a three to five-year budget framework for each Key Result Area
- Working out an implementation programme for each Key Result Area

**Month 4** The Change Management Team will hold its **Second Meeting**. Here it will determine the main strategy, as well as the subsidiary goals and strategies. It will:

- Review each Key Result Area separately
- Decide on strategy plans and programmes of action, based on a comprehensive overview of the economy, ongoing political developments, and the changing needs of the public
- Evaluate the organisational structure of the Department to see whether structural changes are necessary and whether there are enough people to do the work
- Evaluate the seven Strategy Teams
- Decide on a budget framework for the next three to five years



**Months 5& 6** The **Senior Branch Management** and all the **Branch Team Managers** will be brought up to date with the strategies. They will become involved in:

- Preparing **functional plans** for the respective branches
- Consolidating existing **business plans**
- Developing **action plans** for the subsidiary strategies dealt with in the functional plans

The Branch Team Managers will also use input from the Planning Base. They will adjust or change the vision, goals, strategies and Key Success Indicators based on the outcomes of the activities in the previous year.

The **Senior Branch Management** will also:

- Define the tasks of the **Branch Task Teams** and the **Regional Task Teams**
- Decide on the number of task teams needed and the composition of each team
- Appoint a **Project Manager** for each task team at a branch level
- Appoint a **Project Coordinator** for each task team at a regional level
- Bring the Branch Task teams and Regional Task Teams up to date on branch and regional task plans

The **Task Teams** will then:

- Consolidate existing task plans and work out additional task plans, if necessary
- Review a three to five year budget frames for the task plans
- Implement the plans and programmes for the different regions

**Month 7** The Implementation Phase starts here.

The **Change Management Team** will hold its **Third Meeting**. During this meeting it will:

- Scrutinise and evaluate the functional plans, business plans and action plans for the Department's broad strategy
- Decide on the branch functional plans, the Department's budget frame for the next three to five years and the coming year
- Set the top priorities for the coming year
- Decide on changes to be made to Justice Vision 2000
- Decide on the agenda for the next Lekgotla

The **Lekgotla** will be convened by the **Corporate Planning Team**. It will be attended by:

- The **Change Management Team**
- The **Corporate Planning Team**
- The **Senior Branch Management**
- Any necessary **advisors**

**Months 8 9 & 10** The budgets will be realigned with the various branch functional plans

**Month 10** The Department's new, or updated, strategic plan will be submitted to the Minister for approval

**Months 10 11 & 12** The Change Management Team and the Senior Branch Management will undertake a SWOT analysis for input into the next planning cycle. This will be coordinated by the Corporate Planning Team.

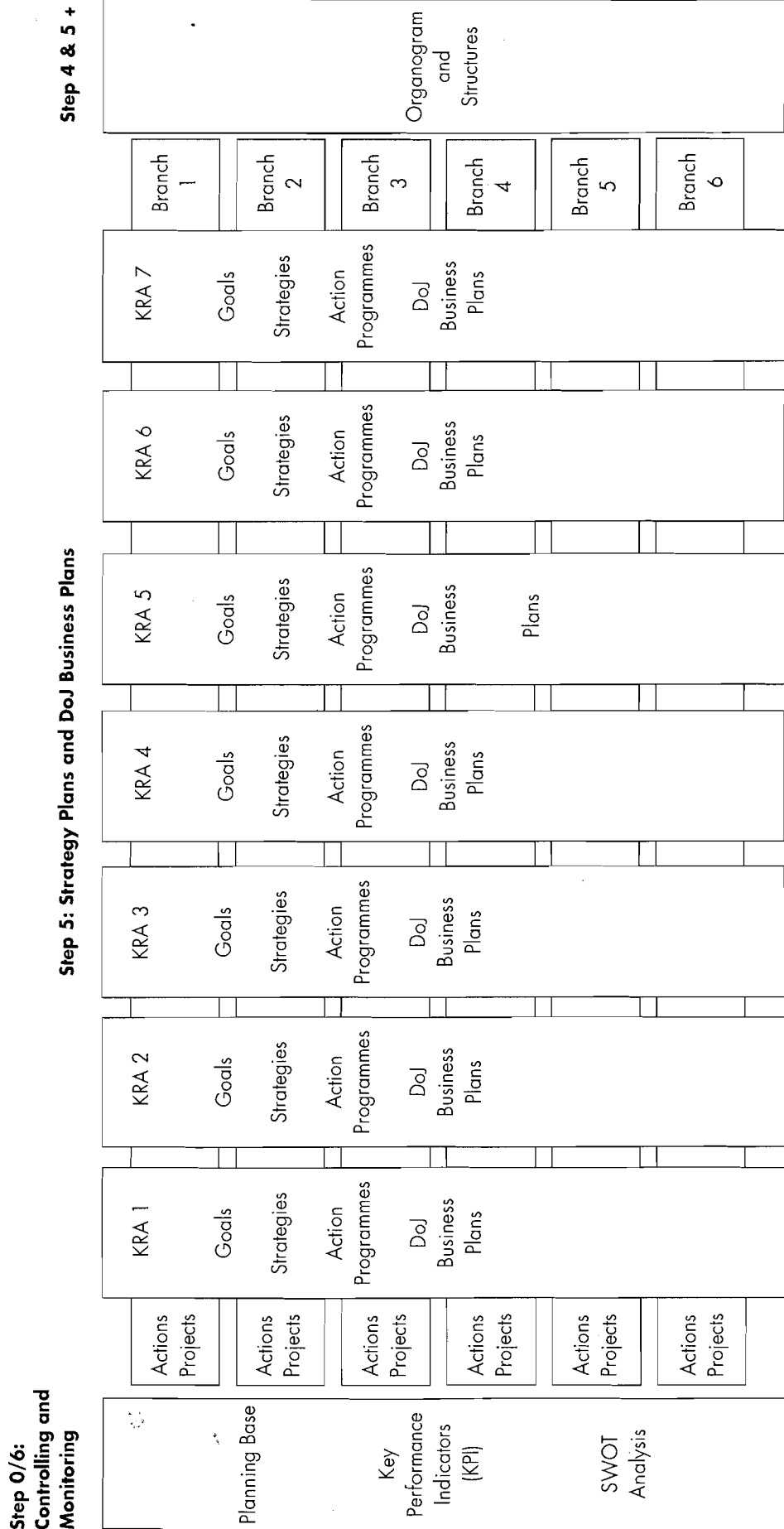
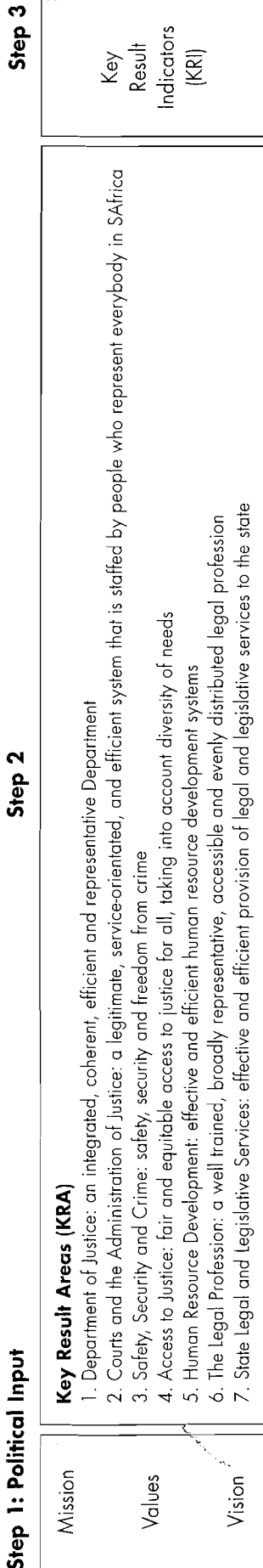
**Month 12** The budget is submitted to the Minister for approval

