



VISION

Justice in our society so that people can
live in freedom and security.

MISSION

Guided by the Constitution, we in the National
Prosecuting Authority ensure justice for the victims
of crime by prosecuting without fear, favour or
prejudice, and by working with our partners and the
public to solve and prevent crime.







SUBMISSION TO THE EXECUTIVE AUTHORITY

September 2008

Members of Parliament

Ms Bridgitte Mabandla MP, Minister for Justice and Constitutional Development

SUBMISSION OF THE NPA'S ANNUAL REPORT 2007/08

I have the honour of submitting to you the 2007/08 Annual Report of the National Prosecuting Authority (NPA).

The NPA Annual Report has been prepared according to the provisions of the:

- Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999), and the
- National Prosecuting Authority Act 32 of 1998.

The report is structured in sections that report on the Governance, Delivery and Resourcing activities of the NPA, with annexures that provide supporting information.

The NPA has endeavoured to accurately and concisely provide all information required by the above legislation and regulations. In part, it also offers brief commentary on ongoing or planned NPA activities in the 2008/09 financial year.

Yours sincerely



Adv Mokotedi J Mpshe
Acting National Director of Public Prosecutions
September 2008





TABLE OF CONTENTS

	Page
SECTION 1: GOVERNANCE	II
Report of the Office of the National Director of Public Prosecutions	12
Report of the Office of the Chief Executive Officer	14
SECTION 2: DELIVERY	19
Programme 4: National Prosecuting Authority (NPA)	22
Sub-programme 1: Public Prosecutions	22
National Prosecutions Service (NPS)	28
Priority Crimes Litigation Unit (PCLU)	29
Specialised Commercial Crime Unit (SCCU)	31
Sexual Offences and Community Affairs (SOCA)	33
Sub-programme 2: Witness Protection	35
Sub-programme 3: Special Operations	36
Sub-Programme 4: Asset Forfeiture	40
SECTION 3: RESOURCING	45
Corporate Services (CS)	46
Human Resources Management and Development (HRM&D)	46
Finance and Procurement (F&P)	47
Security & Risk Management (S&RM)	48
Information Management Service Centre (IMSC)	48
Research and Policy Information (R&PI)	49
Library	50
SECTION 4: ACCOUNTING REPORT OF THE NPA	51
Report of the Accounting Officer	53
Report of the Audit Committee	61
Report of the Auditor-General	63
Appropriation Statement	70
Notes to the Appropriation Statement	74
Statement of Financial Performance	75
Statement of Financial Position	76
Statement of Changes in Net Assets	77
Cash Flow Statement	78
Accounting Policies	79
Notes to the Annual Financial Statements	85
Disclosure Notes to the Annual Financial Statements	97
Annexures	105
SECTION 5: ACCOUNTING REPORT OF THE CARA	115
Report of the Accounting Officer	119
Report of the Audit Committee	120
Report of the Auditor-General	121

Statement of Financial Performance	126
Statement of Financial Position	127
Statement of Changes in Net Assets	128
Cash Flow Statement	129
Accounting Policies	130
Notes to the Annual Financial Statements	131

ANNEXURES **133**

Annexure A: HR Oversight Report 2007/08	133
Annexure B: NPA Organogram	176

GLOSSARY **178**

List of Acronyms	178
List of Acts	181

	<i>Page</i>
TABLES	
Table 1: Key measurable objectives for the NPA as reflected in the Estimates of National Expenditure (ENE)	20
Table 2: NPS Service delivery performance indicators - 2003/04 to 2007/08	22
Table 3: Two Year Comparative Performance of Community Courts as at the end of March 2008	26
Table 4: SCCU Service delivery performance indicators - 2003/04 to 2007/08	31
Table 5: Service delivery performance indicators - 2003/04 to 2007/08	33
Table 6: OWP Service delivery performance indicators - 2003/04 to 2007/08	35
Table 7: DSO Service delivery performance indicators - 2003/04 to 2007/08	37
Table 8: AFU Service delivery performance indicators - 2002/03 to 2007/08	41
Table 9: Financial Position of the NPA as at 31 March 2008	53
Table 10: Projects funded through donations during the current financial year	56
Table 11: SCOPA resolutions that were responded to	59
Table 12: Audit Committee members and meetings attendance	61
Table 13: Root causes	66
Table 14: Matters of governance	67
Table 15: Root causes	122
Table 16: Matters of governance	123
Table 17: Personnel Costs by Programme 2007/08	134
Table 18: Personnel Costs by Salary Band 2007 / 08	135
Table 19: Salaries, Overtime, Home Owners' Allowance and Medical Assistance by Programme 2007/08	136
Table 20: Salaries, Overtime, Home Owners Allowance and Medical Assistance by Salary Band 2007/08	137
Table 21: Employment and Vacancies by Programme 2007/08	138
Table 22: Employment and Vacancies by Salary Band 2007/08	138
Table 23: Employment and Vacancies by Critical Occupation 2007/08	139
Table 24: Job Evaluation 2007/08	140
Table 25: Profile of Employees whose Salary Positions were Upgraded due to their Posts being Upgraded 2007/08	141
Table 26: Employees whose salary level exceeds the grade determined by job evaluation (in terms of PSR I.V.C.3)	141

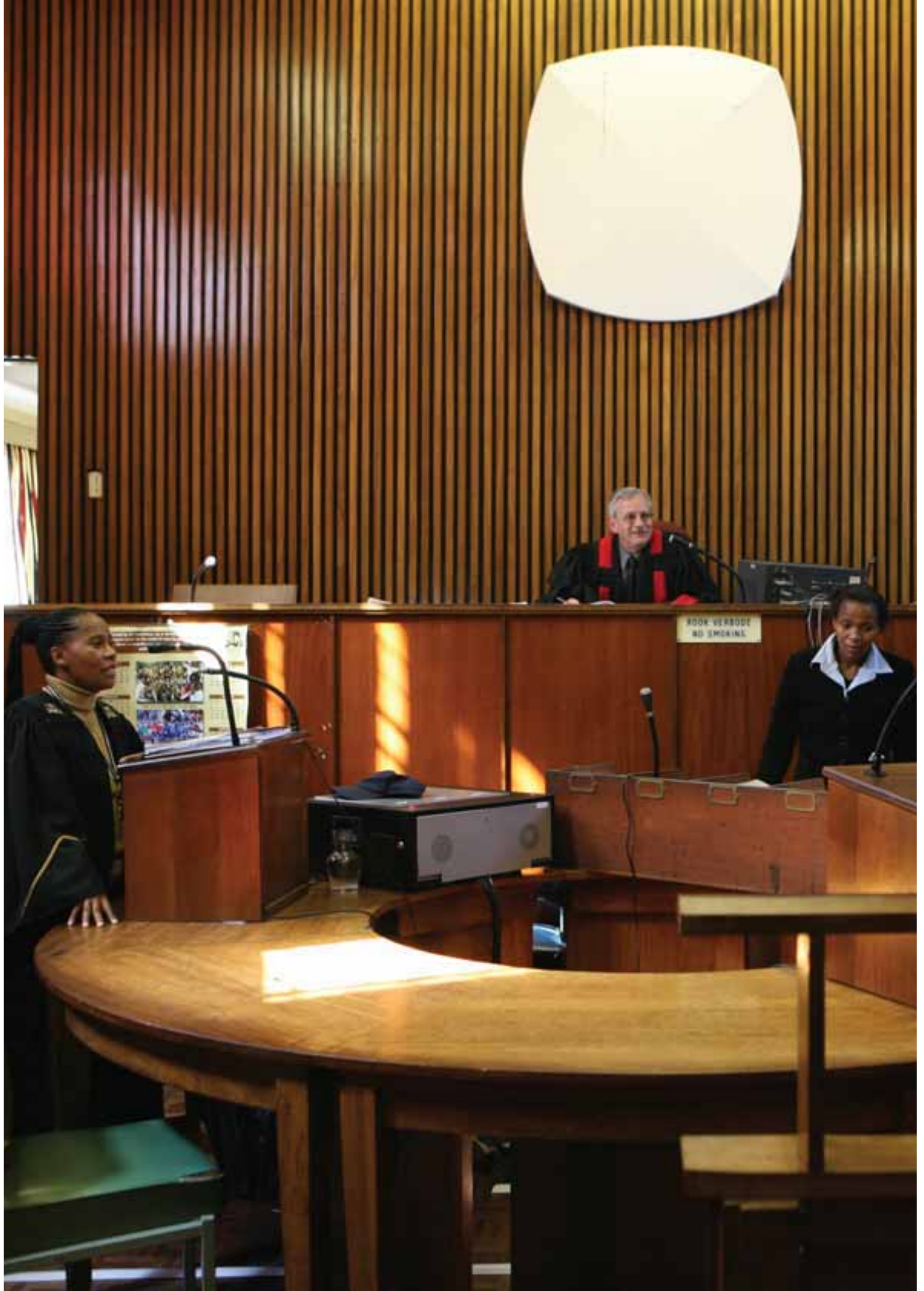


Table 27: Profile of employees whose salary level exceeds the grade determined by job evaluation (in terms of PSR I.V.C.3)	141
Table 29: Annual turnover rates (permanent employees) by critical occupation 2007/08	143
Table 30: Reasons why staff are leaving the department 2007/08	144
Table 31: Promotions by Critical Occupation 2007/08	145
Table 32: Promotions by Salary Band 2007/08	147
Table 33: Total number of employees (Including employees with disabilities) per occupational category (SASCO) 2007/08	148
Table 34: Total number of employees (incl. employees with disabilities) per Occupational Bands 2007/08	149
Table 35: Recruitment 2007/08	150
Table 36: Promotions 2007/08	151
Table 37: Terminations 2007/08	152
Table 38: Disciplinary Action 2007/08	152
Table 39: Skills development 2007/08	153
Table 40: Performance rewards by Race, Gender and Disability 2007/08	154
Table 41: Performance Rewards by Salary Band for Personnel below Senior Management Service (SMS) 2007/08	155
Table 42: Performance Rewards by Critical Occupation 2007/08	156
Table 43: Performance Related Rewards (Cash Bonus) by Salary Band for Senior Management Service (SMS) 2007/08	158
Table 44: Foreign Workers by Salary Band 2007/08	158
Table 45: Foreign Workers by major occupation 2007/08	159
Table 46: Sick Leave Jan 2007 - Dec 2007	160
Table 47: Disability Leave (Temporary and Permanent) for Jan 2007 – Dec 2007	161
Table 48: Annual leave for Jan 2007 – Dec 2007	161
Table 49: Capped Leave Jan 2007 – Dec 2007	162
Table 50: Leave Payouts 2007/08	163
Table 51: Steps taken to reduce the risk of occupational exposure 2007/08	163
Table 52: Details of health promotion and HIV / AIDS Programmes 2007/08	164
Table 53: NPA Employee Wellness Programme Committee 2007/08	165
Table 54: Collective Agreements 2007/08	165
Table 55: Misconduct and Disciplinary Hearings Finalised 2007/08	166
Table 56: Types of Misconduct Addressed and Disciplinary hearings 2007/08	166
Table 57: Disputes lodged 2007/08	167
Table 58: Grievances Lodged 2007/08	167
Table 59: Strike Actions 2007/08	167
Table 60: Precautionary Suspensions 2007/08	167
Table 61: Training Needs Identified 2007/08	168
Table 62: Training Provided	169
Table 63: Injury on duty 2007/08	170
Table 64: Report on consultant appointments using appropriated funds 2007/08	171
Table 65: Report on consultant appointments using Donor funds 2007/08	174
Table 66: Analysis of consultant appointments using Donor Funds, i.t.o HDIs 2007/08	175

Page

FIGURES

Figure 1: All courts: Conviction Rates	24
Figure 2: Lower Courts: ADR Finalisation Rate	24
Figure 3: Plea and Sentence Agreements: Sentences Imposed	25
Figure 4: Appeals Finalised	25

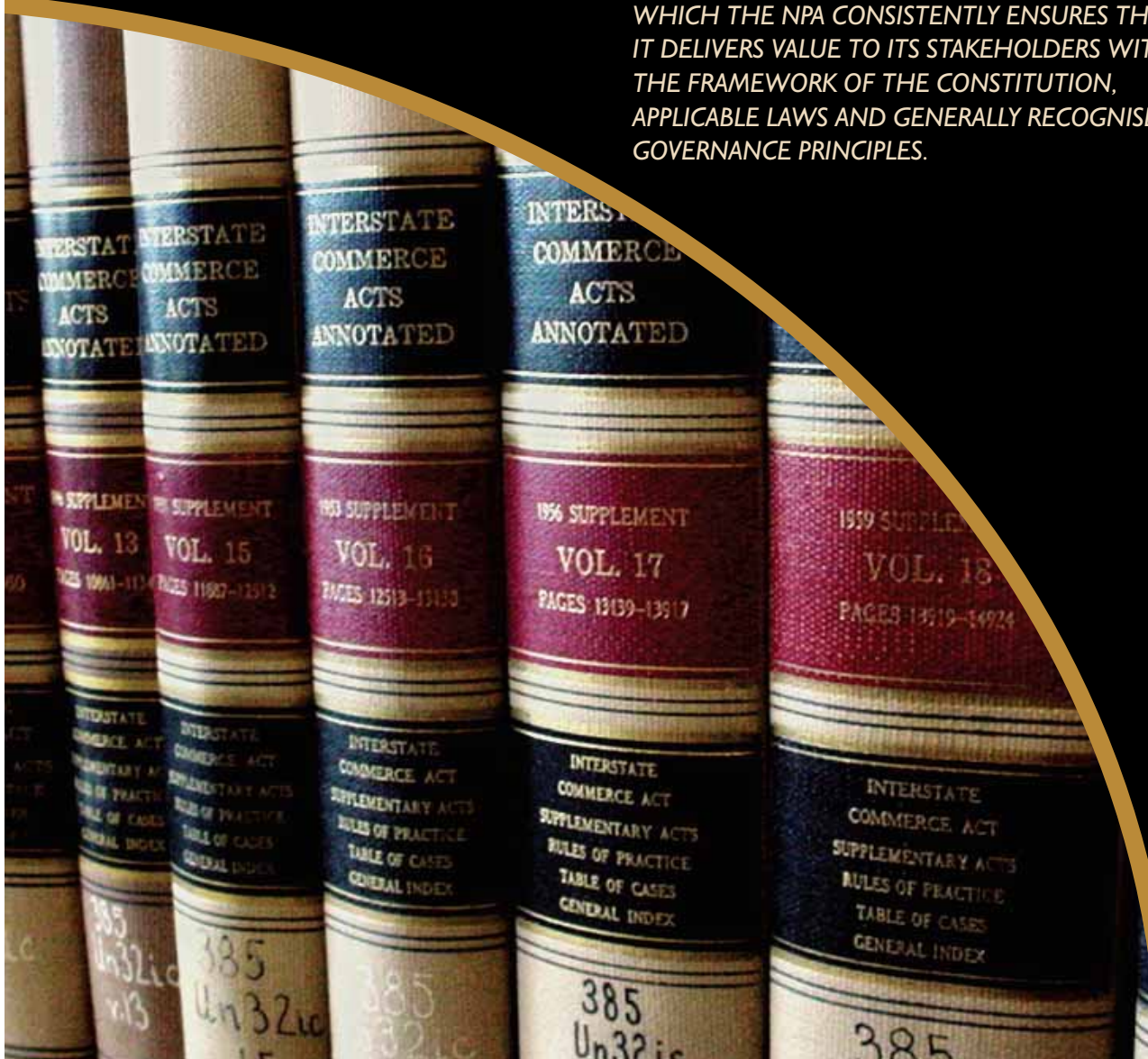




NATIONAL PROSECUTING AUTHORITY
South Africa

SECTION I: GOVERNANCE

GOVERNANCE IN THE NPA IS THE PROCESS BY WHICH THE NPA CONSISTENTLY ENSURES THAT IT DELIVERS VALUE TO ITS STAKEHOLDERS WITHIN THE FRAMEWORK OF THE CONSTITUTION, APPLICABLE LAWS AND GENERALLY RECOGNISED GOVERNANCE PRINCIPLES.





Adv. Mokotedi Mpshe,
Acting National Director of Public
Prosecutions

Report of the Office of the National Director of Public Prosecutions

Introduction

The NPA upholds Government's vision of a better life for all and actively participates in the Government's Programme of Action, and the APEX priorities. As a programme within the Department of Justice and Constitutional Development (DoJ&CD), the NPA is committed to the strategic goals of increasing access to justice, improving service delivery and transformation. Our customers are central to our existence and we focus on improving service delivery through increasing operational efficiency, to enable speedy justice and the successful resolution of cases.

Partner collaboration is pivotal to the realisation of the NPA's strategic goals and the organisation actively pursues good working relationships at all levels, specifically with the South African Police Service (SAPS).

The Victim's Charter sets out the rights of victims and the NPA has undertaken various initiatives to increase awareness amongst its employees. The NPA has developed an integrated national implementation plan and reports to the DoJ&CD as the lead department.

The NPA recognises the need for specialisation to effectively address crimes that affects the quality of life of South Africans. Crimes against women and children continue to be high on the agenda of the NPA. A specialised component continues to support the core prosecutorial function through

training and expert services. The establishment of the internationally-acclaimed Thuthuzela Care Centres (TCCs) has proved to be a success factor in addressing sexual offences. The complex nature of organised crime, commercial crime and tax contraventions also requires specialist services.

The NPA must be well resourced to meet the demands imposed on the Criminal Justice System (CJS) as a result of high crime rates, skill shortages and lack of experience. The NPA will actively pursue the recruitment, development and retention of skilled and experienced prosecutors. Diligent monitoring of the implementation of the NPA's employment equity plan will ensure that such recruitment and development is aligned to the employment equity targets of the NPA. The CJS review is an important initiative which seeks to improve the overall functioning of the criminal justice cluster. The NPA fully supports this initiative and has a dedicated representative on the secretariat and several content experts are involved as and when required.

In my role as the president of the Africa Prosecutors Association, I will ensure that the NPA continues to recognise the importance of learning and sharing knowledge, to the betterment of the continent. Secondary to this will be the sharing with international role players specifically in the areas of asset forfeiture, witness protection and crimes that affect women and children.

Requests for Mutual Legal Assistance and Extradition

Mutual Legal Assistance (MLA)

The NPA registered 65 applications for mutual legal assistance, of which 33 were finalised. 20% of the total applications received emanated from South Africa. Prominent matters that required international co-operation included:

- The matter of Mr. JG Zuma and Thint Companies in which requests were directed to the United Kingdom and Mauritius.
- A prominent Specialised Commercial Crime Unit (SCCU) matter, known as the Chinza Holdings (Pty) Ltd matter, necessitated extensive international co-operation, including requests for MLA being addressed to the Bahamas, the United States of America, Germany and the



United Kingdom.

- The NPA, through requests received for international co-operation, rendered assistance to various countries, including the United Kingdom in the internationally prominent matter of the death of Alexander Vlerovich Litvinenko. The necessary assistance was rendered by the Priority Crimes Litigation Unit (PCLU).
- The PCLU also rendered assistance to the UK Authorities in relation to the bombings in London on 7 July 2005.
- Other prominent matters in which international co-operation is instrumental, include the Arnold Bengis/Houtbay Fishing matter, Project Eben Greyling, Project Leaderguard, the matter of the State versus Emile Massoudi & Ashwin Barnabas and the prosecution of Mr. Gary van der Merwe by the office of the Directorate of Special Operations (DSO) Cape Town.



Adv. Trish Matzke,
Acting Special Director of Public
Prosecutions:
Office of the NDPP

Extraditions

The NPA registered 15 requests for the extradition of individuals from South Africa to a particular Requesting State.

In the matter of Radovan Krejcir, a request received from the Czech Republic, the prosecutor applied for the recusal of the magistrate. Upon refusal, an application for the review of this decision was brought, along with an appeal against the magistrate's ultimate finding that Mr. Krejcir was not extraditable.

Extensive developments took place in the field of extraditions, which include the judgment of Preller J in the Quagliani, Brown and Van Rooyen matters. In terms of this judgment, it was held that the

Extradition Treaty between the RSA and the USA was unenforceable. This matter will be considered by the Constitutional Court on 26 August 2008.

Acknowledgements

I wish to thank all the NPA employees for their unwavering dedication and commitment during a particularly challenging period.

The past year has been a difficult time for the NPA. Employees had to bear the brunt of the challenges faced and staff morale was severely affected. Accusations were hurled at the organisation from various angles around the handling or perceived non-handling of certain matters. Our day-to-day business was threatened by the roller coaster environment in which we, as an organisation, had to operate.

High profile cases such as the Zuma and Selebi matters continued to be under the spotlight. This made it very difficult for employees to carry what is already a very heavy load. The situation was further compounded by the resignation of our then Chief Executive Officer, Ms. Marion Sparg and the suspension of the National Director of Public Prosecutions, Adv. V. P. Pikoli. The organisation was hard hit by these unfortunate blows. Despite these severe constraints and the negative publicity aimed at the NPA, the organisation continues to seek justice for all.

Adv. Mokotedi J. Mpshe
Acting National Director of Public Prosecutions



Ms. Beryl Simelane,
Acting Chief Executive Officer: NPA

Report of the Office of the Chief Executive Officer

Introduction

This report of the Chief Executive Officer (CEO) will cover the areas of governance, strategy enterprise risk management, enterprise performance management, programme management, integrity management and communications.

Governance Structures

Executive Committee

The NPA's Executive Committee (Exco) met on a weekly basis and supported the NDPP in directing the affairs of the NPA.

Exco sub-committees

The NPA Exco established the following supporting sub-committees:

- Budget Committee
- Enterprise Performance Management Committee
- NPA Moderation Committee

National Management Meeting

The National Management Meeting (NMM) of the NPA consists of national and regional business unit heads, divisional heads and Corporate Services executive managers. The NMM meets bi-monthly and serves as an integrating mechanism across business units, as well as support for Exco in the review and adoption of policies and other matters of strategic and operational nature.

Risk Committee

Exco serves as the Risk Committee of the NPA, and as such reviews the strategic risks of the organisation based on the NPA's Enterprise Risk Management Guidelines.



Ms. Karen van Rensburg,
Acting Executive Manager: Strategy

Strategy Office

Annual plans were developed for all business units as well as regional plans; divisional plans and plans for service centres. The annual review of the NPA Strategy 2020, through a comprehensive situation analysis was conducted, and a draft three year strategic plan developed. This plan will be implemented in the next financial year.

Enterprise Performance Management (EPM)

Performance management was successfully institutionalised and the Enterprise Performance Management Exco sub-committee monitored business units' performance through quarterly reviews. Business units' reports included identified constraints and bottlenecks which were addressed in an integrated manner across the organisation. An electronic reporting system was successfully implemented and is operational. This mechanism is key to ensuring that the NPA delivers on its Strategy 2020 through performance against its annual plans.

Enterprise Risk Management (ERM)

The NPA views enterprise risk management as imperative for the successful delivery on its mandate and its obligation to deliver value to stakeholders. The ERM function provides the organisation with leadership, guidance and support in the identification and management

of risks and reports regularly to the Joint Audit Committee for DoJ&CD and the NPA on the status and effectiveness of its enterprise risk management process.

For the period under review the NPA made significant progress in terms of embracing the discipline of risk management, which include:

- The development, approval and implementation of a detailed policy governing enterprise risk management in the NPA.
- Risk assessments to identify strategic and operational risks.
- The evaluation, selection and approval of a suitable tool to enable management to deliver on their responsibilities in support of identifying and managing risks. The customisation and implementation of the tool is planned to be finalised in the next financial year.



Ms. Suzette Marais,
Executive Manager: PMO

Programme Management Office (PMO)

Transformation Programme

The NPA's transformation programme continued on its path of improving the overall performance and functioning of the NPA. A key highlight was the establishment of a Programme Management Office (PMO) to coordinate and drive the strategic projects embarked upon by the NPA. The PMO will provide professional project management and administrative support to projects and should enhance the successes to be achieved through projects.

Community Prosecutions

The Community Prosecutions Project is a key initiative within the NPA's Crime Prevention and Community Justice Strategy. The NPA sought to explore the role of prosecutors in proactive problem solving initiatives that would reduce the pressure on the courts by focussing on crime prevention. A detailed report on community prosecutions is covered under the NPS highlights.

myNPAmValues

The NPA developed a set of organisational values, through a democratic process that involved all employees. These values will be at the core of the way the organisation operates and employees will be encouraged to live by them, personally and professionally. These values are: Service Excellence, Credibility, Professionalism, Integrity and Accountability. The embedding of these values will enhance service delivery and build confidence in the NPA.



Ms. Dipuo Mvelase,
Executive Manager: IMU

Integrity Management Unit (IMU)

Promotion of culture of integrity in the NPA

The IMU developed a programme primarily aimed at promoting and enhancing a culture of integrity by continuously assessing the status of integrity in the organisation, presenting recommendations for appropriate interventions, educating and raising internal stakeholders' awareness.

Prevention of unethical conduct in the NPA

Through this programme the IMU aims to identify and reduce systemic weaknesses that may render the

NPA vulnerable to unethical, fraudulent and corrupt practices. The unit finalised a User Requirement Specification for an Early Warning System and is in the process of driving its development.

A total of 202 out of 213 Senior Management Structure (SMS) financial declarations were received and submitted to the Minister. An updated register of approvals for external remunerative work was maintained. The unit registered 80 cases of fraud and corruption, 48 of which were finalised. A response plan for fraud and corruption was developed as a result of the increased incidence of such cases.

The unit worked closely with stakeholders in areas of institutional integrity promotion and fighting corruption. Close working co-operation with SAPS resulted in joint investigations of alleged cases of unethical conduct against prosecutors and police officers. The IMU also participated in the Department of Public Service Administration (DPSA) project to design a tool to review the National Anti-Corruption Framework.



Ms. Bulelwa Makeke,
Executive Manager: Communications

Communications

The Communications Unit's role is to manage internal and external communication for the organisation. The unit also ensures that communication activities are in line with the overall government objectives as set out in the national government communication strategic framework and the JCPS Programme of Action. A large part of the mandate of the unit is to develop and implement an effective public education and awareness programme, to raise stakeholders' level of understanding of the work and role of the NPA in the CJS.

Media Relations

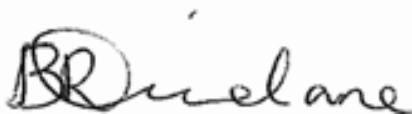
The NPA continued its excellent record of responsiveness and provision of accurate information to the media. The work of the NPA was covered significantly in the media, mainly with regard to high profile cases that are dealt with by the NPA and the DSO.

Public relations, community outreach and public education

The NPA instituted a brand audit process in the previous financial year. The findings revealed that the NPA brand was not consistently applied according to proper branding principles. The brand review process is envisaged to be finalised and implemented within the next financial year.

The NPA developed advertorials which were published in major media publications such as the Financial Mail, Black Business Quarterly and Leadership. An educational 12-page corporate profile was published in the Financial Mail (FM) in April, and further print runs were subsequently distributed at key national events and exhibitions such as the Rand Show, Grahamstown Arts Festival and the Pietermaritzburg Royal Show, where the NPA exhibition stand was awarded a gold medal (second prize) for its excellent educational display.

The NPA leadership and prosecutors participated significantly in Rights & Recourse (a legal TV programme on SABC 3, aimed at informing and educating the public on the law and their legal rights), about the mandate and functions of the NPA in the CJS.



Ms. Beryl Simelane
Acting Chief Executive Officer



NPA strategic overview and key policy development

Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007)

This Act, with the exception of Chapters 5 and 6, commenced on 16 December 2007. Chapter 5 commenced on 21 March 2008 and Chapter 6 commences on 16 June 2008, or an earlier date fixed by the President by proclamation in the Gazette. The Act comprehensively and extensively amended all aspects of the laws and the implementation of the laws relating to sexual offences, and deals with all legal aspects of, or relating to, sexual offences in a single statute. The NPA mapped the new processes and training commenced in preparation for the implementation of the legislation.

Criminal Law (Sentencing) Amendment Act, 2007 (Act No. 38 of 2007)

The Act regulates the imposition of certain sentences and increases the jurisdiction of the regional court. The Act will have a significant impact on the number of appeals as it also provides for an automatic right of appeal if a person is sentenced to life imprisonment by a regional court. The positive impact will be the reduction of the workload on the High Court in respect of section 52A of the Criminal Procedure Act sentences. The NPA will develop the required policy directives re the cases that will be heard in the High Court as a court of first instance.





NATIONAL PROSECUTING AUTHORITY
South Africa

SECTION 2: DELIVERY

*DELIVERY IS THE PROCESS BY WHICH THE NPA
ENSURES THAT JUSTICE IS DELIVERED TO ITS
CUSTOMERS.*



Programme 4: National Prosecuting Authority (NPA)

Purpose

To provide a co-ordinated prosecuting service, protect certain witnesses and investigate serious organised unlawful conduct and remove the profit of crime.

Sub-programmes

The NPA's four sub-programmes are:

- Sub-programme 1: Public Prosecutions deals with prosecution services, which include prosecutions in the lower and high courts, alternative dispute resolutions, sexual offences and community affairs, priority crimes litigation

and specialised commercial crimes.

- Sub-programme 2: Witness Protection deals with the safekeeping of identified vulnerable and intimidated witnesses and related persons requiring protection whilst testifying in cases being prosecuted.
- Sub-programme 3: Directorate of Special Operations deals with the disruption and prosecution of serious, complex and organised crime.
- Sub-programme 4: Asset Forfeiture ensures that the powers to seize criminal assets in the Prevention of Organised Crime Act (1998) are used effectively.

Service delivery objectives and indicators

Table 1: Key measurable objectives for the NPA as reflected in the Estimates of National Expenditure (ENE)

Sub-programme	Output	Measure/Indicator	Target	Actual	Reasons for deviation
Public Prosecutions	Prosecution of criminal cases	Conviction rate	High courts: 85% convicted	<p>Trials: 91% A total of 1 081 High Court trials were finalised with 987 convictions.</p> <p>Section 52A: 90% A total of 1 041 section 52As were finalised with 913 convictions (26 matters were referred back).</p> <p>The High Court overall conviction rate achieved was 90.5% (+5.5%)</p>	<p>*Sexual offences The conviction rate on sexual offences is on par with international standards. Cautionary rules apply to the evidence of the victim of sexual offences who is also in most cases a single witness. Where the TCCs are linked to the courts the conviction rate is much higher at 75.3%. Sexual offences require dedicated courts with dedicated magistrates and prosecutors. The current trend is to generalise rather than specialise.</p>
			District Courts: 85% convicted	<p>88% (+3%) NPS finalised a total of 259 571 cases, with a verdict of 227 482 convictions.</p>	



Sub-programme	Output	Measure/ Indicator	Target	Actual	Reasons for deviation
			Regional Courts: 70% convicted	NPA 73% (+3%) NPA finalised a total of 34 971 cases in Regional Courts with a verdict of 25 362 convictions. SCCU 94.12% (+24.12%) SCCU finalised a total of 1 943 cases in the Regional Courts with 1 232 convictions. 655 cases were withdrawn.	
			Overall: 80% convicted	85.9% (+5.9%) The overall conviction rate achieved.	
	Prosecution of cases involving women and children	Conviction rate in sexual offences courts	70% convicted	66% (-4%) NPS finalised a total of 4 365 cases involving women and children with a verdict of 2 887 convictions.	
Witness Protection Programme	Effective protection and support services to vulnerable and intimidated witnesses	Number of witnesses or family members assassinated or harmed while on the programme	Zero witnesses or family members	Zero	2 witnesses who abandoned the programme were assassinated after they returned to the danger areas.
		Number of witnesses abandoning the programme	Zero witnesses	24% (102) of witnesses (-24%)	The definition of abandoning the programme was amended in this financial year to include persons that voluntarily leave the programme, are asked to leave due to misconduct or abandon the programme without prior notice.
Special Operations	Disruption of organised crime	Conviction rate for organised crime	95% convicted	94% (-1%) 182 cases of prosecutions with 171 convictions.	The DSO cases are very complex and in most cases are defended by senior council.
Asset Forfeiture	Disruption of crime by asset forfeiture	Number of asset forfeitures completed	180 forfeitures	218 Seizures (+21%) 221 Completed 366 Other	
		Success rate in asset forfeiture cases	85% successful	86.5% (+1.5%)	



Adv. Sibongile Mzinyathi,
Acting Deputy National Director of
Public Prosecutions: NPS

Sub-programme I: Public Prosecutions

National Prosecutions Service (NPS)

Purpose

In terms of Section 179 (2) of the Constitution, the NPS has the primary national responsibility for instituting criminal proceedings and performing related functions on behalf of the State.

The NPS is the largest unit in the NPA and houses the public prosecutors and state advocates manning the nation's District, Regional and High Courts. Apart from the prosecution of cases and arising appeals, NPS employees are also responsible for matters such as litigation in ancillary matters involving the resolution of criminal matters outside of the formal trial process. These include diversions, admissions of guilt, and providing data on court performance.

Measurable objectives

A number of the key performance indicators for the NPS are reflected in Table 2, which tracks performance over a five-year period.

