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11 PC Justice



[NPS Report to Portfolio Committee – March 2006]

Presented By:
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Adv. VP Pikoli

[Introduction]

	2002/03	2003/04	2004/05	Change over period	
Expenditure (R'000)	R 510,822	R 566,155	R 602,892	18.0%	
Cases finalised	407,530	395,769	380,027	-6.7%	Loss of experience, labour disputes
Cases finalised (Sat & Add crts)	29,969	23,380	11,751	-60.8%	Accounts for 18000 of 27000 decrease in cases
New cases	1,117,879	1,117,488	1,084,137	-3.0%	Slight decrease due tot better screening
Decision dockets received - lower crts	484,547	514,355	523,169	8.0%	Continues to increase
Withdrawals	414,211	363,391	318,767	-23.0%	Significant decrease due to better screening
Outstanding roll	188,691	185,423	206,005	9.2%	Increase after some stabilisation
Court hours	04:09	04:08	04:07	-0.5%	Increased from 3:40 in 1999/00
Conviction rate	84.0%	85.0%	86.0%	2.4%	Increased from 80% in 1999/00

Performance against targets for 2004/5

Objective 1: Developing dynamic NPS Leadership

Measure	Target	Progress
Compliance with Performance management plan	Staff assessed every 3 months	99%
Formal training	% of staff receiving formal training	47.6% received training
Initiatives (create an enabling working environment)	One (1) new initiative every 3 months	<ul style="list-style-type: none"> •A national moderating committee ensured the application of uniform standards during the performance assessments of PP's and Adv's •Implementation of JE's counter negative effect on recruitment and retained skilled PP's •300 Aspirant PP's trained at 15 centres

Objective 2: Transform NPS strategy into a focused and performance driven unit

Measure	Target	Progress
Reduction in case cycle times	HC - 75% not older than 12m RC - 75% not older than 6m DC - 90% not older than 6m	HC - 5% of o/s cases exceeding 12m RC - 39% of o/s cases exceeding 6m DC - 10% of o/s cases exceeding 6m
Improvement in conviction rate	HC - 85 % RC - 70 % DC - 85 %	HC – 85% RC – 70% DC – 87%
Improvement in finalised cases	HC - 10 % pa (225 pm) RC - 10 % pa (4 177 pm) DC - 10 % pa (31 876 pm)	HC - 1% above (226 pm) RC - 17% below (3 482 pm) DC - 12% below (28 052 pm)

Objective 3: Improved co-operation and working relationships with other role-players

Measure	Target	Progress
Implementation of case flow management	High Courts - 100% Lower Courts - 100%	Target not achieved. A new dispensation is still in progress for the HC and alignment of processes and responsibilities is still in progress in LC.
Improvement in court hours	HC - 4h00 RC - 4h30 DC - 4h45	HC – 3h32 (11% below) RC – 4h00 (11% below) DC – 4H12 (12% below)
Reduction in awaiting trial periods	10% reduction in detainees (49 709)	3% below target (51 267)

PERFORMANCE AGAINST TARGETS FOR 2005/2006 CURRENT FINANCIAL YEAR).

Objective 1: Developing dynamic NPS Leadership

Measure	Target	Progress
Compliance with performance management system and policy	Staff assessed every 3 months	In progress. Final evaluations due at the end of March 2006
Sixty (60) formal training courses to be offered in conjunction with Justice College	80% of staff to undergo formal training	A total of 75 courses presented and attended by 1667 PP's
DPP's and DDPP's to do professional work	To be determined by the DPP's	All DPP's and DDPP's were actively involved in professional work
CP's and SPP's to do professional work	To be determined by the DPP's	All CP's and SPP's actively involved in professional work

Objective 2: Transform NPS into a strategy focused and performance driven unit

Measure	Target	Progress (Apr – Dec '05)
Reduction in case cycle times	HC - 75% not older than 12 m RC - 75% not older than 6 m DC - 90% not older than 6 m	HC - 10% of o/s cases exceeding 12m RC – 41% of o/s cases exceeding 6m DC – 11% of o/s cases exceeding 6m
Improvement in conviction rate	HC - 85 % RC - 70 % DC - 85 %	HC – 86% (2% above) RC – 71% (1.6% above) DC – 87% (2.7% above)
Increase in the number of cases finalised	All Courts: 5 % increase p.a. HC – 238 pm RC – 3 644 pm DC – 29 398 pm	HC - 2% above (250 pm) RC - 6% below (3408 pm) DC - 4% below (28 263 pm)
Reduction of children in custody	Children only to remain in custody where there is no other alternative that would be in the interest of justice	Reduction of 30%, from 1775 during Jan '05 - 1243 children during Jan '06.

