

Vote 23

Justice and Constitutional Development

Budget summary

R million	2010/11				2011/12	2012/13
	Total to be appropriated	Current payments	Transfers and subsidies	Payments for capital assets	Total	Total
MTEF allocation						
Administration	1 472.9	1 398.1	9.8	65.0	1 604.2	1 693.1
Court Services	3 871.9	3 320.6	23.1	528.3	4 241.1	4 555.0
State Legal Services	644.1	638.6	1.1	4.5	677.9	711.8
National Prosecuting Authority	2 439.6	2 420.0	9.6	10.0	2 586.8	2 718.3
Auxiliary and Associated Services	1 821.9	359.9	1 442.1	19.9	1 973.7	2 052.4
Subtotal	10 250.5	8 137.2	1 485.6	627.7	11 083.7	11 730.6
Direct charge against the National Revenue Fund						
Judges' salaries	465.5	465.5	–	–	504.9	540.3
Magistrates' salaries	1 464.4	1 464.4	–	–	1 599.3	1 711.6
Total expenditure estimates	12 180.4	10 067.1	1 485.6	627.7	13 187.9	13 982.5

Executive authority

Minister of Justice and Constitutional Development

Accounting officer

Director-General of Justice and Constitutional Development

Website address

www.doj.gov.za

The Estimates of National Expenditure booklets for individual votes are available on www.treasury.gov.za. They provide more comprehensive coverage of vote specific information, particularly about goods and services, transfers, public entities and lower level institutional information.

Aim

The aim of the Department of Justice and Constitutional Development is to uphold and protect the Constitution and the rule of law, and render accessible, fair, speedy and cost effective administration of justice in the interests of a safer and more secure South Africa.

Programme purposes

Programme 1: Administration

Purpose: Manage the department, develop policies and strategies for the efficient administration of justice, and provide centralised support services.

Programme 2: Court Services

Purpose: Facilitate the resolution of criminal, civil and family law disputes through providing accessible, efficient and quality administrative support to the courts and manage court facilities.

Programme 3: State Legal Services

Purpose: Provide legal and legislative services to government, supervise the administration of deceased, insolvent and liquidation estates and the registration of trusts, manage the Guardian's Fund, prepare and promote legislation, facilitate constitutional development, and undertake research in support of this.

Programme 4: National Prosecuting Authority

Purpose: Provide a coordinated prosecuting service that ensures that justice is delivered to the victims of crime through general and specialised prosecutions, protects certain witnesses, and removes the profit from crime.

Programme 5: Auxiliary and Associated Services

Purpose: Provide a variety of auxiliary services associated with the department's aim, and fund transfer payments to the South African Human Rights Commission, the Office of the Public Protector, the Legal Aid Board, the Special Investigating Unit, the Represented Political Parties' Fund and the President's Fund.

Strategic overview: 2006/07 – 2012/13

In terms of its medium term strategic framework, the Department of Justice and Constitutional Development is committed to establishing and maintaining a single, integrated, accessible and affordable court system that delivers on the key strategic goals of ensuring access to justice services, transforming the justice system, and improving organisational efficiency.

Ensuring access to justice services

The process of ensuring access to justice services received great attention in 2008/09. The extension of civil jurisdiction to the regional courts has enabled regional courts to resolve family law and other civil disputes. Not only will this increase the availability of courts, but it will also help to reduce legal costs as some matters will no longer need to go to the high courts. To complement this initiative, the department is working to complete the redemarcation of magisterial districts.

Forty branch courts (courts sitting periodically) are currently being upgraded to provide full justice services. Others are being removed from police stations to ensure the independence of judicial procedures from police procedures. With more than 10 sites acquired for the construction of new courts in various provinces and an extra 10 new sites to be acquired next year, the department is determined to continuously expand geographic access to justice services for previously disenfranchised communities.

Crimes against women and children continue to be high on the department's agenda. The development of policies to promote and protect the rights of children, the aged, the disabled, women, the poor and other such disadvantaged groups will continue, and the department will prioritise public communication about: services and assistance for victims of crime; maintenance services; the Guardian's Fund; sexual and domestic violence; Truth and Reconciliation Commission recommendations; and other matters that may affect vulnerable groups.