Table 2: NPS Service delivery performance indicators - 2003/04 to 2007/08

National Prosecutions Service (All High, Regional and District Courts)								
	2003/04	2004/05	2005/06	2006/07	2007/08	Change over prev. yr	Change over period	Notes
Cases finalised incl diversions	414,488	399,966	411,417	379,034	343 126	-9.5%	-8.0%	A decline in finalised cases mainly due to external factors such as load shedding and labour action strike. Internal factors such as high vacancy rate have also impacted negatively. From April 2007 additional indicators such as informal mediation and Sec 57A admission of guilt were added.
Admission of guilt (sec 57A of CPA)					30 115			
Informal mediations					15 393			
Total finalised including additional indicators:					388 634	2.5% including additional indicators		
Admission of Guilt ¹ (incl Sec 57A)			464 015	471 497	669,611 (30 115 Sec 57A admissions are included)	42.0%	44.3%	The admission of guilt (AG) figures are recorded by DoJ&CD. Only a portion of AG's, Sec 57A of the CPA is recorded by the NPA since April 07

¹ Data only recorded by DoJ&CD from 05/06



National Prosecutions Service (All High, Regional and District Courts)								
	2003/04	2004/05	2005/06	2006/07	2007/08	Change over prev. yr	Change over period	Notes
Diversions	17,952	18,946	37,422	44,483	46,470	4.5%	213.8%	Increased focus on diversions
Cases finalised excl ADRM ²	396,536	381,020	373,995	334,551	296,656	-11.3%	-27.2%	Decrease mainly due to external factors such as load shedding, and Labour Action
Cases finalised (Sat & Additional courts)	23,380	11,751	1,432	1,525	3,503	129.7%	-88.3%	Increased due to expansion of National Backlog project to 33 courts with special focus on Regional Courts.
New cases	1,117,488	1,084,137	1,069,724	1,062,497	1,037,538	-2.3%	-7.2%	Slight decrease due to better screening processes. Project Clean-up assisted in this regard
Decision dockets received Lower courts	514,355	523,169	517,101	489,213	452,997	-7.4%	-6.5%	Decrease due to labour action and load shedding impacting on investigations
Withdrawals	363,391	318,767	311,078	306,050	305,893	-0.1%	-26.2%	Slight decrease due to better screening
Outstanding roll	185,423	206,005	198,990	206,508	232,518	12.6%	23.2%	Increase due to reduced finalisation of cases
Backlog cases ³		33,595	37,216	36,130	39,736	10.0%	18.3%	Increase mostly in District Courts – National Backlog project contributing to reduction in Regional Courts
Awaiting trial detainees (March average)	54,157	52,371	48,807	48,196	52,662	9.3%	-10.4%	Target: 10% decrease this year. About 8% of outstanding Regional Court cases are absconded cases
Court hours	04:08	04:07	04:06	03:58	03:39	-7.8%	-11.7%	External factors impacted negatively on optimum use of available court hours. Time spent on ADR methods, plea agreements and admission of guilt payments are not regarded as actual court hours.
Conviction rate ⁴	83.5%	85.1%	85.7%	85.8%	85.9%	0.1%	5.3%	Continuous increase due to focused approach on pre-trial processes

² ADRM: Alternative dispute resolution mechanism is an umbrella term for mechanism employed to resolve cases successfully in ways other than a formal trial.

³ Backlog cases are defined as cases older than 12 months in the High Courts, 9 months in the Regional Courts and 6 months in the District Courts since date of enrollment in that forum.

⁴ The number of cases finalised with a guilty verdict, expressed as a percentage of the number of cases finalised with a verdict.

Highlights of achievements

On average, 1597 High and Lower Courts have managed to achieve a positive clearance ratio⁵ during the 2007/08 financial year. A total of 1 037 538 new cases were received and 1 043 857 cases were disposed. Despite ongoing power shortages experienced countrywide, the courts have managed to keep up with the high inflow of cases during this reporting period. A focused approach on the alternative measures to reduce trial cases such as diversions and mediation has also contributed to the attainment of a positive ratio.

The courts have again maintained high conviction

rates. An average conviction rate of 85.9% was maintained by all courts. See Figure 1 below.

The NPS has embarked on multiple initiatives to enhance customer management, reduce trial cases and improve the smooth and even flow of cases through the CJS.

Alternative dispute resolution mechanism (ADRM)

ADRM is an umbrella term for mechanisms employed to resolve cases successfully in ways other than a formal trial. The methods applied are diversions, informal mediation and admission of guilt (Sec.57A of CPA). See Figure 2 below.

Figure 1: All Courts: Conviction Rates

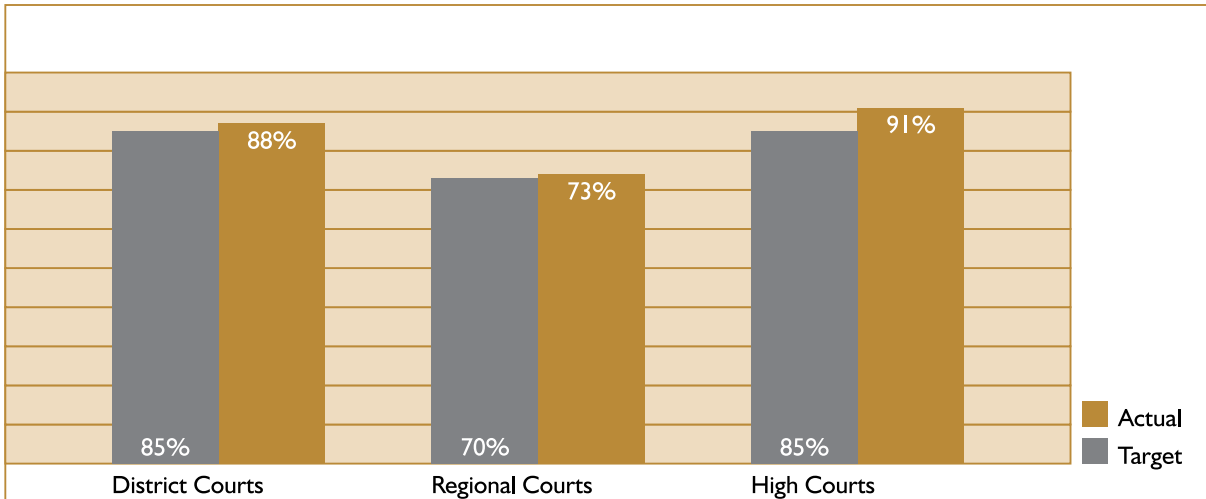
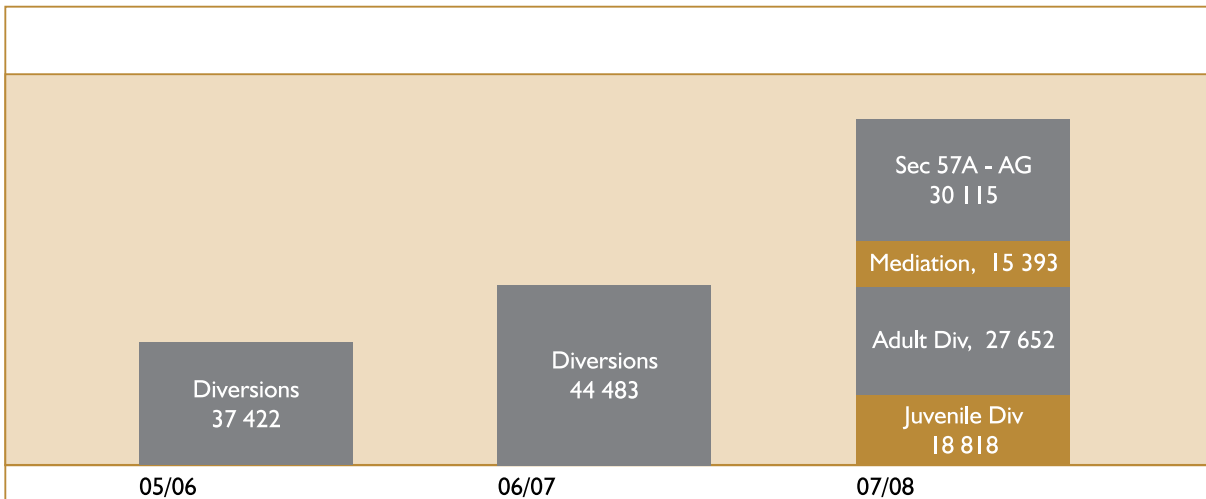


Figure 2: Lower Courts: ADRM Finalisation Rate



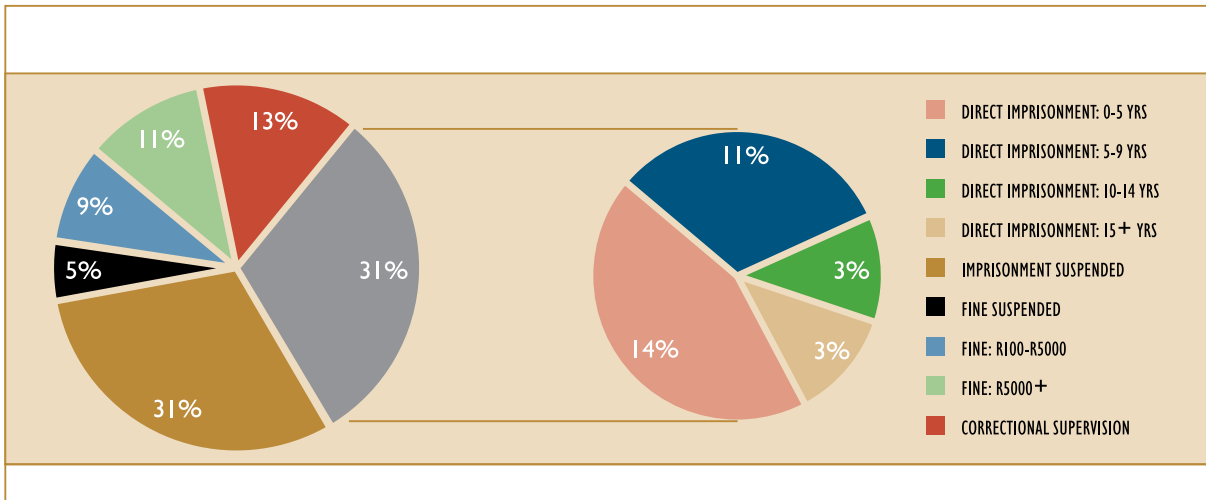
⁵ Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed of in a timely manner, a backlog of cases awaiting disposition will grow.



Plea and sentence agreements are intended to reduce the need for lengthy trials where agreements can be reached. The number of plea and sentence

agreements increased slightly from 1 139 in 2006/07 to 1 252 in 2007/08. See Figure 3 below.

Figure 3: Plea and Sentence Agreements: Sentences Imposed



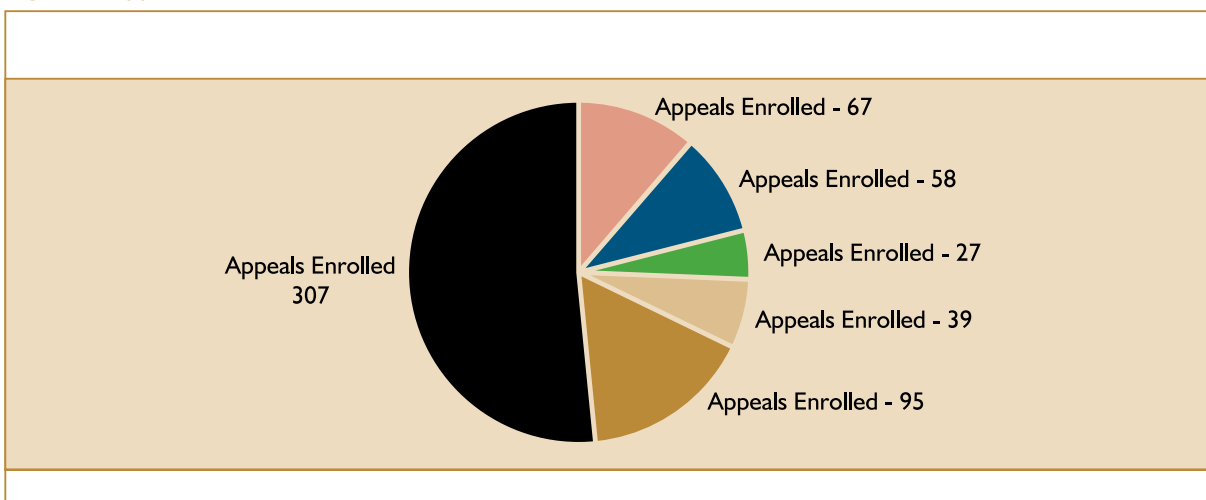
Project Clean-up aimed to improve screening and proper preparation of cases that prevented cases from proceeding in time. A total of 2 376 staff members participated. The following was achieved:

- 10 616 dockets screened and prepared for court
- 2 832 inquests dealt with;
- 209 plea agreements dealt with;
- 35 315 decision dockets dealt with;
- 453 consultations with witnesses.

The National Backlog project is a joint project with partners that seeks to collectively address backlogs at sites with the highest percentage backlogs. Currently there are 33 sites. A total of 3 503 cases were finalised with an average of 11.3 cases per court per month.

The target for reducing the backlog in the High Court appeals was 40%. The Transvaal Provincial Division (TPD) was selected as the pilot site. A total of 593 appeals were enrolled during the project. The finalisation is displayed in Figure 4 below.

Figure 4: Appeals Finalised



Community Courts

Community Courts can be defined as those that utilise an integrated approach to resolving criminal matters, improving access to justice and promoting community participation. The NPS is cooperating with the DoJ&CD in rolling out additional

community courts. Thus far 13 Community Courts are fully functional and negotiations are underway for the roll out of a further 13. The performance of these courts remains on par with a conviction rate of 97% and a total of 18 959 cases finalised.

Table 3: Two Year Comparative Performance of Community Courts as at the end of March 2008

	Total cases finalised	Total new cases received	Conviction rate	With verdict	ADRM
2007/08	18 959	29 728	97%	11 676	7 283
2006/07	12 887	27 660	95 %	6 914	5 973

Community Prosecutions Project

The broad objective of the project is to identify and build strategic partnerships with other branches of government, the community and civil society, in order to jointly address the underlying causes of public insecurity, and therefore to alleviate pressure on the courts.

The evaluation results revealed that community prosecutions contributed to reducing crime problems in eight out of the nine provincial sites during piloting between May 2007 and October 2008. The results are promising and the NPA is considering further implementation.

Court Preparation Programme

The court preparation programme aims to reduce secondary victimisation of witnesses and complainants at trial phase. It therefore aims to empower the victim to give evidence in a credible and reliable manner which entails court orientation, clarification of role players and engagement with customers on a developmental and age appropriate level.

A total of 118 Court Preparation Officers were appointed and their performance was consistently monitored. Since November 2007, an average of 38 witnesses per court preparation officer per month took part in this programme.

Restorative Justice (RJ) Project

The project is intended to test and evaluate the use of restorative justice as a suitable means of delivering justice. Three pilot sites, namely KwaMashu / Phoenix in Kwa-Zulu Natal, Atteridgeville in Gauteng and Mitchells Plain in the Western Cape were implemented. The evaluation confirmed that while there are common elements in terms of RJ

processes and procedures, there is no common practice of RJ internationally or nationally.

Implementing RJ requires service providers who offer mediation and decision programmes. The issue regarding which government department should take responsibility for the funding of these services is pertinent to this page.

Noteworthy cases

Andrew Jordaan

The accused was arrested on 20 February 2007 for the murder and kidnapping of Sheldean Human. The case was enrolled for trial in the High Court on 2 August 2007 as there were early indications that the accused was prepared to plead guilty. This was not the case, and the trial commenced on 25 March 2008. The accused was charged with murder, kidnapping and rape of Sheldean Human and for the rape and indecent assault of a minor as well as possession of dagga. The accused was convicted on all main counts with the exception of the charge of rape of the deceased on which he was convicted of attempted rape. The accused was sentenced to life imprisonment on the murder charge on the 9th of June 2008.

Kgantsi

This was the first judgment received on the Prevention and Combating of Corrupt Activities (POCA) Act 12 of 2004 and the application thereof (general corrupt relationship *et al*). The accused, a Senior State Advocate of the DSO was convicted of three counts of corruption related to the receipt of R 30 000 and R10 000, respectively, in cash as well as use of a vehicle and one count of fraud (relating

to false information furnished in security clearance). The trial lasted for six months in the High Court (Goldstein J). The accused was convicted on 19 September 2007 and sentenced to a total of 25 years imprisonment: of which seven years were suspended. This case was extremely difficult to prove as it was built on evidence of two accomplices arrested for fraud and money laundering. One of the witnesses died before the trial could commence but his evidence was still successfully admitted in terms of the Hearsay Act, Act 45 of 1988.

Phashwane and Mokoena matters

Judge Bertelsman issued a Rule 16A order calling for input on the status quo and recommendations on the improved handling of child victims within the CJS. A national survey was conducted by the NPS and submissions were made. The court order ruled some provisions in the Criminal Procedure Act unconstitutional as the provisions do not uphold the best interests of children. The matter was referred to the Constitutional Court for confirmation. Additional orders were made in which emphasis was placed on the need for expert handling and prioritisation of these matters.

Baby Best killing in utero

David Best of East London hired two agents to shoot and kill his baby in the womb of his girlfriend days before she was due to give birth. They made it look like a botched car hi-jacking. The mother survived, but unfortunately the baby did not.

The State was able to prove that the baby was alive and well immediately before the shooting and died as a result of the shots minutes before being removed by emergency caesarean.

The State's attempts to charge for murder of the baby were unsuccessful but both Best and his agent, Masumpa, were convicted of attempted murder and other charges and sentenced to an effective 21 and 15 years imprisonment, respectively [see *S v Masumpa and Another* 2008(1)SACR 126 (E)]. The Law Reform Commission has since been briefed about the need for legal reform to cater for such a situation. A project was registered to research the issue with a view to bringing it in line with international legal opinion where such an offence would constitute murder of the foetus.

Waterkloof 4

A homeless man was killed by the four accused in a park in the eastern suburbs of Pretoria. The accused (all 16 years at the time) returned from a nightclub whereafter they assaulted the defenceless man (the deceased) with a knife and a hammer. All four accused were convicted of murder and sentenced to 12 years imprisonment. Notwithstanding the fact that the deceased had no identity or family members and the accused on the other hand were well-known members of the community, the prosecution persisted with great effort and energy.

Killer of police woman swiftly brought to justice

A senior commissioned police officer of the Graaff Reinet Police Academy was brutally raped and murdered in broad daylight when she went jogging. Within two months after her death, the NPS secured a conviction on both charges and the accused was sentenced to two terms of life imprisonment in terms of the minimum sentencing legislation.

Professional Memberships

International Association of Prosecutors

A number of prosecutors attended the Annual Conference of the International Association of Prosecutors (IAP) in Hong Kong in September 2007. Over the years, the NPA has ensured that as many prosecutors as possible are exposed to these most informative annual conferences.

Africa Prosecutors Association (APA)

Adv. MJ. Mpshe, S.C. the acting NDPP, is the first President of the Association. An APA Conference was held in Angola in July 2007.

Forecast for 2008/09

The focus of the NPS for this financial year is to improve service delivery with a focus on finalising cases and reducing the case backlogs and improving overall productivity. All measurements are aligned with and support the targets as set out in the ENE to ensure measurable improvement in service delivery.

In order for the NPS to achieve its objectives for the year it is important to address areas of resourcing in the NPS, which is still an area of concern.



Adv. Anton Ackerman, S.C.,
Special Director of Public
Prosecutions: PCLU

Priority Crimes Litigation Unit (PCLU)

Purpose

The Priority Crimes Litigation Unit (PCLU) was created by Presidential proclamation to manage investigations and prosecute crimes that impact on State security. The PCLU previously grouped with other specialist units in the National Specialist Services Division (NSSD), is now a business unit within the NPS.

Service delivery achievements

During this period the PCLU achieved considerable success with the prosecution of international nuclear weapons proliferation networks and other matters impacting on international peace and security. The unit also participated commendably in international community initiatives to combat terrorism and related crimes. The prosecution-guided investigation (PGI) methodology was applied in most investigations, and the unit closely collaborated with other stakeholders whose interests were affected by such matters. Pro-active measures were taken to protect witnesses and sensitive information. The unit provided inputs into legislative amendments in order to enhance effective law enforcement.

Cases and projects

Nuclear non-proliferation

Geiges, Wisser and Krisch Engineering Co (Pty) Ltd

This prosecution must be seen in the context of an international nuclear weapons proliferation network, headed by Pakistani nuclear scientist, Dr AQ Khan. The network operated for an extended period and in many countries throughout the world, proliferating nuclear weapons technology to States, developing and sustaining nuclear weapons programmes outside the ambit of the Non-Proliferation Treaty (NPT).

The accused were indicted on three charges relating to the proliferation of nuclear weapons technology to Libya and four charges relating to proliferation to Pakistan. The case is regarded as one of the most serious violations of international nuclear proliferation regimes in the world and was the product of an investigation spanning four years. In September 2007 Wisser, the main accused, pleaded guilty to all the main charges and was sentenced to three years' correctional supervision, 18 years' imprisonment, wholly suspended on appropriate conditions and consented to a final confiscatory order in the amount of approximately €3 million. The International Atomic Energy Agency (IAEA) commended the South African Government on its achievement in securing a conviction, as did several member states including the USA.

In February 2008, Geiges also pleaded guilty to all the charges against him and received a sentence of 10 years' imprisonment, wholly suspended. In addition, he consented to the final confiscation of \$100 000, secured in Swiss bank accounts. South Africa is the only country in the world to have secured convictions against members of the Khan network in respect of the network's activities relating to the clandestine Libyan nuclear weapons programme.

As a result of lessons learnt from the above case, the PCLU has commenced entering into an all-embracing memorandum of understanding with several affected State departments in order to maintain vigilance in the field of nuclear proliferation.



UN closed meeting of nuclear experts

In December 2007, the United Nations (UN) convened a meeting of 15 nuclear experts in order to review the international instruments relating to nuclear terrorism. The senior prosecutor in the Geiges and Wisser matter was identified as one such expert and invited to attend the meeting. The other delegates were from the IAEA and the nuclear weapons States recognised by the NPT. The South African mission in Vienna was commended for the member's contribution to the workshop. As a follow-up to this meeting, the prosecutor was requested to provide training in the field of maritime terrorism as part of a UN training programme for merging nations.

Terrorism

The PCLU was appointed to execute a request for mutual legal assistance, submitted by the UK Crown Prosecution Service relating to the prosecution of persons implicated in the attempt to place explosives on airliners en route from the UK to the USA. It was alleged that these acts were committed by persons sympathetic to Al Qaeda. The evidence supplied contributed to the conviction of one of the persons charged and the PCLU was commended for its assistance. The assistance rendered has also been relied on in a prosecution against eight other members of the conspiracy.

Mutual Legal Assistance

S v Geiges, Wisser & Krisch Engineering (Pty) Ltd

Arising from the conviction of Wisser, requests for mutual legal assistance were received from certain foreign States. The PCLU rendered assistance to DoJ&CD's International Affairs Division responsible for making recommendations to the Minister in terms of the International Co-operation in Criminal Matters Act, No 75 of 1996. A request for assistance was also submitted by the PCLU to Switzerland relating to financial transactions arising from Wisser's conviction.

Failed coup d'etat on Equatorial Guinea

The PCLU had a series of meetings with representatives of the UK Crown Prosecution Service in connection with the UK investigations into the above coup. The purpose of these meetings was to establish a framework for mutual legal assistance.

Truth and Reconciliation Commission (TRC) Prosecutions

S v Van der Merwe & Others

In August 2007, the former Minister of Law and Order, Adrian Vlok, former Head of the South African Police, Johan van der Merwe, and three other former Security Branch members pleaded guilty on a charge of attempting to poison Reverend Frank Chikane, the Director-General in the Presidency. This is the first case where an Executive of the Apartheid Regime admitted to complicity in the commission of human rights abuse directed against the Liberation Movement.

Other Matters

Requests to look into other matters have been received and these must be processed according to the TRC Guidelines.

Missing Persons Task Team

The Missing Persons Task Team continued to conduct research and investigations into the tracing of the remains of persons who disappeared during the period of conflict covered by the TRC. Ongoing investigations recovered seventeen human remains from both formal burial sites and informal secret disposal sites. Key investigations included:

- The remains of two Azanian People's Liberation Army (AZANLA) operatives who were shot dead in 1981. They were traced to pauper graves in Zeerust and exhumed in the presence of their families. DNA identification was positively concluded.
- The remains of two Umkhonto weSizwe (MK) operatives who were killed by the Security Forces were traced to pauper graves in Mmabatho and DNA identifications were also successful.
- Protracted excavations were conducted at Post Chalmers farm near Cradock in the Eastern Cape. Security Branch members unsuccessfully applied for amnesty for the murder of five prominent anti-apartheid activists: the Pebco 3, Sipiwo Mthimkulu and Topsy Madaka. Significant portions of burnt human remains were uncovered, contradicting the version of the Security Branch members during their amnesty hearings. The burnt remains and associated artefacts are currently undergoing forensic analysis.

- The remains of four MK operatives who were shot dead in June 1986 by the then Western Transvaal Security Police were located amidst other buried paupers at Lethabong, a small village near Rustenburg in North West Province. DNA testing is still underway.
- The remains of a further four MK operatives were uncovered during excavations in Thohoyandou. DNA testing is still underway to provide conclusive identifications.

The Missing Persons' Task Team continues to work in close conjunction with the TRC Unit in the DoJ & CD as well as other State structures such as the South African Heritage Resources Agency (SAHRA), National Heritage Council (NHC) and Freedom Park Trust. Liaison with Non-governmental organisations (NGOs) and victim organisations continues on a case by case basis. Cabinet approval of the National Exhumation Policy is still pending.

Stakeholder engagement

In order to deliver on its mandate, the PCLU interacts closely with other affected government departments and strives to conduct its business by adopting a multi-disciplinary approach.

Forecast for 2008/09

The PCLU will continue to display vigilance with regard to its primary mandate of serious national and international crimes which impact State security. In conjunction with its stakeholders, it is structured to take effective action in respect of any new matters detected.

The Missing Persons' Task Team is expected to continue to make further inroads with its investigations and make a meaningful contribution to the implementation of the National Exhumation Policy.



Adv. Chris Jordaan, S.C.,
Special Director of
Public Prosecutions: SCCU



Dr. Silas Ramiate,
Deputy National Director of
Public Prosecutions: NSSD
(SCCU, SOCA, WPU)

Specialised Commercial Crime Unit (SCCU)

Purpose

The mandate of the SCCU is to effectively prosecute complex commercial crime cases emanating from the SAPS Commercial Crime Branches. The SCCU has offices in Pretoria, Johannesburg, Durban, Port Elizabeth, Cape Town and Bloemfontein as well as a satellite office in East London. A key element of the SCCU's operations is its methodology of having a procurator involved in the case from the start of the investigation. Co-location of the SCCU office, the SAPS Commercial Branch and the Commercial Court is therefore critical. The regular steering committee meetings with role players (including the SAPS, Magistracy and the

DoJ&CD) also contribute to the success of the unit.

Measurable objectives

A number of the key performance indicators for the SCCU are reflected in Table 4, tracking performance over a five-year period.

Service delivery achievements

Several major cases were successfully prosecuted, resulting in convictions and long imprisonment sentences. These high-profile cases include the convictions of prominent business people, senior police officials and other civil servants. In 207 cases, sentences of direct imprisonment were imposed. The SCCU maintained a high conviction rate of 94.1%, with 3 031 cases finalised. Court hours for SCCU cases averaged 4:14 hours per day.

The quality of the SCCU's service rendered to

Table 4: SCCU Service delivery performance indicators - 2003/04 to 2007/08

	2003/04	2004/05	2005/06	2006/07	2007/8	Change over prev yr	Change over period	Notes
Number of courts	2	4	4	7	7	0%	250%	Pretoria(2), Johannesburg(3), Durban(2), PE(1), Bloemfontein(0), Cape Town(1)
Convictions	491	653	857	1 515	1 232	-19%	335%	Significant increase as new courts become fully operational
Conviction Rate	95.0%	94.8%	94.6%	96.62%	94.1%	-2%	-2%	
Cases enrolled for trial	625	935	1 431	1 844	1 844	0%	252%	Significant increase as new courts become fully operational
Cases finalised	1 357	1 772	2 271	3 574	3 031	-15%	130%	

the community remains outstanding:

- Case lead times were reduced from an average of 267 days per case to 238.4 days
- Case backlogs in Durban were substantially reduced by 20%
- The number of awaiting trial detainees was reduced from 92 to 61
- Remands for further investigation per month were reduced from 138 to 114

The SCCU received an excellent approval rating on the accuracy of its performance information and was commended by the auditors for the verifiable evidence kept.

Projects

The SCCU plays a leading role in developing the prosecution-guided investigation (PGI) methodology, which is designed to improve the quality of investigations by ensuring earlier and closer cooperation between prosecutors and investigators. This project is already 61% completed, which is considerably above the 33% target that was set for the period under review.

Stakeholder engagement

The SCCU's mandate of prosecuting commercial crime requires constant cooperation with the SAPS Commercial Branch, the DoJ&CD and the AFU. Other regular stakeholders include the South African Banking Risk Information Centre (SABRIC), Business Against Crime (BAC), the SA Reserve Bank, the South African Federation Against Counterfeit Theft (SAFACT), the Road Accident Fund (RAF) as well as the Department of Trade and Industry (DTI).

Social citizenship

All offices in the SCCU have taken steps to engage with and support the community, as the examples below demonstrate:

Pretoria

Project with the National Education Theatre System as well as SAFACT, where plays are held at schools countrywide to educate children about counterfeit goods and theft.

Durban

Outreach programme at the Aids Orphanage in the Valley of a Thousand Hills. The prosecutors presented a play on the proliferation of counterfeit goods.

Port Elizabeth

Assistance to the Sunshine School for handicapped children to obtain travel bags for an upcoming tour.

Bloemfontein

The prosecutors facilitated a play at the Doctor Block High School on "Crime does not pay". They participated in community outreach programmes in respect of disadvantaged families.

Cape Town

Three social awareness campaigns were held regarding counterfeit goods

Forecast for 2008/09

As its work-load increases it is envisaged that the SCCU will need specialised support posts to raise performance capacity. These are in the process of being filled. As the PGI project moves closer to implementation, it will demand more resources and additional specific posts for its full implementation phase.

A dedicated court needs to be established in Bloemfontein soon, and a third commercial court is probably required in Pretoria. Additional magistrates experienced in commercial cases are also needed in Cape Town, Durban, Port Elizabeth and Bloemfontein.



Adv. Thoko Majokweni,
Special Director of Public
Prosecutions: SOCA

Sexual Offences and Community Affairs (SOCA)

Purpose

The SOCA develops strategy and policy, and oversees the management of cases relating to sexual offences, domestic violence, human trafficking, maintenance offences and young offenders. The broad outcomes that SOCA seeks to achieve are to:

- Improve the conviction rate in gender-based crimes and crimes against children
- Actively protect vulnerable groups from abuse

and violence

- Ensure access to maintenance support, and
- Systematically reduce secondary victimisation.

Measurable objectives

A number of the key performance indicators in dealing with the prosecution of cases involving women and children is reflected in Table 5, which tracks performance over a five-year period.

Service delivery achievements

A South African technical support team, represented by the DoJ & CD, NPA and SAPS, forms part of the Ethiopian/South African Partnership and Learning Programme. The team is responsible for giving technical support to the Ethiopian Justice cluster on matters relating to the management of gender-based violence, by sharing best practices and training where required. The team was invited by the Ethiopian government to participate in the 2nd Gender Justice in Africa colloquium in Addis Ababa in February 2008 where they presented the South African report, including the Thuthuzela Care Centre (TCC) model.

The unit held a planning workshop with Unicef in February, to design and develop a work plan for the roll out of 12 TCCs and the implementation of

Table 5: Service delivery performance indicators - 2003/04 to 2007/08

	2003/04	2004/05	2005/06	2006/07	2007/08	Change over previous year	Change over period	Notes
Number of dedicated courts	41	53	67	59	64	9%	191%	Improved stakeholder cooperation, commitment, dedicated services and regular skills development of relevant partners
Conviction rate: Dedicated Courts	61%	63%	70%	65%	64%	-1%	3%	Against $\pm 63\%$ in other regional courts
Number of Thuthuzela Care Centres	5	5	10	10	9	-10%	200%	(Lack of sufficient funding. Donor funding received towards the end of financial year, so more TCCs will be established in 2008/09)
Conviction rate: TCC's	82%	80%	80%	83%	75%	-8%	-7%	Total number of cases reported at the TCCs for 07/08 = 7 795

an Inter-departmental Management Team (IDMT) project management unit, after Danish funding was received in December 2007.

The unit hosted a study tour for a Namibian and Ethiopian delegation on sexual offences management in order to investigate techniques for successful combating of sexual offences, develop skills and establish an Ethiopian IDMT based on the South African model.

The establishment of a Programme Coordinating Unit (PCU) in January 2008, to focus on "Assistance to the SA government to react to and prevent human trafficking" was a precursor to the inception workshop that the PCU hosted with the Trafficking in persons inter-sectoral task team to streamline their working relationship.

Other highlights:

- Hosted members of the European Parliament and the European Union Commission Ambassador to SA at the Nthabiseng TCC in relation to the management of victims of human trafficking.
- Finalised a webpage with the GCIS providing relevant and critical information on the applicable laws, consequences and the reporting processes (whistle-blowing), etc. relating to human trafficking.
- Participated at Parliamentary Justice Portfolio Committee in relation to the Child Justice Bill and made a submission to the Social Development Portfolio Committee on Corporal Punishment for the Children's Amendment Bill 2006.
- Co-hosted with the SAPS a Gender Justice Summit targeting communities that support the 365 Days Programme. Issues addressed include mobilisation of society for sustained involvement in addressing gender-based violence, child protection, establishment of community-based centres and consolidating government/community partnerships in this field.
- The SOCA and the NPS compiled mind maps on the related statutory offences of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32/2007, promulgated on 16 December 2007. In addition, a training manual was developed in line with section 66(2)(b) of the aforementioned act. Training for prosecutors will be embarked upon from

June – September 2008.

- A baseline study was conducted on the restorative justice management of domestic violence cases in rural communities headed by traditional leaders.
- The integrated domestic violence package material was aligned with registered unit standards. Currently the task team is working with a service provider to have the Domestic Violence (DV) manual accredited by SASSETA.
- 98% of the 81 learners trained on DV, were declared competent and registered by SAQA in February 2008. This is the highest competency rate ever achieved in the NPA in learning initiatives that are unit standard based.
- The unit developed the first SA Personalised Safety plan for Victims of Domestic Violence, which will be used as part of the DV learning material in the implementation of the Family Law Practice Qualification.