[Continued]

Measure	Target	Progress (Apr – Dec '05)
Prioritisation of cases where children are in custody	RC - 75% not older 6 m DC - 90% not older 6 m	All SPP's to obtain a list of children awaiting trial for six months or more and to prioritise those matters. RC – 41% of o/s cases exceeding 6m DC – 11.4% of o/s cases exceeding 6m
Increase in the number of cases finalised by means of alternative measures such as Diversions, plea-bargaining etc.	10% increase p.a. Diversions: 1740 pm Plea bargaining: 183 pm	Diversions: 2930 pm (29% above) Plea-bargaining: 240 pm (35% above)

[Continued]

Measure	Target	Progress (Apr – Dec '05)
Implementation of NPS internal communication plan	100%	Drafted and aligned to the plans of the other business units. Final document to be signed off and implemented by the DPP's.
Number of AFU referrals	10 referrals per division per month	Sensitizing and training of PP's resulted in a total of 292 referrals.

OBJECTIVE 3: Improved co-operation and working relationships with other roleplayers

Measure	Target	Progress (Apr – Dec '05)
Implementation of court and case flow management	Lower Courts - 50%	An estimated progress of 40% - although not formally measured as judiciary is still busy with workshops to get buy-in of all stake holders. A total of 5 300 CFM Practical Guides were published and nationally distributed to Magistrates, PP's and Admin Components. In addition thereto, an alignment of projects and initiatives by all stake holders is still in progress and should be finalised by the end of current financial year

Continued

Measure	Target	Progress (Apr – Dec '05)
Improvement in court hours	HC - 4h00 RC - 4h30 DC - 4h45	HC – 3h21 (16% below target) RC – 4h03 (10% below target) DC – 4h09 (12% below target)
Reduction in awaiting trial prisoners	10 % reduction p.a (47 093)	1% below (47 443)
Promotion of partner integration	To participate in all joint structures or to initiate where no joint structures exist	Structures on all levels are in place in all the divisions.
Increase in organized crime prosecutions resulting from initiatives with partners	10 % increase p.a	Dedicated PP's with DDPP coordinating and overseeing organized crime prosecutions. Core committee to draft uniform guidelines

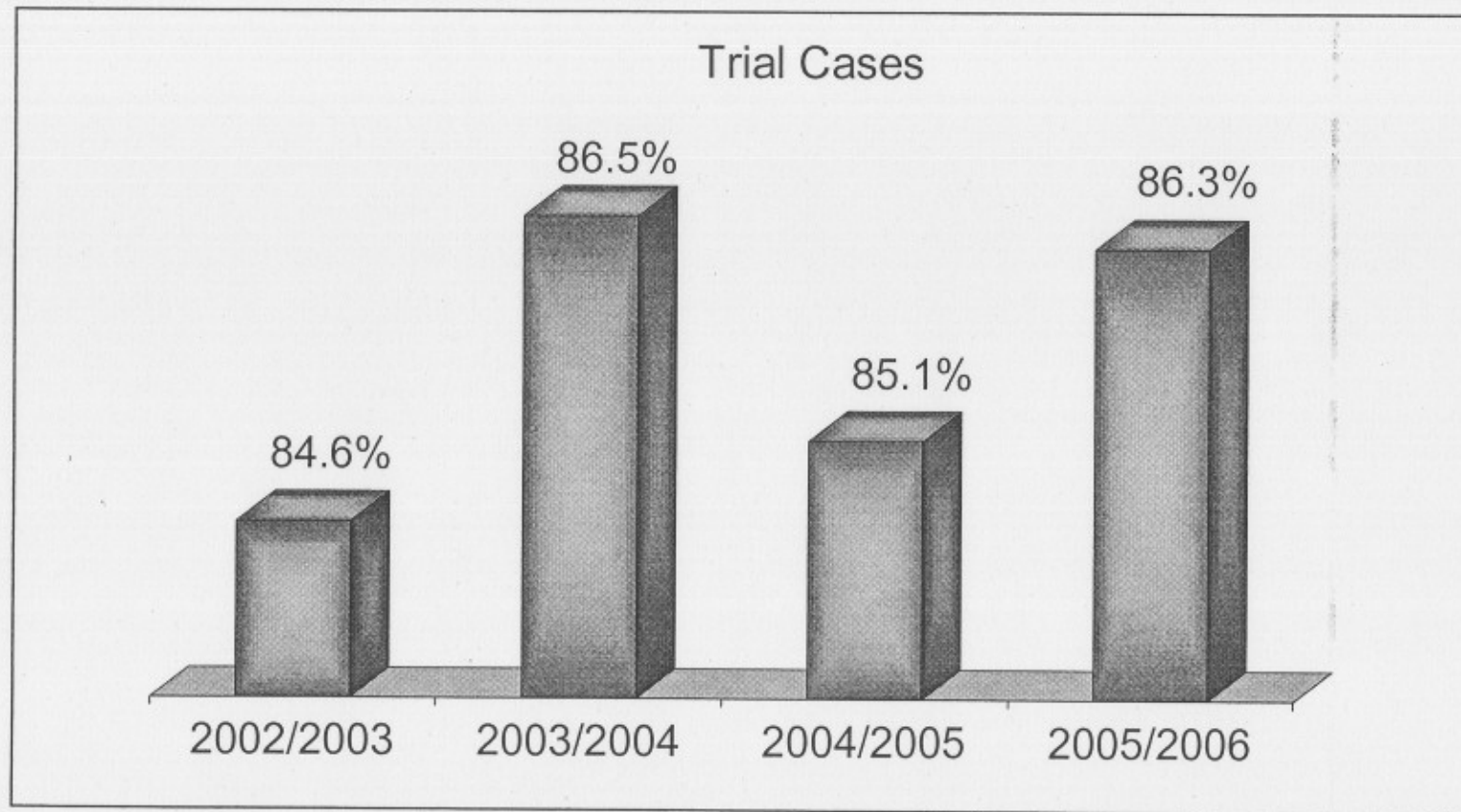
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Measure	Target	Progress
Determine customer wants, needs and expectations Implementation of public interest litigation	All CPP's / SPP's to consult community leaders, identify challenges and draw up action plans Two (2) cases per division	All divisions participated in the establishment of community forums. Various initiatives and outreach projects already established
Increase number of: <ul style="list-style-type: none"> Community courts Dedicated courts (Sexual offences) 	Community: 9 pilot courts to be finalized and 9 more to commence Sexual Courts: 15 more courts	4 Community Courts formally launched and 11 piloted courts established (Total of 15 courts) 70 Sexual Offences Courts – 7 more than the 63 of previous year.

