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DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

BRANCH: COURT SERVICES

THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL
DEVELOPMENT

BRIEFING BY ADV S JIYANE, DDG COURT SERVICES TO THE
PARLIAMENTARY PORTFOLIO COMMITTEE ON JUSTICE AND
CONSTITUTIONAL DEVELOPMENT

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1. THE ROLE OF COURT SERVICES

▪ WHO ARE WE?

To assist the Department of Justice and Constitutional Development (DOJCD) to deal with its objectives the Branch Court Services was established to focus directly on those aspects relating directly to the courts. In brief our goal is to develop and implement measures to support and assist the courts and to ensure their independence, impartiality, dignity, accessibility and effectiveness in accordance with the Constitution

The **MISSION STATEMENT** of Court Services underpins our objectives, namely:

To provide a responsive, modern and cost-effective court services' environment to ensure delivery of justice with EASE, implying an Efficient, Accessible, Swift and Effective delivery of justice to all court users, thereby creating an environment conducive to the fair and efficient dispensing of justice, and promoting confidence in the rule of law.

▪ WHAT DO WE DO?

Court Services' **core function** can be viewed as:

- The facilitation of the adjudication of criminal matters, the resolution of civil disputes, the addressing of family law related matters, improving the situation of vulnerable groups and the management of courts facilities;
- The coordination and alignment of departmental strategies and programmes in relation to courts within the JCPS and Social clusters; and
- The monitoring and evaluation of the implementation of departmental policy in relation to courts.

▪ FUNCTIONAL COMPONENTS AND RESOURCES: 2005

Court Services has structured its activities (including its budget) according to five main sub-programmes, namely:

- **Strategic Management Support and Policy Development**
- **Court Performance (Inland & Coastal)**
- **Specialised programs for Vulnerable Groups**
- **Facilities and Infrastructure Development and**
- **Family Advocacy**

This programmatic structure coordinates and facilitates the decentralisation of operational matters to court level so as to improve efficiency and decision making at court level.

2005/06 Budget

DETAIL BUDGET AS PER ENE FOR 2005/06

'000
Budget
2005/06

Additional Allocation	154,000
Administration of Courts	174,210
Lower Courts	1,212,821
Constitutional Court	26,520
Supreme Court of Appeal	13,189
High Courts	140,806
Specialised Courts	36,166
Family Advocate	34,490
Magistrate's Commission	4,990
Government Motor Transport	27,000
Capital Works	258,134
Total	2,082,326

DETAIL AS PER PRIORITY AREAS

Budget
2005/06

Upgrading/Maintenance Court Infrastructure (Security Operations & Infrastructure Support)	36,146
Physical Security at Courts (Capital Works)	16,854
Court Security (Security Operations & Infrastructure Support)	60,000
Capital Works (Capital Works)	258,134
Soweto (Orlando), HC Mpumalanga and Limpopo	50,000
Other buildings	143,601
Reprioritised for 75% committed Capital Works Contracts (Transcript & Security)	64,534
Protection of Vulnerable Groups	118,000
Improvement of Court Performance	91,000
Facilitation of the transformation of the Judicial System	9,000
Administration of Courts	174,210

Lower Courts	1,035,821
Constitutional Court	26,520
Supreme Court of Appeal	13,189
High Courts	140,806
Specialised Courts	36,166
Family Advocate	34,490
Magistrate's Commission	4,990
Government Motor Transport	27,000
Magistrates Salary	662,100
Total	2,744,426

Additional Budget

In terms of the MTEF allocations for 2005/06, 2006/07 and 2007/08, additional allocation relating to Court Services includes the following priorities for each year respectively:

- Service delivery and integration (R68m, R85m and R134m)
- Modernising the justice system (R10m, R20m, and R30m)
- Effective and efficient management of cases through the justice chain (R97m, R227m and R317m)
- Transforming the justice system (R11m, R27m and R35m)
- Court Security (R50m, R70m and R100m)

Other aspects also additionally funded include:

- Lay assessors (R10m, R15m and R30m)
- Rehabilitation of courts (R50m, R50m and R61m)
- Court Nerve Centre (R4m, R6m and R8m)
- Victim Support Programme (R10m, R15 and R20m)
- Specialised courts (R10m, R12m and R15m)
- Filling Court vacancies (R50m, R150m and R220m)
- Appointment of magistrates (R15m, R17m and R20m))
- Court personnel : new high courts (R0, R5m ad R2m)
- Witness fees (R5m, R6m and R7m)

▪ WHAT WE DID WITH THE RESOURCES

1. Ensuring access to justice for all

Court Services contributes in this regard in making sure that all citizens enjoy the full benefit of citizenship. In carrying out this mandate Court Services concentrates its efforts on previously marginalised groups by making sure that they have access to Justice.

- **The first step for ensuring access to justice for all is bringing services closer to the people – especially in townships and in rural areas.**

The services must reach the poor, the uneducated and the vulnerable – we therefore have to build courts closer to the people and ensure that our services will be delivered in modern user-friendly infrastructures that conform to health and safety regulations and provide a secure environment.