Forecasts for 2008/09

- Implement the National Anti-Rape Strategic Framework for Action
- Implement the National 365 Days Programme and action plan (to end gender violence).
- Ensure that PGI model is implemented at the existing TCCs in line with SOCA's mandate
- Review the maintenance section of the NPA with regard to the management of all maintenance matters.
- Develop Restorative Justice and alternative dispute resolutions (ADR) framework for domestic violence.
- Implement roll out plan for the establishment of further TCCs in line with the National Action Plan and Anti-Rape Strategy.
- Ensure the implementation of the Human Trafficking strategy and project plan.
- Develop directives, guidelines, processes and mind maps for Sexual Offences legislation (Act 32 of 2007).
- Develop minimum standards for court preparation.

Sub-programme 2: Witness Protection

Introduction

Witness Protection deals with the safekeeping of identified vulnerable and intimidated witnesses and related persons requiring protection whilst testifying in cases being prosecuted.

Purpose

The Office for Witness Protection (OWP) provides a support service to the CJS by the protection of threatened or intimidated witnesses (and related

persons), thus ensuring that they will testify in criminal and other defined proceedings.

Measurable objectives

The measurable objective for this sub-programme as contained in the Estimates of National Expenditure (ENE) framework for this period is to ensure:

- Effective protection and support services to vulnerable and intimidated witnesses

A number of the key performance indicators for the OWP in dealing with effective and efficient support services to vulnerable and intimidated witnesses are reflected in Table 6, tracking performance over a five-year period.

Table 6: OWP Service Delivery performance indicators - 2003/04 to 2007/08

	2003/04	2004/05	2005/06	2006/07	2007/08	Change over prev yr	Change over period	Notes
Number of witnesses	422	247	220	229	231	0.9%	-38%	Had to cut post-trial care for budget reasons
Total including families	865	499	488	497	428	-14%	-42%	Had to cut post-trial care for budget reasons
Conviction rate in cases involving OWP		85%	95%	95%	80%	-16%	0%	Based on the number of cases finalised
Jail terms from evidence (yrs)	2 542	3 227	1 923	3 621	3 259	-10%	24%	Consolidated
Life terms from evidence (yrs)	128	159	383	542	488	-10%	578%	Consolidated
Witnesses harmed	0	0	0	0	0	0%	0%	Seven years in a row
Walking off programme (%)	1%	6%	3%	3%	24%	700%	-20%	Increased due to reclassification of the term "walk-off"
Formal grievances laid (%)	10%	3%	1%	2%	2%	0%	-95%	Reduced from 90% in 01/02
Cycle time (months)	42	30	30	24	24	0%	-56%	

Highlights of Achievements

Internationally, the OWP participates in world leading forums and has a seat on the Europol Heads of Experts. No witnesses or related person on the programme were threatened, harmed or assassinated in the past six years. The definition of

a walk-off was amended in this year to include all persons that voluntarily left the programme before testifying, were given notice to leave the programme due to misconduct or that left the safe-house without prior notice. The new definition meant that 24% (102) of the witnesses voluntarily terminated (walked-off) the programme. The conviction rate

in cases with witnesses on the programme was 80%. The unit had 428 witnesses, including family members, on the programme during the reporting period.

Service delivery achievements

The OWP is an independent and covert agency that does not have prosecution or police functions, but offers its services to all partners in the CJS. Witnesses and related persons requiring protection and support services are referred through partners such as the SAPS, NPA, other law enforcement agencies and international prosecution authorities, special courts and tribunals. A key principle is that the OWP safeguards witnesses without coaching them, thus ensuring the integrity of the testimony they can provide.

Stakeholder engagement

The OWP has played a very important role in the establishment of the Kenyan and Sierra Leone witness protection programme as well as the finalisation of the UN Good Practice Guidelines for witness protection. The OWP is also regarded by the International Criminal Court (ICC) as an important role player and members were invited to an Expert Working Group in 2007.

Forecast for 2008/09

The challenges faced by the unit in 2007 - 2008 were not all new, but certainly required attention. These challenges include the following:

- The ability of the CJS to fast-track cases impacts on how much time witnesses spend on the programme and utilise the OWP's budgetary resources.
- The OWP's growing global stature translates into increasing international commitments regarding crimes against humanity, organised crime and terrorism.
- The impact of the SAPS right-sizing over the next few years should lead to more arrests and prosecutions, leading to increasing numbers of witnesses and related persons requiring protection.
- The CJS's growing focus on organised, dangerous and violent crimes will also inevitably lead to more people requiring witness protection.



Adv. Leonard McCarthy,
Deputy National Director of Public
Prosecutions: Directorate of Special
Operations (DSO)

Sub-programme 3: Special Operations

Introduction

The sub-programme deals with the disruption and prosecution of serious, complex and organised crime.

Purpose

The DSO has the authority and flexibility to source multi-faceted crime information, in particular on the trail of money, drugs and people in syndicated

organised crime. The purpose of the DSO is to gather and analyse information, investigate and prosecute particular serious crimes, organised crimes and crimes of national interest which threaten democracy and the economy. Focus areas include financial crime, organised public sector corruption, syndicated organised crime, racketeering, money laundering and human trafficking.

Measurable objectives

The measurable objective for this sub-programme as contained in the ENE framework for this period is the following:

- Disruption of organised crime

A number of the key performance indicators for the DSO in dealing with matters falling within its mandate are reflected in Table 7, which tracks performance over a five-year period.

The DSO continued to reinforce its “troika approach” to ensure that investigators, analysts and prosecutors are involved in key projects from inception. This approach, based on the principle of constant prosecutorial involvement in investigations, is the cornerstone of the success of the DSO.

Table 7: DSO Service delivery performance indicators - 2003/04 to 2007/08

	2003/04	2004/05	2005/06	2006/07	2007/08	Change over prev yr	Change over period	Notes
Investigations finalised (no. of cases)	205	325	318	267	178	-33%	-6%	Uncertainty and staff losses had impact on delivery
Investigations new (no. of cases)		334	380	368	111	-70%	0%	DSO focused on finalising cases at hand
Arrests (no. of persons)	290	471	447	617	144	-77%	118%	
Prosecutions finalised (no. of cases)	189	234	243	214	182	-15%	1%	
Conviction rate	94%	88%	82%	85%	94%	11%	9%	
Restraint orders with AFU (R'000)	132,000	180,000	236,000	550,000	45 425	-92%	-66%	
Contraband seized (R'000)	1,150,000	2,460,000	445,000	956,580	4,084,775	327%	717%	

The operational case audit performed by the Office of the Investigating Director also illustrated the success of this approach.

During the third quarter of the financial year, a decision was made that the DSO should focus on reducing its backlogs, cleaning out deadwood cases and finalising matters at hand. It was also decided that, in order to achieve this objective, the DSO would not take on as many new investigations as had originally been planned.

Highlights of cases, activities, and impact on crime focus areas

The most significant operational activities for this period included the contribution the DSO made to the disruption of organised crime through the targeted interdiction of drugs and contraband, the seizure, confiscation and forfeiture of ill-gotten gains, as well as to the fight against cyber crime.

The following projects are noteworthy:

Project Bad Guys (BG)

Project BG is one of the DSO's biggest organised crime investigations. Three legs of this Project have been dealt with successfully. On 12 October 2007, Clinton Nassif appeared before the Alberton Regional Court, where he entered into a section 105A plea agreement with the State. The accused was convicted of dealing in drugs and sentenced to 10 years' imprisonment, suspended for five years. It was furthermore ordered that, in terms of section 18 of the POCA Act, no. 121 of 1998 and by consent between the parties, the benefit of £8 000.00 received by the accused at the relevant exchange rate as at 9 October 2007, be paid into the Criminal Assets Recovery Account (CARA). The payment was to be made within six months of the rehabilitation of the accused. Mr. Jacob Selebi also handed himself over on 1 February 2008 and appeared in the Randburg Regional Court.

Coolfrog 2: Station Café

This project involves cyber crime in the banking industry that is committed from the anonymity of internet cafés. Three accused were convicted of 42 counts of fraud. The DSO also received a certificate of recognition from Motorola Information

Protection Services, USA and Sun Microsystems for its contribution to the fight against cyber crime in this project.

Project PC

In early January 2006, the DSO KwaZulu-Natal (KZN) was approached by the Department of Social Development, to assist with an investigation into fraudulent grants being created by syndicates directly on its SOCPEN computer systems. It later emerged that fraud was also perpetrated in several other government departments on their BAS payment systems. Sixteen accused were convicted during the period under review and the team is working towards a racketeering prosecution against the main syndicate members.

Project Javadi

Project Javadi deals with the so-called 419 scams. This is a joint initiative with the USA Secret Service. Six arrests were made in the period under review.

Project Migret

Project Migret was initiated to investigate and prosecute large scale fraud perpetrated against the South African Revenue Service (SARS). It appeared as if this syndicate, operating with knowledge of the SARS systems, created false tax profiles for indigent people by using their identity numbers. By filing false IRP5's, tax refunds were obtained from the SARS, and this money, representing a potential loss of about R50 million, was channelled back to the syndicate. A task team comprising of members of the Specialised Investigating Unit (SIU), SARS and the DSO were designated to investigate the matter. During June 2007 the Gauteng Regional Office arrested 13 people and searched 14 premises on this project.

Project Medcor

Project Medcor deals with fraudulent claims submitted to a medical aid by a doctor, his assistant and patients. Between January and March 2008, 22 accused were convicted of fraud and sentenced to imprisonment ranging from six to eight years, suspended on condition that the accused repay Medcor and make a payment of R950 500 into CARA.

Project Land Bank (O Inama)

In this matter the accused was convicted of fraud and sentenced to a fine of R100 000 and three



years' correctional supervision and was furthermore ordered to repay R3.5 million to Land Bank.

Project Swatch

In Project Swatch a preservation order was granted for R6,3 million. The accused, Strauli, allegedly defrauded a Swiss national and stole funds from her. The funds were transferred to South Africa, and laundered through the purchase of a number of properties in the Stellenbosch area of the Western Cape.

Project Fidentia

This project relates to the collapse of Fidentia, a financial services company, when it became unable to meet its obligations with respect to paying out pensions to widows and orphans. An investigation by the Financial Services Board (FSB) revealed that at least R680 million was unaccounted for. On 1 February 2008 the accused was convicted of fraud and sentenced to 15 years' imprisonment (eight years of which were suspended for five years). The accused was also fined R50 million which was suspended for five years.

Project Eben Greyling

This matter relates to fraud perpetrated by Eben Greyling and Danie Rossouw against various investors in an investment corporation known as Gallagher Ltd. The investment corporation was used as a front to defraud approximately 230 investors. Actual loss to these investors is estimated at R40 million. The matter also has the characteristics of a pyramid scheme. During February 2008 the accused were convicted and sentenced to 8 years imprisonment of which three were suspended for five years.

Project Moberly

This project deals with allegations of irregularities, self-enrichment and misconduct in the handling and use of donor funds, including fraud and theft by members/associates of a NGO. The funding was primarily destined to prepare under-privileged scholars for post-school careers and employment. The sponsors included both South African and foreign benefactors. The accused were subsequently convicted of fraud on 13 December 2007.

Project Tanita

This matter is an investigation into organised diamond trafficking and corruption in the diamond industry in the Western Cape. Large quantities

of unpolished diamonds were smuggled into the Western Cape from countries such as Angola and the Democratic Republic of the Congo (DRC). These were illegally sold to diamond cutters and dealers, who cut, polish and sell/export diamonds in the ordinary course of their legitimate business. In an operation during this reporting period, cash to the value of R200 000 and diamonds to the value of R2.6 million were seized.

Stakeholder engagement

The DSO continued to strengthen its relations with various government departments, private sector bodies and international agencies. The DSO deals regularly with foreign requests for mutual legal assistance, and in turn requests the same from foreign agencies for its investigations. The DSO dealt with more than 20 mutual legal assistance requests in relation to trans-national syndicate activities, offshore investments, transfer pricing, corrupt nominal shareholdings and the extradition of persons. Several joint initiatives were executed between the DSO and the Financial Intelligence Centre (FIC), SARS, FSB, SABRIC, National Intelligence Co-ordinating Committee (NICOC), the United Kingdom's Serious Organised Crime Agency (SOCA) and the US Secret Service, among others.

Forecast for 2008/09

Although the DSO has once again committed itself to increased efforts to combat organised crime, the organisation is under severe strain due to the decision to relocate the unit. The resultant organisational uncertainty has led to an increase in levels of resignations and a decrease in staff morale.

However, the DSO is committed to focus on its current workload, to finalise major investigations and to adopt a prudent approach to the intake of new cases. The following valuable lessons were learnt during the 2007/08 financial year:

- The DSO methodology remains sound and is the most effective strategy and approach to investigating and prosecuting organised crime.
- Even with resource constraints and organisational uncertainty, the DSO has made a valuable and significant contribution to the fight against organised crime.
- Proper planning and prudent resource allocation to projects is necessary to ensure that projects are finalised on time and within budget.



Mr. Willie Hofmeyr,
Deputy National Director of Public
Prosecutions: AFU

Sub-Programme 4: Asset Forfeiture

Introduction

The Asset Forfeiture Unit (AFU) was created in 1999 to ensure the effective implementation of the asset forfeiture provisions in the Prevention of Organised Crime Act, 1998 (POCA). Chapter 5 of POCA provides for the forfeiture of assets from a person convicted of an offence. Chapter 6 provides for a civil process that is not dependent on criminal prosecution for forfeiting assets that are the proceeds of crime, or have been involved in the commission of crime. Forfeited money is paid into the CARA, unless there is an identified victim of the crime that suffered financial loss.

Applications in terms of POCA are civil in nature and are mostly conducted in the High Court, and the AFU therefore occupies a unique position in the State as essentially a specialist civil litigation unit.

The AFU currently comprises of lawyers, investigators and administrative staff. The investigative component is made up of the AFU financial investigators as well as members of the SAPS who are seconded to the AFU.

Purpose

Asset Forfeiture ensures that the powers to seize criminal assets in the Prevention of Organised Crime Act (1998) are used effectively.

Measurable Objectives

The key performance indicators for the AFU over a six year period are reflected in Table 8 below. As can be

seen, the AFU had a relatively good year and sustained the general upward trend in its performance. However, its performance was down from the previous year, mainly due to loss of skilled capacity as a result of several resignations of experienced staff during the previous year. The AFU's performance against its targets during this period is reflected in Table 8. The number of orders obtained was below target due to the capacity constraints mentioned above, although the target of 220 for completed cases by obtaining confiscation and forfeiture orders was met.

The AFU exceeded all its monetary targets during the year. The value of the new restraint and preservation orders for seizures obtained was R395 million (target of R300 million). The value of cases completed was R127 million, 6% above the target. Finalising larger cases speedily remains a challenge as these are often heavily litigated.

The AFU deposited R45.6 million into CARA, which was 82% above the target of R25 million. This was the highest amount ever achieved during one year. The CARA funds are used to boost the crime-fighting capacity of the SAPS, NPA and SARS and to assist the victims of crime. Funds can also be used to assist bodies that assist victims of crime. Funds have been allocated to support centres for abused women and children and to assist in the tracing of missing persons identified during the TRC process.

Highlights of achievements

During this period the AFU worked with and assisted several foreign jurisdictions in the implementation of the asset forfeiture law, in freezing properties belonging to suspects that are located in South Africa and providing training to their prosecutors on the use of asset forfeiture. By way of an example:

- The AFU in Cape Town assisted the Irish police with their investigation into the seizure of 1.5 tons of cocaine with the street value of R848 million off the coast of Ireland. The suspect in this matter resided in Cape Town. The AFU then obtained a preservation order of R5 million. As a result of the AFU's asset investigation, the SAPS is investigating money-laundering charges.
- The AFU assisted the Burundi government in investigating three South African businessmen who were charged with fraud of \$600 000 in Burundi. The unit is also assisting Burundi

Table 8: AFU Service delivery performance indicators - 2002/03 to 2007/08

	2003/04	2004/05	2005/06	2006/07	2007/08	Change over prev yr	Change over period	Notes
No. of new restraint orders	228	161	252	252	223	-12%	78%	Increase over period, capacity problem in 2007/08
Value of new restraints (R'000)	222,616	234,406	344,129	1,294,569	395,229	-69%	200%	Significant increase, King matter contributed at least R1bn
No. of completed forfeiture cases	148	151	221	242	223	-7.9%	179%	Increase over period, capacity problem in 07/08
Value of assets forfeited (R'000)	86,741	172,855	106,748	100,600m	127,322	27%	145%	Very large cases in 2004/05 distorted figures
Money paid to CARA (R'000)	35,737	24,500	18,823	19,291	45,564	136%	163%	Significant increase in success rate over period
Success rate (overall)	86%	87%	88%	88%	88%	0%	1%	
Success rate in judgments	77.1%	65.2%	72.4%	81.8%	80%	-1.8%	33%	Significant increase in success rate over period

Note: figures may differ slightly from those previously reported due to corrections in data or late reporting

to obtain a restraint order in Burundi for implementation in South Africa.

- The AFU in Johannesburg assisted the Directorate of Public Prosecutions in Botswana in drafting asset forfeiture precedents and appeared with them in court to assist in argument for a restraint order.
- The AFU provided training to prosecutors and investigators from various countries across the continent. Six prosecutors from Namibia, Swaziland and Zambia spent several months working in AFU offices to gain practical experience of asset forfeiture work.

During this period the AFU made significant strides in ensuring that it met its employment equity targets. The AFU has also expanded its Pupil State Advocate Programme by recruiting 8 Pupil State Advocates who had previously worked at the Constitutional Court as researchers to the justices. All the Pupil State Advocates who were appointed during this period were black.

The purpose of the Pupil State Advocate Programme is partly to develop the skilled capacity of the AFU to be able to deal adequately with the complex cases we currently struggle with as a result of the lack of skilled capacity.

Cases and Judgments

The AFU had a good year in court, winning 23 of 32 judgments it obtained in contested cases. The success rate of 71.9% was almost exactly on its target of 72%. The Constitutional Court, Supreme Court of Appeal and most important High Court judgements are summarised below.

Constitutional Court and Supreme Court of Appeal Judgments

Although the Shaik matter was argued in the Constitutional Court during the year, judgement was given only after the end of the financial year. The AFU did not have a good year in the Supreme Court of Appeal (SCA), winning only one of the three judgments during the year. This was mainly due to the negative impact on instrumentality cases in the Mohunram judgement in the Constitutional Court the previous year.

NDPP v Vermaak

The SCA dismissed the appeal by the AFU against an order of the High Court refusing to order the forfeiture of a motor vehicle that had been driven by a person under the influence of alcohol. The SCA held that while it is competent to forfeit such vehicle in terms of POCA, special circumstances

need to exist before such an order can be granted. The court held that the civil forfeiture cannot just be used as a substitute for conventional remedies (criminal sanctions).

NDPP v Singh

The SCA overturned the High Court judgement obtained by the AFU and held that the fixed property did not play a real or substantial role in the commission of the offence. The case concerned a “dirty building” used as a haven for drug trafficking, and acting against such buildings is an important part of the contribution that the AFU can make to crime prevention initiatives. The issue of “dirty buildings” continues to be a difficult one as the courts tend to see the fixed property merely as a venue where the offences took place. An amendment to POCA may have to be considered to deal with this issue.

NDPP v Geyser

The SCA overturned a High Court decision that had declared only the top floor of a brothel forfeit and declared the entire property forfeit. In an important decision, it also rejected the argument based on the Mohunram case that forfeiture was a disproportional punishment. The SCA held that brothel-keeping was a crime and permission could never be obtained to do it legally, unlike the illegal casino in Mohunram. An application for leave to appeal to the Constitutional Court by Geyser was rejected.

Important High Court judgments

- Kabi – the court accepted argument by the AFU that the applicant was not entitled to living and legal expenses due to his failure to make full disclosure regarding his assets and dismissed the application for living and legal expenses.
- In the Phillips matter the court accepted argument by the AFU and the curator that the curator is not responsible for the payment of assessed rates, refuse removal and sewage charges for the property under restraint. The municipality should claim such payments from the owner as it remains his responsibility.
- In Marinus 2 – the court accepted argument by the AFU in an application for legal expenses by Marinus and his wife to obtain services of a lawyer to assist them in complying with issues of non-disclosure raised by the AFU in their principal application for living and legal expenses.

The court held that Marinus and his wife have no general right to legal assistance in order to provide information relating to full disclosure of assets required by the AFU. Full disclosure is a prerequisite to accessing funds under restraint.

- In the Brennan matter, the court rejected a counter-application by Brennan to stay the forfeiture proceedings pending the finalisation of the criminal trial, since filing affidavits will infringe on his right to remain silent and his right against self-incrimination. The court held that Brennan has an election whether to file affidavits or not, and in the event that he elects to file an answering affidavit, such an election does not amount to compelling him to speak in criminal proceedings. The court held that an election to file merely requires him to make a choice, hard as that choice might be, and nothing more.

Stakeholder engagement

The AFU requires the active assistance and cooperation of a range of public and private sector organisations to perform its mandate. The unit also has formal cooperation agreements with the DSO and SCCU. Besides ongoing projects or cases, the AFU meets quarterly with the DSO, NPS, SCCU, SAPS, SARS and the Financial Intelligence Centre.

Social citizenship

In the financial period the AFU deposited R45.6 million into CARA. These funds are mainly allocated to law enforcement agencies to assist in the fight against crime but a substantial amount is also paid to organisations that assist victims of crime and abuse.

The AFU also contributed to crime prevention by working with communities to identify unlawful social irritants. This process has resulted in the AFU obtaining orders against or intervening in properties that have been identified by the community as community irritants. The following are some of the interventions the AFU has made by working with communities:

- The AFU in the Western Cape together with SAPS (at station level), NPS and the Community Police Forums have identified 11 properties which are being used as drugs outlets, thereby causing nuisance to the communities. The AFU has obtained preservation orders against six of these properties and the applications in respect



of the remainder are in the drafting stages.

- The AFU in Mpumalanga, assisted by SAPS (together with Community Police Forums), obtained 4 preservation orders against properties used as drug outlets.
- In Durban the AFU attended a meeting with the Cato Manor Station Commissioner and the Community Police Forum to help with a strategy to deal with illegal sale of drugs and liquor (shebeens) in the area. As a result of its participation, the AFU obtained a preservation order against an illegal shebeen that was generating crime. The owners of the shebeen had previously been charged on 76 previous occasions for the illegal sale of liquor and had paid admission of guilt fines on all these occasions.
- Through its participation in community police forums, the AFU received referrals from the Community Policing Forums in Port Elizabeth and Grahamstown to act against three properties that were considered to be community irritants (drug houses). These referrals resulted in the AFU issuing three section 51 notices against the owners instructing them to ensure, within a stipulated period, that their properties were not being used to commit illegal activities.
- As a result of its participation in community prosecution project in Johannesburg, the AFU received a referral to deal with Kings Pub which is situated in Randburg. This pub was suspected of selling liquor and drugs to minors. It was also considered to be a crime generator in the area. The AFU and the NPS submitted evidence of these illegal activities to the Liquor Board and its licence was revoked.

Forecast for 2008/09

The growing incidence of economically motivated crimes such as smuggling of minerals, drugs and abalone, commercial crime, corruption and other forms of crime leads the AFU to believe that its workload and the need for asset forfeiture will continue to grow. The unit is therefore compelled to:

- Expand its skills, capacity and networks to deal adequately with current cases and the increasing number of cases in the future.
- Further explore and develop joint strategies and working relationships with all partners and stakeholders in the fight against crime.
- Follow up the promise of its early efforts by further expanding its community and other proactive activities in crime prevention.





NATIONAL PROSECUTING AUTHORITY
South Africa

SECTION 3: RESOURCING

RESOURCING IS THE PROCESS BY WHICH THE NPA ENSURES THAT IT IS FULLY RECORDED TO DELIVER JUSTICE TO ITS CUSTOMERS AND VALUE TO ITS STAKEHOLDERS.



Corporate Services (CS)

Purpose

The mandate of CS is to provide the following support services to the NPA and its operational units:

- Human Resource Management and Development
- Finance and Procurement
- Security and Risk Management
- Information Management
- Research and Policy Information Management



Mr. Romeo Adams,
Executive Manager: HRM&D

Human Resources Management and Development (HRM&D)

Vacancies in critical posts

The high level of skills required for critical vacancies remains a constraint, and performance in HRM&D was also negatively impacted by a significant number of vacancies, particularly at senior management level. The executive manager for the unit and senior managers were appointed during the last quarter of the year.

The unit started designing specific strategies aimed at attracting and retaining expertise and implementation thereof will commence in earnest during the next financial year.

Staff Provision

HRM&D developed new recruitment templates to reduce the turnaround times for the filling of vacancies and also implemented a recruitment drive process to reduce the vacancy rate. The principle of Lean Thinking was introduced in the last quarter to improve work flow.

Human Resource Development

A successful skills audit was conducted throughout the NPA which will form the basis for training and development programmes for employees. Bursaries were awarded to 275 employees.

The NPA received an award from a survey conducted amongst university students where it was voted 3rd Top Employer of Choice in Humanities. The NPA's Graduate Recruitment Programme may have had an influence on the organisation receiving this accolade.

Learnerships and internships

The NPA successfully secured SASSETA funding for an estimated R2 million for learnerships and skills programmes. Significant progress was achieved in converting the Aspirant Prosecutor Programme into a formal learnership, and a learnership for Family Law was drafted.

Employee Wellness Programme (EWP)

The NPA runs a successful EWP, and employees participated actively in stress and lifestyle management programmes that were presented in all regions. A number of voluntary counselling and testing (VCT) sites were launched, coupled with awareness workshops in the furtherance of the objectives of the HIV/Aids strategy and policy.

Challenges

The NPA encountered numerous challenges in the process of decentralising HR functions to regions, mainly due to appropriate delegations not being in place. A reliable mechanism to maintain compliance in a distributed transaction processing environment will be critical to sustainability in this regard.

The leave audit process was started during the period under review. This will go a long way towards

addressing the challenges that resulted from the lack of proper integration between the e-leave system piloted in the NPA and PERSAL.



Mr. Brian Graham,
Chief Financial Officer

Finance and Procurement (F&P)

The Finance and Procurement worked on an action plan designed to address the audit findings of the 2006/07 financial year. While a number of areas informing the findings of the Auditor-General's report for this period emanated from inadequate controls and procedures in the finance and procurement systems, F&P had already implemented corrective measures to address these shortcomings. These corrective measures will go a long way in ensuring that future audits are more positive.

Highlights

Some of the highlights for Finance and Procurement for 2007/08 were the following:

- 80% of critical vacant positions were filled in Supply Chain Management (SCM); three critical CARU vacancies filled and five interns appointed to help with the backlog.
- The Acting CEO appointed the Irregular Expenditure Committee, with clear Terms of Reference.
- An effective and efficient fleet management system was put in place and detailed reporting on all fleet management aspects was established.
- Appointment of a service provider to assist in establishing a correct asset register for the NPA.

- Nashua Mobile was appointed as the new cellular phone service provider. This was a major move away from the NPA being the owner of the instruments, an issue that contributed to the findings by the Auditor-General.
- Staff debt was decreased by 13,22% from R12,1m to R10,5m. R1.5m was recovered from pension payouts.

Challenges

- The unresolved issue of Housing Loan Guarantees (Impact on AFS 2008/09) - HRM&D was advised to consult with banking institutions to reconcile and update records of housing guarantees.
- Irregular, fruitless and wasteful expenditure (noted cases) - awaiting condonation approval from National Treasury (NT) (R198m).
- Obtaining the buy-in of all the curators to sign service level agreements (SLAs) regarding the finalisation of curator reports.
- Master's Office regarding the efficient discharge of curators and approval of final reports from curators.
- Completion of the asset register for forfeited assets for all relevant cases.



Ms. Dipuo Mvelase,
Acting Executive Manager: S&RM

Security and Risk Management (S&RM)

Screening and Vetting

The S&RM received and processed 245 security vetting applications from the NPA personnel. All investigated files were forwarded to the National Intelligence Agency (NIA) for finalisation.

The component assisted the HRM&D with pre-employment screening of all employable candidates and screened suppliers and service providers prior to accepting their tenders or quotations.

Physical security programme

All the NPA facilities had security guarding services provided by contracted service providers. The component facilitated the upgrade and installation of a security system in offices where the need was identified, and provided security protection to a number of threatened employees and top management, in terms of the NPA Employee Protection Policy. The component was also highly effective in other operational security areas, including venue and office sweeps, and no incidents of physical harm to employees were reported.



Adv. Marnus Steyn,
*Acting Executive Manager:
IMSC*

Information Management Service Centre (IMSC)

The IMSC worked on the process to ensure that the NPA systems are adequate for the needs of the organisation. The main focus was on identifying emerging threats in the ITC field which could have a negative impact on security and ongoing availability of NPA systems. To this end, the successful deployment of an intrusion detection system in the organisation is significant.

Highlights

- Completion of three systems as part of the IJS initiative, namely the Prosecutors Work Bench, the Unreported Case Law System and the Prosecutors Experts Database.
- The Implementation of phase 3 of the Electronic Document and Records Management System. Interest has been shown by DoJ&CD and the Department of Correctional Services (DCS) to adopt this system in its present format because of its success at the NPA. Phase 4 to be implemented in 2008/2009 includes roll out to the rest of the NPA.
- The creation of the IJS Transversal Hub and the successful proof of concept testing of technology that will allow prosecutors on the DoJ&CD network to gain access to the NPA network without posing any risk to either of the networks.
- The Construction and Commissioning of a Test Laboratory.
- The NPA has implemented its first Voice-Over-IP solution in the Promat Building, SCCU



- Johannesburg and the VGM.
- The Call Centre hardware and software were upgraded to allow real time monitoring of calls and improved reporting capability.
 - Successful testing of the IAG device which will enable users to access the NPA network remotely and securely.

Challenges

- Skills shortage makes it difficult to fill key positions and has caused delays on some of the projects.
- Office space in the VGM (head office) has become a premium and the IMSC has been required to start sharing offices and utilising boardrooms to accommodate staff and contractors.

Research and Policy Information (R&PI)

The unit provided strategic support by undertaking detailed analysis of both external and internal factors that impact on the delivery of the organisation's core function prosecution.

The unit designed and developed a conceptual value realisation model with the aim of assessing the impact of the organisation's contribution to the broader CJS. The Crime and Criminal Justice Survey (CCJS) is being used as a tool to achieve this goal.

During this reporting period the unit established a Monitoring and Evaluation (M&E) capability, which developed a generic M&E framework. It also conducted primary and secondary research in support of the NPA's key strategic projects and initiatives.

The unit assisted the organisation in determining the existence of verifiable evidence to support business units quarterly performance reports. In addition, it provided M&E support to the enterprise performance management (EPM) capability of the organisation.

Crime and Criminal Justice Survey (CCJS)

The CCJS for the NPA was conducted for the second time in 2007. The survey included a National Household Survey and a Customer Satisfaction Survey that will specifically assist the NPA in measuring and understanding the factors that influence: the public's views on crime trends and the deterrent effect of the CJS; the public's fear of crime and perceived risk of victimisation; the impact of crime on South Africans' quality of life; the impact of crime on social cohesion; the costs incurred by victims as a consequence of crime; the impact of crime on informal economic activity; the public's confidence in the effectiveness, efficiency, fairness and integrity of the CJS; levels of awareness and knowledge of the NPA and its business units; the extent to which incidents of criminal victimisation are reported to and recorded by the SAPS, etc.

Library

The Library is another sub directorate of the R&PI Unit. The focus of the library is to provide open sourced, published information in order to support the core function of the NPA enabling the delivery of justice to the victims of crime.

The highlights of the Library activities for 2007/08 financial year are:

The Library Management System was implemented at the Head Office library and rolled out to all regional libraries with full time librarians. During this period existing library collections were added to the system. By the end of the financial year 7000 items were added. Regular overdue notices are generated by the system providing better control over the issuing and return of library books.

Due to the increased workload 5 new posts were created and the recruitment process is presently underway. With these post 3 distinct components are now established within the library, being:

- Technical services: The division focuses on collection building, collection management
- Informations services: The focus of this division is the delivery of information, current awareness services and user training
- Administration: The administration component is responsible for general asset management, procurement and financial management and the distribution of material

A customer satisfaction survey was conducted and the Library received a satisfaction rate of 72% for the information services rendered and the collections available for usage.

A new title, Law of Evidence by De Villiers, was purchased and distributed to all Prosecutors. A project to update the Constitutional Law by Chaskelson et al and the Commentaries was started at the Head Office library. This project aims to relieve the prosecutors of updating binders issued to them.