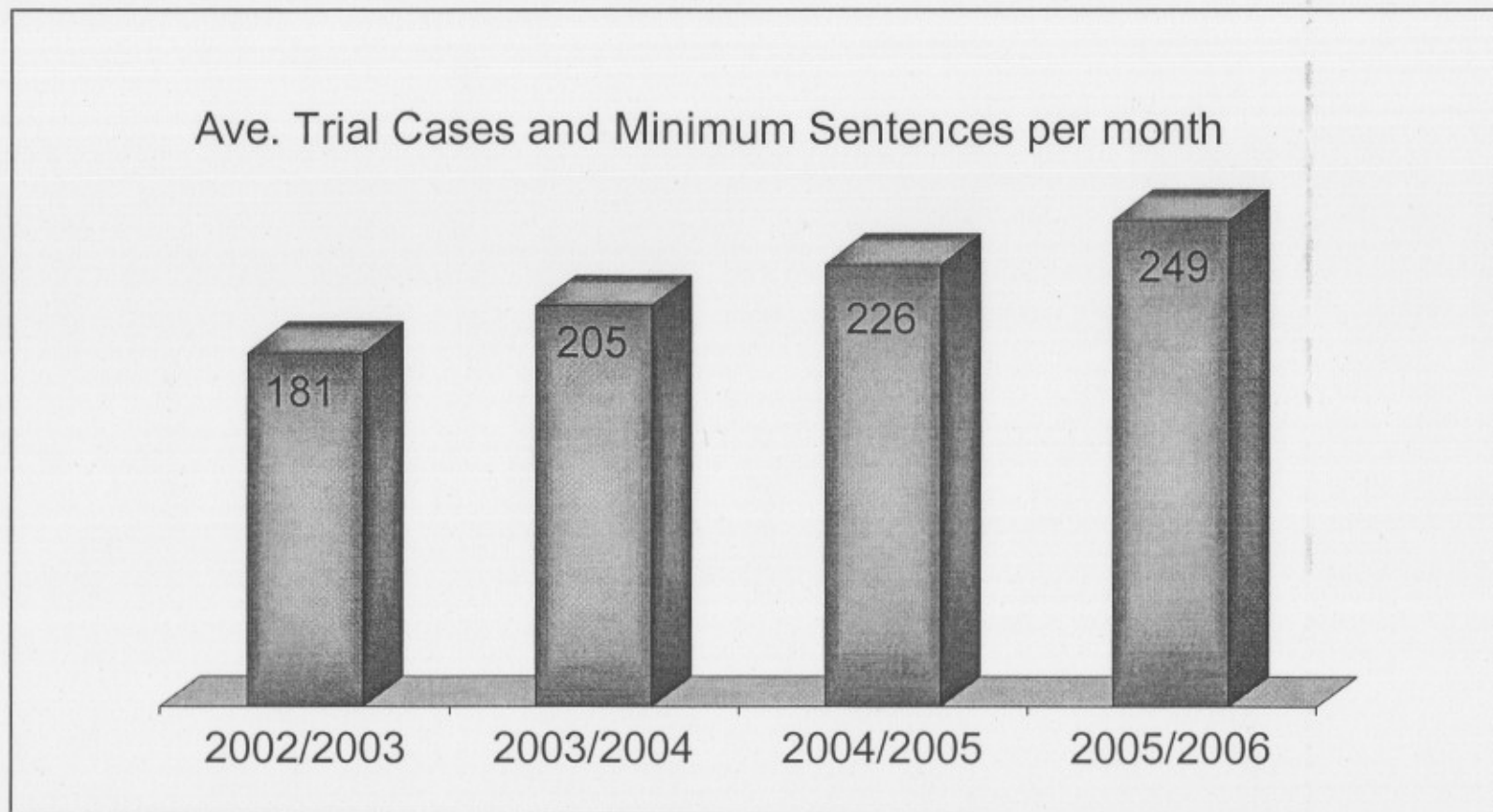
[Average High Court Hours]