The Planning Concept is represented graphically in **Table 3**

The Planning Cycle is represented graphically in **Table 4**

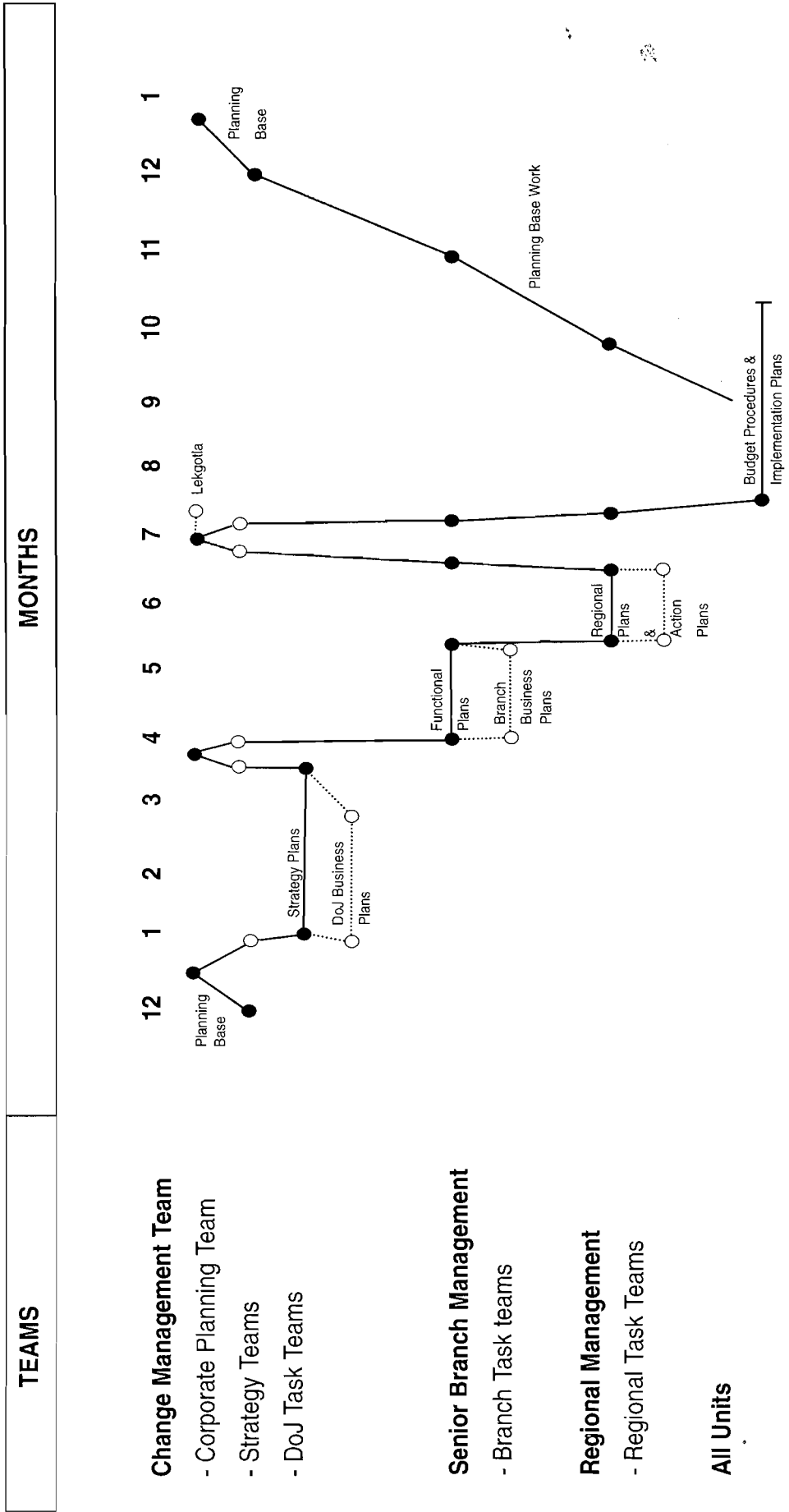
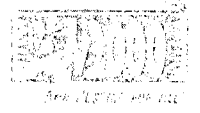
Definitions of the various plans, that is, strategic, functional, business, action and implementation plans, can be found in **Table 5**