Progress in this regard is as follows:

(Program 4 FACILITY MANAGEMENT)

Total Budget Allocation for Infrastructure Development for the 2005/2006 Financial Year was **R 382,146 m**

CAPITAL WORKS

The focus of the department has been to improve access to Justice for all. This includes the provisioning of facilities in areas previously disadvantaged as well as the Rural Areas. To this end there has been a deliberate shift in the allocation of resources to cater for such areas. A total budget of **R208 000mil** was spent on the construction of new facilities and additions to existing facilities. Of the 10 major renovations project undertaken, 6 were in the previously disadvantaged and rural areas. There were two new facilities completed in the financial year 2005/2006.

RAMP

The objective of RAMP is to improve the status of our facilities to an acceptable level of functionality. For long, the maintenance of facilities were neglected from PWD side, with the result that they deteriorated to a point where costly major rehabilitation was required just to bring them to a level where they as compliant with the safety requirement.

RAMP has to date resulted in the **rehabilitation of a total of 96 facilities**. A total of 15 facilities were rehabilitated in this current financial year. With that additional amount of **R50 000mil** an additional 40 facilities were registered on Works Control System for rehabilitation under RAMP. It is intended that all facilities will be rehabilitated and placed on the maintenance program by end of year 2008. Of the 40 facilities placed on RAMP, 70% are in the previously disadvantaged areas.

Programmes

New Facilities and Major Additions and RAMP	R258 000 M
RAMP (additional allocation)	R50 000 M
Day To Day Maintenance	R11 000 M
Infrastructure Upgrading	R36,146 M
GG and Judges Vehicle	R27,000 M
Total	R382,146 M

RAMP

Initial Allocation:	R50 000 M
Less: Transfer to NPA	R15 000 M
Less: Transfer to Regions	<u>R 4 700 M</u>
Amount Remaining for RAMP	R30 300 M

Infrastructure Upgrading

Initial Allocation	R36 000 M
Less: Transfer to Regions:	R11 300 M
Less: Transfer for Coat of Arms	R 5 000 M
Less: Transfer to various offices	<u>R11 300 M</u>
Amount Remaining	R 8 400 M

	Progress to date	Remarks
Security	<p>To date courts have been provided with the following services:</p> <ul style="list-style-type: none"> ▪ Guarding services: 206 courts currently have guarding services ▪ An additional 167 to be provided with guarding services, bringing to 373 the number of courts with guarding services ▪ 150 courts have Cash-in 	<p>A Joint planning committee with other stakeholders (SAPS, Correctional Services, NPA) was set up to improve security measures</p>

	<p>Transit services</p> <ul style="list-style-type: none"> ▪ The tender has been prepared for cash-in transit to additional 216 courts (to be awarded in 2006 bringing the total to 362 courts with Cash in transit services. ▪ 135 Courts have Armed Response Alarm Systems <p>Physical Security: Service providers for installation of burglar bars in ± 259 courts as part of plan to improve physical security are in process of being appointed.</p>	
Alignment of Infrastructure Development Program with Urban Development Nodes (URP)	<ul style="list-style-type: none"> ▪ Courts are available in the following urban development nodes: <ul style="list-style-type: none"> ○ Mdantsane ○ Inanda (Verulam, Phoenix, Newlands and Tongaat) ○ Khayelitsha ○ Mitchell's Plain ○ Alexandra. 	
<p>RAMP (Repair and Maintenance Projects)</p> <p>2005 Targets:</p> <ul style="list-style-type: none"> ▪ 15 facilities planned for rehabilitation under RAMP ▪ Additional 40 facilities registered on Works Controls System (WCS) with additional R50 Mil 	<ul style="list-style-type: none"> ▪ 92 projects registered on RAMP. ▪ An addition of 40 courts were registered on RAMP with the additional R50 mil obtained from Treasury. Thus a total of 55 registered on RAMP in the current financial year ▪ A total of 260 courts are now registered on RAMP and are in various stages of execution: <ul style="list-style-type: none"> ➤ Maintenance phase: 40 ➤ Repair phase : 19 ➤ On tender : 21 ➤ Design stage : 14 	

	<ul style="list-style-type: none"> ➤ Status quo surveys : 43 ➤ On hold : 42 ➤ New projects : 81 	
<p>Capital Works Projects</p> <p>2005 Target 11 Major projects planned for completion</p>	<ul style="list-style-type: none"> ➤ 2 new courts constructed in Atteridgeville and Randburg. ➤ Conversion and Refurbishment of Polokwane High court. ➤ Major extensions to 9 other court buildings. ➤ 58% major construction work in Rural/disadvantaged areas 	
Replacement of old Coat of Arms	<ul style="list-style-type: none"> ➤ Removal of all old coat of arms in all facilities and replace with new once 	<ul style="list-style-type: none"> ➤ Old coat of arms removed on all facilities ➤ Contract awarded for new coat of arms ➤ A total of 32 facilities provided with new Coat of Arms (see attached annexure)
Planning for new court buildings	<ul style="list-style-type: none"> ➤ A total of 21 new court building sites identified for planning in the next financial year. ➤ 2 major extensions are planned for Soshanguve and Humansdorp courts 	
<p>Improve Accessibility for Disabled</p> <p>2005 Target Compilation of status quo report on compliance to facilities accessibility requirement</p>	<ul style="list-style-type: none"> ➤ A comprehensive report conducted to determine the compliance of facilities 	