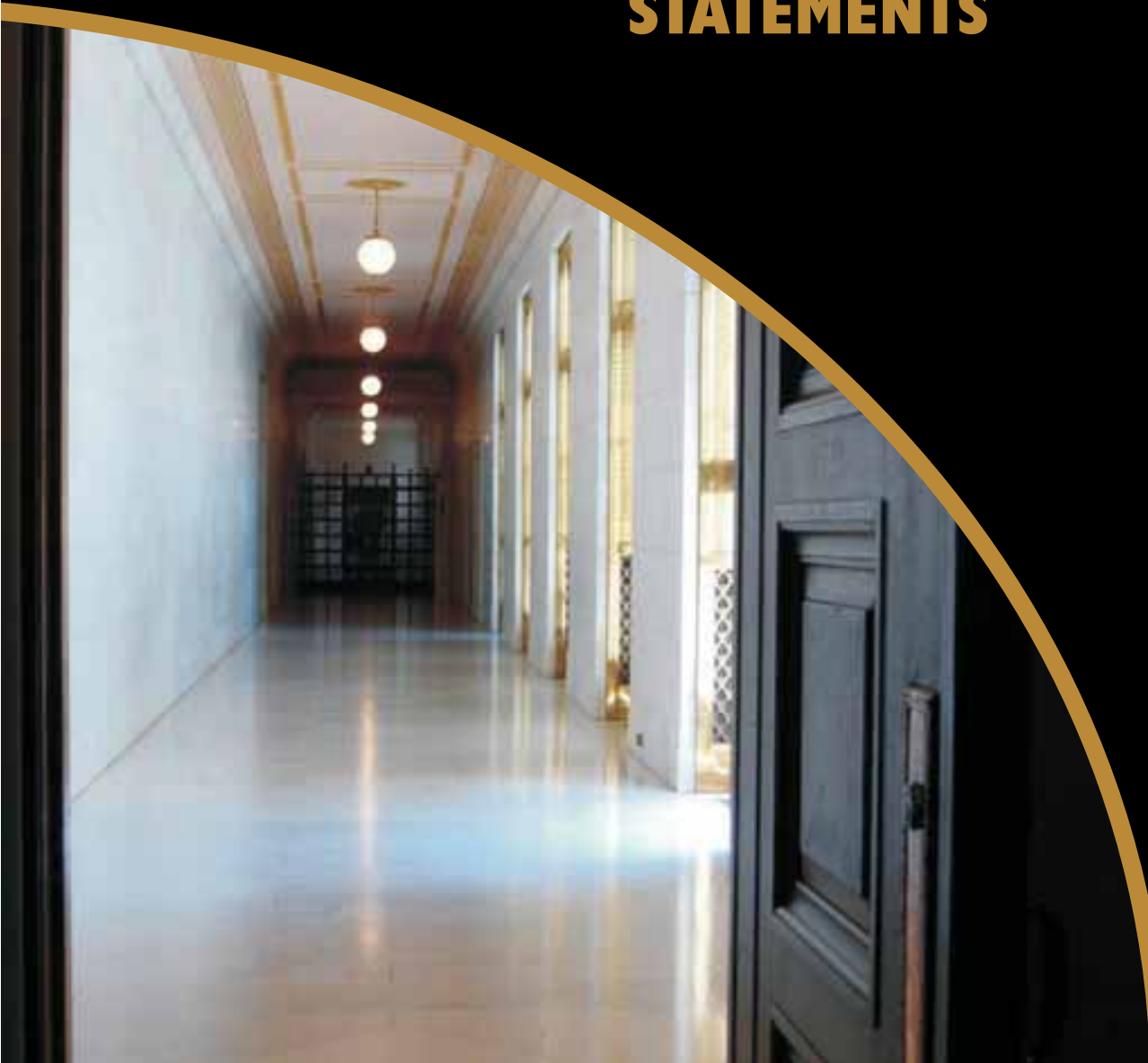
Regional Assistant Librarians were appointed in six regional offices, bringing the total regional librarians to 11.

Through the DoJ&CD Virtual Library roll out the NPA employees can access the international databases directly via the Intranet.



NATIONAL PROSECUTING AUTHORITY
South Africa

SECTION 4: NPA ANNUAL FINANCIAL STATEMENTS





SECTION 4: ACCOUNTING REPORT OF THE NPA

Report of the Accounting Officer	53
Report of the Audit Committee	61
Report of the Auditor-General	63
Appropriation Statement	70
Notes to the Appropriation Statement	74
Statement of Financial Performance	75
Statement of Financial Position	76
Statement of Changes in Net Assets	77
Cash Flow Statement	78
Accounting Policies	79
Notes to the Annual Financial Statements	85
Disclosure Notes to the Annual Financial Statements	97
Annexures	105

Report by the Accounting Officer to the Executive Authority and Parliament of the Republic of South Africa

I. General review of the state of financial affairs

The structure of the National Prosecuting Authority (NPA) consists of the following business units:

- National Prosecutions Service (NPS)
- Directorate of Special Operations (DSO)
- Asset Forfeiture Unit (AFU)
- Special National Services Division (SNSD) : consisting of the Sexual Offences and Community Affairs Unit (SOCA), Specialised Commercial Crimes Unit (SCCU), Witness Protection Unit (WPU) and the Priority Crimes Litigation Unit (PCLU)¹
- Corporate Services (CS)

As previously reported, the CEO continued to operate as the Accounting Officer of the NPA on the basis of a delegation of authority from the Director General (DG) of the Department of Justice and Constitutional Development (DoJ&CD). The CEO of the NPA is also the Accounting Officer of the DSO as stated in the NPA Act.

These financial statements are the eighth set of financial statements produced by the NPA, separately from the DoJ&CD and, whilst they are separately audited by the Auditor-General, this will be consolidated with the financial statements of the DoJ&CD. This is the arrangement with the DoJ&CD and National Treasury.

Highlights of the financial position

The audit qualifications emanating from the previous financial year were addressed through the development of an action plan and implementation of the monitoring tool of the National Treasury. Responsibility for actions was assigned and progress reported on to the Audit Committee and National Treasury on a quarterly basis. The monitoring is specifically aimed at improving internal controls and ensuring adherence to policies and procedures. Training and information sessions were conducted to strengthen capability and address the inefficiencies identified.

The NPA made an application to the National Treasury for condonation of irregular expenditure to the amount of R189m. The final approval is awaited. Steps to address and prevent the re-occurrence of irregular expenditure have been taken and the Irregular Expenditure Committee reinstated. The CEO receives regular reports on the activities of the committee.

Table 9: Financial Position of the NPA as at 31 March 2008.

	2007/08	2006/07
	R'000	R'000
Adjusted appropriation	1,804,691	1,582,062
Virement from DoJ & CD	56,575	3,023
Final Appropriation	1,861,266	1,585,085
Less: Total expenditure	1,860,269	1,535,754
Variance	997*	49,331

* The saving of R 997 is attributed to the vacancies in the NPA.

It is important to note that in respect to budgetary matters, the NPA does not administer the full budget for lower court prosecutors. It still only administers the personnel budget. The administration of the remainder of this budget

remains with the DoJ&CD. This is an issue that needs to be resolved along with accountability and reporting between the NPA and the department to enable the NPA to better serve the needs of its employees.

¹ The PCLU was incorporated as a component within the National Prosecutions Service during the financial year under review.

Funds were viremented from the DoJ&CD vote 22, Programme 2 to Programme 4 in the NPA. The funds were allocated to goods and services. The virement was approved by the Accounting Officer of the DoJ&CD.

Information Technology and Motor Vehicle Leasing Arrangements

The NPA requested condonation from National Treasury for the abovementioned transactions. Research at the time suggested that it would be an extremely cost-effective model which has now been proven to be correct. A number of other departments including STATS SA have now gone out on tender, based on the same model. Future transactions of this nature have now been facilitated by the National Treasury Practice Note 5 of 2006.

Funds not received via the budget process

The Integrated Justice System (IJS) is allocated funding for integrating Information Management Systems through information technology in the cluster. Through the normal procurement process, expenditures by departments in this respect are submitted to the IJS Committee for approval and then claimed back from the DoJ&CD.

The NPA received an amount of R23 113 226 from the DoJ&CD. After indicating additional needs, the total amount allocated was R34 628 639. This money was predominantly used on systems development, and a third was used for capital expenditure. The assets purchased were recorded in the departmental assets register.

The Criminal Assets Recovery Account (CARA)

A separate set of financial statements will be published for CARA as agreed with the Office of the Accountant General.

2. Services rendered by the NPA

The NPA's vision is "Justice in our society so that people can live in freedom and security".

The mission statement of the NPA is:

"Guided by the Constitution, we in the National Prosecuting Authority ensure justice for the victims of crime by prosecuting without fear, favour or prejudice and by working with our partners and the public to solve and prevent crime".

The services rendered by the NPA are described broadly below:

- Public Prosecutions co-ordinates and assists prosecutions in both the high and lower courts.
- The Witness Protection programme co-ordinates the safekeeping and protection of witnesses in certain cases.
- Directorate of Special Operations (also known as the Scorpions) investigates and prosecutes serious organised crime.
- Asset Forfeiture Unit removes the profits of crime.
- Corporate Services renders the following services to the operational units:-
 - Finance and Procurement Management Services.
 - Human Resource Management and Development Services.
 - Information Management Services.
 - Research and Policy Management Services.
 - Security Services.
 - Communication Services.
 - Strategy and Risk Management Services, and
 - Integrity Management Services.

2.1 Inventories

A stock take was conducted on the 31st of March 2008, and the value thereof was established at R190 666.84. The basis of the valuation was invoice cost.

2.2 Tariff policy

The NPA does not charge tariffs in regards to services rendered.



3. Capacity constraints

a) Directorate of Special Operations (DSO)

The major constraints faced by the DSO related to the relative difficulty in recruiting appropriately skilled staff, and the inability to offer market related salaries for specific professional classes.

This once again resulted in an insufficient number of operational staff to conduct their core function. The DSO proceeded to establish a separate administration as decided in the previous financial year.

A number of administrative posts for the DSO were filled which are aimed at providing leadership in establishing proper reporting and systems procedures for the DSO.

b) Sexual Offences and Community Affairs (SOCA)

Once again the major constraint experienced by this unit was the continued reliance on donor funding for critical projects such as the Thuthuzela Care Centres.

c) Asset Forfeiture Unit

A major constraint experienced by the unit was the lack of experienced and skilled human resource capacity to deal with complex cases in addition to an inadequate budget for legal and other professional services. The unit struggled to attract suitable candidates, specifically previously disadvantaged candidates as it was unable to offer market related salaries. The unit recruited talented interns that are being groomed and in so doing is creating a pool of previously disadvantaged lawyers from which to recruit. The unit increased its approved establishment to 141 and increased the number of staff from 85 to 106. Of the 36 posts that were filled, 24 were external appointments.

Additional funds of about R6m were received from CARA which funded some of its training and professional services requirements.

d) Witness Protection Unit (WPU)

The WPU appointed 105 additional employees which consisted mainly of protectors. The allowance paid to witnesses is inadequate and is one of the main reasons why people abandon the programme. The allowance is being reviewed and the necessary submissions will be made. The unit under spent its budget by 7% on goods and services

mainly due to a review of the actual expenditure, and cost reduction initiatives.

e) Corporate Services (CS)

The CS unit continued to battle to keep pace with the growing size and complexity of operational units.

The NPA received substantial additional funding for prosecutors and other core staff and therefore CS prioritised the filling of posts for operational units, from the CS budget. This, in addition to the high turnover of staff including key managers in CS, meant that CS failed to grow at the required level to ensure minimum standard service delivery to operational units.

The NPA embarked on a recruitment drive and prioritised the filling of vacancies. It is also becoming abundantly clear that the NPA's non-personnel budget requires additional funding for centralised items such as fleet services, accommodation, information technology, training and development and security services. A substantial growth in these budget items is required over the next few years to ensure that CS is able to provide operational units with the necessary support.

Accommodation mainly for prosecutors at the lower courts has proven to be hugely problematic. A number of hot spots were identified such as Pietermaritzburg, Evander, Odi, Thohoyandou, Aliwal North and Cradock. The conditions are appalling and contravene the provisions of the Occupational Health and Safety Act which could compromise the Accounting Officer.

The NPA engaged the DoJ&CD to address accommodation concerns regarding prosecutors and a service provider was appointed to evaluate the situation, and make recommendations.

The NPA's inability to appropriately budget for accommodation is also linked to the Government Immovable Asset Management Act, no 19 of 1997, which places the control with the Department of Public Works removing control, from the NPA, over its delivery. Accommodation was escalated to a strategic project in the NPA.

f) General

The general capacity constraints described above fall within three major areas:-

- A general inability to attract and retain staff and managers with the necessary skills and experience, specifically African females.

- The lack of capacity in the organisation is compounded by the inability to speed up recruitment efforts.
- A budget with high personnel expenditure which is not supported by the required goods and services, and capital budget.

4. Utilisation of donor funds

Below is an exposition of projects funded through donations during the current financial year:

5. Corporate governance arrangements

The Employee Wellness Programme of the NPA provided telephonic counselling to 255 employees, and 333 employees received face to face counselling. Various pro-active stress management programmes were rolled out, aimed at equipping employees with the knowledge and skills to deal with stress related concerns. 348 employees were reached through this programme.

Table 10: Projects funded through donations during the current financial year

Donor	Project	Short description
USAID	Specialist Prosecutors	To empower prosecutors and other role players with specialised knowledge and skills to better handle cases of sexual and domestic violence through multidisciplinary training, community outreach and research programmes.
W K Kellog Foundation	Thuthuzela Project	To manage Thuthuzela Care Centres (TCCs) for victims of child abuse and rape, training and development and public education.
UNICEF	Sexual offences	To manage TCCs for victims of child abuse and rape, training and development and public education.
Vodacom	Thuthuzela Project	To establish, renovate and launch sexual offences courts.
Business Against Crime (BAC)	RJ Hillhouse	To collaborate and coordinate the preparation for prosecutions.
Greece	Thuthuzela Project	To manage TCCs for victims of child abuse and rape, training and development and public education.
Royal Danish Commission	Ndabezitha Project	To resolve domestic violence in rural communities.
Woolworths	Sexual Offences Courts	To develop a child friendly environment.
Foundation for Human Rights	Missing Persons Task Team	Implementation of the recommendation of the Truth and Reconciliation Commission (TRC) regarding missing persons.
European Union	Human trafficking	Assistance to SA Government to prevent and react to human trafficking.

Please refer to Annexure 1D of the Annual Financial Statements for further details in regard to donor funding.

HIV and Aids awareness workshops were hosted and 313 employees were reached. Two voluntary HIV and AIDS counselling and testing sessions were held and 46 employees were tested this included some of the top leadership of the NPA. The NPA commemorated national HIV and Aids campaigns and reached 620 employees throughout the organisation.

The NPA approved various policies aimed at preventing corruption, theft and fraud.

Governance and Enterprise Risk Management

The NPA made strides in the area of governance and enterprise risk management in the year under review. It continues to be guided by the governance model developed as part of the NPA Strategy 2020.



The necessary progress in establishing a Governance Centre in the year under review was, however not made, due to internal debates about the macro-structure of the NPA currently being reviewed.

This in turn impacted on the capacity of the Office of the CEO to implement new governance processes. Despite this, progress was made in the development of a governance calendar which is expected to become fully functional in 2008/09.

The NPA made progress in the area of enterprise risk management in the year under review. Risk assessment workshops were conducted for all business units and service centres. Risk owners were assigned for all risks, with there being reasonable progress in the development of risk mitigation plans. Quarterly reporting by business units and service centres on performance includes reporting on management of these risks. The NPA also made progress in the development of its Enterprise Risk Management System, this will be finalised in the next financial year.

From an oversight perspective, the NPA reports on the progress of risk management within the organisation to the Joint Audit Committee, at minimum, on a quarterly basis.

Integrity Management Unit (IMU)

The Integrity Management Unit continued its work in two critical areas, namely, integrity promotion and combating of integrity breaches. The unit completed a number of highly sensitive internal investigations in the organisation in the past year. At the same time, and perhaps more importantly, it has made strides in its efforts to prevent integrity breaches.

The unit continued to profile the SMS leadership in the organisation to bolster the work of vetting of personnel, to ensure that the NPA is able to intervene timeously should any “red flags” or warning signs be picked up in the profiling process. The initial vetting process does not necessarily identify integrity risks in new personnel recruited and often it is only after the individual has been in the employ of the organisation for a period of time that integrity is challenged. It is thus important that the NPA, assisted by the IMU, can track the profiles of its management cadres.

The unit is developing an early warning system that will allow it to detect unethical conduct and provide management information. The values of the NPA have been agreed on and will be launched

as part of the NPA's 10 year celebrations in 2008/09. The NPA's Code of Conduct is being reviewed to ensure its alignment with the values and to make sure that it caters for all NPA employees. An integrated Integrity Steering Committee has been established to support business units in ensuring high levels of integrity in the NPA.

Security and Risk Management Unit (S&RM)

The S&RM unit plays a critical role in the NPA's overall risk management efforts. Its two critical areas of work in this regard are the vetting of personnel, and providing threatened employees with protection as and when required, and in line with the NPA's Protection Plan.

Whilst the National Intelligence Agency (NIA) is responsible for issuing of security clearance certificates, this unit plays an important role in gathering all relevant information to speed up the process at NIA. There is a 70% level of compliance with vetting in the NPA. This is not high enough for an organisation like the NPA and is a slight decline on the 74% compliance measured last year.

The service centre experienced severe capacity constraints and was without an executive manager for almost a year. The NPA depends on NIA for vetting and the prioritisation of NPA applications for vetting is critical to the NPA.

S&RM continued to provide threatened employees with protection in terms of the NPA's Employee Protection Policy. This continues to be a key part of the NPA's risk management strategy given the number of high profile cases currently under investigation.

This unit also now has the responsibility of occupational health and safety issues.

Internal Audit and Audit Committee

The Internal Audit Unit continuously reviews the operations of the NPA under the direction of the Chief Audit Executive (CAE) based at the DoJ & CD.

The Audit Committee, which operates in terms of its own charter, continued to hold quarterly meetings with the Internal Audit Unit, Executive Management and the External Auditors. Individual members of the Audit Committee are required to declare any interest at each meeting in order to avoid conflict of interest and to date no conflict of interest has been declared. The Audit Committee welcomed an additional Audit Committee member during the year under review.

The Internal Audit Unit's primary responsibility is to provide assurance on risk management, control and governance processes. This unit continued to report significant findings emanating from the audit process to management and the Audit Committee. Management in turn addressed the issues raised by the Internal Audit Unit in order to enhance the risk management and governance processes within the NPA.

The Internal Audit Unit of the NPA was integrated into the Internal Audit Unit of the DoJ&CD. Progress was made in optimising audit operations in the NPA. Internal Audit plans are approved annually by the Audit Committee.

Budget Control

The NPA Exco set up a Budget Sub-Committee which held quarterly Budget Review meetings with the heads of all business units.

During these reviews the heads of the business units presented their budget performance and provided reasons for either over or under spending of the funds allocated. These reviews allow the business units the opportunity to explain to the Budget Committee why funds projected for certain major projects have not been spent. Management then reprioritises available funding to other projects during the financial year.

6. Discontinued activities/activities to be discontinued

The positioning of the DSO within the NPA is under review, and there is a high probability that it will be re-located outside the NPA in the near future. The DSO is responsible for investigating and prosecuting complex, organised crime. The prosecutors currently attached to the unit will in all probability not be re-located with the investigative and analysis components. The budget allocated to the DSO will be re-allocated in line with the re-location.

7. Asset Management

Asset management was given top priority during this financial year because of the audit qualification. A lack of resources in the Finance and Procurement service centre necessitated the NPA to outsource the asset verification process and establishment of an accurate asset register. The NPA purchased a stand alone software package that will enhance the NPA's ability to manage its assets. The verification process has three phases: physical asset verification of all assets; capturing of five financial years worth of invoicing in a spreadsheet, and then reconciling the physical and invoiced assets to develop a reliable and correct asset register.

8. Performance information

Performance management was successfully institutionalised with quarterly reviews by the Enterprise Performance Management Exco sub-committee. Business units report on performance against planned activities, and constraints and bottlenecks are addressed in an integrated manner across business units. An electronic reporting system was successfully implemented and is operational.

The internal research component of the NPA was requested to determine the existence of verifiable evidence to determine the veracity of the progress reports, outputs and performance data against the annual business plans. Best practices were identified and governors provided with a measure of assurance in this regard.



9. SCOPA

The NPA received three SCOPA resolutions that were responded to, see table 11 for details:

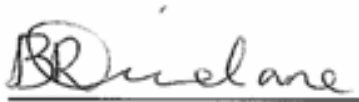
Table 11: SCOPA resolutions that were responded to

Reference to SCOPA resolutions	Subject	Findings on progress
Section 6: Performance Audit: Sixth report to the standing committee paragraph 3 (3)(1)	Accountability and governance status of the NPA	<p>The NPA has not been listed as an entity in terms of the PFMA. The matter was taken up with the Ministry. At this stage the Minister of Justice and Constitutional Development is of the opinion that the matter should be raised with the Cabinet.</p> <p>The mechanism for funding of the NPA has not been finalised.</p>
Section 6: Performance Audit: Sixth report to the standing committee paragraph 3 (3)(2)	Capacity and people related issues	<p>The NPA embarked on an extensive effort to fill vacancies on the establishment. The NPA filled 1 332 posts in this financial year. The details of the establishment will be contained in the HR Oversight Report in the Annual Report of the NPA.</p>
Section 6: Performance Audit: Sixth report to the standing committee paragraph 4	Criminal assets recovery account	<p>The AFU Case Register records progress on the disposal of cases. The NPA is in the process of verifying the data in the individual case files for transfer to the asset registers. A register of all confiscation orders was created for CARU. The Pastel accounting programme will be used in 2008/09 to create a ledger of all monies due to CARA.</p> <p>The Electronic Case Management System (ECMS) will replace the manual system currently being used. The enforcement section in the AFU is utilised to follow up with tardy curators.</p> <p>The operational guidelines were revised and processes mapped. A monthly reconciliation is done on the AFU Case Register of all CARA deposits. The Enforcement Section in the AFU implemented a checklist to follow up on outstanding deposits and documentation from finalised cases.</p> <p>Draft Policies will be finalised and presented to the Committee and include the Bid Policy, CARA Operational Policy, Assets Disposal Policy and the Grant Management Policy.</p> <p>Three critical vacant positions have been filled and five interns appointed to address the backlog and case file update process.</p>



Approval

The Annual Financial Statements set out on pages 70 to 112 have been approved by the Accounting Officer.



Beryl Simelane

Acting CEO: NPA

Date: 29th May 2008



Adv. M Simelane

Director General: DoJ&CD

Date: 29/5/8

Report of the Audit Committee

We are pleased to present our report for the financial year ended 31 March 2008.

Audit Committee members and attendance

The Audit Committee is the same as that of

Table 12: Audit Committee members and meetings attendance

Name of Member	Number of Meetings attended
Stewart Patterson (Chairperson)	6
Ms. Catharina Sevillano-Barredo (appointed 29 May 2007)	6
Cedric Boltman	5
Ms. Ntombi Langa-Royds	4
Motsamai Karedi	4

Audit Committee responsibility

The Audit Committee reports that it has complied with its responsibilities arising from Section 38 (1) (a) of the PFMA and Treasury Regulation 3.1. The Audit Committee also reports that it has adopted appropriate formal terms of reference as its Audit Committee charter, has regulated its affairs in compliance with this charter and has discharged all its responsibilities as contained therein.

The effectiveness of internal control

The Chief Audit Executive of the Department of Justice and Constitutional Development assumed control of the internal audit function of the NPA at the request of the Accounting Officer in 2006 and the decision was subsequently taken to integrate the internal audit staff of the NPA and the DOJ & CD into one unit. Difficulties were experienced with the integration process and this combined with staff shortages resulted in certain internal audit functions planned for the year not being addressed.

The system of internal control was not entirely effective during the year under review, as compliance with prescribed policies and procedures were lacking in certain instances. During the year under review, several instances of non-compliance that resulted from a breakdown in the functioning of controls were reported by

the Department of Justice and Constitutional Development and consists of the members listed below. It is required to meet four times a year as per its approved terms of reference. During the current year six meetings were held, some concurrently with the meetings of the Department of Justice and Constitutional Development.

internal and external auditors.

Significant control weaknesses have been reported by the Auditor-General under qualification, emphasis of matter and in the management letter. In certain instances the weaknesses reported previously have not been fully and satisfactorily addressed. The effect of these instances has been included in the annual financial statements and the report of the Accounting Officer.

The quality of in year management and monthly/quarterly reports submitted in terms of the PFMA and the Division of Revenue Act

The Audit Committee is satisfied with the content and quality of monthly and quarterly reports prepared and issued by the Accounting Officer of the NPA Department during the year under review.

Evaluation of Financial Statements

The Audit Committee has:

- Reviewed and discussed with the Auditor-General and the Accounting Officer, the audited annual financial statements to be included in the annual report;



- Reviewed the Auditor-General's management letter and management's response thereto;
- Reviewed significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the conclusions of the Auditor-General on the annual financial statements and is of the opinion that the audited annual financial statements be accepted and read together with the report of the Auditor-General.



Chairperson of the Audit Committee
7 August 2008

REPORT OF THE AUDITOR-GENERAL

TO PARLIAMENT ON THE FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION OF THE NATIONAL PROSECUT- ING AUTHORITY FOR THE YEAR ENDED 31 MARCH 2008

REPORT ON THE FINANCIAL STATEMENTS

Introduction

I. I was engaged to audit the accompanying financial statements of the National Prosecuting Authority (NPA) which comprise the appropriation statement, statement of financial position as at 31 March 2008, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes, as set out on pages 70 to 112.

Responsibility of the accounting officer for the financial statements

2. The accounting officer is responsible for the preparation and fair presentation of these financial statements in accordance with the modified cash basis of accounting determined by the National Treasury, as set out in accounting policy note 1 and in the manner required by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA) and the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998). This responsibility includes:
- designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error
 - selecting and applying appropriate

accounting policies

- making accounting estimates that are reasonable in the circumstances.

Responsibility of the Auditor-General

3. As required by section 188 of the Constitution of the Republic of South Africa, 1996 read with section 4 of the Public Audit Act, 2004 (Act No. 25 of 2004) (PAA) and section 36(4) of the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998), my responsibility is to express an opinion on these financial statements based on conducting the audit in accordance with the International Standards on Auditing and *General Notice 616 of 2008, issued in Government Gazette No. 31057 of 15 May 2008*. Because of the matters discussed in the Basis for disclaimer of opinion paragraphs, however, I was not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion.

Basis of accounting

4. The NPA's policy is to prepare financial statements on the modified cash basis of accounting determined by the National Treasury, as set out in accounting policy note 1.

Basis for disclaimer of opinion Irregular, fruitless and wasteful expenditure

5. The current supply chain environment within the NPA is not conducive for maintaining an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost-effective, as required by section 38(1)(a)(iii) of the PFMA. This has resulted in the disclosure of the cumulative amount of R423 million worth of irregular expenditure awaiting condonement as disclosed in note 24 to the financial statements. Audit evidence obtained indicates that this figure is understated by a potential R86 million. The NPA also failed to disclose fruitless and wasteful expenditure of R1 million identified during the audit process. Furthermore, due to possible fraudulent activities having been identified, a full scale investigation into procurement at the NPA

has been launched. The outcome of the investigation cannot presently be determined and it is therefore uncertain whether and to what extent the irregular expenditure figure mentioned above will be affected when this investigation is concluded.

Tangible assets

6. The following misstatements were identified resulting mainly from ineffective asset management:
- the closing balance for tangible capital assets of R165 million as disclosed in note 27 to the financial statements could not be supported by an asset register;
 - minor assets disclosed in note 27 to the financial statements are understated by an estimated amount of R11 million; and
 - finance lease assets representing a material amount in relation to total assets were not disclosed in note 27 to the financial statements.

As a result of these matters, I was unable to satisfy myself as to the existence, completeness, valuation and rights and obligations of the closing balance of the assets as disclosed in note 27 to the financial statements.

Leave entitlement

7. The entity does not have adequate policies and procedures in place to address the capturing and submission of leave forms, as required by section 38(1)(a)(i) of the PFMA resulting in the following control weaknesses:
- a backlog in the capturing of manual leave forms has resulted in the leave records on the PERSAL system being incomplete; and
 - a large number of leave transactions captured on the E-leave system did not appear on the PERSAL system.

As a result of these matters, I was unable to satisfy myself as to the completeness and valuation/accuracy of the leave provision and leave gratuities disclosed in notes 22 and 7 to the financial statements respectively.

Intangible assets

8. A comprehensive software and intangible asset policy addressing the budgeting, planning, development, testing, ownership (and safeguarding) and roll-out phases of software development as well as the related costing and

cost allocation of the software development, has not been drafted and approved by the NPA, as required by section 38(1)(a)(i) of the PFMA, resulting in the following deficiencies:

- the closing balance of R40 million as disclosed in note 28 of the financial statements could not be supported with an asset register;
- the statement of financial performance includes intangible asset purchases amounting to R2 million that were erroneously classified and treated as current expenditure; and

As a result of these matters, I was unable to satisfy myself as to the existence, completeness and valuation of the intangible capital assets as stated in note 28 to the financial statements.

Prepayments and advances

9. Prepayments and advances of R22 million, disclosed in the statement of financial position, originated from the sale and leaseback transaction in the 2005/06 financial year. The amount in question is not recoverable from the lessor and the balance disclosed on the statement of financial position is therefore overstated by R22 million. As a result of the above transaction, departmental revenue of R22 million as disclosed in note 14 to the financial statements has to date not been surrendered to the National Revenue Fund as required by section 11(1)(a) of the PFMA.

Financial management

10. The present systems and procedures to effectively manage expenditure in terms of the budget have serious limitations, which has resulted in funds being spent very late in the financial year. R100 million was spent in March 2008 compared to R56 million in November 2007 which was the highest amount spent during any other month during the year under review. The reprioritisation of expenditure by the Department of Justice and Constitutional Development was approved late in March 2008, resulting in NPA reporting a bank overdraft of R29 million as the reprioritised funds were not available at year end.



Lease commitments

11. The following misstatements were identified:

- Cell phone lease commitments amounting to R6,5 million have been incorrectly classified as a commitment in the financial statements instead of a finance lease commitment. The finance lease commitments as disclosed in note 23 to the financial statements are therefore understated by R6,5 million and commitments overstated by the same amount; and
- Finance lease commitments as disclosed in note 23 to the financial statements is understated by a further R6,4 million due to the incorrect calculation of these commitments.

Housing guarantees

12. The NPA does not have any system of control in place to ensure the accuracy and completeness of housing guarantees recorded on the PERSAL system. Discrepancies identified included, amongst others, active housing guarantees on the system for officials who resigned and who were transferred to other national departments. In addition to the above, the cumulative amount of guarantees per the PERSAL system did not agree to the closing balance for housing guarantees of R4,7 million disclosed in note 19 to the financial statements.

As a result of these matters, I was unable to satisfy myself as to the existence, completeness, valuation and rights and obligations pertaining to housing guarantees disclosed in the financial statements.

Disclaimer of opinion

13. Because of the significance of the matters described in the Basis for disclaimer of opinion paragraphs, I have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on the financial statements of the NPA. Accordingly, I do not express an opinion on the financial statements.

Emphasis of matter

I draw attention to the following matter:

Significant uncertainty

14. Interim approval has been granted by the Accountant-General for the NPA to prepare its own set of financial statements from the 2002 financial year. Since then no finality has been reached on the following critical matters, affecting the accountability and governance status of the NPA:

- clear definition of the duties of the accounting officer of the NPA;
- the listing of the NPA as an entity in terms of the PFMA; and
- the mechanism of funding for the NPA.

In its "Announcements, tablings and committee reports" dated Friday 8 February 2008 SCOPA has recommended that the matters mentioned above be finalised as a matter of urgency to ensure that the NPA realises its mandate. To date the status quo remains.

OTHER MATTERS

I draw attention to the following matters that relate to my responsibilities in the audit of the financial statements:

Internal controls

15. Section 38(1)(a)(i) of the PFMA states that the accounting officer must ensure that the department has and maintains effective, efficient and transparent systems of financial and risk management and internal control. The table below depicts the root causes that gave rise to the inefficiencies in the system of internal control, which led to the disclaimer of opinion. The root causes are categorised according to the five components of an effective system of internal control. In some instances deficiencies exist in more than one internal control component.

Table 13: Root causes

Reporting item	Control environment	Risk assessment	Control activities	Information and communication	Monitoring
Irregular and fruitless and wasteful expenditure	x				
Tangible assets			x		
Leave entitlement			x		
Intangible assets			x		
Prepayments and advances			x		
Financial management			x		
Lease commitments			x		
Housing guarantees			x	x	

Control environment: establishes the foundation for the internal control system by providing fundamental discipline and structure for financial reporting.

Risk assessment: involves the identification and analysis by management of relevant financial reporting risks to achieve predetermined financial reporting objectives.

Control activities: policies, procedures and practices that ensure that management's financial reporting objectives are achieved and financial reporting risk mitigation strategies are carried out.

Information and communication: supports all other control components by communicating control responsibilities for financial reporting to employees and by providing financial reporting information in a form and time frame that allows people to carry out their financial reporting duties.

Monitoring: covers external oversight of internal controls over financial reporting by management or other parties outside the process; or the application of independent methodologies, like customised procedures or standard checklists, by employees within a process.

Non-compliance with applicable legislation

16. Treasury Regulations (TR) were not complied with in the following respects:

- expenditure was approved by the delegated or authorised official without taking into account any limitations or conditions attached to the delegation or authorisation as required in terms of TR 8.2.2; and
- payments to service providers were not in all instances made within 30 days as is required in terms of TR 8.2.3.

17. The Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and Supply Chain Management Practice Notes issued in terms of section 76(4)(c) of the PFMA were not complied with in the following respects:

- tenders were not in all instances awarded to the supplier with the highest points;
- tender process was not in all instances followed for payments exceeding R200 000 (prior to 1 December 2007) and R500 000 (from 1 December 2007 onwards);
- goods were not procured from an approved database of suppliers; and
- goods and services above the value of R1 million (VAT included) and procured in terms of Treasury Regulation 16A6.4 were not in all

instances reported to the National Treasury and the Auditor-General.

18. Appointments were not in all instances approved by the delegated or authorised official as required in terms of chapter 3 of the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998).

19. The National Strategic Intelligence Act, 1994 (Act No. 39 of 1994) was not complied with in the following respect:

- The National Intelligence Agency (NIA), in terms of section 2(b) of the above mentioned act, on 9 April 2003 had approved for the use of a service provider to perform technical surveillance counter measures (TSCM) services at the NPA for a period of 18 months. This service was subsequently subcontracted to another service provider who was not vetted or approved by the NIA; and
- NPA continued to utilise the subcontractor to perform TSCM services after the approved period by NIA.