**Step 5+: Functional Plans and Budget**

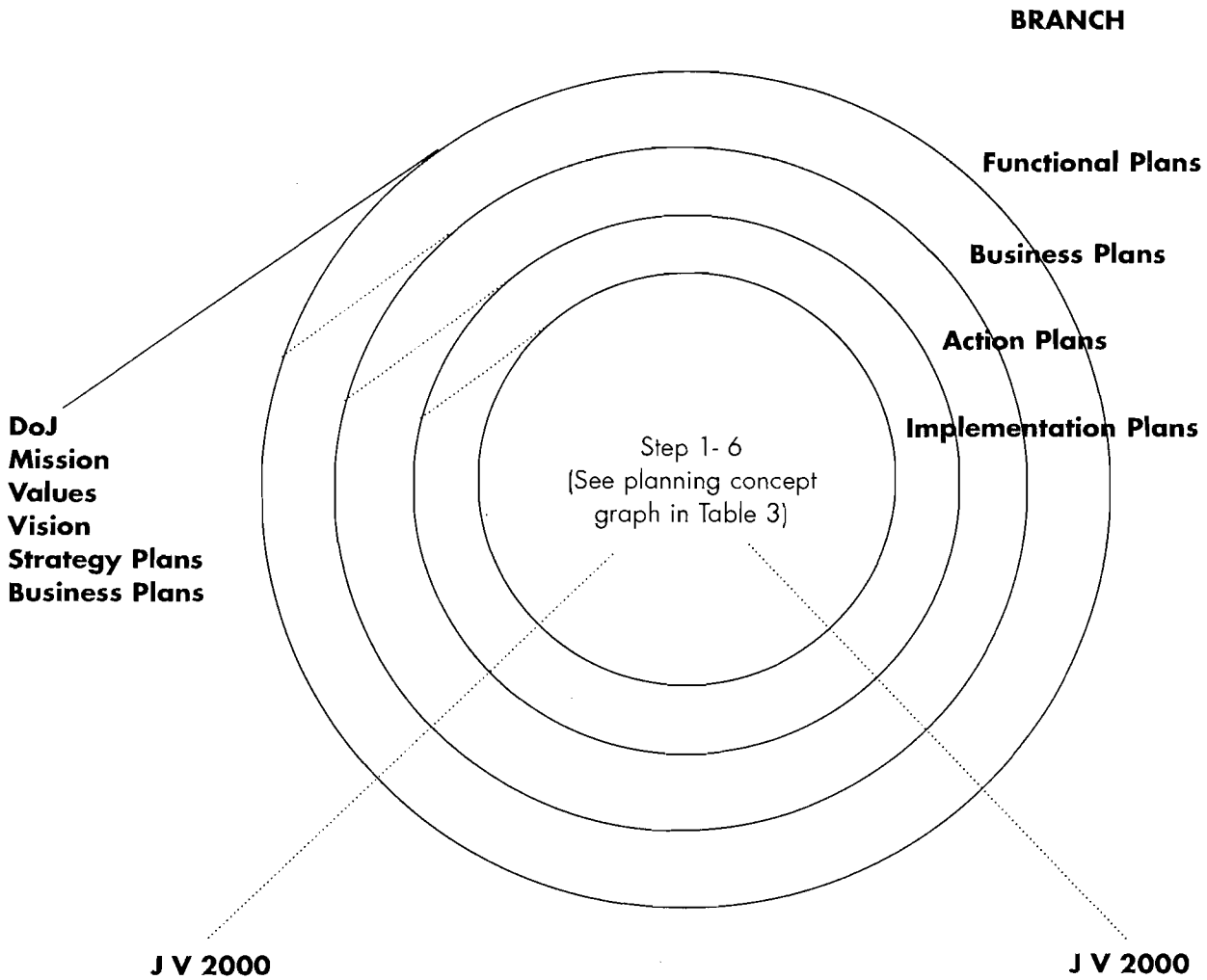
**Table 3: The Planning Concept**



**Table 4: The Planning Cycle**



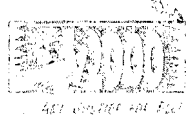
**Table 4: The Planning Cycle**



**1. The Department of Justice Strategic Plan**

The Department of Justice Strategic Plan is the overall plan for the transformation and restructuring of the administration of justice: It includes:

- Mission
- Values
- Vision
- Key result Areas
  - Challenges (Planning Base)
  - Strategic Goals
  - Key result Indicators
  - Strategy (The thinking and what to do)
  - Programme of Action
  - Department of Justice Business Plans (Premier projects)
- Input to branch function plans



## 2. The Functional Plan

The Functional Plan is the overall plan for each of the six branches in the Department of Justice. It includes:

- Mission
- Objectives
- Tasks
- Priorities
- Projects and related Business Plans
- Action plans
- Implemented plans
- Budgets (Operational unit / function, per project, clusters)

## 3. The Business Plan

The Business Plan is a project management tool for each of the six branches in the Department of Justice. It includes:

- Project Description
- Project Purpose
- Objectives
- Desired outcomes (Short and long term)
- SWOT Analysis / Potential positive and negative consequences
- Implementation risks
- Project Outline
- Effective Project Evaluation and Implementation
- Project Management
- The Accountability Chain
- Costing (Required resources)
- Budget

## 4. The Action Plan

The Action Plan determines the manner in which the business plan will be executed. It includes, among other things:

- Strategy
- Key performance Indicators
- Action
- Responsibility
- Success Milestones
- Time frame targets
- Cost



## 5. The Implementation Plan

The Implementation Plan determines the manner in which the action plan will be executed. It includes:

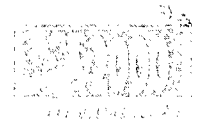
- A Project definition brief
- A review of desired outcomes
- Strategy (Departmental and project)
- The implementation process (In priority sequence)
- An implementation check-list
- A responsibility chart
- Ridgid time-frames
- Identification of risk factors
- Problem-solving / conflict resolution strategy
- Project management guidelines
- Evaluation / assessment

## The Premier Projects

Justice Vision 2000 identifies several areas that need to be given priority. These have evolved into a number of **Premier Projects**.

Business plans have been developed and for the implementation of each Premier Project. The business plans give a framework for effective and efficient mobilisation of resources so that the projects can be implemented and monitored. Where necessary, NGOs and CBOs will be contracted to implement the business plans as agents of the Department. The responsible branches in the department will supervise the performance of these agencies.

An overview of the business plan for the Premier Projects in **Table 6**.



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
Department of Justice								
	C1.1	Improving infrastructure (The Transkei Initiative)	The project envisages building of courts in the former Transkei		Corporate Services	Transkei Committee	R7,875,000	Business plan to be worked out
	C1.2	Corporate Image [Customer Orientation]	The project envisages a number of communication strategies and service improvements to help the public understand and use the justice system effectively while marketing Justice Vision 2000 and improving relations between the public and the Department	Pro-active media exposure through the Minister of Justice Media programmes with emphasis on radio programmes Seminar/workshops on DoJ (Department of Justice) values, service and standards for personnel Customer brochure and rate cards Refreshment facilities Information videos, posters and pamphlets on DoJ vision and services School project	Corporate Services	Liaison Information Services	500,000 200,000 per year 1,625,000 330,000 200,000 380,000 730,000	One year set-up 2,5 years set-up 2 years 2,5 years 6 months 1,5 years 1 year
	C1.3	Information Management	Implementation of information technology to facilitate administration and flow of information to the Department and to link the Department with other structures that are critical in the administration of justice	Investigate user needs and existing infrastructure assessment (systems, hardware, system software, networks) Define information blueprint Infrastructures set up Implement necessary applications systems Automate office administration support Investigate and develop training plans for end-users so that they can use information technology in their jobs	Corporate Services	Information Technology	2,940,400	4 months Phased implementation for 5 years " " " "

**Table 6: The Premier Projects 1997 - 2002**



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C1.4	Employment Equity	The project gives effect to the promotion of factual equality in the DoJ as an employer through measures (with emphasis on training) that rectify existing inequalities and prejudices as a result of past injustices	Employment equity workshops Orientation programme (induction programme) Diversity management (train the trainer) Gender awareness training workshops Social context training	Human Resources	Human Resource Dev Transformation and Equity	60,000 280,000 300,000 100,000 To be costed	3 days 6 months 9 months 1 month Continuous
	C1.5	Budget Prioritisation & Realignment	Realignment of Department's budget with transformation objectives and priorities in Justice Vision 2000	Audit DoJ budget priorities and processes Develop multi-team expenditure plans Redesign, develop and implement budget processes Develop training courses Implement budget information system	Corporate Services	Financial Administration Regional Offices	210,000 262,000 1,416,000 418,000 2,374,000	3 months 3 months 6 months 3 months 6 months
<b>2</b> <b>Courts and the Administration of Justice</b>								
	C2.1	Court Management	To establish an effective management system of courts within a specific province Enhancing the independence of the judiciary More efficient court management processes Develop the skills and training of judicial officers, the prosecution and administrative staff	Consultation with regional and sub-regional heads of the judiciary, administration, prosecution and premiers of various provinces Establish a National Implementation Task Team which would include experts in the field of financial systems, information systems and representatives of the judiciary, administration and prosecution Establish training committees for each of the clusters which will include the judiciary, administration and prosecution Establish mechanisms to assess and evaluate the needs and requirements of each cluster and address such needs and requirements	Legal Services	Administration of Courts Regional Offices	4,987,000	6 months 2 months 6 months 12 months