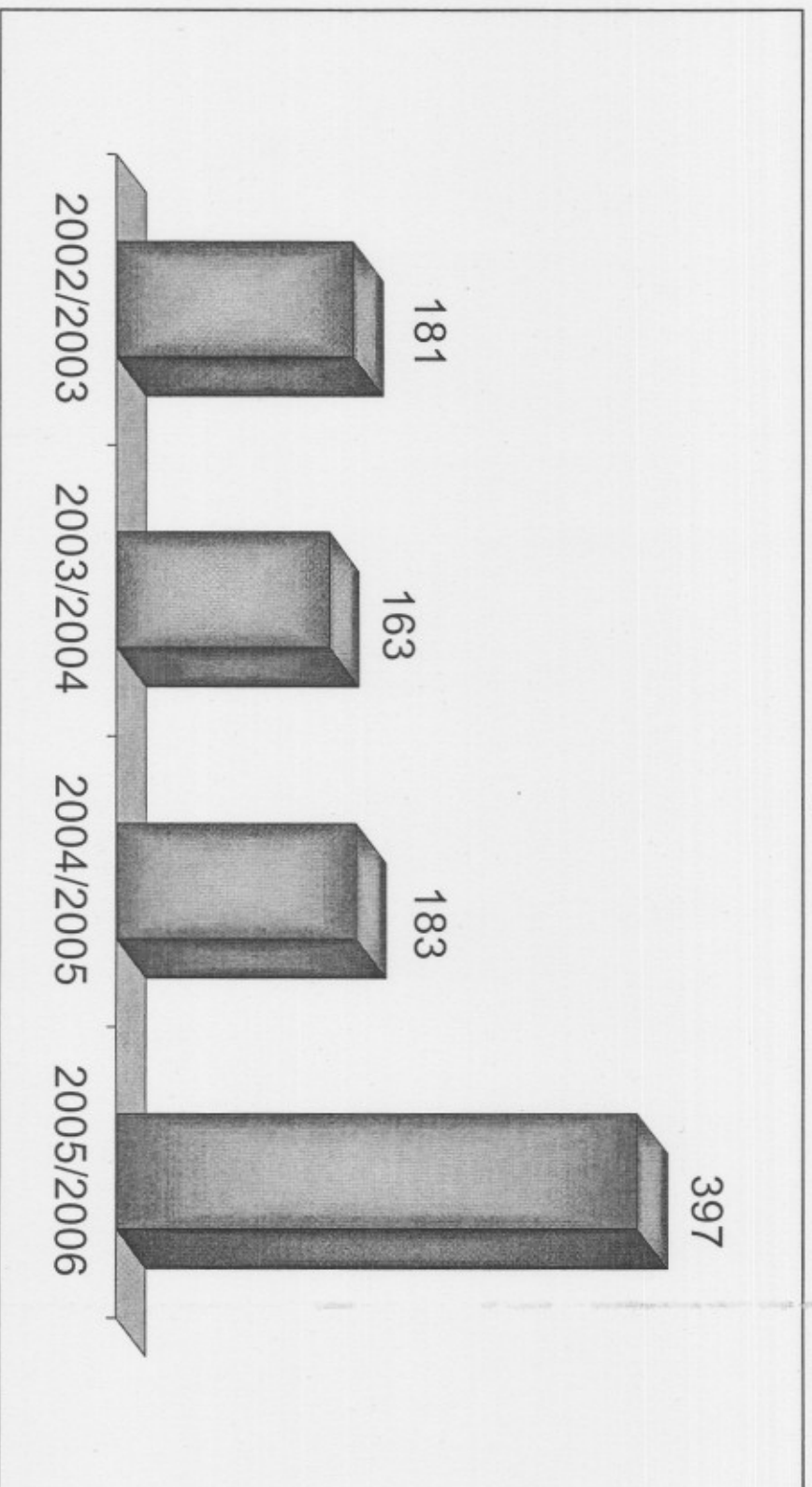
[High Court: Conviction Rates]