Matters of governance

20. The PFMA tasks the accounting officer with a number of responsibilities concerning financial and risk management and internal control. Fundamental to achieving this is the implementation of certain key governance responsibilities, which I have assessed as follows:

Table 14: Matters of governance

Matters of governance	Yes	No
Audit committee		
The department had an audit committee in operation throughout the financial year.	x	
The audit committee operates in accordance with approved, written terms of reference.	x	
The audit committee substantially fulfilled its responsibilities for the year, as set out in section 77 of the PFMA and Treasury Regulation 3.1.10.	x	
Internal audit		
The department had an internal audit function in operation throughout the financial year.	x	
The internal audit function operates in terms of an approved internal audit plan.	x	
The internal audit function substantially fulfilled its responsibilities for the year, as set out in Treasury Regulation 3.2.		x
Other matters of governance		
The annual financial statements were submitted for audit as per the legislated deadlines per section 40 of the PFMA.	x	
The financial statements submitted for audit were not subject to any material amendments resulting from the audit.		x
No significant difficulties were experienced during the audit concerning delays or the unavailability of expected information and/or the unavailability of senior management.	x	
The prior year's external audit recommendations have been substantially implemented.		x
SCOPA resolutions have been substantially implemented.		x

OTHER REPORTING RESPONSIBILITIES

REPORT ON PERFORMANCE INFORMATION

21. I have reviewed the performance information as set out on pages 20 to 21.

Responsibility of the accounting officer for the performance information

22. The accounting officer has additional responsibilities as required by section 40(3)(a) of the PFMA to ensure that the annual report and audited financial statements fairly present the performance against predetermined objectives of the department.

Responsibility of the Auditor-General

23. I conducted my engagement in accordance with section 13 of the PAA read with *General Notice 616 of 2008, issued in Government Gazette No. 31057 of 15 May 2008*.

24. In terms of the foregoing my engagement included performing procedures of an audit nature to obtain sufficient appropriate evidence about the performance information and related systems, processes and procedures. The procedures selected depend on the auditor's judgement.

25. I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for the audit findings reported below.

Audit findings (performance information)

Non-compliance with regulatory requirements

26. The following instances of non-compliance with regulatory requirements were identified:

- The accounting officer of the NPA did not prepare a strategic plan that is consistent with the period covered by the medium term expenditure framework for approval by the relevant executive authority, as required by Treasury Regulation 5.1.1. Contrary to this requirement, the strategic plan prepared by the NPA covers the period to the 2020 financial year; and
- The strategic plan of the NPA did not include measurable objectives, expected outcomes, programme outputs, indicators (measures) and targets of the entity's programmes, as required by Treasury Regulation 5.2.3(d).

Measurable objectives not consistent

27. I draw attention to the fact that the five measurable objectives reported on in the annual report of the NPA are materially inconsistent when compared with the predetermined objectives as per the strategic plan.

OTHER REPORTS

Performance audit

28. A performance audit was conducted during the year under review concerning the NPA's use of consultants and single source appointments for the period April 2005 to September 2007. The report has not been finalised as yet.

APPRECIATION

29. The assistance rendered by the staff of the NPA during the audit is sincerely appreciated.



Pretoria

31/07/2008





NATIONAL PROSECUTING AUTHORITY
South Africa

NPA FINANCIAL STATEMENTS



APPROPRIATION STATEMENT

for the year ended 31 March 2008

Appropriation per programme									
		2007/08						2006/07	
I. Programme 4	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	1,746,783	-	59,383	1,806,166	1,805,251	915	99.9%	1,565,703	1,502,152
Transfers and subsidies	5,341	-	(1,991)	3,350	3,268	82	97.6%	5,162	3,368
Payment for capital assets	52,567	-	(817)	51,750	51,750	-	100.0%	14,220	30,234
TOTAL	1,804,691	-	56,575	1,861,266	1,860,269	997	99.9%	1,585,085	1,535,754
Reconciliation with Statement of Financial Performance									
Add:									
Departmental receipts				4,582				6,849	
CARA Fund Assistance				-				31,800	
Local and foreign aid assistance received				2,864				1,047	
Actual amounts per Statements of Financial Performance (Total revenue)				1,868,712				1,624,781	
Add:									
Local and foreign aid assistance					2,916				3,299
CARA Fund Assistance					23,387				-
Actual amounts per Statements of Financial Performance (Total expenditure)					1,886,572				1,539,053

APPROPRIATION STATEMENT

for the year ended 31 March 2008

Appropriation per economic classification									
	2007/08							2006/07	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	1,248,723	-	(16,838)	1,231,885	1,230,642	1,243	99.9%	1,060,485	1,060,485
Goods and services	498,060	-	75,261	573,321	573,673	(352)	100.1%	505,085	441,534
Financial transactions in assets and liabilities	-	-	960	960	936	24	97.5%	133	133
Transfers and subsidies									
Provinces and municipalities	200	-	(108)	92	-	92	0.0%	2,890	1,096
Households	5,141	-	(1,883)	3,258	3,268	(10)	100.3%	2,272	2,272
Payments for capital assets									
Buildings and other fixed structures	-	-	57	57	57	-	100.0%	-	-
Machinery and equipment	46,567	-	1,415	47,982	47,982	-	100.0%	14,220	15,692
Software & other intangible assets	6,00	-	(2,289)	3,711	3,711	-	100.0%	-	14,542
TOTAL	1,804,691	-	56,575	1,861,266	1,860,269	997	99.9%	1,585,085	1,535,754

APPROPRIATION STATEMENT

for the year ended 31 March 2008

Programme per subprogramme	2007/08							2006/07	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Public Prosecutions									
Current payment	1,370,013	-	50,321	1,420,334	1,419,419	915	99.9%	1,227,076	1,166,195
Transfers and subsidies	3,949	-	(1,558)	2,391	2,309	82	96.6%	4,540	2,746
Payment for capital assets	28,973	-	(1,359)	27,614	27,614	-	-	13,856	28,237
Special Operations									
Current payments	229,505	-	19,098	248,603	248,603	-	100.0%	220,106	218,655
Transfers and subsidies	1,328	-	(404)	924	924	-	100.0%	587	587
Payment for capital assets	21,782	-	986	22,768	22,768	-	100.0%	232	1,865
Witness Protection									
Current payments	95,414	-	(17,446)	77,968	77,968	-	100.0%	69,796	68,969
Transfers and subsidies	26	-	(21)	5	5	-	100.0%	8	8
Payment for capital assets	1,812	-	(467)	1,345	1,345	-	100.0%	56	56
Asset Forfeiture Unit									
Current payments	51,851	-	7,410	59,261	59,261	-	100.0%	48,725	48,333
Transfers and subsidies	38	-	(8)	30	30	-	100.0%	27	27
Payment for capital assets	-	-	23	23	23	-	100.0%	76	76
TOTAL	1,804,691	-	56,575	1,861,266	1,860,269	997	99.9%	1,585,085	1,535,754



APPROPRIATION STATEMENT

for the year ended 31 March 2008

Economic Classification	2007/08							2006/07	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	1,248,723	-	(16,838)	1,231,885	1,230,642	1,243	99.9%	1,060,485	1,060,485
Goods and services	498,060	-	75,261	573,321	573,673	(352)	100.1%	505,085	441,534
Financial transactions in assets and liabilities	-	-	960	960	936	24	97.5%	133	133
Transfers and subsidies									
Provinces and municipalities	200	-	(108)	92	-	92	0.0%	2,890	1,096
Households	5,141	-	(1,883)	3,258	3,268	(10)	100.3%	2,272	2,272
Payments for capital assets									
Buildings and other fixed structures	-	-	57	57	57	-	100.0%	-	-
Machinery and equipment	46,567	-	1,415	47,982	47,982	-	100.0%	14,220	15,692
Software & other intangible assets	6,000	-	(2,289)	3,711	3,711	-	100.0%	-	14,542
Total	1,804,691	-	56,575	1,861,266	1,860,269	997	99.9%	1,585,085	1,535,754

NOTES TO THE APPROPRIATION STATEMENT

for the year ended 31 March 2008

- 1 Detail of transfers and subsidies as per Appropriation Act (after Virement):

Detail of these transactions can be viewed in note 7 (Transfers and subsidies) and Annexure I (A-B) to the Annual Financial Statements.

- 2 Detail of specifically and exclusively appropriated amounts voted (after Virement):

Detail of these transactions can be viewed in note 1 (Annual Appropriation) to the Annual Financial Statements.

- 3 Detail on financial transactions in assets and liabilities:

Detail of these transactions per programme can be viewed in note 6 (Financial transactions in assets and liabilities) to the Annual Financial Statements.

- 4 Explanations of material variances from Amounts Voted (after Virement):

4.1 Per Programme	Final Appropriation	Actual Expenditure	Variance	Variance as of Final Appropriation
	R'000	R'000	R'000	%
Programme 4	1,861,266	1,860,269	997	0.05%

There are no material variances. The R 997 variance relates to Compensation of Employees, due to funded vacancies within the NPA.

4.2 Per Economic classification	Final Appropriation	Actual Expenditure	Variance	Variance as of Final Appropriation
	R'000	R'000	R'000	%
Current payments:				
Compensation of employees	1,231,885	1,230,642	1,243	0.10%
Goods and services	573,321	573,673	(352)	0.06%
Interest and rent on land	-	-	-	0.00%
Financial transactions in assets and liabilities	960	936	24	2.50%
Transfers and subsidies:				
Provinces and municipalities	92	-	92	0.00%
Households	3,258	3,268	(10)	(0.31)%
Payments for capital assets:				
Buildings and other fixed structures	57	57	-	0.00%
Machinery and equipment	47,982	47,982	-	0.00%
Software and other intangible assets	3,711	3,711	-	0.00%

- 5 The sub-programmes within the NPA (Programme 4) have been restated in the 2007 ENE in order to separate the Asset Forfeiture Unit from the Special Operations Unit. This resulted in the NPA reporting in the 2007/08 financial year on 4 sub-programmes instead of 3, as in prior years.

The comparative figures in the Appropriation Statement have been restated accordingly.

STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 31 March 2008

Description	Note	2007/08 R'000	2006/07 R'000
REVENUE			
Annual appropriation	1.	1,861,266	1,585,085
Departmental revenue	2.	4,582	6,849
CARA Fund assistance	3A.	-	31,800
Local and foreign aid assistance	3.	2,864	1,047
TOTAL REVENUE		1,868,712	1,624,781
EXPENDITURE			
Current expenditure			
Compensation of employees	4.	1,230,642	1,060,485
Goods and services	5.	573,673	441,534
Financial transactions in assets and liabilities	6.	936	133
CARA Fund assistance	3A.	9,115	-
Local and foreign aid assistance	3.	2,916	3,142
Total current expenditure		1,817,282	1,505,294
Transfers and subsidies	7.	3,268	3,368
Expenditure for capital assets			
Buildings and other fixed structures	8.	57	-
Machinery and equipment	8.	47,982	15,692
Software and Other Intangible Assets	8.	3,711	14,542
CARA Fund assistance	3A.	14,272	-
Local and foreign aid assistance	3.	-	157
Total expenditure for capital assets		66,022	30,391
TOTAL EXPENDITURE		1,886,572	1,539,053
SURPLUS/(DEFICIT)		(17,860)	85,728
Add back fruitless and wasteful expenditure	9.	236	372
SURPLUS/(DEFICIT) FOR THE YEAR		(17,624)	86,100
Reconciliation of Surplus/(Deficit) for the year			
Voted Funds	13.	1,233	49,703
Departmental Revenue	14.	4,582	6,849
Local and foreign aid assistance	3.	(52)	(2,252)
CARA Fund assistance	3A.	(23,387)	31,800
SURPLUS/(DEFICIT) FOR THE YEAR		(17,624)	86,100

STATEMENT OF FINANCIAL POSITION

as at 31 March 2008

Description	Note	2007/08 R'000	2006/07 R'000
ASSETS			
Current assets		66,638	109,820
Fruitless and wasteful expenditure	9.	3,021	2,797
Cash and cash equivalents	10.	95	63,030
Prepayments and advances	11.	22,914	23,245
Receivables	12.	39,999	19,944
Local and foreign aid assistance receivable	3.	609	804
TOTAL ASSETS		66,638	109,820
LIABILITIES			
Current liabilities		55,923	75,696
Voted funds to be surrendered to the Revenue Fund	13.	1,233	49,703
Departmental revenue to be surrendered to the Revenue Fund	14.	22,692	22,543
Bank overdraft	15.	29,091	-
Payables	16.	757	1,053
Local and foreign aid assistance unutilised	3.	2,150	2,397
TOTAL LIABILITIES		55,923	75,696
NET ASSETS		10,715	34,124
Represented by:			
Recoverable revenue		2,302	2,324
Retained funds (Legislatures/Parliament/CARA Fund assistance)		8,413	31,800
TOTAL		10,715	34,124



STATEMENT OF CHANGES IN NET ASSETS

for the year ended 31 March 2008

Description	Note	2007/08 R'000	2006/07 R'000
Recoverable revenue			
Opening balance		2,324	685
Transfers			
Debts raised		(22)	1,639
Closing balance		2,302	2,324
Retained funds			
Opening balance		31,800	-
CARA Fund assistance	3A.	(23,387)	31,800
Closing balance		8,413	31,800
TOTAL		10,715	34,124

CASH FLOW STATEMENT

for the year ended 31 March 2008

Description	Note	2007/08 R'000	2006/07 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		1,868,712	1,624,781
Annual appropriated funds received	1.1	1,861,266	1,585,085
Departmental revenue received	2.	4,582	6,849
CARA Fund assistance received	3A.	-	31,800
Local and foreign aid assistance received	3.	2,864	1,047
Net (increase)/decrease in working capital		(20,244)	(9,938)
Surrendered to Revenue Fund		(54,136)	(53,275)
Current payments		(1,817,046)	(1,519,464)
Transfers and subsidies paid		(3,268)	(3,368)
Net cash flow available from operating activities	17.	(25,982)	38,736
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets		(66,022)	(15,849)
Net cash flows from investing activities		(66,022)	(15,849)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(22)	1,639
Net cash flows from financing activities		(22)	1,639
Net increase/(decrease) in cash and cash equivalents		(92,026)	24,526
Cash and cash equivalents at the beginning of the period		63,030	38,504
Cash and cash equivalents at end of period	18.	(28,996)	63,030

ACCOUNTING POLICIES for the year ended 31 March 2008

The Financial Statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. However, where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the Financial Statements and to comply with the statutory requirements of the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the Act and the Division of Revenue Act, Act 2 of 2006.

1. Presentation of the Financial Statements

1.1 Basis of preparation

The Financial Statements have been prepared on a modified cash basis of accounting, except where stated otherwise. The modified cash basis constitutes the cash basis of accounting supplemented with additional disclosure items. Under the cash basis of accounting transactions and other events are recognised when cash is received or paid.

1.2 Presentation currency

All amounts have been presented in the currency of the South African Rand (R) which is also the functional currency of the department.

1.3 Rounding

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

1.4 Comparative figures

Prior period comparative information has been presented in the current year's financial statements. Where necessary figures included in the prior period financial statements have been reclassified to ensure that the format

in which the information is presented is consistent with the format of the current year's financial statements.

1.5 Comparative figures - Appropriation Statement

A comparison between actual amounts and final appropriation per major classification of expenditure is included in the appropriation statement.

2. Revenue

2.1 Appropriated funds

Appropriated funds are recognised in the financial records on the date the appropriation becomes effective. Adjustments to the appropriated funds made in terms of the adjustments budget process are recognised in the financial records on the date the adjustments become effective.

Total appropriated funds are presented in the statement of financial performance.

Unexpended appropriated funds are surrendered to the National/Provincial Revenue Fund. Amounts owing to the National/Provincial Revenue Fund at the end of the financial year are recognised in the statement of financial position.

2.2 Departmental revenue

All departmental revenue is paid into the National/Provincial Revenue Fund when received, unless otherwise stated. Amounts owing to the National/Provincial Revenue Fund at the end of the financial year are recognised in the statement of financial position.

Amounts receivable at the reporting date are disclosed in the disclosure notes to the annual financial statements.

2.2.1 Tax revenue

Tax revenue consists of all compulsory unrequited amounts collected by the department in accordance with laws and or regulations (excluding fines, penalties &

forfeits).

Tax receipts are recognised in the statement of financial performance when received.

2.2.2 Sales of goods and services other than capital assets

The proceeds received from the sale of goods and/or the provision of services are recognised in the Statement of Financial Performance when the cash is received.

2.2.3 Fines, penalties & forfeits

Fines, penalties & forfeits are compulsory unrequited amounts which were imposed by a court or quasi-judicial body and collected by the department. Revenue arising from fines, penalties and forfeits is recognised in the Statement of Financial Performance when the cash is received.

2.2.4 Interest, dividends and rent on land

Interest, dividends and rent on land are recognised in the statement of financial performance when the cash is received.

2.2.5 Sale of capital assets

The proceeds received on sale of capital assets are recognised in the Statement of Financial Performance when the cash is received.

2.2.6 Financial transactions in assets and liabilities

Repayments of loans and advances previously extended to employees and public corporations for policy purposes are recognised as revenue in the Statement of Financial Performance on receipt of the funds.

Cheques issued in previous accounting periods that expire before being banked are recognised as revenue in the Statement of Financial Performance when the cheque becomes stale. When the cheque is reissued the payment is made from Revenue.

Forex gains are recognised on payment of funds.

2.2.7 Transfers received (including gifts, donations and sponsorships)

All cash gifts, donations and sponsorships are paid into the National/Provincial Revenue Fund and recorded as revenue in the Statement of Financial Performance when received. Amounts receivable at the reporting date are disclosed in the disclosure notes to the financial statements.

All in-kind gifts, donations and sponsorships are disclosed at fair value in an annexure to the financial statements.

2.3 Local and foreign aid assistance

Local and foreign aid assistance is recognised as revenue when notification of the assistance is received from the National Treasury or when the department directly receives the cash from the donor(s).

All in-kind local and foreign aid assistance are disclosed at fair value in the annexures to the annual financial statements.

The cash payments made during the year relating to local and foreign aid assistance projects are recognised as expenditure in the Statement of Financial Performance. The value of the assistance expensed prior to the receipt of the funds is recognised as a receivable in the statement of financial position.

Inappropriately expensed amounts using local and foreign aid assistance and any unutilised amounts are recognised as payables in the statement of financial position.

2.4 CARA Fund assistance

All CARA funds received must be recorded as revenue when funds are received. The cash payments made during the year relating to CARA earmarked projects are recognised as current or capital expenditure in the statement of financial performance.

Any unspent CARA funds are transferred to Retained Funds as these funds do not need to be surrendered to the National Revenue Fund.



3. Expenditure

3.1 Compensation of employees

3.1.1 Short-term employee benefits

Salaries and wages comprise payments to employees (including leave entitlements, thirteenth cheques and performance bonuses). Salaries and wages are recognised as an expense in the Statement of Financial Performance when final authorisation for payment is effected on the system (by no later than 31 March of each year). Capitalised compensation forms part of the expenditure for capital assets in the Statement of Financial Performance². All other payments are classified as current expense.

Short-term employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements. These amounts are not recognised in the Statement of Financial Performance or Position.

3.1.2 Post retirement benefits

The department provides retirement benefits (pension benefits) for certain of its employees through a defined benefit plan for government employees. These benefits are funded by both employer and employee contributions.

Employer contributions (i.e. social contributions) to the fund are expensed when the final authorisation for payment to the fund is effected on the system (by no later than 31 March of each year). No provision is made for retirement benefits in the financial statements of the department. Any potential liabilities are disclosed in the financial statements of the National/Provincial Revenue Fund and not in the financial statements of the employer department.

The department provides medical benefits for certain of its employees. Employer contributions to the medical funds are expensed when final authorisation for payment to the fund is effected on the

system (by no later than 31 March of each year).

3.1.3 Termination benefits

Termination benefits such as severance packages are recognised as an expense in the Statement of Financial Performance as a transfer (to households) when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

3.1.4 Other long-term employee benefits

Other long-term employee benefits (such as capped leave) are recognised as an expense in the Statement of Financial Performance as a transfer (to households) when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

Long-term employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements. These amounts are not recognised in the Statement of Financial Performance or Position.

3.2 Goods and services

Payments made for goods and/or services are recognised as an expense in the Statement of Financial Performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year). The expense is classified as capital if the goods and services were used for a capital project or an asset of R5000 or more is purchased. All assets costing less than R5000 will also be reflected under goods and services.

3.3 Interest and rent on land

Interest and rental payments are recognised as an expense in the Statement of Financial Performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year). This item excludes rental for the use of buildings or

² This accounting policy is only relevant where the department elects to capitalise the compensation paid to employees involved on capital projects.

other fixed structures. If it is not possible to distinguish between payment for the use of land and the fixed structures on it, the whole amount should be recorded under goods and services.

3.4 Financial transactions in assets and liabilities

Debts are written off when identified as irrecoverable. Debts written off are limited to the amount of savings and/or under spending of appropriated funds. The write-off occurs at year-end or when funds are available. No provision is made for irrecoverable amounts but amounts are disclosed as a disclosure note.

Forex losses are recognised on payment of funds.

All other losses are recognised when authorisation has been granted for the recognition thereof.

3.5 Unauthorised expenditure

When discovered, unauthorised expenditure is recognised as an asset in the statement of financial position until such time as the expenditure is either approved by the relevant authority, recovered from the responsible person or written off as irrecoverable in the Statement of Financial Performance.

Unauthorised expenditure approved with funding is recognised in the Statement of Financial Performance when the unauthorised expenditure is approved and the related funds are received. Where the amount is approved without funding it is recognised as expenditure, subject to availability of savings, in the Statement of Financial Performance on the date of approval.

3.6 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recognised as an asset in the statement of financial position until such time as the expenditure is recovered from the responsible person or written off as irrecoverable in the Statement of Financial Performance.

3.7 Irregular expenditure

Irregular expenditure is recognised as expenditure in the Statement of Financial Performance. If the expenditure is not condoned by the relevant authority it is treated as an asset until it is recovered or written off as irrecoverable.

3.8 Transfers and subsidies

Transfers and subsidies are recognised as an expense when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

3.9 Expenditure for capital assets

Payments made for capital assets are recognised as an expense in the Statement of Financial Performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

4. Assets

4.1 Cash and cash equivalents

Cash and cash equivalents are carried in the statement of financial position at cost.

For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held, other short-term highly liquid investments and bank overdrafts.

4.2 Other financial assets

Other financial assets are carried in the Statement of Financial Position at cost.

4.3 Prepayments and advances

Amounts prepaid or advanced are recognised in the statement of financial position when the payments are made.

Pre-payments and advances outstanding at the end of the year are carried in the statement of financial position at cost.



4.4 Receivables

Receivables included in the statement of financial position arise from cash payments made that are recoverable from another party.

Receivables outstanding at year-end are carried in the statement of financial position at cost.

4.5 Investments

Capitalised investments are shown at cost in the statement of financial position. Any cash flows such as dividends received or proceeds from the sale of the investment are recognised in the statement of financial performance when the cash is received.

Investments are tested for an impairment loss whenever events or changes in circumstances indicate that the investment may be impaired. Any loss is included in the disclosure notes.

4.6 Loans

Loans are recognised in the statement of financial position at the nominal amount when cash is paid to the beneficiary. Loan lances are reduced when cash repayments are received from the beneficiary. Amounts that are potentially irrecoverable are included in the disclosure notes.

Loans that are outstanding at year-end are carried in the statement of financial position at cost.

4.7 Inventory

Inventories purchased during the financial year are disclosed at cost in the notes.

4.8 Capital assets

A capital asset is recorded on receipt of the item at cost. Cost of an asset is defined as the total cost of acquisition. Where the cost cannot be determined accurately, the capital asset should be stated at fair value. Where fair value cannot be determined, the capital asset is included in the asset register at R1.

Projects (of construction/development) running

over more than one financial year relating to assets, are only capitalised as assets on completion of the project and at the total cost incurred over the duration of the project.

Disclosure Notes 27 and 28 reflect the total movement in the asset register for the current financial year.

5. Liabilities

5.1 Voted funds to be surrendered to the Revenue Fund

Unexpended appropriated funds are surrendered to the National/Provincial Revenue Fund. Amounts owing to the National/Provincial Revenue Fund at the end of the financial year are recognised in the Statement of Financial Position.

5.2 Departmental revenue to be surrendered to the Revenue Fund

Amounts owing to the National/Provincial Revenue Fund at the end of the financial year are recognised in the statement of financial position at cost.

5.3 Bank overdraft

The bank overdraft is carried in the statement of position at cost.

5.4 Payables

Recognised payables mainly comprise of amounts owing to other governmental entities. These payables are recognised at historical cost in the statement of financial position.

5.5 Contingent liabilities

Contingent liabilities are included in the disclosure notes.

5.6 Commitments

Commitments are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.7 Accruals

Accruals are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.8 Employee benefits

Short-term employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements. These amounts are not recognised in the statement of financial performance or the statement of financial position.

5.9 Lease commitments

Lease commitments are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

Operating and finance lease commitments are expensed when the payments are made. Assets acquired in terms of finance lease agreements are disclosed in the annexures and disclosure notes to the financial statements.

6. Receivables for departmental revenue

Receivables for departmental revenue are disclosed in the disclosure notes to the annual financial statements.

7. Net Assets

7.1 Recoverable revenue

Amounts are recognised as recoverable revenue when a payment made in a previous financial year becomes recoverable from a debtor in the current financial year.

8. Related party transactions

Specific information with regards to related party transactions is included in the disclosure notes.

9. Key management personnel

Compensation paid to key management personnel including their family members where relevant, is included in the disclosure notes.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2008

I. Annual Appropriation

I.1 Annual Appropriation

Included are funds appropriated in terms of the Appropriation Act for National Departments (Voted funds) and Provincial Departments :

	Final Appropriation	Actual Funds Received	Funds not requested/ not received	Appropriation received 2006/07
	R'000	R'000	R'000	R'000
Programme 4: National Prosecuting Authority	1,861,266	1,861,266	-	1,585,085
Total	1,861,266	1,861,266	-	1,585,085

2. Departmental revenue

	Note	2007/08 R'000	2006/07 R'000
Sales of goods and services other than capital assets	2.1	952	851
Interest, dividends and rent on land	2.2	544	358
Financial transactions in assets and liabilities	2.3	1,678	5,640
Transfers received	2.4	1,408	-
Departmental revenue collected		4,582	6,849

2.1 Sales of goods and services other than capital assets

	2007/08	2006/07
Sales of goods and services produced by the department	952	851
Sales by market establishment		
Total	952	851

2.2 Interest, dividends and rent on land and buildings

	2007/08	2006/07
Interest	544	358
Total	544	358

2.3 Financial transactions in assets and liabilities (Nature of recovery)

	2007/08	2006/07
Stale cheques written back	14	22
Other Receipts including Recoverable Revenue	1,664	5,618
Total	1,678	5,640

2.4 Transfers received

	2007/08	2006/07
Foreign governments	1,271	-
Public corporations and private enterprises	137	-
Total	1,408	-

3. Local and foreign aid assistance

3.1 Assistance received in cash: Other

	Note	2007/08 R'000	2006/07 R'000
Local			
Opening Balance		(660)	(220)
Revenue		-	965
Revenue Adjustment		51	-
Expenditure		-	1,405
Current		-	1,263
Capital		-	142
Closing Balance		(609)	(660)

Foreign			
Opening Balance		2,253	4,065
Revenue		2,813	82
Expenditure		2,916	1,894
Expenditure Adjustment		1,712	-
Current		1,204	1,879
Capital		-	15
Closing Balance		2,150	2,253

Total assistance			
Opening Balance		1,593	3,845
Total Revenue		2,864	1,047
Revenue		2,813	1,047
Revenue Adjustment		51	-
Total Expenditure		2,916	3,299
Expenditure Adjustment		1,712	-
Current		1,204	3,142
Capital		-	157
Closing Balance		1,541	1,593

Analysis of balance			
Local and foreign aid receivable		(609)	804
Local and foreign aid unutilised		2,150	2,397
Closing balance		1,541	1,593



The amounts mentioned below represent adjustments processed during the financial year for assistance received in cash:	
Local	
<i>The Revenue of R 51 is represented by the following:</i>	
Rectification to Vodacom expenditure allocations	(33)
Woolworths: unspent funds transferred to Revenue to be surrendered to NRF	137
Human Rights Foundation: allocated to Revenue	(161)
BAC: unspent funds transferred to Revenue to be surrendered to NRF	6
Total	(51)
Foreign	
<i>The expense for the current financial year was increased with R 1,712 represented by the following adjustments:</i>	
Unicef: unspent funds surrendered to RDP fund	385
Unicef: VAT refund received	(198)
	187
WK Kellog: unspent funds surrendered to RDP fund	908
WK Kellog: VAT refund received	(3)
USAid: unspent funds surrendered to RDP fund	293
Greece: unspent funds transferred to Revenue to be surrendered to NRF	363
Greece: VAT refund received	(36)
Total	1,712

3.2 CARA Fund assistance

	Note	2007/08 R'000	2006/07 R'000
Opening Balance		31,800	-
Revenue received		-	31,800
Expenditure		23,387	-
Current		9,115	-
Capital		14,272	-
Closing Balance		8,413	31,800

4. Compensation of employees

4.1 Salaries and Wages

	Note	2007/08 R'000	2006/07 R'000
Basic salary		894,566	773,181
Performance award		21,646	18,592
Service Based		625	524
Compensative/circumstantial		10,071	4,494
Other non-pensionable allowances		154,509	134,707
Total		1,081,417	931,498

4.2 Social contributions

	2007/08	2006/07
4.2.1 Employer contributions		
Pension	112,765	97,950
Medical	36,341	30,929
UIF	19	3
Bargaining council	100	105
Total	149,225	128,987

Total compensation of employees	1,230,642	1,060,485
--	------------------	------------------

Average number of employees	4,268	4,044
------------------------------------	--------------	--------------



5. Goods and services

	Note	2007/08 R'000	2006/07 R'000
Advertising		9,718	10,060
Attendance fees (including registration fees)		93	6
Bank charges and card fees		539	452
Bursaries (employees)		1,371	1,579
Catering		985	-
Communication		38,663	32,553
Computer services		35,547	30,011
Consultants, contractors and special services		84,603	67,615
Courier and delivery services		1,428	450
Entertainment		622	1,390
External audit fees	5.1	3,604	2,691
Equipment less than R5000		10,718	5,638
Firearm handling fees		7	6
Inventory	5.2	23,379	14,404
Legal fees		35,192	27,995
Maintenance, repairs and running costs		3,715	6,715
Medical Services		44	22
Municipal Services		320	-
Operating leases		118,454	86,340
Personnel agency fees		275	211
Photographic services		99	8
Plant flowers and other decorations		30	30
Printing and publications		3,005	2,653
Professional bodies and membership fees		2	19
Resettlement costs		6,108	2,055
Subscriptions		656	1,856
Storage of furniture		15	4
System access fees		15	13
Owned leasehold property expenditure		37,264	23,326
Translations and transcriptions		839	771
Transport provided as part of the departmental activities		1,293	5,336
Travel and subsistence	5.3	90,845	65,537
Venues and facilities		9,687	2,729
Protective, special clothing & uniforms		1,516	521
Training & staff development		5,164	4,585
Witness and related fees		47,858	43,953
Total		573,673	441,534

5.1 External audit fees

	Note	2007/08 R'000	2006/07 R'000
Regulatory audits		3,604	2,691
Total		3,604	2,691

5.2 Inventory

	2007/08	2006/07
Domestic consumables	834	241
Food and Food supplies	1	4
Fuel, oil and gas	1	1
Other consumables	127	1
Parts and other maintenance material	85	94
Sport and recreation	23	-
Stationery and printing	21,936	12,573
Medical supplies	1	1
Weapons and armaments	371	1,489
Total	23,379	14,404

5.3 Travel and subsistence

	2007/08	2006/07
Local	85,831	62,350
Foreign	5,014	3,187
Total	90,845	65,537



6. Financial transactions in assets and liabilities

	Note	2007/08 R'000	2006/07 R'000
Material losses through criminal conduct			
Other material losses written off	6.1	-	1
Debts written off	6.2	936	132
Total		936	133

6.1 Other material losses written off

	2007/08	2006/07
Nature of losses		
Duplicate Payment Written off	-	1
Total	-	1

6.2 Debts written off

	2007/08	2006/07
Nature of debts written off		
Bad debt written off	936	132
Total	936	132

7. Transfers and subsidies

	Note	2007/08 R'000	2006/07 R'000
Provinces and municipalities	Annexure 1A	-	1,096
Households	Annexure 1B	3,268	2,272
Total		3,268	3,368

8. Expenditure for capital assets

	Note	2007/08 R'000	2006/07 R'000
Buildings and other fixed structures	27.	57	-
Machinery and equipment	27.	47,982	15,692
Software and other intangible assets		3,711	14,542
Computer software	28.	3,711	14,542
Total		51,750	30,234

9. Fruitless and wasteful expenditure

Reconciliation of fruitless and wasteful expenditure

	Note	2007/08 R'000	2006/07 R'000
Opening balance		2,797	2,425
Fruitless and wasteful expenditure – current year		236	372
Current		236	372
Capital		-	-
Amounts condoned			
Current expenditure		-	-
Transfers and subsidies		-	-
Expenditure for capital assets		-	-
Transfer to receivables for recovery (not condoned)		(12)	-
Fruitless and wasteful expenditure awaiting condonement		3,021	2,797

Analysis of Current Year Fruitless and wasteful expenditure

Incident	Disciplinary steps taken/criminal proceedings	
Accident Fees	Under investigation. Awaiting report from IMU and Security and Risk	43
Cancellation Fees	Under investigation. Letters sent to officials to obtain explanations.	191
Journal Corrections		2
Total		236

10. Cash and cash equivalents

	Note	2007/08 R'000	2006/07 R'000
Consolidated Paymaster General Account		-	62,912
Disbursements		-	33
Cash on hand		95	85
Total		95	63,030