**Table 6: The Premier Projects 1997 - 2002**



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C2.2	Family Courts	Reform court structures to achieve access to family courts and provincial regions and subregions level	Finalise provincial courts jurisdiction Define provincial, divisional and sub-divisional personnel structures and processes Implement provincial courts Develop and implement provincial court management system Establish family court physical infrastructure Finalise design and develop family court processes Pilot family courts in 2 divisions Roll out family courts to remaining divisions	Legal Services	Task Team Administration of Courts Regional Offices	90,000 575,000 To be costed 2,000,000 To be costed 915,000 1,014,000 To be costed	3 months 2 months 4 months 12 months 18 months 3 months 3 months 12 months
	C2.3	Community Courts	Re-engineering the institution of the Justices of the Peace & provision of informal dispute resolution of appropriate legal dispute through community-based dispute resolution structures as lowest tier of the judicial system	Develop, approve and promulgate Community Courts Act Implement pilot community courts Design and develop coordination and monitoring processes Design and implement court communication programme Develop presiding officer training programme Conduct information sharing workshops & imbizos Design, develop and implement code of conduct	Legal Services	Regional Offices	To be costed 3,370,000 134,000 256,000 596,000 240,000 250,000	24 months 15 months 3 months 3 months 3 months 12 months 3 months
	C2.4	Lay Assessors Training	To finalise the law governing the utilisation of lay assessors within the criminal justice system To develop a manual for the training for lay assessors To conduct workshops in which lay assessors are trained To involve magistrates, prosecutors and lay assessors in continuous training of lay assessors	Training manual preparation Manual writing and circulation Appoint national training team consisting of one of the drafters of the manual and an official from the respective province Convene workshops for all clusters Training of lay assessors at district level	Human Resources	NGOs Regional Offices Justice College	2,257,096	Continuous

**Table 6: The Premier Projects 1997 - 2002**





Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C2.5	Legal Aid Forum	<p>To restructure the Legal Aid Board</p> <p>To review the current legal aid eligibility criteria</p> <p>To evaluate the effectiveness of legal aid clinics and para-legal advice centres</p> <p>To develop a comprehensive blueprint on a cost effective frame-work for providing legal aid in the short, medium and long term</p> <p>The desire to expand the public defender system</p>		State Legal Advice		909,200	3 weeks
3 Crime, Safety and Security	C3.1	Juvenile Justice (a) Children and Justice System	<p>The creation of a justice system that is sensitive and responsive to the needs of children while being effective. The idea is to ensure that, as far as possible, children are insulated from the mainstream justice system</p>	<p>Set up programmes between the Departments of Education, Safety, Health and Justice, NGOs and CBOs to educate children, teachers and parents, in both rural and urban areas, about children's rights and justice system services</p> <p>Educate justice functionaries on children's rights</p> <p>Divert children from the criminal justice system</p> <p>Define and develop performance standards for administration of justice in cases involving children</p> <p>Establish child-friendly courtrooms</p> <p>Develop guidelines on treatment of children by functionaries</p> <p>Provide legal advice or family advocates to children and families in the courts</p> <p>Develop and implement a monitoring system to ensure compliance with international human rights instruments</p> <p>Conduct research on sentencing options for both the child abuser and the child offender</p>	Legal Services	DoJ NGOs Gender Issues (Children)	24 million	Ongoing process

**Table 6: The Premier Projects 1997 - 2002**



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
		(b) Juvenile Diversion	To divert cases of petty crimes & non-violent offences committed by juveniles away from the formal court system. This would help to alleviate overcrowding in courts	Conduct diversion workshops Develop diversion strategy & implementation plan Diversion processes	Legal Services	Gender Issues (Children)	716,000 416,000 To be costed	4 months 2 months Continuous
	C3.2	Prevention of Violence Against Women	To lessen the incidents of violence against women To prevent the secondary traumatization and victimisation that women are subjected to by the legal process To enable women who are currently not in a position to access the legal system to enforce their rights through the courts	To develop a holistic, co-ordinated and integrated approach to dealing with violence against women through all government departments and NGOs To establish a high level task team involving the SAPS, district surgeons offices, senior prosecutors, court staff, judicial officers, social workers and NGOs to develop a set of standards and practical guidelines on sexual violence against women Reform of the substantive law and prosecutorial matters concerning sexual assault To establish gender/information desks in every magistrates court	Legal Services	Gender Issues (Children)	4,632,000	12 months 12 months 12 months 12 months



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
4 Access to Justice	C4.1	Community Outreach	Focus on public education through media regarding the Constitution, various legal issues (such as bail, family violence, administration of estates) and the workings of the judicial system Redesign and develop with relevant agencies and NGOs curriculum for schools that incorporate constitutional rights, human rights and administration of justice. Foster civic responsibility	Develop and broadcast community radio programmes (6 weeks series in 4 languages on 5 stations) Develop and broadcast national radio programmes Compile and produce video(s) Develop and broadcast 13 part TV series Develop and broadcast educational children's TV series Compile documentation about the justice system Develop a human rights education curriculum Develop a database of human rights and constitutional issues	Corporate Services	Liaison Information Services	294,030 444,030 641,500 5,005,000 5,005,000	5 years
					Legal Services	Court Cluster Management System	3,109,000 1,008,000 750,000	
	C4.2	Citizen's Advice Desk	Fosters user-friendly courts through information desks and automated public information systems in courts to provide users with the necessary guidance to use the court and its processes effectively.	Pilot citizen advice desks at 3 sites (Johannesburg, Pretoria and Durban) Develop and deliver training courses on customer services			1,500,000	3 years