[High Court: Average Finalisation Rate]



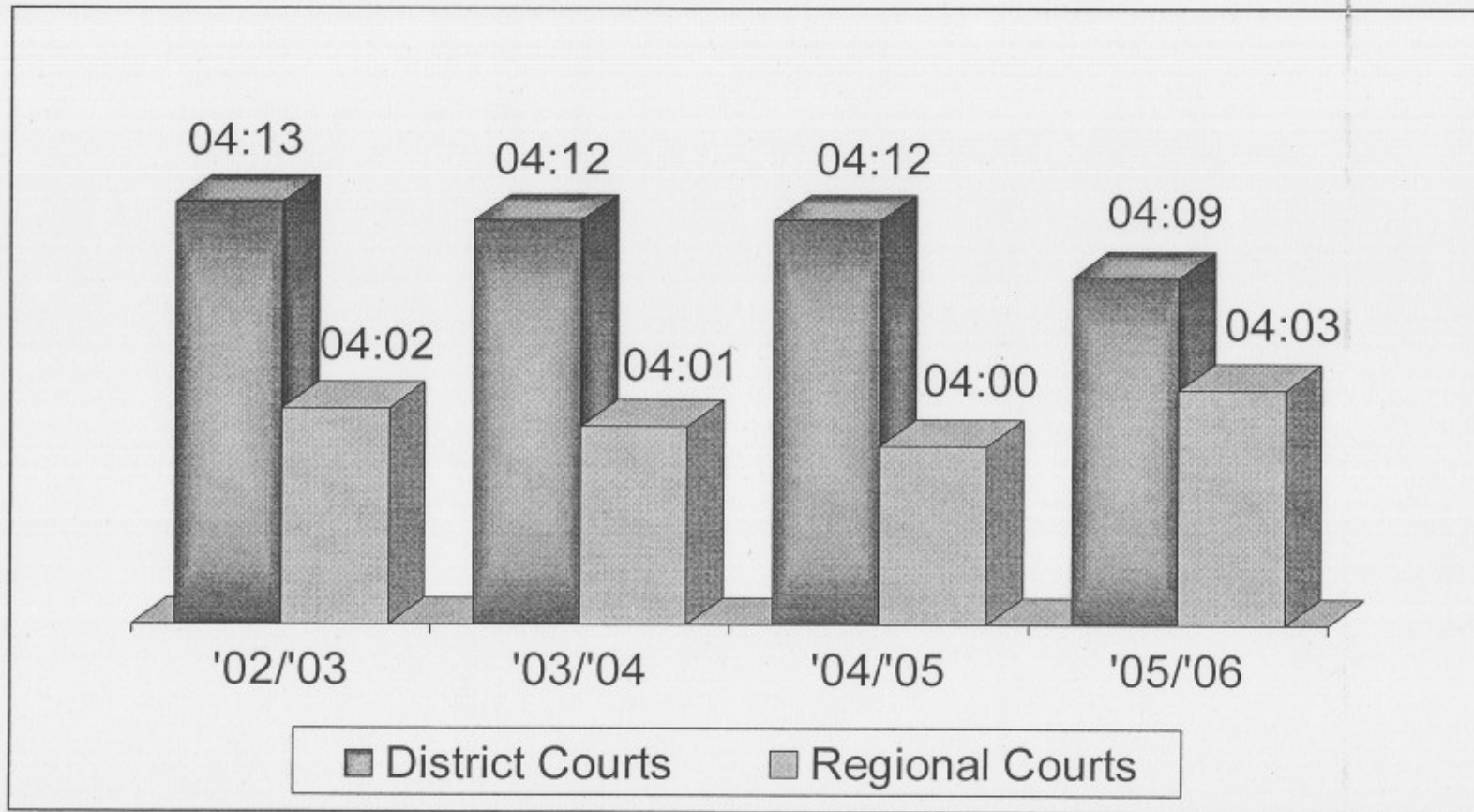
High Court: Average New Cases per month



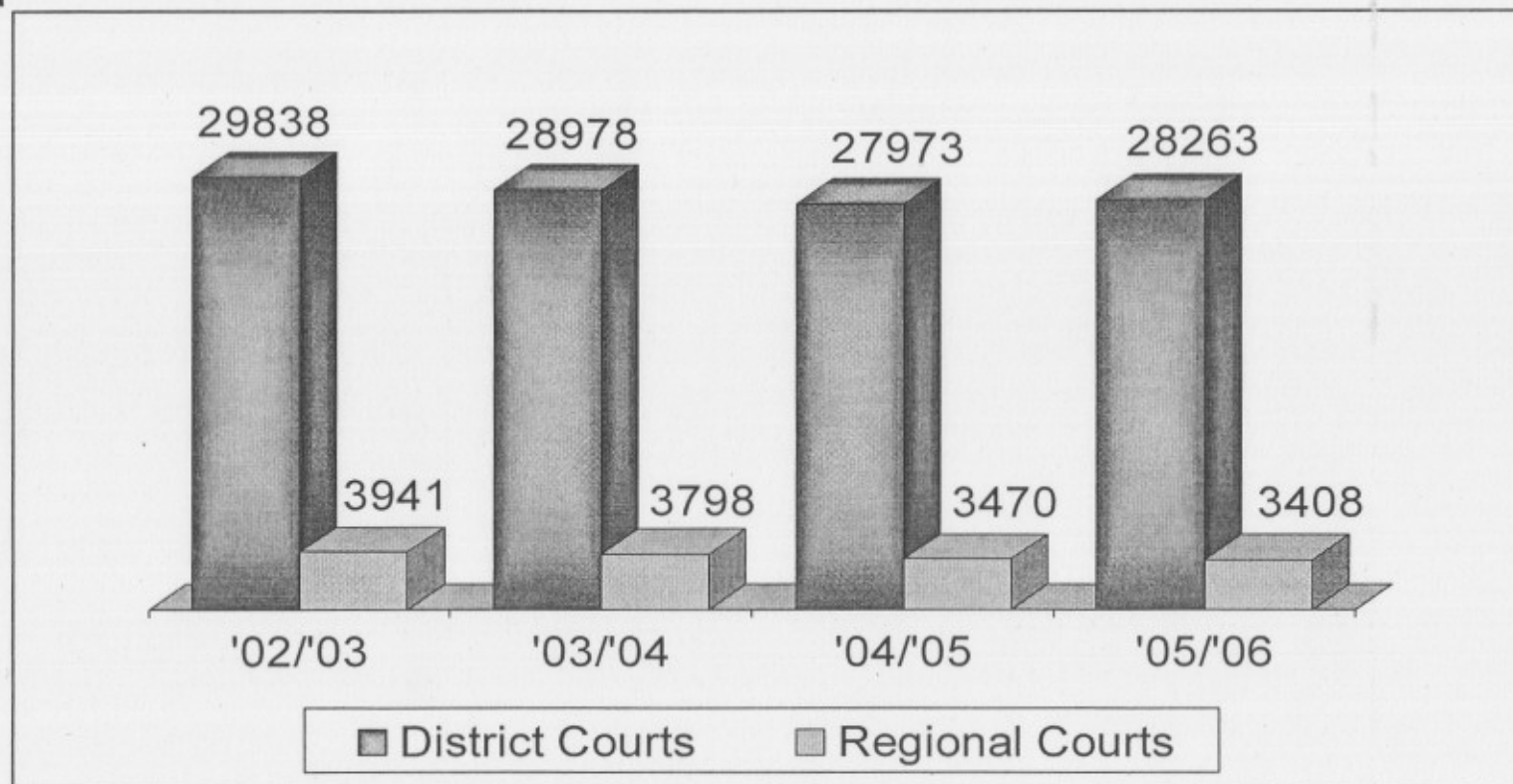
[Minimum Sentences]

- 1177 minimum sentence cases finalised (by Dec '05) which constitutes 52% of all criminal cases finalised in High Courts
- Only 5% sent back to Regional Courts
- 22% - life sentences
- 42% - sentences of more than 15 years

[Lower Courts: Average Hours]