II. Prepayments and advances

	Note	2007/08 R'000	2006/07 R'000
Travel and subsistence		1,015	1,346
Prepayments		21,899	21,899
Total		22,914	23,245

12. Receivables

	Note				2007/08 R'000	2006/07 R'000
		Less than one year	One to three years	Older than three years	Total	Total
Staff debtors	12.1	1,132	4,139	5,311	10,582	12,184
Other debtors	12.2	214	(1,177)	1,522	559	3,574
Intergovernmental re- ceivables	Annex 3	28,817	41	-	28,858	4,186
Total		30,163	3,003	6,833	39,999	19,944

12.1 Staff Debtors

	2007/08	2006/07
Sal: Disallowance Account: CA	205	318
Sal: Tax Debt: CA	26	21
Debt Account: CA	10,271	11,541
Sal: Reversal Control	15	230
Irregular Expenditure: Dept Vote Account	33	33
Sal: Medical Aid	32	41
Total	10,582	12,184

12.2 Other debtors

	2007/08	2006/07
Disallowance Miscellaneous	309	1,293
Private Telephone	96	99
Telephone Control Account	-	2,061
VAT Clearing Account	154	121
Total	559	3,574

13. Voted funds to be surrendered to the Revenue Fund

	Note	2007/08 R'000	2006/07 R'000
Opening balance		49,703	47,934
Transfer from Statement of Financial Performance		1,233	49,703
Paid during the year		(49,703)	(47,934)
Closing balance		1,233	49,703

14. Departmental revenue to be surrendered to the Revenue Fund

	Note	2007/08 R'000	2006/07 R'000
Opening balance		22,543	21,035
Transfer from Statement of Financial Performance		4,582	6,849
Paid during the year		(4,433)	(5,341)
Closing balance		22,692	22,543

15. Bank overdraft

	Note	2007/08 R'000	2006/07 R'000
Consolidated Paymaster General Account		29,091	-
Total		29,091	-

16. Payables - current

	Note			2007/08 R'000	2006/07 R'000
		30 Days	30+ Days	Total	Total
Amounts owing to other entities	Annex.5	-	-	-	-
Advances received	16.1	-	-	-	287
Clearing accounts	16.2	-	757	757	766
Total		-	757	757	1,053



16.1 Advances received

	2007/08	2006/07
Claims National Departments - IJS Funds	-	287
Total	-	287

16.2 Clearing accounts

	2007/08	2006/07
Sal: Reg Service Council	49	-
Sal: Pension Fund	86	58
Sal Income Tax	424	405
Sal: ACB Recalls	15	54
Pension Recoverable Account	112	204
Disallowance Miscellaneous	47	45
Telephone Erroneous Interface Ac CL	24	-
Total	757	766

17. Net cash flow available from operating activities

	Note	2007/08 R'000	2006/07 R'000
Net surplus/(deficit) as per Statement of Financial Performance		(17,624)	86,100
Add back non-cash/cash movements not deemed operating activities		(8,358)	(47,364)
(Increase)/decrease in receivables – current		(20,055)	(8,765)
(Increase)/decrease in prepayments and advances		331	402
(Increase)/decrease in other current assets		(224)	(557)
Increase/(decrease) in payables – current		(296)	(1,203)
Expenditure on capital assets		66,022	15,849
Surrenders to Revenue Fund		(54,136)	(53,275)
Other non-cash items		-	185
Net cash flow generated by operating activities		(25,982)	38,736



18. Reconciliation of cash and cash equivalents for cash flow purposes

	Note	2007/08 R'000	2006/07 R'000
Consolidated Paymaster General account		(29,091)	62,912
Disbursements		-	33
Cash on hand		95	85
Total		(28,996)	63,030

DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2008

19. Contingent liabilities

		Note	2007/08 R'000	2006/07 R'000
Liability to	Nature			
Motor vehicle guarantees	Employees	Annex 2A	156	459
Housing loan guarantees	Employees	Annex 2A	4,743	5,553
Claims against the department		Annex 2B	539,282	325,781
Other departments (interdepartmental unconfirmed balances)		Annex 4	103	66
Total			544,284	331,859

20. Commitments

	Note	2007/08 R'000	2006/07 R'000
Current expenditure			
Approved and contracted		680,823	758,136
Approved but not yet contracted		4,961	-
		685,784	758,136
Non-current expenditure			
Approved and contracted		798	32,747
		798	32,747
Total Commitments		686,582	790,883

21. Accruals

			2007/08 R'000	2006/07 R'000
Listed by economic classification	30 Days	30+ Days	Total	Total
Compensation of employees	80	291	371	65
Goods and services	8,915	31,292	40,207	32,422
Transfers and subsidies	6	485	491	1
Machinery and equipment	17	115	132	8,757
Total	9,018	32,183	41,201	41,245

	Note	2007/08 R'000	2006/07 R'000
Listed by programme level			
Public Prosecution		31,059	24,980
Special Operations		7,082	14,060
Witness Protection		1,743	2,205
Asset Forfeiture		1,317	-
Total		41,201	41,245
Confirmed balances with other departments	Annex 4	201	1,878
Total		201	1,878

22. Employee benefits

	Note	2007/08 R'000	2006/07 R'000
Leave entitlement		64,061	47,851
Thirteenth cheque		34,779	33,288
Performance awards		22,367	18,049
Capped leave commitments		108,009	98,486
Total		229,216	197,674

23. Lease Commitments

23.1 Operating leases

2007/2008	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
Not later than 1 year	-	4,861	-	4,861
Later than 1 year and not later than 5 years	-	22,907	-	22,907
Later than five years	-	17,211	-	17,211
Total present value of lease liabilities	-	44,979	-	44,979

2006/2007	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
Not later than 1 year	-	4,672	-	4,672
Later than 1 year and not later than 5 years	-	39,792	-	39,792
Later than five years	-	-	-	-
Total present value of lease liabilities	-	44,464	-	44,464

23.2 Finance leases

2007/2008	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
Not later than 1 year	11,616	9,918	19,509	41,043
Later than 1 year and not later than 5 years	3,238	34,509	22,255	60,002
Later than five years	-	-	-	-
Total present value of lease liabilities	14,854	44,427	41,764	101,045

2006/2007	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
Not later than 1 year	12,184	9,528	18,159	39,871
Later than 1 year and not later than 5 years	11,218	42,800	45,122	99,140
Later than five years	-	12,807	-	12,807
Total present value of lease liabilities	23,402	65,135	63,281	151,818

24. Irregular expenditure

24.1 Reconciliation of irregular expenditure

	Note	2007/08 R'000	2006/07 R'000
Opening balance		186,689	65,341
Add: Irregular expenditure – current year		240,008	121,348
Less: Amount condoned		11	-
Current expenditure		11	-
Less: Not condoned		3,220	-
Current expenditure		3,220	-
Irregular expenditure awaiting condonement		423,466	186,689

Analysis of awaiting condonement per classification

Current expenditure	423,466	186,689
	423,466	186,689

Analysis of awaiting condonement per age classification

Current	239,997	121,348
Prior years	183,469	65,341
Total	423,466	186,689

24.2 Irregular expenditure

Incident	Disciplinary steps taken/criminal proceedings	2007/08	2006/07
Cases (prior years)	Awaiting National Treasury response	65,341	65,341
Irregular appointment	Referred to DPSA for condonement	686	686
Rentworks Payments	Awaiting National Treasury response	66,309	38,996
Noted cases	Still under investigation	12,450	10,666
CFM Finance Lease	Awaiting National Treasury response	62,477	54,000
CFM Soft services not in terms of contract	Awaiting National Treasury response	35,693	17,000
DSO contract	Under investigation	600	-
Delegation of powers for approving tenders	Under investigation	113,311	-
Performance audit of consultants	Under investigation	54,621	-
Tender irregularities	Under investigation	11,978	-
Total		423,466	186,689

Noted cases for prior year were restated as a result of reviews done on the noted case register. It was identified that not all cases recorded were regarded as irregular expenditure since tender procedures were followed. As a result the R 10,666m was reduced by R 3,169m for prior year. The tender irregularities disclosed relates to one Province. The scope of the tender irregularities was expanded to cover the whole tender to the amount of R 55,823m. The irregular expenditure amounts for the Performance Audit and Delegated powers for approving tenders include a few of the contract amounts. These amounts were included due to the fact that some of the suppliers were paid for different projects and to determine the disclosure note amount, contract amounts had to be used. These amounts are close to the expenditure and the variances are not material.



25. Key management personnel

	No. of Individuals	2007/08 R'000	2006/07 R'000
Political office bearers (provide detail below)	1	1,081	4,475
Officials			
Level 15 to 16	23	20,058	15,256
Level 14 (incl CFO if at a lower level)	15	9,896	6,372
Total		31,035	26,103

26. Provisions

	No. of Individuals	2007/08 R'000	2006/07 R'000
Staff Debtors		3,093	3,330
Total		3,093	3,330

27. Tangible Capital Assets

27.1 MOVEMENT IN TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2008

	Opening bal- ance	Current Year Ad- justments to prior year balances	Additions	Disposals	Closing Balance
	Cost R'000	Cost R'000	Cost R'000	Cost R'000	Cost R'000
BUILDING AND OTHER FIXED STRUCTURES	30,336	-	57	-	30,393
Other fixed structures	30,336	-	57	-	30,393
MACHINERY AND EQUIP- MENT	49,404	34,335	51,077	-	134,816
Computer equipment	35,946	(5,363)	21,723	-	52,306
Furniture and Office equipment	-	25,182	7,635	-	32,817
Other machinery and equipment	13,458	14,516	21,719	-	49,693
TOTAL TANGIBLE ASSETS	79,740	34,335	51,134	-	165,209

The National Prosecuting Authority has Tangible Capital minor assets amounting to R 17,807 (2007: R 7,138)

27.2 ADDITIONS TO TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2008

	Cash	Non-cash	(Capital Work in Progress cur- rent costs)	Received current, not paid (Paid cur- rent year, received prior year)	Total
	Cost R'000	Cost R'000	Cost R'000	Cost R'000	Cost R'000
BUILDING AND OTHER FIXED STRUCTURES	57	-	-	-	57
Other fixed structures	57	-	-	-	57
MACHINERY AND EQUIPMENT	47,982	3,095	-	-	51,077
Computer equipment	18,628	3,095	-	-	21,723
Furniture and Office equipment	7,635	-	-	-	7,635
Other machinery and equipment	21,719	-	-	-	21,719
TOTAL	48,039	3,095	-	-	51,134



27.3 MOVEMENT IN TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2007

	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
BUILDING AND OTHER FIXED STRUCTURES	30,336	-	-	30,336
Other fixed structures	30,336	-	-	30,336
MACHINERY AND EQUIPMENT	30,504	18,900	-	49,404
Computer equipment	21,241	14,705	-	35,946
Other machinery and equipment	9,263	4,195	-	13,458
TOTAL TANGIBLE ASSETS	60,840	18,900	-	79,740

28. Intangible Capital Assets

28.1 MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2008

	Opening balance	Current Year Adjustments to prior year balances	Additions	Disposals	Closing Balance
	Cost R'000	Cost R'000	Cost R'000	Cost R'000	Cost R'000
Capitalised Development Costs	-	-	9,342	-	9,342
Computer Software	20,956	-	3,711	-	24,667
Patents, Licences, Copyright, Brand Names, Trademarks	-	-	5,986	-	5,986
TOTAL INTANGIBLE ASSETS	20,956	-	19,039	-	39,995

The National Prosecuting Authority has Intangible Capital minor assets amounting to R 613 (2007: R 563)

28.2 ADDITIONS TO INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2008

	Cash	Non-Cash	(Development work in progress – current costs)	Received current year not paid (Paid current year received prior year)	Total
	Cost R'000	Fair Value R'000	Cost R'000	Cost R'000	Cost R'000
Capitalised Development Costs	-	9,342	-	-	9,342
Computer Software	3,711	-	-	-	3,711
Patents, Licences, Copyright, Brand Names, Trademarks	-	5,986	-	-	5,986
Total	3,711	15,328	-	-	19,039

28.3 MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2007

	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
Computer Software	6,414	14,542	-	20,956
Total	6,414	14,542	-	20,956



Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE IA

STATEMENT OF CONDITIONAL GRANTS PAID TO PROVINCES

NAME OF PROVINCE/GRANT	GRANT ALLOCATION				TRANSFER		SPENT			2006/07
	Divi- sion of Revenue Act	Roll Overs	Adjust- ments	Total Available	Actual Transfer	% of Available funds Trans- ferred	Amount received by depart- ment	Amount spent by depart- ment	% of available funds spent by depart- ment	Divi- sion of Revenue Act
	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000	%	R'000
Regional Service Council Levies	-	-	-	-	-	-	-	-	-	1,096
Total	-	-	-	-	-	-	-	-	-	1,096

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE IB

STATEMENT OF TRANSFERS / SUBSIDIES TO HOUSEHOLDS

HOUSEHOLDS	TRANSFER ALLOCATION				EXPENDITURE		2006/07
	Adjusted Appropriation Act	Roll Overs	Adjust- ments	Total Available	Actual Transfer	% of Available fund- sTrans- ferred	Final Appropriation Act
	R'000	R'000	R'000	R'000	R'000	%	R'000
Transfers							
Social Benefits	-	-	-	-	3,268	-	2,272
Total	-	-	-	-	3,268	-	2,272



Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE IC

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2007/08	2006/07
		R'000	R'000
Received in Cash			
Various Sponsors	DPP-JHB (Golf Day)	-	133
SUB-TOTAL		-	133
Received in Kind			
British High Commission	Training week	-	70
Drakes & Packwells Luggage Group	Soccer bags	2	-
G8 Lyon Group	Airfare, Accommodation and Meals	-	10
Manhattan Hotel	Accommodation and Soccer tickets	2	-
Price Waterhouse Coopers	Sponsor function for Jnr Prosecutors	36	-
SGL Consulting (Pty) Ltd	Soccer jerseys	6	-
Troika Trust	Donations for team building	5	-
UN Office on Drugs & Crime	Travel, Subsistence & Accommodation	-	10
US Department of Treasury	Training: Anti-corruption	1,000	-
US Embassy	Godiva Chocolates	-	1
USAID	Training: Financial investigation	603	-
Vodacom	Caps and T-shirts	-	2
SUB TOTAL		1,654	93
TOTAL		1,654	226

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE ID

STATEMENT OF LOCAL AND FOREIGN AID ASSISTANCE RECEIVED

NAME OF DONOR	PURPOSE	OPENING BALANCE	REVENUE	EXPENDI- TURE	ADJUSTMENT	CLOSING BALANCE
		R'000	R'000	R'000	R'000	R'000
Received in cash						
BAC	Payment for JR Hillhouse to collaborate and coordinate in preparation of cases for prosecution	6	-	-	(6)	-
European Union	Assistance to SA Government to prevent and react to human trafficking.	-	2,261	(153)	-	2,108
Foundation for Human Rights	Implementation of recommendations of the TRC regarding missing persons	(770)	-	-	161	(609)
Greece	Thuthuzela	328	-	-	(328)	-
Royal Danish Commission	Ndabezitha Project	538	552	(1,048)	-	42
UNICEF	SOCACCTV's	190	-	(3)	(187)	-
USAID	Prosecution of Child Sex Offenders	293	-	-	(293)	-
Vodacom	Thuthuzela C.C.	(34)	-	-	34	-
WK Kellogg	Thuthuzela Training	905	-	-	(905)	-
Woolworths	Child Courts	137	-	-	(137)	-
Total		1,593	2,813	(1,204)	(1,661)	1,541

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE 2A

STATEMENT OF FINANCIAL GUARANTEES ISSUED AS AT 31 MARCH 2008 – LOCAL

Guarantor institution	Guarantee in respect of	Original guaranteed capital amount	Opening balance 1 April 2007	Guarantees drawn down during the year	Guarantees repayments/cancelled/reduced/released during the year	Currency revaluations	Closing balance 31 March 2008	Guaranteed interest outstanding for year ended 31 March 2008	Realised losses not recoverable (i.e. paid out)
		R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Stannic	Motor Vehicles	-	459	-	303	-	156	-	-
Sub-Total		-	459	-	303	-	156	-	-
ABSA	Housing	-	2,208	74	60	-	2,222	-	-
BOE Bank Limited	Housing	-	-	13	-	-	13	-	-
First National Bank	Housing	-	200	-	39	-	161	-	-
First Rand Bank	Housing	-	660	16	-	-	676	-	-
Free State Development Corp.	Housing	-	36	-	36	-	-	-	-
Nedbank	Housing	-	666	26	315	-	377	-	-
Nedbank Limited Incorporated	Housing	-	279	-	14	-	265	-	-
NP Development Corporation	Housing	-	-	44	-	-	44	-	-
Old Mutual Finance Limited	Housing	-	200	111	16	-	295	-	-
People's Bank Limited	Housing	-	26	-	-	-	26	-	-
Standard Bank	Housing	-	1,440	46	903	-	583	-	-
VBS Mutual Bank	Housing	-	81	-	-	-	81	-	-
Sub-Total		-	5,796	330	1,383	-	4,743	-	-
Total		-	6,255	330	1,686	-	4,899	-	-

The opening balance of the Financial Guarantees issued has been restated as per PERSAL report (7.II.15 – State Guarantee liability).

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE 2B

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2008

Nature of Liability	Opening Balance 01/04/2007	Liabilities in- curred during the year	Liabilities paid/ cancelled/re- duced during the year	Liabilities reco- verable (Provide details hereun- der)	Closing Balance 31/03/2008
	R'000	R'000	R'000	R'000	R'000
Claims against the department					
Fleet Management	80,000	-	-	-	80,000
DSO Litigation cases	1,000	-	-	-	1,000
Outstanding Lawsuits (NPS, AFU, WPU and PCLU)	244,781	129,550	-	-	374,331
Occupational Specific Compensation (OSD)	-	83,951	-	-	83,951
Total	325,781	213,501	-	-	539,282

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE 3

INTER-GOVERNMENTAL RECEIVABLES AS AT 31 MARCH 2008

Government Entity	Confirmed balance		Unconfirmed balance		Total	
	31/03/2008	31/03/2007	31/03/2008	31/03/2007	31/03/2008	31/03/2007
	R'000	R'000	R'000	R'000	R'000	R'000
Department						
Business Against Crime (BAC)	-	-	618	674	618	674
Department of Art and Culture	-	-	-	20	-	20
Department of Community Safety Gauteng	8	-	-	-	8	-
Department of Correctional Services	-	-	-	24	-	24
Department of Defence	-	-	13	-	13	-
Department of Education	11	-	-	11	11	11
Department of Environmental Affairs	-	-	-	15	-	15
Department of Health	-	8	-	84	-	92
Department of Health PTMF	-	-	5	-	5	-
Department of Home Affairs	-	-	-	6	-	6
Department of Housing	-	-	-	7	-	7
Department of Justice and Constitutional Development	27,309	3,023	760	82	28,069	3,105
Department of Public Works	-	4	12	10	12	14
Department of Trade and Industry	-	-	-	7	-	7
Department of Transport	-	-	22	36	22	36
Department of Water Affairs	-	-	-	13	-	13
Free State Province	-	-	-	12	-	12
Gauteng Department of Health	10	-	-	-	10	-
Gauteng Department of Sport, Art, Culture & Rec	-	-	14	-	14	-
Gauteng Shared Service Centre	-	-	-	79	-	79
Gauteng Social development	-	-	7	-	7	-
Independent Complaints Directorate	-	-	61	14	61	14
North West Province	-	-	1	17	1	17
Office of the Public Protector	-	-	3	-	3	-
Other	-	-	4	15	4	15
SA Secret Services	-	-	-	25	-	25
TOTAL	27,338	3,035	1,520	1,151	28,858	4,186

Annexures to the Annual Financial Statements for the Year Ended 31 March 2008

ANNEXURE 4

INTER-GOVERNMENTAL PAYABLES AS AT 31 MARCH 2008

Government Entity	Confirmed balance		Unconfirmed balance		Total	
	31/03/2008	31/03/2007	31/03/2008	31/03/2007	31/03/2008	31/03/2007
	R'000	R'000	R'000	R'000	R'000	R'000
Department						
Current						
Department of Minerals and Energy	1	-	-	-	1	-
Department of Economic Development and Tourism	1	-	-	-	1	-
Department of Education	-	-	-	6	-	6
Department of Health	20	-	-	20	20	20
Department of Justice and Constitutional Development	-	-	-	24	-	24
Gauteng Provincial Government Motor Transport	-	1,843	-	5	-	1,848
National Treasury	13	-	-	-	13	-
Safety and Security	166	35	103	11	269	46
Total	201	1,878	103	66	304	1,944



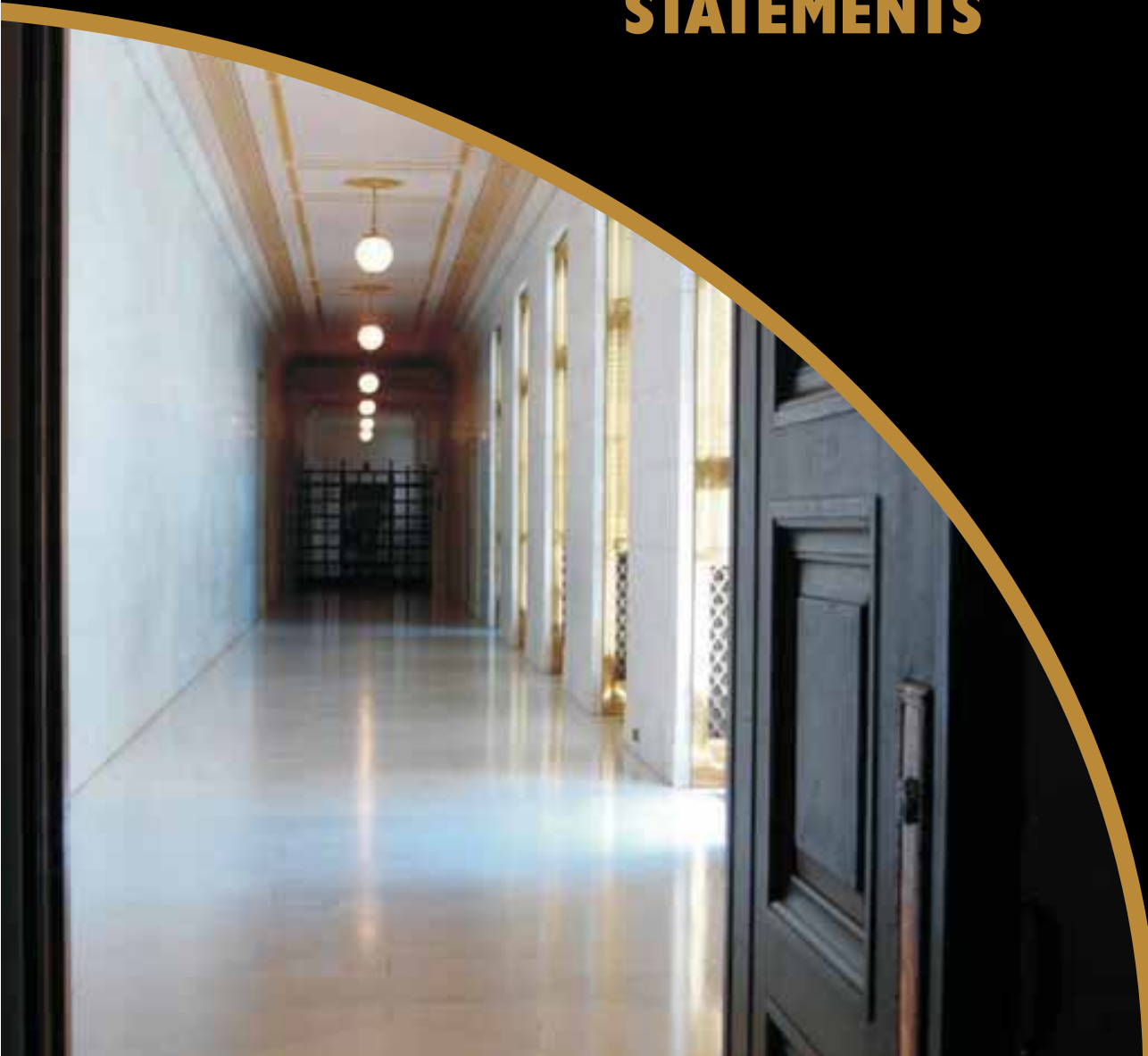
**DO NOT DISTURB
PROSECUTOR
WHEN COURT
IS IN SESSION**





NATIONAL PROSECUTING AUTHORITY
South Africa

SECTION 5: CARA ANNUAL FINANCIAL STATEMENTS





Page

SECTION 5: ACCOUNTING REPORT OF THE CARA

Report of the Accounting Officer	117
Report of the Audit Committee	120
Report of the Auditor-General	121
Statement of Financial Performance	126
Statement of Financial Position	127
Statement of Changes in Net Assets	128
Cash Flow Statement	129
Accounting Policies	130
Notes to the Annual Financial Statements	131
Disclosure Note	132

Report of the Accounting Officer to the Executive Authority and Parliament of the Republic of South Africa

1. Establishment of the CARA

The Criminal Assets Recovery Account (CARA) is a separate account within the National Revenue Fund (NRF) into which monies and property are deposited following a judicial forfeiture or confiscation order. The confiscation and forfeiture processes, as well as the establishment of the CARA, are legislated in terms of the Prevention of Organised Crime Act (POC Act) of 1998.

The underlying hypothesis of asset forfeiture legislation is that, by confiscating or forfeiting the profits or proceeds of crime, the incentive for committing specific crimes is reduced.

Section 64 of the Act regulates the constitution of the CARA. In particular section 64(a) is of importance to the criminal asset recovery process as it determines that all confiscated and forfeited monies and property are to be deposited into the CARA.

64. Finances of Account. The Account shall consist of:

- a. all moneys derived from the fulfilment of confiscation and forfeiture orders contemplated in Chapters 5 and 6; [Para. (a) substituted by section 35 (a) of Act No. 24 of 1999.]
(aA). all property derived from the fulfilment of forfeiture orders as contemplated in section 57; [Para. (aA) inserted by section 35 (b) of Act No. 24 of 1999.]
- b. the balance of all moneys derived from the execution of foreign confiscation orders as defined in the International Co-Operation in Criminal Matters Act, 1996 (Act No. 75 of 1996), after payments have been made to requesting States in terms of that Act;
- c. any property or moneys appropriated by Parliament, or paid into, or allocated to, the Account in terms of any other Act; [Para. (c) Substituted by section 35 (c) of Act No. 24 of

1999.]

- d. domestic and foreign grants;
- e. any property or amount of money received or acquired from any source; and [Para. (e) Substituted by section 35 (d) of Act No. 24 of 1999.]
- f. all property or moneys transferred to the Account in terms of this Act. [Para. (f) substituted by section 35 (e) of Act No. 24 of 1999.]

2. Purpose of the CARA

Section 69A of the Act regulates for what purpose the monies and property in the Account may be utilised:

69A. Utilisation of Account and accountability. (1) The property and money allocated to, or standing to the credit of, the Account may be utilised by Cabinet, after considering the recommendations of the Committee, for:

- a. the allocation of property and amounts of money from the Account to specific law enforcement agencies;
- b. the allocation of property and amounts of money from the Account to any institution, organisation or fund contemplated in section 68(c); and
- c. the administration of the Account.

3. Management of the CARA

Section 65 of the Act establishes a Criminal Assets Recovery Committee (CARC) which is responsible for providing Cabinet with recommendations on the utilisation of the Account and providing advice on specific issues related to the criminal assets recovery process.

The Committee consists of:

Ms BS Mabandla

Minister for Justice and Constitutional Development (Chairperson)

Mr T Manuel

Minister of Finance

Ms AT Didiza

Minister of Public Works

Ms S Shabangu

Deputy Minister of Safety and Security (Deputy Chairperson)

Adv VP Pikoli

National Director of Public Prosecutions

Section 69 of the POC Act provides that monies and property in the CARA may only be distributed to beneficiaries on recommendation by the CARC and after approval by National Cabinet.

According to account balance statements obtained from National Treasury, there was R99, 8 million in the CARA at the end of 31st March 2008 (R78, 4 million in 2007). The amount available for allocation by Cabinet was R 88, 8 million at 31 March 2008 (R44, 4 million in 2007). The committee did not allocate any further funds or assets in the past financial year. The South African Police Service have not utilised the funds of R10, 6 million of the original allocation of R33, 7 million as at 31 March 2008. The South African Police Service has indicated to CARU that the funds will be requested in 2008 in terms of their revised business plans.

4. CARA Financial Statements

The financial statements for the year ended 31 March 2008 have been prepared on a modified cash basis of accounting, except where stated otherwise. The modified cash basis constitutes the cash basis of accounting supplemented with additional disclosure items in accordance with the Office of the Accountant General's annual financial and asset management guidelines.

Assets not yet realised are under the Control of Curators appointed by the Court, and these values are not included in the financial statements as final reports / accounts have not been received from all curators. The analysis of case files has revealed that in a majority of the case files the lack of a final curator report to account for all the relevant aspects of finalising the case is extremely difficult.

The CARU will request for reports and conduct asset verification during 2008. This process will enable CARU to report on the accuracy of the values of the assets in the care of curators and maintain the asset register for reporting in the annual financial statements. A final account is only submitted once the assets

have been realised or the assets are handed over to the CARU for distribution and/or caretaking. This account details the net proceeds to be deposited into CARA and is not available at any earlier stage of the process.

The AFU's engagement in an electronic case management system to monitor amongst other priorities the assets under the care of curators was successfully piloted during the financial year. The CARU reporting and accounting requirements were also incorporated in the system design and the initial screening of the features was presented to CARU during 2007. CARU will use the system effectively in the new financial year 2008/9.

The system will enable the CARU to fast track monitoring of curators, the distribution of assets to stakeholders, as guided by the provisions of the POCA. The tracking of performance of the curators will also enable CARU to follow up on tardy curators. A task team is at present verifying the information on the case register and making electronic copies of each case file for input into the electronic case management system. There are over 2200 cases on the case register and almost 50% of the cases are now on the system.

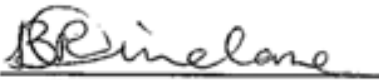
The task will be completed in 2008. The Pastel accounting program will be used in 2008 to report on the confiscation cases. The reports generated from the system will provide an age analysis of all the cases and the amounts due per confiscation order. The variance analysis report will enable follow up of unpaid amounts for corrective action.



5. Acknowledgements

Our appreciation towards the loyal support and valuable contributions of the various stakeholders is hereby acknowledged.

The Financial Statements set out on pages 126 to 132 have been approved by the Accounting Officer.



Ms B Simelane
Acting Chief Executive Officer: NPA
Date: 29.5.2008



Adv: M Simelane
Director General: DoJ&CD
Date: 29/5/8

Criminal Assets Recovery Account (CARA)

Report of the Audit Committee

We are pleased to present our report for the financial year ended 31 March 2008.

Audit Committee responsibility

The administration and accountability for CARA falls within the responsibilities of the National Prosecuting Authority of South Africa (NPA). Accordingly, as the duly constituted Audit Committee of the NPA, we have reviewed to the extent considered necessary the financial statements of CARA.

The effectiveness of internal control

The system of internal control was not entirely effective during the year under review, as compliance

with prescribed policies and procedures was lacking in certain instances.

Significant control weaknesses have been reported by the Auditor-General in the audit report and in the management letter, mainly relating to controls over forfeiture of assets. These matters are being addressed by the department.

Evaluation of Financial Statements

The Audit Committee has

- Reviewed and discussed with the Auditor-General and the Accounting Officer the audited annual financial statements to be included in the annual report;
- Reviewed the Auditor-General's management letter and management's response thereto;
- Reviewed significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the Auditor-General's conclusions on the annual financial statements and is of the opinion that the audited annual financial statements be accepted and read together with the report of the Auditor-General.



Chairperson of the Audit Committee
7 August 2008

REPORT OF THE AUDITOR-GENERAL

TO PARLIAMENT ON THE FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION OF THE CRIMINAL ASSETS RECOVERY ACCOUNT FOR THE YEAR ENDED 31 MARCH 2008

REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I was engaged to audit the accompanying financial statements of the Criminal Assets Recovery Account which comprise the statement of financial position as at 31 March 2008, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes, as set out on pages 126 to 132.

Responsibility of the accounting officer for the financial statements

2. The accounting officer is responsible for the preparation and fair presentation of these financial statements in accordance with the modified cash basis of accounting determined by the National Treasury, as set out in accounting policy note 1.1 and in the manner required by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA). This responsibility includes:
 - designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error
 - selecting and applying appropriate accounting policies
 - making accounting estimates that are

reasonable in the circumstances.

Responsibility of the Auditor-General

3. As required by section 188 of the Constitution of the Republic of South Africa, 1996 read with section 4 of the Public Audit Act, 2004 (Act No. 25 of 2004) (PAA), my responsibility is to express an opinion on these financial statements based on conducting the audit in accordance with the International Standards on Auditing and *General Notice 616 of 2008, issued in Government Gazette No. 31057 of 15 May 2008*. Because of the matters discussed in the Basis for disclaimer of opinion paragraphs, however, I was not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion.

Basis of accounting

4. The department's policy is to prepare financial statements on the modified cash basis of accounting determined by the National Treasury, as set out in accounting policy note 1.1.

Basis for disclaimer of opinion Asset Forfeiture Unit case register

5. The Asset Forfeiture Unit case register is the only source for the identification and monitoring of court cases that will affect the Criminal Asset Recovery Account. As at 31 March 2008 this case register contained numerous cases for which the status was unknown. The total monetary value declared confiscated and forfeited in these cases, dating back from 2000, that had not been followed up amounted to R163 million. It is therefore uncertain whether and to what extent the Criminal Asset Recovery Account's financial statements could have been affected by these cases.