**Table 6: The Premier Projects 1997 - 2002**

Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C4.3	Maintenance System	This project is aimed at establishing relief measures in respect of procedures pertaining to maintenance It is also to review and propose changes in the management of maintenance matters	To conduct an analysis of current issues To identify issues/problems which affect the maintenance system Pilot information technology maintenance system in one major city Develop and deliver training programmes on customer service and diversity Develop and distribute information about the maintenance system	Legal Services	Administration of Courts Community Services Witness Protection	To be costed 1,280,100 3,100,000 To be costed To be costed	2 months 3 months 12 months 12 months 12 months
	C4.4	Purification of Statutes	Establishes a unit under the SA Law Commission to undertake the purification of statutes to ensure uniformity with the Constitution & the implementation of constitutional court judgments To establish a simplified, coherent & accessible statute book To effect repeals and consolidate provisions bringing about uniformity of legislation To identify for repeal or amendment of any act of provision that is in conflict with the constitution	Special unit to purify unconstitutional statutes Issue papers Public hearings Draft bills	Legislation and Research	SA Law Commission Legislation Development	7,338,200	2 years
	C4.5	Administrative Justice Project	To bring about a process of administrative law and constitutional reforms To establish an administrative law and justice system which is in line with the constitution and international standards and more accessible and fair to the general public	Hold planning workshops to plan the structures and resources of the reform process Conduct research into administrative law that needs to be replaced and undertake comparative research Design and draft a new administrative justice legislation Hold forums and discussions to consult all role players Create awareness of revised administrative procedures Train targeted groups	Legislation and Research	SA Law Commission Legislation Development NGOs	46,000 475,000 30,000 50,000 800,000 1,500,000	4 months 3 months 3 months 3 months 6 months 6 months

**Table 6: The Premier Projects 1997 - 2002**



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C4.6	Human Rights/Equality Legislation Development	Deals with the process of giving effect to S8 of the Constitution by developing legislation dealing with the pro-active promotion of equality, proscribing discrimination and providing recourse for victims of discrimination in all relevant aspects of life	Policy development Public consultations Legislation Infrastructural arrangements Public information campaign	Legislation and Research	Human Rights Commission Legislation and Research Consultants	Business plan to be worked out	
	C4.7	Community Legal Centres	Introduces a pilot project on one-stop service centres that pool together legal advice or representation, appropriate dispute resolution, counselling and other socio-legal services to expedite access to justice To develop and implement Community Legal Centres that will provide a spectrum of legal advice and community service	Feasibility study on establishment of pilots Consultations with NGOs & other government departments Information campaign Establishment of pilot project Evaluation of pilot project	Legal Services	Community Services NGOs	26,896,700	2.5 years
	C4.8	Formal Structuring of Para-Legals	To develop the enabling legislation, organisation and training to allow paralegals to provide an effective and efficient primary network of legal services to expedite access to justice To restructure paralegal organisations so that they are responsive to the current needs of the process of transformation To review and enhance capacity within paralegal organisations	Policy development Enabling legislation Establishment of coordinating institution(s) Bridging finance Accreditation/certification Professional code	Legal Services	Lawyers for Human Rights National Paralegal Institute Administration of Courts Community Services	13,391,700	3 months 6 months 3 months 2 months 3 months 3 months

**Table 6: The Premier Projects 1997 - 2002**

Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
5 Human Resource Development								
	C5.1	Organisational Development	Focuses on institutional development and cultural transformation to build the necessary capacity for effective and efficient implementation of the vision and values of the Department as captured in Justice Vision 2000.	Cultural audit Human resource development system Personnel orientation on organisational values and guidelines in Justice Vision 2000 Team building/diversity management Management/leadership development and training of change agents Creating an enabling external environment Development of institutional capacity and alignment of systems	Corporate Services	Human Resource Dev Transformation and Equity Consultants	200,000 250,000 1,000,000 1,000,000 1,000,000 500,000 2,000,000	6 months 1 year 2 years 5 years 5 years 2 years 4 years
	C5.2	Judicial Officers Training	Orientation, reorientation and continuing education to keep high standards and sensitivity to diverse community needs amongst the judiciary and other justice employees	Seminars, workshops Training courses and materials On-the-job training	Human Resources	Human Resource Dev Justice College	32,313,148	Ongoing
	C5.3	Administrative Officers Training	"	Seminars, workshops Training courses and materials On-the-job training	"	Human Resource Dev Justice College	1,302,600	Ongoing
	C5.4	Training of Prosecutors	"	Seminars, workshops Training courses and materials On-the-job training	"	Human Resource Dev Justice College	11,988,500	Ongoing
C5.5	Interpreters Training	"	Seminars, workshops Training courses and materials On-the-job training	"	Human Resource Dev Justice College	3,506,300	Ongoing	

**Table 6: The Premier Projects 1997 - 2002**

Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C5.6	Labour Relations Training	"	Seminars, workshops Training materials	"	Human Resource Dev Transformation and Equity	To be costed	Ongoing
	C5.7	Candidate Attorneys Training	"	Candidate attorney training project Compiled programme for rotation of candidate attorneys Implementation and monitoring of this Candidate attorney training project (2) Selection of trained attorneys Appointment of suitable trained persons Acceleration of representivity	"	Justice College Black Lawyers Association	525,000 525,000 525,000 To be costed To be costed To be costed To be costed	12 months 24 months 24 months 12 months 12 months 12 months Continuous
	C5.8	Clerks of the Magistrates' Court Training	"	Develop and present functional training for clerks of the court (such as administration of estates) Develop and present managerial training courses for clerks Develop and implement course for clerks in related disciplines and human rights Reduce labour turnover Develop & implement motivation courses for clerks Develop and implement a course on public awareness Designation of lay persons friend Design control procedure for court documents Co-operation of role players Improvement of infrastructure Streamline case management Training courses and materials	"	Justice College Regional Training Components	See NCPS See NCPS To be costed To be costed To be costed 670,000 160,000 4,000,000 To be costed 9,900,000 To be costed	Continuous Continuous 12 months Continuous 14 months 13 months 3 months 33 months 2 months 2 months 4 months Continuous