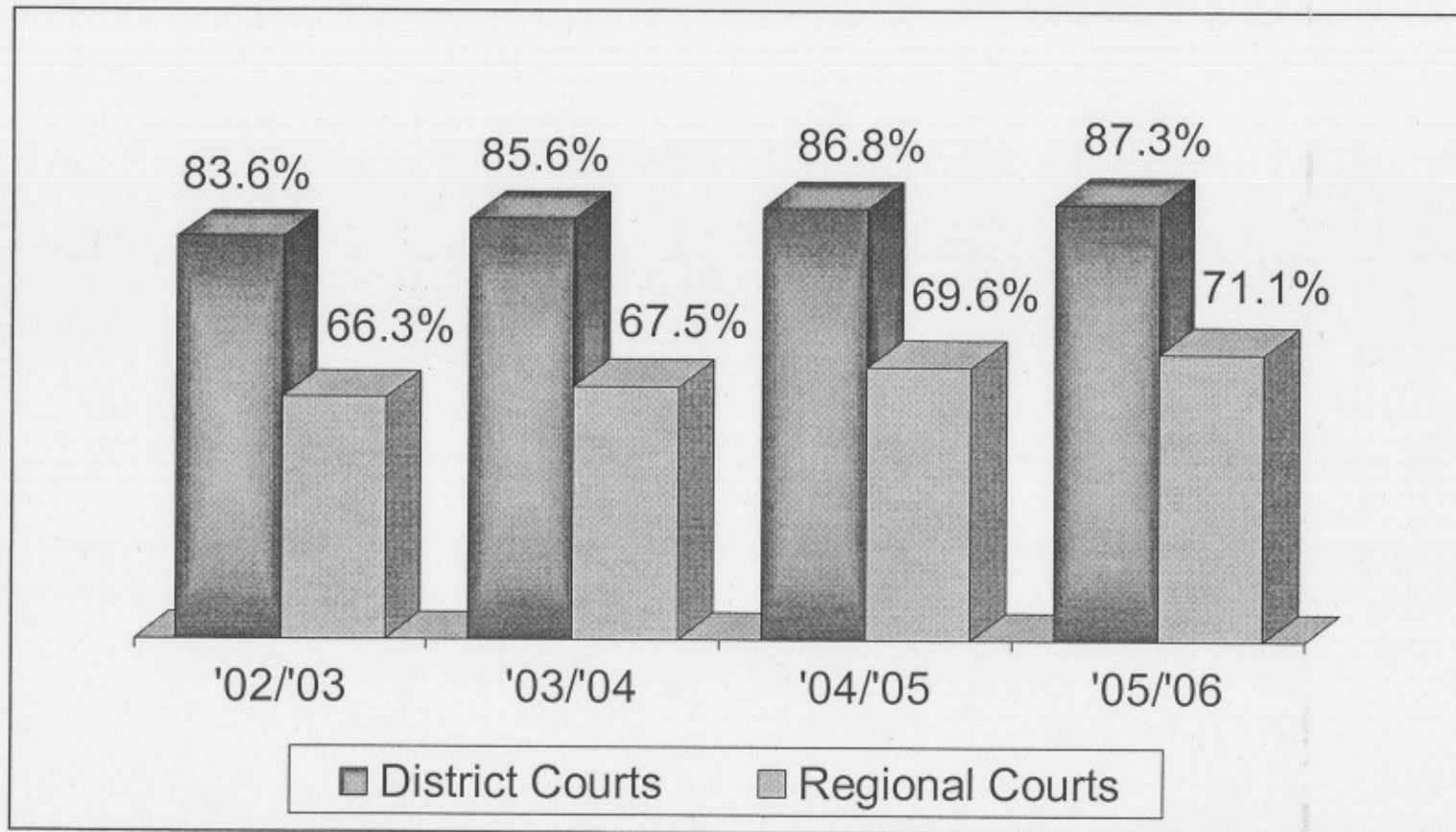


Lower Courts: Average Finalisation Rates pm

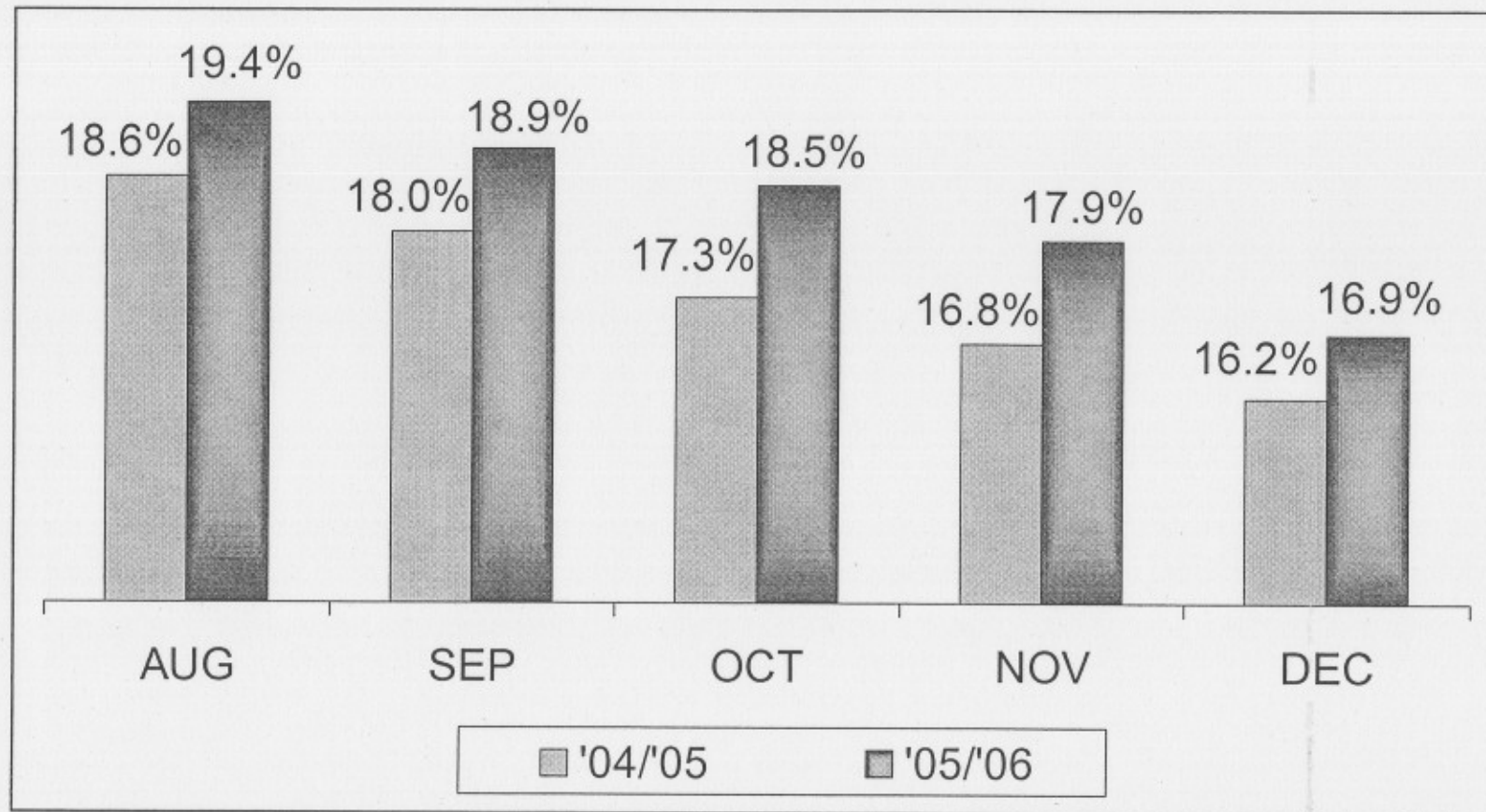


- Average of 34 547 cases finalised
- 5% improvement from last year

Lower Courts: Average Conviction Rates pm



[Lower Courts: Backlogs]



[Dedicated Courts]

- Hi-jacking Courts
 - *7 courts 216 cases finalised – 75% conviction rate*
- Environmental Court
 - *1 court – 98 cases – 84% conviction rate*
- Community Courts
 - *15 courts – 14 175 cases finalised – 98% conviction rate*

Plea & Sentence Agreements

MAIN CRIME CATEGORIES	Mar 2004/Apr 05	Mar – Dec 2005
Fraud	872	818
Possession of abalone	156	112
Theft	137	424
Transportation of abalone	65	-
Culpable homicide	53	76
Dealing in narcotics	38	63
Rape	30	21
Drunken driving	27	53
Corruption	26	7
Housebreaking	25	55
Robbery	23	107
Possession of firearm w/o license	21	63
Murder	19	64
Total Cases (Agreements):	703	1039
Total Counts:	1993	2164
% Custodial sentences	20.7%	

Referrals to Asset Forfeiture Unit

- Agreed to have 10 referrals per month per province
- At this stage the number of referrals per division as supplied by the Directors from August 2005 comprised:

CPD	83
NCD	6
FSD	12
ECD	20
TRA	12
WLD	29
TPD	57
BOP	51
NPD	22
TOTAL	292

- Reasons for shortfalls – Training

PRESENTATION OF TARGETS AS SUBMITTED FOR ENE AND PROPOSED NEW PRIORITIES 2006/2007 (NEW FINANCIAL YEAR)

- The NPS requested an allocation of funds for the following priorities:
 - The increase of 890 prosecutor posts over the next three years to reach the ratio of two prosecutors per court. A substantial amount has, in principle, been awarded for the appointment of additional prosecutors.
 - To appoint more managers in line with the increase of the proposed prosecutors.
 - Expansion of the Aspirant Prosecutors Program from fifteen to seventeen centres.
 - Formalise and expand the Court Preparation Program to at least two court preparation officials per dedicated sexual offences court.

[Continued]

- There are currently sixty six Court preparation officials providing support to abused children in preparing them for the court proceedings. A total number of 50 000 victims have to date been prepared by the said officials.
- Establish a core of prosecutors to deal with organized crime matters.
- Establish a core of prosecutors to follow a community orientated approach in prosecutions.

[Any Question?

Thank you

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