Forfeiture assets and monies receivable from confiscation and forfeiture orders

6. The Criminal Assets Recovery Account failed to disclose forfeiture assets and monies receivable from confiscation and forfeiture orders in the financial statements. Furthermore the Criminal Assets Recovery Unit did not maintain an asset register in order to account for all the assets forfeited to the State. As a result of

the incomplete case register mentioned in the preceding paragraph it is not possible to quantify the effect of the non-disclosure.

Disclaimer of opinion

7. Because of the significance of the matters described in the Basis for disclaimer of opinion paragraphs, I have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on the financial statements of the Criminal Assets Recover Account. Accordingly, I do not express an opinion on the financial statements.

Other Matters

I draw attention to the following matters that relate to my responsibilities in the audit of the financial statements:

Internal controls

8. Section 38(1)(a)(i) of the PFMA states that the accounting officer must ensure that the department has and maintains effective, efficient and transparent systems of financial and risk management and internal control. The table below depicts the root causes that gave rise to the inefficiencies in the system of internal control, which led to the disclaimer of opinion. The root causes are categorised according to the five components of an effective system of internal control. In some instances deficiencies exist in more than one internal control component.

Table 15: Root Causes

Reporting item	Control environment	Risk assessment	Control activities	Information and communication	Monitoring
Asset Forfeiture Unit case register			x		
Forfeiture assets and monies receivable from confiscation and forfeiture orders			x		

Control environment: establishes the foundation for the internal control system by providing fundamental discipline and structure for financial reporting.

Risk assessment: involves the identification and analysis by management of relevant financial reporting risks to achieve predetermined financial reporting objectives.

Control activities: policies, procedures and practices that ensure that management's financial reporting objectives are achieved and financial reporting risk mitigation strategies are carried out.

Information and communication: supports all other control components by communicating control responsibilities for financial reporting to employees and by providing financial reporting information in a form and time frame that allows people to carry out their financial reporting duties.

Monitoring: covers external oversight of internal controls over financial reporting by management or other parties outside the process; or the application of independent methodologies, like customised procedures or standard checklists, by employees within a process.

Matters of governance

9. The PFMA tasks the accounting officer with a number of responsibilities concerning financial and risk management and internal control. Fundamental to achieving this is the

implementation of certain key governance responsibilities, which I have assessed as follows:



Table 16: Matters of governance

Matter of governance	Yes	No
Audit committee		
The department had an audit committee in operation throughout the financial year.	x	
The audit committee operates in accordance with approved, written terms of reference.	x	
The audit committee substantially fulfilled its responsibilities for the year, as set out in section 77 of the PFMA and Treasury Regulation 3.1.10.	x	
Internal audit		
The department had an internal audit function in operation throughout the financial year.	x	
The internal audit function operates in terms of an approved internal audit plan.	x	
The internal audit function substantially fulfilled its responsibilities for the year, as set out in Treasury Regulation 3.2.	x	
Other matters of governance		
The annual financial statements were submitted for audit as per the legislated deadlines in section 40 of the PFMA.	x	
The financial statements submitted for audit were not subject to any material amendments resulting from the audit.		x
No significant difficulties were experienced during the audit concerning delays or the unavailability of expected information and/or the unavailability of senior management.	x	
The prior year's external audit recommendations have been substantially implemented.		x
SCOPA resolutions have been substantially implemented.		x

APPRECIATION

10. The assistance rendered by the staff of the Criminal Asset Recovery Unit during the audit is sincerely appreciated.

Auditor - General

Pretoria

31/07/2008



AUDITOR - GENERAL





NATIONAL PROSECUTING AUTHORITY
South Africa

CARA FINANCIAL STATEMENTS



CARA STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 31 March 2008

	Note	2007/08 R'000	2006/07 R'000
REVENUE			
Funds deposited during the year	1	45,564	19,291
TOTAL REVENUE		45,564	19,291
EXPENDITURE			
Current expenditure			
CARA Fund transfers	2	(24,233)	(40,100)
Total current expenditure		(24,233)	(40,100)
SURPLUS/(DEFICIT) FOR THE YEAR		21,331	(20,809)



CARA STATEMENT OF FINANCIAL POSITION

as at 31 March 2008

	Note	2007/08 R'000	2006/07 R'000
ASSETS			
Current assets		99,806	78,475
Cash and cash equivalents	3	99,806	78,475
TOTAL ASSETS		99,806	78,475
LIABILITIES			
Current liabilities		10,763	34,057
Payables	4	10,763	34,057
TOTAL LIABILITIES		10,763	34,057
NET ASSETS		89,043	44,418
Represented by:			
Retained funds (Legislatures/Parliament/CARA Fund assistance)		89,043	44,418
TOTAL		89,043	44,418

CARA STATEMENT OF CHANGES IN NET ASSETS

for the year ended 31 March 2008

	Note	2007/08 R'000	2006/07 R'000
Retained funds			
Opening balance		44,418	99,284
Transfers:			
Statement of Financial Performance		21,331	(20,809)
Cara Funds transferred to South African Police Service		23,100	(33,700)
Other unidentified deposits and payments to victims		194	(357)
Closing balance	5	89,043	44,418
TOTAL		89,043	44,418



CASH FLOW STATEMENT

for the year ended 31 March 2008

	Note	2007/08 R'000	2006/07 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		45,564	19,291
Funds deposited during the year	1	45,564	19,291
Net (increase)/decrease in working capital		(23,100)	-
Current payments	2	(1,133)	(40,100)
Net cash flow available from operating activities		21,331	(20,809)
Cash flow from financing activities			
Net increase/(decrease) in cash and cash equivalents		21,331	(20,809)
Cash and cash equivalents at the beginning of the period		78,475	99,284
Cash and cash equivalents at end of period	3	99,806	78,475

CARA Accounting Policies for the year ended 31 March 2008

The Financial Statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. However, where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the Financial Statements and to comply with the statutory requirements of the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the Act and the Division of Revenue Act, Act 2 of 2006.

1. Presentation of the Financial Statements

1.1 Basis of preparation

The financial statements for the year ended 31 March 2008 have been prepared on a modified cash basis of accounting, except where stated otherwise. The modified cash basis constitutes the cash basis of accounting supplemented with additional disclosure items, and in accordance with the Office of the Accountant General's annual financial statements guideline, and therefore include all monies deposited into the CARA. These amounts deposited and disclosed represent the net revenue / proceeds as the Court Order orders the deduction of curator and other related expenses from the proceeds. Under the accrual basis of accounting transactions and other events are recognised when incurred and not when cash is received or paid.

1.2 Forfeited assets

Assets not yet realised are under the Control of Curators appointed by the Court, and these values are not included in the financial statements. The forfeited assets for the cases fulfilled during the last financial year 2007/2008 have been listed on schedules and values have been allocated. The process is subject to verification as the assets are under the care of curators all over South Africa and in other countries. The verification process was not completed due to staff vacancies in the unit. The asset verification and valuation process will be completed in 2008. The CARU is now

fully staffed and five interns have also been recruited to fast track the asset verification and valuation process.

1.3 Rounding

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

1.4 Comparative figures

Prior period comparative information has been presented in the current year's financial statements.

2. Revenue

Monies deposited into the CARA. These amounts deposited and disclosed represent the net revenue / proceeds as the Court Order orders the deduction of curator and other related expenses from the proceeds.

3. Expenditure/Disbursements

Section 69 of the POC Act provides that monies and property in the CARA may only be distributed to beneficiaries on recommendation by the CARC and after approval by National Cabinet.

4. Presentation currency

All amounts have been presented in the currency of the South African Rand which is also the functional currency of the NPA.

5. Distribution of CARA Assets

In terms of section 69 A of the POC Act monies and property in the CARA may only be distributed to beneficiaries on recommendation by the CARC and after approval by National Cabinet. The property and money may be allocated to specific law enforcement agencies, any institution, organisation or fund established with the object of rendering assistance in any manner to victims of crime and for the administration of the Account.

6. Cash and cash equivalents

Cash and cash equivalents consist of cash deposited in the CARA account at the South African Reserve Bank.

CARA NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2008

	2007/08 R'000	2006/07 R'000
1. Funds deposited during the year	45,564	19,291
1.1 Cara Funds deposited during the year	45,544	18,934
1.2 Unidentified deposits	20	330
1.3 Payments due to victims of crime	-	27
2. CARA funds transfers		
2.1 Transfers from the National Revenue Fund	(24,233)	(40,100)
2.2 National Prosecuting Authority of South Africa	-	(31,800)
2.3 Department of Social Development	-	(3,300)
2.4 South African Revenue Service	-	(5,000)
2.5 South African Police Service	(23,100)	-
2.6 Victims payments incorrectly deposited into CARA	(1,133)	-
3. Cash and cash equivalents at end of period		
Opening balance in the CARA at the South African Reserve Bank	78,475	99,284
Funds deposited during the year	45,564	19,291
Transfers from the National Revenue Fund	(24,233)	(40,100)
Closing balance in the CARA at the South African Reserve Bank	99,806	78,475
4. Payables	10,763	34,057
South African Police Service	10,600	33,700
Unidentified deposits	136	330
Payment due to victims of crime	27	27
5. Retained Funds	89,043	44,418
Opening balance	44,418	99,284
Transfer from Statement of Financial Performance	21,331	(20,809)
CARA funds not transferred to South African Police Service (2006/7)	23,100	(33,700)
Unidentified deposits and payments due to victims of crime	194	(357)

CARA DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2008

6. Assets forfeited to the State

The assets that are not realised are under the care and control of the curators appointed by the Master of the Court. These assets are not included as assets in the financial statements as final reports/accounts and discharge letters to the curators by the Master of the Court have not been received from all the curators. A final account/curator report is only submitted once the assets have been realised or the assets are handed over to the State for distribution/care taking. In some cases assets are recommended for use by the State crime fighting agencies as the realisation of the assets via auction sale or private treaty results in obtaining low values. The process of accounting for all the assets under the care of curators and reporting the values in the

AFS is complex and difficult but has been initiated on the Electronic Case Management System. The ECMS process will be finalised during the new financial year. The CARU will complete the asset register process during the 2008/2009 financial year with the increased capacity acquired in April 2008. The SAPS request for R23, 1 of their allocation of R33, 7 million was transferred in June 2007. The balance of R10, 6 million will be utilised in the new financial year. The transfer of two houses in the Western Cape to the Department of Public Works and formal occupation by a non governmental organisation of the premises was not finalised by the 31 March 2008. No new assets or funds were allocated during the reporting period by Cabinet.



NATIONAL PROSECUTING AUTHORITY
South Africa

ANNEXURES



ANNEXURE A: HR OVERSIGHT REPORT 2007/08

Table 17: Personnel Costs by Programme 2007/08

Programme	Total Expenditure	Compensation of Employees Expenditure	Training Expenditure	Professional and Special Services	Compensation of Employees as percent of Total Expenditure	Average Compensation of Employees Cost per Employee	Employment
	(R'000)	(R'000)	(R'000)	(R'000)	(%)	(R'000)	
Sp 1: Public Prosecutions	1,449,342	1,009,126	3,614	50,587	69.7	260	3879
Sp 2: Witness Protection	79,318	13,794	0	0	17.4	103	134
Sp 3: Special Operations	272,295	171,405	1,359	29,175	63	330	520
Sp 4: Asset Forfeiture	59,314	36,317	191	4,841	61.2	374	97
Z=Total as on Financial Systems (BAS)	1,860,269	1,230,642	5,164	84,603	66.2	266	4630



Table 18: Personnel Costs by Salary Band 2007/08

Salary Bands	Compensation of Employees Cost	Percentage of Total Personnel Cost for Department	Average Compensation Cost per Employee	Number of Employees
	(R'000)	%	(R)	
Lower skilled (Levels 1 - 2)	256	0	23,273	11
Skilled (Levels 3 - 5)	21,260	1.7	89,705	237
Highly skilled production (Levels 6 - 8)	150,808	12.1	176,178	856
Highly skilled supervision (Levels 9 - 12)	846,237	67.8	285,120	2968
Senior management (Levels 13 - 16)	175,820	14.1	596,000	295
Other	14	0	0	0
Contract (Levels 1 - 2)	4,281	0.3	38,918	110
Contract (Levels 3 - 5)	1,685	0.1	88,684	19
Contract (Levels 6 - 8)	10,647	0.9	134,772	79
Contract (Levels 9 - 12)	10,267	0.8	228,156	45
Contract (Levels 13 - 16)	5,211	0.4	521,100	10
TOTAL	1,226,486	98.3	264,900	4630

The information provided in this Table is based on PERSAL/Vulindlela information for transactions captured on PERSAL during reporting period.

Table 19: Salaries, Overtime, Home Owners' Allowance and Medical Assistance by Programme 2007/08

Programme	Salaries	Salaries as % of Personnel Cost	Overtime	Overtime as % of Personnel Cost	Home Owners' Allowance	Home Owners Allowance as % of Personnel Cost	Medical Assistance	Medical Assistance as % of Personnel Cost	Total Personnel Cost per Programme
	(R'000)	%	(R'000)	%	(R'000)	%	(R'000)	%	(R'000)
National Prosecuting Authority	892,457	71.5	7,826	0.6	7,492	0.6	35,112	2.8	1,247,721
TOTAL	892,457	71.5	7,826	0.6	7,492	0.6	35,112	2.8	1,247,721

Total "Personal Cost" also includes amongst others: performance rewards, service bonuses, leave discounting, periodic payments and pension contributions. These have not been included in the table above. Purpose of this table is to indicate the % of specific identified conditions of service.



Table 20: Salaries, Overtime, Home Owners Allowance and Medical Assistance by Salary Band 2007/08

Salary bands	Salaries	Salaries as % of Personnel Cost	Overtime	Overtime as % of Personnel Cost	Home Owners' Allowance	Home Owners' Allowance as % of Personnel Cost	Medical Assistance	Medical Assistance as % of Personnel Cost	Total Personnel Cost per Salary Band
	(R'000)	%	(R'000)	%	(R'000)	%	(R'000)	%	(R'000)
Lower skilled (Levels 1 - 2)	184	71.6	0	0	8	3.1	27	10.5	257
Skilled (Levels 3 - 5)	15,175	71.1	142	0.7	629	2.9	1,674	7.8	21,337
Highly skilled production (Levels 6 - 8)	114,370	75.4	1,521	1	2,111	1.4	6,928	4.6	151,645
Highly skilled supervision (Levels 9 - 12)	626,279	72.7	5,533	0.6	4,495	0.5	22,937	2.7	861,599
Senior management (Levels 13 - 16)	111,113	61.5	524	0.3	248	0.1	3,531	2	180,677
Other	14	100	0	0	0	0	0	0	14
Contract (Levels 1 - 2)	3,946	92.2	2	0	0	0	9	0.2	4,282
Contract (Levels 3 - 5)	1,287	76.1	40	2.4	0	0	0	0	1,691
Contract (Levels 6 - 8)	8,928	83.4	50	0.5	1	0	3	0	10,705
Contract (Levels 9 - 12)	7,837	76.2	14	0.1	0	0	0	0	10,288
Contract (Levels 13 - 16)	3,324	63.6	0	0	0	0	3	0.1	5,226
TOTAL	892,457	71.5	7,826	0.6	7,492	0.6	35,112	2.8	1,247,721

Total "Personal Cost" also includes amongst others: performance rewards, service bonuses, leave discounting, periodic payments and pension contributions. These have not been included in the table above. Purpose of this table is to indicate the % of specific identified conditions of service.

Table 21: Employment and Vacancies by Programme 2007/08

Programme	Number of Posts	Number of Posts Filled	Vacancy Rate	Number of Posts Filled Additional to the Establishment
National Prosecuting Authority, Permanent	6 381	4 630	27.4	154
TOTAL	6 381	4 630	27.4	154

Table 22: Employment and Vacancies by Salary Band 2007/08

Salary Band	Number of Posts	Number of Posts Filled	Vacancy Rate	Number of Posts Filled Additional to the Establishment
Lower skilled (Levels 1 - 2), Permanent	10	10	0	0
Skilled (Levels 3 - 5), Permanent	328	246	25	1
Highly skilled production (Levels 6 - 8), Permanent	1371	910	33.6	6
Highly skilled supervision (Levels 9 - 12), Permanent	4084	2989	26.8	5
Senior management (Levels 13 - 16), Permanent	325	212	34.8	1
Contract (Levels 1 - 2), Permanent	1	1	0	1
Contract (Levels 3 - 5), Permanent	18	18	0	17
Contract (Levels 6 - 8), Permanent	186	186	0	74
Contract (Levels 9 - 12), Permanent	51	51	0	43
Contract (Levels 13 - 16), Permanent	7	7	0	6
TOTAL	6381	4630	27.4	154



Table 23: Employment and Vacancies by Critical Occupation 2007/08

Critical Occupations	Number of Posts	Number of Posts Filled	Vacancy Rate	Number of Posts Filled Additional to the Establishment
Administrative related, Permanent	1 329	868	34.7	33
Advocates, Permanent	718	519	27.7	5
Cleaners in offices workshops hospitals etc., Permanent	9	9	0	0
Client inform clerks (switchboard, reception, inform clerks), Permanent	20	16	20	1
Communication and information related, Permanent	4	1	75	0
Finance and economics related, Permanent	1	0	100	0
Financial and related professionals, Permanent	3	2	33.3	0
Financial clerks and credit controllers, Permanent	4	0	100	0
General and special investigations, Permanent	558	342	38.7	5
General legal administration & related professionals, Permanent	1	1	0	0
Head of department/chief executive officer, Permanent	3	1	66.7	0
Human resources & organisational development & related professionals, Permanent	4	2	50	0
Human resources clerks, Permanent	15	11	26.7	1
Human resources related, Permanent	1	1	0	0
Information technology related, Permanent	2	0	100	0
Library mail and related clerks, Permanent	21	12	42.9	0
Logistical support personnel, Permanent	9	6	33.3	0
Messengers porters and deliverers, Permanent	41	31	24.4	0
Military personnel, Permanent	1	0	100	0
Other administrative & related clerks and organisers, Permanent	4	1	75	0
Other administrative policy and related officers, Permanent	1	1	0	0
Other information technology personnel., Permanent	1	0	100	0
Other occupations, Permanent	13	7	46.2	1
Prosecutor, Permanent	3 123	2 465	21.1	100
Protection services, Permanent	118	95	19.5	0
Risk management and security services, Permanent	5	1	80	0
Saps, Permanent	12	2	83.3	0
Secretaries & other keyboard operating clerks, Permanent	26	15	42.3	2
Security officers, Permanent	1	1	0	0
Senior managers, Permanent	333	220	33.9	6
TOTAL	6 381	4 630	27.4	154

Table 24: Job Evaluation 2007/08

Salary Band	Number of Posts	Number of Jobs Evaluated	% of Posts Evaluated	Number of Posts Upgraded	% of Upgraded Posts Evaluated	Number of Posts Down-graded	% of Down-graded Posts Evaluated
			%		%		%
Lower skilled (Levels 1 - 2)	10	0	0	0	0	0	0
Contract (Levels 1 - 2)	1	0	0	0	0	0	0
Contract (Levels 3 - 5)	18	0	0	0	0	0	0
Contract (Levels 6 - 8)	186	0	0	0	0	0	0
Contract (Levels 9 - 12)	51	0	0	0	0	0	0
Contract (Band A)	3	0	0	0	0	0	0
Contract (Band B)	4	0	0	0	0	0	0
Skilled (Levels 3 - 5)	328	3	0.9	3	100	0	0
Highly skilled production (Levels 6 - 8)	1 371	64	4.7	64	100	0	0
Highly skilled supervision (Levels 9 - 12)	4 084	41	1	41	100	0	0
Senior Management Service Band A	59	2	3.4	2	100	0	0
Senior Management Service Band B	234	4	1.7	4	100	0	0
Senior Management Service Band C	25	0	0	0	0	0	0
Senior Management Service Band D	7	0	0	0	0	0	0
TOTAL	6 381	114	1.8	114	100	0	0



Table 25: Profile of Employees whose Salary Positions were Upgraded due to their Posts being Upgraded 2007/08

Beneficiaries	African	Asian	Coloured	White	Total
Female	48	3	8	10	69
Male	32	2	1	10	45
Total	80	5	9	20	114
Employees with a Disability	0	0	0	0	0

Table 26: Employees whose salary level exceeds the grade determined by job evaluation (in terms of PSR I.V.C.3)

Occupation	Number of Employees	Job Evaluation Level	Remuneration Level	Reason for Deviation	No of Employees in Dept
Administrative related	18	6	7	downgrade of post	4630
Total	18				
Percentage of Total Employment					0.39%

Table 27: Profile of employees whose salary level exceeds the grade determined by job evaluation (in terms of PSR I.V.C.3)

Beneficiaries	African	Asian	Coloured	White	Total
Female	5	0	6	5	16
Male	2	0	0	0	2
Total	7	0	6	5	18
Employees with a Disability	0	0	0	0	0

Table 28: Annual turnover rates by Salary Band 2007/08

Salary Band	Employment at Beginning of Period (April 2007)	Appointments	Terminations	Turnover Rate
Lower skilled (Levels 1 - 2), Permanent	3	9	0	0
Skilled (Levels 3 - 5), Permanent	217	47	3	1.4
Highly skilled production (Levels 6 - 8), Permanent	677	269	54	8
Highly skilled supervision (Levels 9 - 12), Permanent	2 605	149	128	4.9
Senior Management Service Band A, Permanent	181	1	2	1.1
Senior Management Service Band B, Permanent	133	1	8	6
Senior Management Service Band C, Permanent	28	0	1	3.6
Senior Management Service Band D, Permanent	22	0	1	4.5
Other, Permanent	18	0	0	0
Contract (Levels 1 - 2)	93	238	131	140.9
Contract (Levels 3 - 5)	31	43	45	145.2
Contract (Levels 6 - 8)	29	214	158	544.8
Contract (Levels 9 - 12)	25	68	56	224
Contract (Band A)	2	9	8	400
Contract (Band B)	3	4	2	66.7
Contract (Band C)	2	2	1	50
TOTAL	4 069	1 054	598	14.7



Table 29: Annual turnover rates (permanent employees) by critical occupation 2007/08

Occupation	Employment at Beginning of Period (April 2007)	Appointments	Terminations	Turnover Rate
Administrative related	339	212	93	27.4
Advocates	392	33	27	6.9
Attorneys	2	0	0	0
Cleaners in offices workshops hospitals etc.	0	9	0	0
Client information clerks (switchboard, reception, information clerks)	9	6	0	0
Communication and information related	4	0	1	25
Custodian personnel	1	0	0	0
Finance and economics related	7	0	0	0
Financial and related professionals	23	0	3	13
Financial clerks and credit controllers	26	0	0	0
General and special investigations	79	31	17	21.5
General legal administration and related professionals	224	0	5	2.2
Head of department/chief executive officer	1	1	0	0
Human resources and organisational development and related professions	7	0	3	42.9
Human resources clerks	45	6	7	15.6
Human resources related	15	0	1	6.7
Language practitioners, interpreters and other communicators	2	0	0	0
Library mail and related clerks	25	5	2	8
Logistical support personnel	2	0	0	0
Magistrates	4	0	0	0
Material-recording and transport clerks	2	0	0	0
Messengers, porters and deliverers	19	6	2	10.5
Other administrative and related clerks and organisers	47	1	1	2.1
Other administrative policy and related officers	26	0	2	7.7
Other occupations	426	0	29	6.8
Prosecutors	2 110	722	380	18
Protection services	0	6	0	0
Rank: Unknown	19	0	0	0
Secretaries and other keyboard operating clerks	66	3	8	12.1
Security officers	4	0	0	0
Senior managers	140	13	17	12.1
Translators and air traffic communicators	3	0	0	0
TOTAL	4 069	1 054	598	14.7

Table 30: Reasons why staff are leaving the department 2007/08

Termination Type	Number	Percentage of Total Resignations	Percentage of Total Employment	Total	Total Employment
		%	%		
Death, Permanent	22	3.7	0.5	598	4 069
Resignation, Permanent	167	27.9	4.1	598	4 069
Expiry of contract, Permanent	367	61.4	9	598	4 069
Discharged due to ill health, Permanent	7	1.2	0.2	598	4 069
Dismissal - misconduct, Permanent	25	4.2	0.6	598	4 069
Retirement, Permanent	7	1.2	0.2	598	4 069
Other, Permanent	3	0.5	0.1	598	4 069
TOTAL	598	100	14.7	598	4 069
Resignations as % of Employment: 14.7					



Table 3 I: Promotions by Critical Occupation 2007/08

Occupation	Employment at Beginning of Period (April 2007)	Promotions to another Salary Level	Salary Level Promotions as a % of Employment	Progressions to another Notch within Salary Level	Notch progressions as a % of Employment
			%		%
Administrative related	339	105	31	107	31.6
Advocates	392	103	26.3	189	48.2
Attorneys	2	3	150	3	150
Client inform clerks (switchboard, reception, inform clerks)	9	2	22.2	3	33.3
Communication and information related	4	0	0	3	75
Custodian personnel	1	1	100	0	0
Custodian personnel:	0	1	0	0	0
Finance and economics related	7	3	42.9	3	42.9
Financial and related professionals	23	6	26.1	8	34.8
Financial clerks and credit controllers	26	4	15.4	8	30.8
General and special investigations	79	19	24.1	60	75.9
General legal administration and related professionals	224	12	5.4	129	57.6
Head of department/chief executive officer	1	1	100	0	0
Health sciences related	0	1	0	0	0
Human resources / org dev and related professionals	7	1	14.3	4	57.1
Human resources clerks	45	3	6.7	10	22.2
Human resources related	15	2	13.3	5	33.3
Language practitioners interpreters and other communicators	2	0	0	1	50
Library mail and related clerks	25	1	4	17	68
Logistical support personnel	2	1	50	2	100
Magistrates	4	0	0	2	50
Material-recording and transport clerks	2	0	0	1	50

Messengers porters and deliverers	19	1	5.3	14	73.7
Other administrative and related clerks and organisers	47	1	2.1	23	48.9
Other administrative policy and related officers	26	1	3.8	12	46.2
Other occupations	426	9	2.1	108	25.4
Prosecutor	2 110	383	18.2	1 186	56.2
Rank: Unknown	19	0	0	0	0
Secretaries and other keyboard operating clerks	66	2	3	28	42.4
Security officers	4	2	50	0	0
Senior managers	140	20	14.3	56	40
Translators and air traffic communicators	3	0	0	1	33.3
TOTAL	4 069	688	16.9	1 983	48.7



Table 32: Promotions by Salary Band 2007/08

Salary Band	Employment at Beginning of Period (April 2007)	Promotions to another Salary Level	Salary Level Promotions as a % of Employment	Progressions to another Notch within Salary Level	Notch progressions as a % of Employment
			%		%
Lower skilled (Levels 1 - 2), Permanent	3	0	0	1	33.3
Skilled (Levels 3 - 5), Permanent	217	15	6.9	77	35.5
Highly skilled production (Levels 6 - 8), Permanent	677	103	15.2	266	39.3
Highly skilled supervision (Levels 9 - 12), Permanent	2 605	530	20.3	1 472	56.5
Senior management (Levels 13 - 16), Permanent	364	30	8.2	167	45.9
Other, Permanent	18	0	0	0	0
Contract (Levels 1 - 2)	93	0	0	0	0
Contract (Levels 3 - 5)	31	0	0	0	0
Contract (Levels 6 - 8)	29	1	3.4	0	0
Contract (Levels 9 - 12)	25	8	32	0	0
Contract (levels 13 - 16)	7	1	14.3	0	0
TOTAL	4 069	688	16.9	1 983	48.7

Table 33: Total number of employees (Including employees with disabilities) per occupational category (SASCO) 2007/08

Occupational Categories	Male, African	Male, Coloured	Male, Indian	Male, Total Blacks	Male, White	Female, African	Female, Coloured	Female, Indian	Female, Total Blacks	Female, White	Total
Legislators, senior officials and managers, Permanent	38	9	4	51	65	12	2	8	22	19	157
Professionals, Permanent	1 323	122	67	1 512	374	929	182	157	1 268	566	3 720
Clerks, Permanent	32	2	1	35	5	79	17	4	100	29	169
Service and sales workers, Permanent	89	19	16	124	71	35	3	6	44	25	264
Elementary occupations, Permanent	103	22	9	134	46	89	13	7	109	24	313
Other, Permanent	3	0	0	3	0	2	1	0	3	1	7
TOTAL	1 588	174	97	1 859	561	1 146	218	182	1 546	664	4 630
	Male, African	Male, Coloured	Male, Indian	Male, Total Blacks	Male, White	Female, African	Female, Coloured	Female, Indian	Female, Total Blacks	Female, White	Total
Employees with disabilities	2	0	0	2	1	1	0	0	1	0	4



Table 34: Total number of employees (incl. employees with disabilities) per Occupational Bands 2007/08

Occupational Categories	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Top Management	9	3	1	13	28	4	0	1	5	5	51
Senior Management	45	11	9	65	83	17	7	14	38	58	244
Professionally qualified and experienced specialist	1 065	124	72	1 261	418	567	99	127	793	492	2 964
Skilled technical and academically qualified worker	277	21	11	309	12	354	73	28	455	78	854
Semi-skilled and discretionary decision making	70	6	0	76	1	114	25	8	147	12	236
Unskilled and defined decision making	3	0	0	3	0	13	1	0	14	1	18
Contract (Top Management)	0	0	0	0	1	0	0	0	0	0	1
Contract (Senior Management)	1	0	0	1	5	2	0	0	2	1	9
Contract (Professionally qualified)	17	1	2	20	6	8	2	2	12	7	45
Contract (Skilled technical)	39	3	0	42	3	22	6	0	28	6	79
Contract (Semi-skilled)	2	1	0	3	2	12	2	0	14	0	19
Contract (Unskilled)	60	4	2	66	2	33	3	2	38	4	110
TOTAL	1 588	174	97	1 859	561	1 146	218	182	1 546	664	4 630

Table 35: Recruitment 2007/08

Occupational Bands	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Senior Management	0	0	0	0	0	0	0	0	0	2	2
Professionally qualified and experienced specialist	56	6	7	69	21	28	7	8	43	16	149
Skilled technical and academically qualified worker	97	7	4	108	5	105	20	14	139	17	269
Semi-skilled and discretionary decision making	18	0	0	18	0	24	4	0	28	1	47
Unskilled and defined decision-making	0	0	0	0	0	9	0	0	9	0	9
Contract (Top Management)	0	0	0	0	1	0	0	0	0	1	2
Contract (Senior Management)	4	0	0	4	5	4	0	0	4	0	13
Contract (Professionally qualified)	21	3	2	26	7	10	4	6	20	15	68
Contract (Skilled technical)	93	6	0	99	3	77	11	7	95	17	214
Contract (Semi-skilled)	9	1	0	10	3	26	4	0	30	0	43
Contract (Unskilled)	128	7	4	139	6	64	10	4	78	15	238
TOTAL	426	30	17	473	51	347	60	39	446	84	1 054



Table 36: Promotions 2007/08

Occupational Categories	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Top Management	10	6	2	18	27	4	0	4	8	9	62
Senior Management	24	2	7	33	46	9	5	9	23	33	135
Professionally qualified and experienced specialist	744	83	48	875	227	391	78	90	559	344	2 005
Skilled technical and academically qualified worker	137	13	2	152	6	141	27	6	174	37	369
Semi-skilled and discretionary decision-making	27	6	0	33	1	37	13	2	52	6	92
Unskilled and defined decision-making	0	0	0	0	0	1	0	0	1	0	1
Contract (Top Management)	0	0	0	0	1	0	0	0	0	1	2
Contract (Professionally qualified)	5	0	0	5	0	2	1	0	3	0	8
Contract (Skilled technical)	1	0	0	1	0	0	0	0	0	0	1
TOTAL	948	110	59	1 117	308	585	124	111	820	430	2 675
	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Employees with disabilities	1	0	0	1	0	1	0	0	1	0	2

Table 37: Terminations 2007/08

Occupational Bands	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Top Management	0	0	0	0	0	0	0	1	1	1	2
Senior Management	4	2	1	7	1	1	0	0	1	1	10
Professionally qualified and experienced specialist	44	11	4	59	24	17	4	6	27	18	128
Skilled technical and academically qualified worker	17	1	1	19	1	20	3	1	24	10	54
Semi-skilled and discretionary decision-making	1	0	0	1	0	1	1	0	2	0	3
Contract (Top Management)	0	0	0	0	1	0	0	0	0	0	1
Contract (Senior Management)	3	0	0	3	3	2	0	0	2	2	10
Contract (Professionally qualified)	23	3	1	27	2	8	4	3	15	12	56
Contract (Skilled technical)	57	3	1	61	1	65	7	11	83	13	158
Contract (Semi-skilled)	14	1	0	15	3	25	2	0	27	0	45
Contract (Unskilled)	70	4	2	76	4	30	7	3	40	11	131
TOTAL	233	25	10	268	40	169	28	25	222	68	598
	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Employees with disabilities	0	0	0	0	1	0	0	0	0	0	1

Table 38: Disciplinary Action 2007/08

Disciplinary action	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
TOTAL	36	3	1	40	10	7	0	0	7	5	62



Table 39: Skills development 2007/08

Occupational Bands	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Legislators, senior officials and managers	59	8	5	72	12	79	7	2	88	18	190
Professionals	223	50	14	287	144	129	66	38	233	104	768
Technicians and associate professionals	0	0	0	0	0	0	0	0	0	0	0
Clerks	129	9	7	145	7	291	70	22	383	66	601
Service and Sales Workers	0	0	0	0	0	1	0	0	1	0	1
Skilled Agriculture and Fishery Workers	0	0	0	0	0	0	0	0	0	0	0
Craft and related trade workers	0	0	0	0	0	0	0	0	0	0	0
Plant and machine operators and assem- blers	0	0	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0	0	0
TOTAL	411	67	26	504	163	500	143	62	705	188	1 560
	Male, African	Male, Col- oured	Male, Indian	Male, Total Blacks	Male, White	Fe- male, African	Fe- male, Col- oured	Fe- male, Indian	Fe- male, Total Blacks	Fe- male, White	Total
Employees with disabilities	0	0	0	0	0	0	0	0	0	0	0

Table 40: Performance rewards by Race, Gender and Disability 2007/08

Demographics	Number of Beneficiaries	Total Employment	Percentage of Total Employment	Cost	Average Cost per Beneficiary
			%	(R'000)	(R)
African, Female	151	1 145	13.2	2 554	16 915
African, Male	162	1 586	10.2	3 254	20 085
Asian, Female	51	218	23.4	1 197	23 468
Asian, Male	21	174	12.1	550	26 182
Coloured, Female	50	182	27.5	790	15 797
Coloured, Male	32	97	33.0	633	19 796
Total Blacks, Female	252	1 545	16.3	4 541	18 019
Total Blacks, Male	215	1 857	11.6	4 437	20 638
White, Female	271	664	40.8	6 366	23 493
White, Male	206	560	36.8	5 833	28 313
Employees with a disability	1	4	25.0	67 058	67 058
TOTAL	944	4630	20.4	21 177¹	22 433

¹ This amount differs with the amount as per the Annual Financial Statements due to payments to officials that have already left the service not being paid through PERSAL.