**Table 6: The Premier Projects 1997 - 2002**

Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C5.9	Train-the-Trainer	To have service training by experienced people training the internal training	Contracting consultants to input on didactical and methodological principles and presentation skills Contracting consultants to develop course in training skills & deliver a presentation on training skills Sending full time trainers abroad so that they can be exposed to new training methods such as electronic training aids	"	Human Resource Dev Transformation and Equity Justice College	511,900 511,900 648,000	15 months 15 months 4 years
	C5.10	Professional Development of State Law Advisors with emphasis on Legal Drafting	To have training in legal research, the writing of opinions and legal drafting To have training courses in the interpretation of statutes To attend relevant seminars locally and internationally to keep abreast of new developments To encourage self-study	Needs assessment to be conducted Evaluate existing courses Design new courses or amend the existing ones Extend courses where necessary Present new course Implement service training Establish proper time management Establish a value system Redesign selection and recruitment process	State Legal Advice	Justice College Consultants	775,000 pa	Ongoing " " " " 2 months 4 months 4 months
	C5.11	Legal Education of State Attorneys	To upgrade the low level of services presently rendered to all client departments as this leads to inefficiency, initiation of litigation claims against the state and high costs incurred by the state To contract lecturers or experts to give lectures to state attorneys offices where this will be more cost effective than sending individuals to seminars To increase knowledge of state attorneys of developments in the law To increase service delivery by state attorneys	Establish areas of knowledge lacking in education of candidate attorneys Identify areas covered by existing department training opportunities Identify university lecturers/ practicing lawyers to cover specialist areas of the law Design a comprehensive one year training programme	Human Resources	Justice College Regional Training Components Consultants	5,560,000	Ongoing



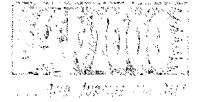


Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C5.12	Master's Officer Personnel	To supplement the current human resources training with the Directorate: Master of the Supreme Court in the Department of Justice by means of special training programmes for new employees appointed in terms of employment equity programmes currently being implemented within the Department of Justice To extend the current human resource training within the Directorate: Master of the Supreme Court in the Department of Justice by including specialised training within the current training programmes To extend the training infrastructure to exploit technological advances in the training and development field To implement and manage the identified sub projects	Develop and implement a course in basic communication skills for estate controllers, assistant masters and support personnel concentrating on writing, reading and speaking English Develop and implement a course in basic legal skills concentrating on legal drafting, negotiating skills, interviewing, analytical and critical thinking skills and legal research and problems solving Develop and implement a mentor programme for all new appointments at a senior level Develop and implement a course in management and administration with emphasis on the administrative processes used in the Masters office Develop and implement a training programme with emphasis on fields of: financial planning, business failure, estate planning, estate duty and evasion of estate duty (what to look for when examining an estate duty addendum), realising estate assets (how and where optional prices will be obtained), economic environment Develop and implement a course on the constitutional aspects of the Masters work with emphasis on: human rights and administrative decision making, human rights and the interrogation of witnesses during insolvency processes Acquiring and furnishing lecture rooms with information technology equipment Develop and implement an induction course for all new officials on: aim and function of the DoJ, division within the Department (functional as well as supporting divisions), aims and functions of the Masters office, how the Masters office is organised, and the functions of each division	Legal Services Human Resources Legislation and Research Corporate Services	Justice College Personnel	570,000  1,200,000  1,474,000 200,000 200,000  3,300,000  To be costed To be costed	3 months & ongoing 3 months & ongoing 3 months & ongoing 3 months & ongoing 1 week Ongoing  Continuous  Continuous Continuous

Table 6: The Premier Projects 1997 - 2002

Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
6 Legal Profession	C6.1	Transformation of the Legal Profession	To develop a profession which is equally representative of the South African society A profession that is affordable To maintain high professional standards To streamline admission requirements into the profession To facilitate greater mobility within the legal profession To provide training in commercial, business & constitutional law for historically disadvantaged people	To hold the legal forum on the transformation on the legal profession To provide placement opportunities to historically disadvantaged law graduates To develop and implement training courses on commercial, business and constitutional law for practicing lawyers Expand capacity of one existing practical training school To commission a study to establish base line information on the profession	Legal Services	Legal Profession	8,083,000	2 months 2 years 12 months 6 months 2 months
					Legal Services Human Resources	Law Faculties Consultants Justice College	2,787,140	Continuous
7 State Legal & Legislative Services	C6.2	Capacity Building of Law Schools in Historically Black Universities	Empowerment of historically disadvantaged universities to produce graduates who can compete fairly in the legal profession thus broadening the skills base and facilitating access to the legal profession	Policy guidelines Draft legislation Seminars and workshops To develop high quality curricula Specialised skills training and exposure for practicing black lawyers and women Student training placement into profession	Legal Services Human Resources	Law Faculties Consultants Justice College	412,200	2 months 6 months
					State Law Advisor	Legislation Development		
	C7.1	Legislative Process	To review & redesign legislative process To facilitate better interaction between legislative agencies and structures To promote legislation efficiency and build legislation capacity	To hold a workshop to discuss legislative process To develop and implement the new legislative process				

**Table 6: The Premier Projects 1997 - 2002**



Key Result Area	Ref No	Project	Purpose	Activities	Responsibility		Resources	Project Period
					Principal	Executing Agency		
	C7.2	Rationalisation of State Legal Services	Reorganisation of state legal services to ensure national and regional coordination	Audit of existing institutions, policies, laws and processes Examine feasibility of national entity New legislation/consultations	State Law Advisor	Parliamentary Legislation		Business plan to be worked out
	C7.3	Legal Drafting Skills	Training initiative to expand skills base/diversity of legislation drafters while reorienting drafters in terms of the Constitution and values underpinning Justice Vision 2000.	Courses for / in various fields of law In service training in aspects of law Promote self study Training in proper time management Establish a value system Revision of staffing level Redesign selection / recruitment process	Legislation and Research State Law Advisor	Legislation Development	300,000 400,000 500,000 50,000 To be costed 1,200,000 1,200,000	Continuous Continuous Continuous 4 months 1 month 1 month 4 months