Table 4 I: Performance Rewards by Salary Band for Personnel below Senior Management Service (SMS) 2007/08

Salary Band	Number of Beneficiaries	Total Employment	Percentage of Total Employment	Cost	Average Cost per Beneficiary
			%	(R'000)	(R)
Lower skilled (Levels 1 - 2)	0	11	0.0	0	0
Skilled (Levels 3 - 5)	45	237	19.0	305	6 774
Highly skilled production (Levels 6 - 8)	242	856	28.3	3 161	13 062
Highly skilled supervision (Levels 9 - 12)	581	2968	19.6	15 221	26 198
Contract (Levels 1 - 2)	0	110	0.0	0	0
Contract (Levels 3 - 5)	0	19	0.0	0	0
Contract (Levels 6 - 8)	0	79	0.0	0	0
Contract (Levels 9 - 12)	1	45	2.2	11	11 000
TOTAL	869	4325	20.1	18 698	21 517

Table 42: Performance Rewards by Critical Occupation 2007/08

Critical Occupations	Number of Beneficiaries	Total Employment	Percentage of Total Employment	Cost	Average Cost per Beneficiary
			%	(R'000)	(R)
Administrative related	86	649	13.3	1 126	13 094
Advocates	128	437	29.3	3 902	30 485
Attorneys	0	3	0.0	0	0
Cleaners in offices workshops hospitals etc.	0	9	0.0	0	0
Client inform clerks (switchboard, reception, inform clerks)	0	14	0.0	0	0
Communication and information related	1	2	50.0	25	25 136
Custodian personnel	0	2	0.0	0	0
Custodian personnel:	0	1	0.0	0	0
Finance and economics related	3	7	42.9	90	30 050
Financial and related professionals	5	17	29.4	63	12 596
Financial clerks and credit controllers	3	17	17.6	45	14 845
General and special investigations	33	176	18.8	708	21 449
General legal administration and related professionals	48	168	28.6	1 265	26 355
Head of department/chief executive officer	0	2	0.0	0	0
Human resources and org dev and related professionals	3	6	50.0	80	26 661
Human resources clerks	16	20	80.0	181	11 326
Human resources related	3	9	33.3	42	13 977
Language practitioners, interpreters and other communicators	0	2	0.0	0	0
Library mail and related clerks	8	26	30.8	77	9 668
Logistical support personnel	2	3	66.7	19	9 679
Magistrates	1	2	50.0	15	15 117
Material-recording and transport clerks	0	2	0.0	0	0



Messengers, porters and deliverers	3	25	12.0	17	5 546
Other administrative and related clerks and organisers	19	36	52.8	173	9 111
Other administrative policy and related officers	12	16	75.0	220	18 308
Other occupations	95	279	34.1	1 806	19 011
Prosecutor	403	2399	16.8	9 312	23 106
Protection services	1	85	1.2	5	4 745
Rank: Unknown	0	7	0.0	0	0
Secretaries and other keyboard operating clerks	19	49	38.8	219	11 541
Security officers	0	3	0.0	0	0
Senior managers	52	154	33.8	1 787	34 363
Trade/industry advisers and other related professions	0	1	0.0	0	0
Translators and air traffic communicators	0	2	0.0	0	0
TOTAL	944	4630	20.4	21 177	22 433

Table 43: Performance Related Rewards (Cash Bonus) by Salary Band for Senior Management Service (SMS) 2007/08

SMS Band	Number of Beneficiaries	Total Employment	Percentage of Total Employment	Cost	Average Cost per Beneficiary	Percentage of SMS Wage Bill	Personnel Cost SMS
			%	(R'000)	(R)	%	(R'000)
Band A	21	109	19.3	613	29 193	0.8	72 580
Band B	42	144	29.2	1 428	34 008	1.8	81 389
Band C	12	46	26.1	438	36 461	1.8	24 097
Band D	0	6	0.0	0	0	0.0	7 836
TOTAL	75	305	24.6	2 479	33 052	1.3	185 902

Table 44: Foreign Workers by Salary Band 2007/08

Salary Band	Employment at Beginning Period	Percentage of Total	Employment at End of Period	Percentage of Total	Change in Employment	Percentage of Total	Total Employment at Beginning of Period	Total Employment at End of Period	Total Change in Employment
				%		%			
Skilled (Levels 3 - 5)	1	33.3	1	50	0	0	3	2	-1
Highly skilled supervision (Levels 9 - 12)	1	33.3	1	50	0	0	3	2	-1
Contract (Levels 13 - 16)	1	33.3	0	0	-1	100	3	2	-1
TOTAL	3	100	2	100	-1	100	3	2	-1



Table 45: Foreign Workers by major occupation 2007/08

Major Occupation	Employment at Beginning Period	Percentage of Total	Employment at End of Period	Percentage of Total	Change in Employment	Percentage of Total	Total Employment at Beginning of Period	Total Employment at End of Period	Total Change in Employment
				%		%			
Professionals and managers	3	100	2	100	-1	100	3	2	-1
TOTAL	3	100	2	100	-1	100	3	2	-1

Table 46: Sick Leave Jan 2007 - Dec 2007

Salary Band	Total Days	Percentage Days with Medical Certification	Number of Employees using Sick Leave	Percentage of Total Employees using Sick Leave	Average Days per Employee	Estimated Cost	Total number of days with medical certification
		%		%		(R'000)	
Lower skilled (Levels 1 - 2)	37	16.2	2	0.1	19	6	6
Skilled (Levels 3 - 5)	1 209	79.9	161	6	8	283	966
Highly skilled production (Levels 6 - 8)	3 411	74.8	493	18.3	7	1,305	2 551
Highly skilled supervision (Levels 9 - 12)	13 326.5	84.5	1856	68.8	7	12,359	11 263
Senior management (Levels 13 - 16)	1005	78.5	151	5.6	7	2,159	789
Contract (Levels 3 - 5)	30	90	6	0.2	5	7	27
Contract (Levels 6 - 8)	44	81.8	17	0.6	3	15	36
Contract (Levels 9 - 12)	30	76.7	8	0.3	4	32	23
Contract (Levels 13 - 16)	16	62.5	2	0.1	8	32	10
TOTAL	19 108.5	82	2 696	100	7	16,198	15 671



Table 47: Disability Leave (Temporary and Permanent) for Jan 2007 – Dec 2007

Salary Band	Total Days	Percent- age Days with Medical Certifica- tion	Number of Em- ployees using Disability Leave	Percent- age of Total Emplay- ees using Disability Leave	Average Days per Employee	Estimated Cost	Total number of days with medical certifica- tion	Total number of Emplay- ees using Disability Leave
		%		%		(R'000)		
Highly skilled supervision (Levels 9 - 12)	533	99.4	8	88.9	67	411	530	9
Senior management (Levels 13 - 16)	6	100	1	11.1	6	12	6	9
TOTAL	539	99.4	9	100	60	423	536	9

Table 48: Annual leave for Jan 2007 – Dec 2007

Salary Band	Total Days Taken	Average days per Employee	Number of Em- ployees who took leave
Lower skilled (Levels 1 - 2)	35	18	2
Skilled (Levels 3 - 5)	3 208	16	201
Highly skilled production (Levels 6 - 8)	9 867	14	713
Highly skilled supervision (Levels 9 - 12)	50 083.08	18	2 735
Senior management (Levels 13 - 16)	5 486	18	297
Contract (Levels 1 - 2)	8	3	3
Contract (Levels 3 - 5)	90	6	15
Contract (Levels 6 - 8)	141.68	5	31
Contract (Levels 9 - 12)	84	6	15
Contract (Levels 13 - 16)	47	5	10
TOTAL	69 049.76	17	4 022

Table 49: Capped Leave Jan 2007 – Dec 2007

Salary Band	Total days of capped leave taken	Average number of days taken per employee	Average capped leave per employee as at 31 December 2007	Number of Employees who took Capped leave	Total number of capped leave available at 31 December 2007	Number of Employees as at 31 December 2007
Skilled (Levels 3 - 5)	1	1	25	1	701	28
Highly skilled production (Levels 6 - 8)	22	2	38	9	5 487	145
Highly skilled supervision (Levels 9 - 12)	619	6	51	102	72 585	1 417
Senior management (Levels 13 - 16)	85	6	78	14	19 253	246
TOTAL	727	6	53	126	98 026	1 836



Table 50: Leave Payouts 2007/08

Reason	Total Amount	Number of Employees	Average Payment per Employee
	(R'000)		(R)
Capped leave payouts on termination of service for 2007/08	562	49	11 469
TOTAL	562	49	11 469

Table 51: Steps taken to reduce the risk of occupational exposure 2007/08

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
Employee between the age of 25 and 45. Female employees	Extension and upscaling of the implementation of HIV&AIDS Programmes in the regional offices.

Table 52: Details of health promotion and HIV / AIDS Programmes 2007/08

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter I of the Public Service Regulations, 2001? If so, provide her/his name and position.	X		Mr R Pather: Senior Manager:ER
2. Does the department have a dedicated unit or have you designated specific staff members to promote health and wellbeing of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	X		EWP Unit: Four Internal Staff and external service providers. R2,500,000
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of the programme.	X		24/7 Counselling services. Face to face sessions, Trauma debriefing and group sessions. , Pro-Active Programmes, HIV&AIDS Programmes, including VCT.
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter I of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	X		See attached list below.
5. Has the department reviewed the employment policies and practices of your department to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	X		HIV&AIDS policy, Employee Wellness Policy. HIV&AIDS implementation Plan reviewed in accordance to the 2007/2011 STI NSP Plan.
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.	X		Labour Relations Procedures, Awareness and advocacy workshops, Implementation/ reference to Employment Equity Act.
7. Does the department encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results that you have achieved.	X		National Awareness Campaigns observed to promote VCT. 15% of employees reached through National Awareness Campaigns, and VCT sites launched January 2008, 21 employees tested, Including the Acting CEO and Acting NDPP
8. Has the department developed measures/indicators to monitor and evaluate the impact of your health promotion programme? If so, list these measures/indicators.	X		Monthly, quarterly and annual reporting



Table 53: NPA Employee Wellness Programme Committee 2007/08

NAME	BUSINESS UNIT
Mr. R Pather	Employee Relations
Ms S Lebakeng	DSO
Ms M Khaene	NPS
Mr. M Sineke	HRM
Ms. V Mhlanga	SOCA
Ms S Nkula Nyoni	SCCU
Ms M Ramashaba	IMU
Ms P Semenya	EWP
Ms J Shirilele	EWP
Ms M Moerane	Communications

Table 54: Collective Agreements 2007/08

Subject Matter	Date
n/a	n/a
n/a	n/a

Table 55: Misconduct and Disciplinary Hearings Finalised 2007/08

Outcomes of disciplinary hearings	Number	Percentage of Total
		%
Dismissal	17	53
Demotion / transfer	2	6
Suspension without pay	2	6
Warning (written/final)	8	25
Resignation	2	6
Not guilty	1	4
TOTAL	32	100

Table 56: Types of Misconduct Addressed and Disciplinary hearings 2007/08

Type of Misconduct	Number	Percentage of Total
		%
Theft, bribery, corruption, defeating the ends of justice, dishonesty and fraud	35	56
Improper, disgraceful and unacceptable conduct at work	14	23
Poor performance	4	6
Negligence	1	2
Derecktion of duty	0	0
Possession of drugs & stolen dockets	1	2
Incapacity	0	0
Absenteeism	7	11
Misrepresentation	0	0
TOTAL	62	100



Table 57: Disputes lodged 2007/08

Number of disputes addressed	Number	Percentage of total
		%
Upheld	6	5
Dismissed	18	15
Withdrawn	15	12
Settled	6	5
Conciliations referred to arbitration	32	27
Pending conciliations and arbitrations	29	24
Pending litigation	15	12
TOTAL	121	100

Table 58: Grievances Lodged 2007/08

Number of grievances finalised	Number	Percentage of Total	Total
TOTAL	46	67%	69

Table 59: Strike Actions 2007/08

Strike Actions	
Total number of person working days lost	31.5
Total cost (R'000) of working days lost	7
Amount (R'000) recovered as a result of no work / no pay	7

Table 60: Precautionary Suspensions 2007/08

Precautionary Suspensions	
Number of people suspended	34
Number of people whose suspension exceeded 30 days	32
Average number of days suspended	730
Cost (R'000) of suspensions	7 337

Table 6 I: Training Needs Identified 2007/08

Occupational Categories	Gender	Employment	Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	41	0	37	0	37
	Male	116	0	36	0	36
Professionals	Female	1 834	0	188	0	188
	Male	1 886	0	217	0	217
Technicians and associate professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Clerks	Female	129	0	16	0	16
	Male	40	0	7	0	7
Service and sales workers	Female	69	0	0	0	0
	Male	195	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	133	0	0	0	0
	Male	180	0	0	0	0
Other	Female	4	0	0	0	0
	Male	3	0	0	0	0
Gender sub-totals	Female	2 210	0	241	0	241
	Male	2 420	0	260	0	260
Total		4 630	0	501	0	501



Table 62: Training Provided

Occupational Categories	Gender	Employment	Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	41	0	106	0	106
	Male	116	0	84	0	84
Professionals	Female	1 834	0	337	0	337
	Male	1 886	0	431	0	431
Technicians and associate professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Clerks	Female	129	0	449	0	449
	Male	40	0	152	0	152
Service and sales workers	Female	69	0	1	0	1
	Male	195	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	133	0	0	0	0
	Male	180	0	0	0	0
Other	Female	4	0	0	0	0
	Male	3	0	0	0	0
Gender sub-totals	Female	2 210	0	893	0	893
	Male	2 420	0	667	0	667
Total		4 630	0	1 560	0	1 560



Table 63: Injury on duty 2007/08

Nature of injury on duty	Number	Percentage of total
		%
Required basic medical attention only	0	0
Temporary Total Disablement	21	100
Permanent Disablement	0	0
Finalised Cases	5	24
Fatal	0	0
Total	21	100



Table 64: Report on consultant appointments using appropriated funds 2007/08

Project Title	Total number of consultants that worked on the project	Duration: Work days	Contract value in Rand
Media Relations Specialist for Stakeholder Conference, and other media events	1	March - November 2007	437,760.00
Project and events manager for the Stakeholder Conference and Rand Show	1	March - April 2007	70,000.00
Public Relations Agency to assist the Communication Unit to implement the communication strategy	5	April - September 2007	993,168.00
DSO Transformation	1	May 2007 - April 2008	664,743.00
Global Investments	Firm	January 2007 to completion	1,594,608.00
Social Development	Firm	June 2007 to completion	981,286.00
Chaka's Rock Chalets	Firm	June 2007 to completion	550,000.00
Yacht	Firm	January 2008 to completion	2,488,145.00
Anglo Euro	Firm	February 2008 to completion	565,718.00
Medshield	Firm	June 2007 to completion	321,644.00
WIN	Firm	June 2007 to completion	155,400.00
Regal Treasury Bank	Firm	August 2007 to completion	851,534.00
Regal Treasury Bank	Firm	August 2007 (19 days)	60,500.00
Regal Treasury Bank	Firm	May 2007 to completion	150,000.00
Round - Tripping	Firm	July 2007 to completion	383,085.00
Metalloys	Firm	February 2008 to completion	463,394.00
Cool Frog	Firm	November 2007 to completion	114,000.00
Leaderguard	Firm	June 2007 to completion	1,052,565.00
Shoprite Checkers	Firm	June 2007 to completion	166,000.00
A+ Technical Training	1	6 Months	6 850.00
A+ Technical Training (examination)	1	2	939.00

Annual Dispute Resolution Conference	1	2	3 876.00
Finance, Accounts & Budgets for Secretaries	1	2	3 705.00
Public Relations writing and financial accounting for Public Relations	1	13	14 492.00
Supply Chain Management & PFMA	1	3	104 225.00
Assessor training	1	3	3 762.00
Office Professional	1	3	4 275.00
Strategic organisation design and strategy	1	2	11 622.30
20th Annual Labour Law Conference	1	3	16 936.00
Leadership Conference	1	2	17 955.00
Job Evaluation Panel training	1	2	771.00
Follow up JE training	1	2	1 156.00
Community relations and development communication	1	5	5 200.00
Fleet Management WEB	1	1	2 736.00
Enterprise Risk Management	1	2	4 845.00
Occupational Health and Safety Workshop	1	4	7 355.00
Occupational Health and Safety Workshop	1	4	41 923.30
Customer Services & Telephone Etiquette	1	1	30 780.00
Lean Summit Africa	1	2	44 130.00
PA/Secretaries Training	1	1	2 160.00
Measuring added value on ERM	1	2	4 500.00
A certificate course on Aspects fo the Children;s Act 38 of 2005	1	1	950.00
Event Management training	1	2	4 161.00
Supply Chain Management & PFMA	1	4	16 440.00
PFMA and PPPFA training	1	3	8 208.00
Knowledge Management Workshop	1	3	11 856.00
Advanced Skills for succesful PA's and secretaries training	1	3	9 918.00



Bid Committee training	1	3	0.00
Contract Management training	1	4 Days	0.00
Business Writing skills training	1	3 Days	5 130.00
Initial JE Training	1	5 Days	60 000.00
EMDP	1	5 Days	270 000.00
JE Panel Training	1	2 Days	12 000.00
Office Admin training	1	3 Days	198 360.00
Computer Training	1	3 Days	1 000 000.00
HRD Annual Planning session	1	1 Day	431.83
Skills Audit (project to be completed end of March 08)	9	6 Months	3 600 000.00
Contract # NPA-04-06/07 (Appointment of Service Provider to assist with risk assessment)	5	365	109 761.00
Forensic Audit of Inrex Training and Investment CC	3		1 230 288.56
P2P implementation	7	12	2 350 550.00
Strategic & Transformation Projects (Tipp focuss)	147	365	17 006 641.60
Strategic & Transformation Projects (Sgi)	15	365	4 463 566.80
Strategic & Transformation Projects (Expert Group)	13	365	3 635 695.80
			46 391 702.19

Table 65: Report on consultant appointments using Donor funds 2007/08

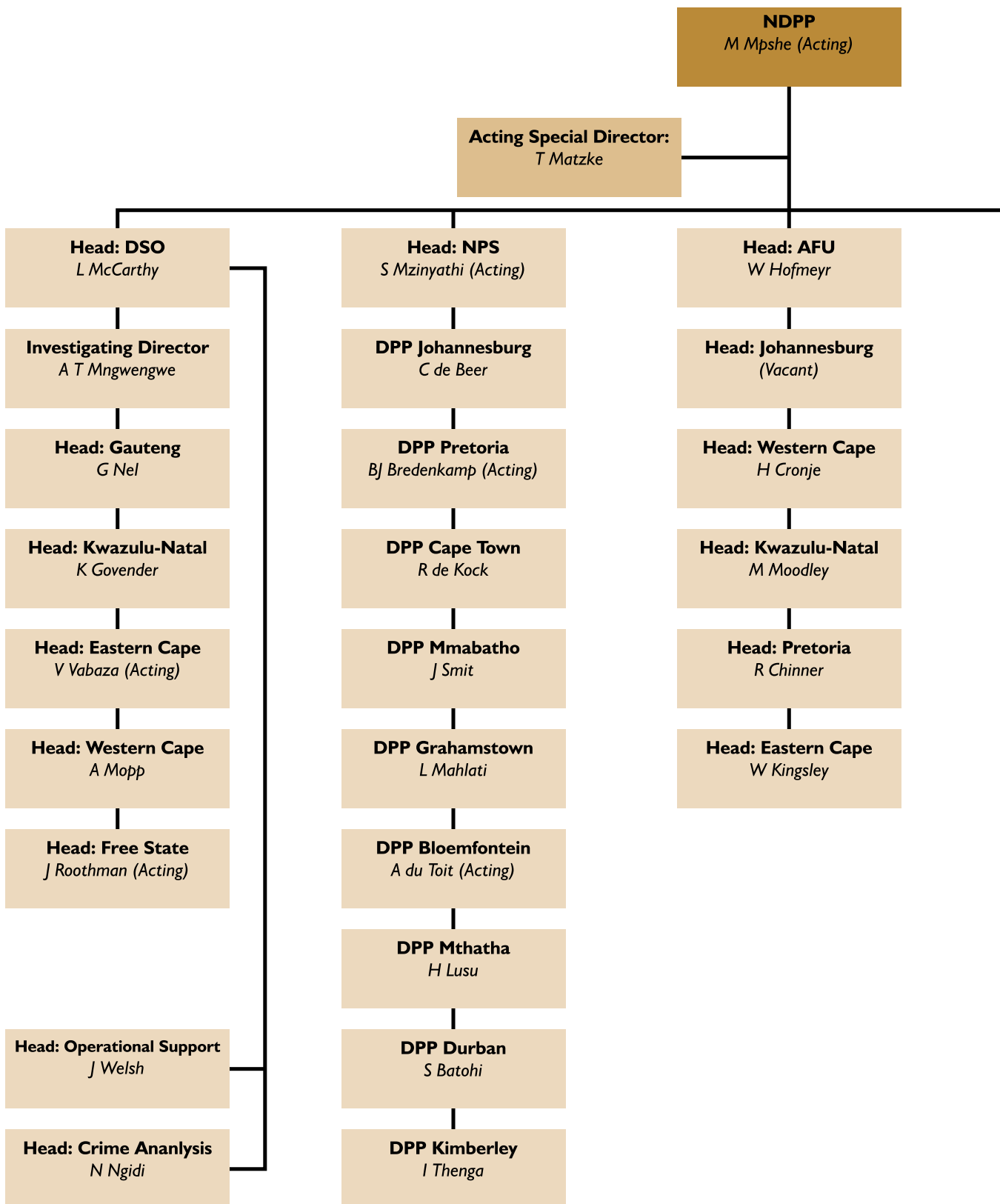
Project Title	Total number of consultants that worked on the project	Duration: Work days	Donor and Contract value in Rand
UNICEF:Sexual offences consultants	2	5	Paid directly by donor R103,900.00 per month. Dr. P Minyuku (R60,900 per month) Adv. Karen Mckenzy (R45,600.00 per month)
USAID Consultants	1	3	Paid directly and appointed from USA (Willie panel)
Total number of projects	Total individual consultants	Total duration: Work days	Total contract value in Rand
2	3	10	Paid directly by donor

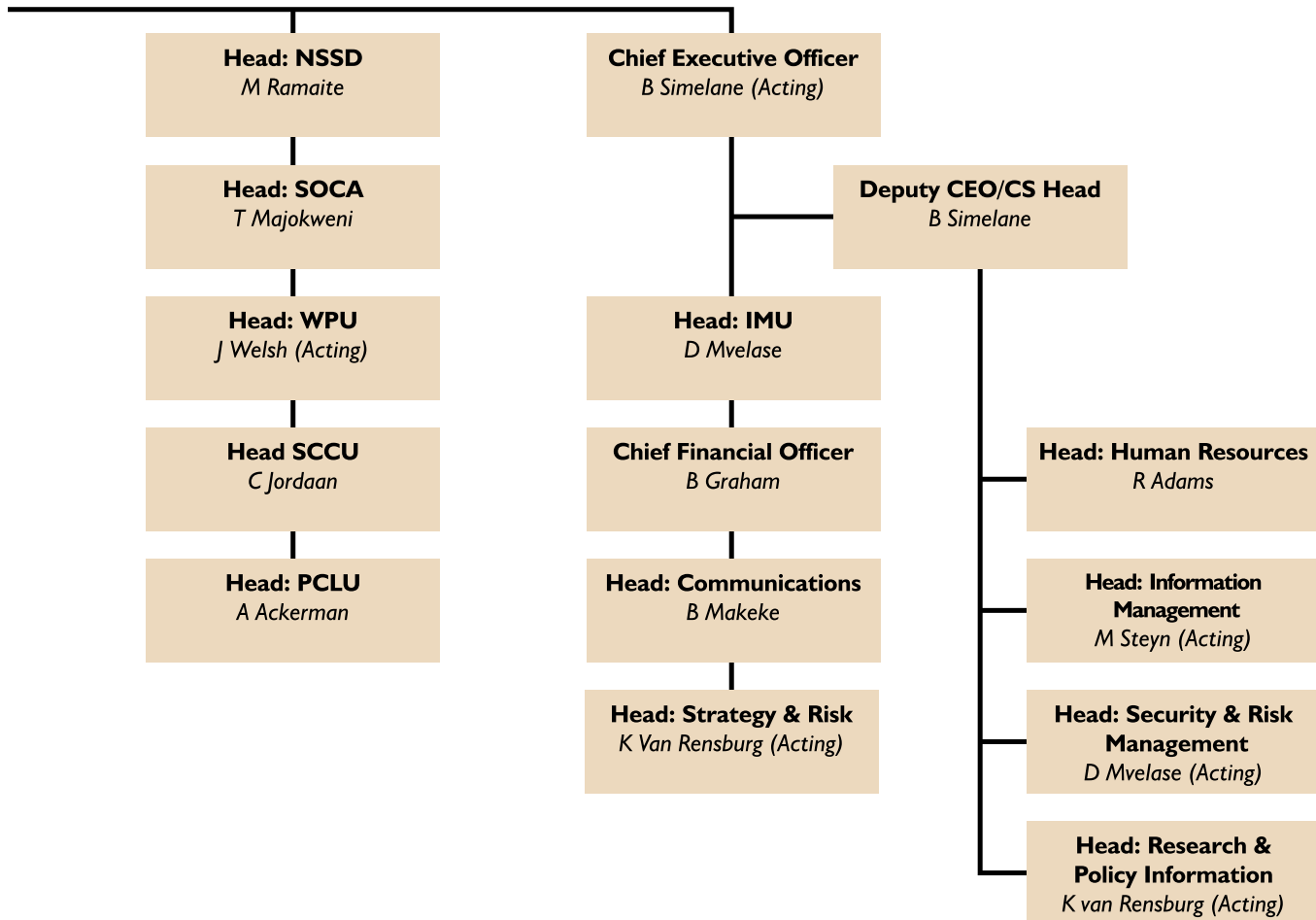


Table 66: Analysis of consultant appointments using Donor Funds, i.t.o HDIs 2007/08

Project Title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of Consultants from HDI groups that work on the project
UNICEF:Sexual offences consultants	100%	100%	2.00
USAID Consultants	100%	100%	1.00

ANNEXURE B: NPA ORGANOGRAM





GLOSSARY

List of Acronyms

ADM	Alternative Dispute Mechanism
ADR	Alternative Dispute Resolution
AFU	Asset Forfeiture Unit
AIDS	Acquired Immune Deficiency Syndrome
APA	African Prosecutors Association
ATD	Awaiting trial detainees
AU	African Union
BAC	Business Against Crime
BAS	Basic Accounting System
BBQ	Black Business Quarterly
CAD	Crime Analysis Division
CAE	Chief Audit Executive
CARA	Criminal Asset Recovery Account
CARC	Criminal Asset Recovery Committee
CCDB	Crime and Criminal Data Base
CCTV	Closed Circuit Television
CEO	Chief Executive Officer
CFM	Court and Case Flow Management
CFO	Chief Financial Officer
CJB	Child Justice Bill
CJS	Criminal Justice System
CS	Corporate Services
CTA	Crime Threat Analysis
CU	Communication Unit
DC	District Court
DCS	Department of Correctional Services
DEA	Drug Enforcement Administration
DFA	Department of Foreign Affairs
DOE	Department of Education
DOHA	Department of Home Affairs
DOJ&CD	Department of Justice and Constitutional Development
DSD	Department of Social Development
DPLG	Department of Provincial and Local Government
DPP	Director of Public Prosecutions
DPSA	Department of Public Service and Administration



DPSL	Provincial Department of Safety and Liaison
DRC	Democratic Republic of the Congo
DSO	Directorate of Special Operations (Scorpions)
EEP	Employment Equity Plan
EFCC (NIGERIA)	Economic and Financial Crimes Commission
ENE	Estimated National Expenditure (framework)
ERM	Enterprise Risk Management
EXCO	Executive Committee
FAS	Forensic Accounting Section
FATF	Financial Action Task Force
FBI	Federal Bureau of Investigation
FIC	Financial Intelligence Centre
F&P	Finance and Procurement Service Centre
FSB	Financial Services Board
GCS	Government Communication System
HC	High Court
HDI	Historically Disadvantage Individuals
HIV	Human Immunodeficiency Virus
HR	Human Resources
HRM&D	Human Resource Management and Development
IAACA	International Association of Anti-corruption Agencies
IAEA	International Atomic Energy Agency
IAP	International Association of Prosecutors
ICC	International Criminal Court (former Yugoslavia)
ICTR	International Criminal Court (Tribunal) for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
IDMT	Interdepartmental Management Team
IJS	Integrated Justice System
IMSC	Information Management Service Centre
IMU	Integrity Management Unit
ISCCJ	Inter-sectoral Child Justice Committee
ISS	Institute for Security Studies
ICTR	Information Communications Technology
JACTT	Joint Anti-Corruption Task Team
KPA	Key Performance Area
KZN	Kwazulu-Natal
LCMC	Lower Courts Management Committee
M16	Military Intelligence Studio 6
MLA	Mutual Legal Assistance

MMS	Middle Management Service
MOU	Memorandum of Understanding
MP	Member of Parliament
MTEF	Medium Term Expenditure Framework
NAP	National Action Plan
NCACC	National Conventional Arms Control Council
NDPP	National Director of Public Prosecutions
NECSA	Nuclear Energy Corporation of South Africa
NGO	Non-Governmental Organisation
NIA	National Intelligence Agency
NICOC	National Intelligence Co-ordinating Committee
NMM	National Management Meeting
NPA	National Prosecuting Authority
NPS	National Prosecutions Service
NSC	National Security Council
NSG	Nuclear Suppliers Group
NSSD	National Specialist Services Division
PCLU	Priority Crimes Litigation Unit
PFMA	Public Finance Management Act
PGI	Prosecution-guided Investigation
PMO	Programme Management Office
POCO	Prevention of Organised Crime Act
PPP	Public Private Partnership
PSR	Public Service Regulation/s
RAF	Road Accident Fund
RC	Regional Court
R&PI	Research and Policy Information
RJ	Restorative Justice
SABRIC	South African Banking Risk Information Centre
SADC	South African Development Community
SAFACT	South African Federation against Counterfeit Theft
SAPS	South African Police Service
SAQA	South African Qualifications Authority
SARS	South African Revenue Service
SCCU	Specialised Commercial Crimes Unit
SCOPA	Standing Committee on Public Accounts
SDI	Service Delivery Improvement
SITA	State Information Technology Agency
SIU	Special Investigation Unit



SLA	Service Level Agreement
SMS	Senior Management Service
SOCA (UK)	United Kingdom's Serious Organised Crime Agency
SOCA	Sexual Offences and Community Affairs (Unit)
SOCPEN	Social Pensions
S&R	Security and Risk
STU	Special Tax Unit
TCC	Thuthuzela Care Centre
TR	Treasury Regulations
TRC	Truth and Reconciliation Commission
UN	United Nations
UNODC	United Nations Office for Drugs and Crime
UK	United Kingdom
VCE	Vesco Community Enterprises
VGM	Victoria & Griffiths Mxenge Building (NPA Head Office)
WPP	Witness Protection Programme
WPU	Witness Protection Unit

LIST OF ACTS

ADJUSTMENT APPROPRIATION ACT (NO. 27 OF 2007)
 APPROPRIATION ACT (NO. 2 OF 2007)
 CHILD JUSTICE BILL 2002 (ACT NO. 49 OF 2002)
 CHILDREN'S ACT 2002 (ACT NO. 38 OF 2005)
 CRIMINAL PROCEDURE ACT 1977 (ACT NO. 51 OF 1977)
 DOMESTIC VIOLENCE ACT 1998 (ACT NO. 116 OF 1998)
 MAINTENANCE ACT 1998 (ACT NO. 99 OF 1998)
 NATIONAL CONVENTIONAL ARMS CONTROL ACT 2002 (ACT NO. 41 OF 2002)
 NATIONAL PROSECUTING AUTHORITY ACT 1998 (ACT NO. 32 OF 1998 (NPA ACT))
 NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT 1993 (ACT NO. 87 OF 1993)
 NUCLEAR ENERGY ACT 1999 (ACT NO. 46 OF 1999)
 PREVENTION AND COMBATING OF CORRUPT ACTIVITIES ACT 2004 (ACT NO. 12 OF 2004)
 (POCA)
 PUBLIC FINANCE MANAGEMENT ACT 1999 (ACT NO. 1 OF 1999) (PFMA)
 SEXUAL OFFENCES ACT 1957 (ACT NO. 23 OF 1957)
 WITNESS PROTECTION ACT 1998 (ACT NO. 112 OF 1998)