**Table 6: The Premier Projects 1997 - 2002**



## CHAPTER 4

# GUIDE TO TERMS and CONCEPTS

<b>Budget</b>	The amount of <b>money</b> that we plan to spend in order to achieve our goal. The budget is the financial outcome of an action plan
<b>Corporate Planning Team</b>	<p>A team of people who are responsible for the planning structure and process. This includes the work done on the Planning Base.</p> <p>They operate as a catalyst at Planning Meetings. They are also the secretariat of the Change Management Team</p>
<b>Employment Equity</b>	<p>This is a process that has been designed to identify and put a stop to <b>discrimination</b> in the workplace. It involves drawing up procedures and policies for organisations to follow. These will help them to take actions to undo the effects of discrimination in the past, and to ensure fair representation in the future</p> <p>Employment equity covers all <b>types</b> of work, all <b>levels</b> of work and all <b>kinds</b> of discrimination. Examples of discrimination include race, gender, culture, religion, disability, age, sexual orientation etc.</p>
<b>Equality</b>	This means <b>real</b> or tangible equality, in all things. It is defined in Section 9 of the Constitution
<b>Forecast</b>	A <b>prediction</b> of what will happen at a certain time
<b>Gender</b>	Ideas about the social roles and expectations that society has about <b>women</b> and <b>men</b>
<b>Goal</b>	An <b>aim</b> , an ambition or an ideal. It can be long-term or short-term. It is a <b>clear</b> statement of something that can really be achieved. Goals are used in strategic, tactical and operational planning
<b>Key Result Area</b>	This is a <b>highlighted area</b> , or an area of <b>specific</b> focus. Key Result Areas are part of strategic plans
<b>Key Success Indicator</b>	This is a way of <b>measuring</b> our <b>success</b> or failure, in relation to the goals that we set, or our progress towards achieving the goals. It can involve measurements of quality or of quantity
<b>Key Result Indicator</b>	This is a measurement of <b>quantity</b> . It measures <b>results</b> that can be counted. It answers the question ' <b>How much?</b> ' It can be measured over a long time or a short time.



## Key Performance Indicator

This is a measurement of **quality**. It measures **performance**. It answers the question **'How?'**. It is used to control the way, or how things happen.

## Mission

The whole **reason** for an organisation's existence. This is **why** the organisation exists at all. It is a long-term idea and is usually fairly abstract.

## Objectives

The goals, outcomes or targets that we want to achieve by a certain time

## Organisation

An organisation is a **body of people** working together to achieve, or to exceed, an objective. The organisation can be drawn on a chart as all the different **positions** that people occupy, plus their **duties** and **responsibilities**.

## Outcomes

The goals, objectives or targets that we want to achieve by a certain time.

## Policy

A set of ideas that works as a **guide** for making decisions and taking actions

## Procedure

A **method** or way of carrying out a policy

## Project Coordinator

This person **coordinates** and **implements** the business plans at a **regional** level, according to the framework laid down at the national or branch level. The Project Coordinator takes instructions from the Project Managers at branch level.

## Project Manager

The Project Manager coordinates and integrates activities, either across different functional lines or within a specific line function.

She or he makes summaries of the work that has to be done by drawing up the business plans and action plans that are part of the branch functional plans.

## Risk

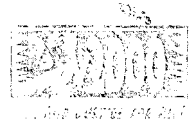
This is about things that could happen in the **future** that we do now know about. Future events that are favourable are called opportunities. Future events that are **unfavourable** are called risks.

Risk is about chance or danger, and the effect that unfavourable events will have on our project.

Risk involves uncertainty or things that are not known. When we analyse risks formally, we can divide them into two groups. There are "known unknowns", or things that we can guess might happen, and there are "unknown unknowns" or things that we cannot even guess about.

## Risk Assessment

Risk assessment involves analysing all the things that might happen and working out a structure for choosing alternative strategies if the unfavourable things actually do happen.



<b>Schedule</b>	A plan that shows when activities will be started, who will be doing them and when they will be finished
<b>Standard</b>	A level that is acceptable or adequate
<b>Strategic Planning</b>	This is a process in which we can imagine the future of an organisation, and then plan the steps that we will have to take to achieve that vision, by a certain time. Strategic Planning also involves finding the resources, including people, money and time, to make the vision come true.
<b>Strategy</b>	This is a <b>group</b> or cluster of <b>activities</b> that should happen if we are to achieve our goals in an effective and efficient way.
<b>SWOT Analysis</b>	This is a process of analysing the <b>strengths, weaknesses, opportunities</b> and <b>threats</b> of an organisation. The strengths can be built on to achieve a future goal and the weaknesses should be avoided. The opportunities should be used and the threats should be turned into challenges.
<b>Systems</b>	These are the formal and informal <b>structures</b> and <b>procedures</b> that enable an organisation to do what it is doing. They include budgeting, training and accounting systems. If the systems are not carefully aligned with the strategies, the strategies will be undermined.
<b>Values</b>	These are the soul of an organisation. They are the <b>principles</b> or <b>ethics</b> of an organisation. They inform all the decisions and actions of an organisation.
<b>Vision</b>	These are the <b>broad aims</b> or goals of an organisation. They are the things that it intends to do in order to fulfil its mission. A vision usually has a life-span of five to ten years.