Improving organisational efficiency

To further improve the standard of service delivery, the department aims to fill critical vacancies, modernise justice services, reduce the backlog of cases and improve overall case flow management. Improved administration processes and logistics and the more efficient use of human resources should lead to noticeably higher levels of service delivery.

Digital court recording systems were installed in 2007/08 to replace the outdated analogue recording machines. IT solutions introduced at selected courts countrywide will help to resolve cases more speedily, such as the e-scheduler and audiovisual linkage for postponing certain criminal proceedings. The public private partnership project for managing the department's third party funds for maintenance beneficiaries is about to become operational. The project is aimed at improving the financial management of maintenance funds and increasing the number of pay points nationally. The new system will see maintenance beneficiaries receive their funds through a secure, fast and auditable system within normal bank transfer periods.

Transforming the justice system

In 2008/09, the department began using indigenous languages in courts, with one court per province selected and designated to conduct proceedings in any of the official languages of that province. Over the medium term, the department intends to extend this programme to all courts, in consultation with the judiciary.

In January 2009, the justice, crime prevention and security cluster and the Cabinet lekgotla identified the review of the criminal justice system as a key government priority. The Department of Justice and Constitutional Development was designated as the lead department in this process, phase 1 of which was concluded in December 2009. The review entails two parallel processes: the first is an investigation into long term solutions through desktop research; and the second focuses on short term, medium term and long term initiatives to fight crime, remove blockages and improve court processes. Working in collaboration with its justice, crime prevention and security cluster partners (the departments of correctional services, defence and military veterans, home affairs and police, and state security agency), the department has developed specific focus areas referred to as the seven point plan and terms of reference to articulate the plan, and defined how coordination across the cluster will be optimised. The research has been concluded and is now being incorporated into the implementation of the plan. An interim office for the criminal justice system review has been established and is working to develop an overarching vision and mission for the justice, crime prevention and security cluster.

The Child Justice Act (2008) allows for matters involving children who have committed offences to be diverted away from the main courts. To support departmental and cluster initiatives in implementing the act, the department has started developing a national policy framework on child justice, as well as a strategy and a policy on restorative justice. A draft policy framework on the administration of justice was also finalised in 2008/09, and is aimed specifically at consolidating transformative policy initiatives on the administration of justice, with specific reference to the courts and the judiciary.

Savings and cost effective service delivery

Savings of R195 million in 2010/11, R230 million in 2011/12 and R305 million in 2012/13 have been identified in goods and services by reducing spending on advertising, communication, catering and entertainment, stationery and printing, travel and subsistence, and venues and facilities. Savings have also been identified in transfers to public entities.

Efficiency measures introduced by the department in 2009/10 include: no catering during meetings; limited use of outside venues for strategic sessions or workshops; reduced overnight accommodation; economy class domestic flights for all staff; only key staff to attend hearings and meetings in Parliament; shared vehicles for officials travelling to the same place; discretion when purchasing stationery and other goods; no colour printing; some subscriptions for magazines not renewed; internal advertisement of posts under level 6 and advertisement of posts on levels 6 and upwards in only 2 national publications; staff to pay for all private calls made on official landlines and cellular phones; and staff to use email and minimise printing.

Approved posts have been costed and funded. The reprioritisation of operational expenditure contributed funds to: physical security at courts; the carry through costs of the occupation specific dispensation for legally qualified professionals; the department's 2010 FIFA World Cup commitments; the review of the civil justice system; the electoral court, in preparation for the local government elections; and the Legal Aid Board. Periodic in-year budget and expenditure reviews will be concluded, and funds are to be shifted from slow moving programmes to more pressing departmental priorities.

Selected performance indicators

Table 23.1 Justice and Constitutional Development

Indicator	Programme	Past			Current	Projections		
		2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Outstanding court roll at end of each financial year	Court Services	206 508	232 518	234 483	236 983	232 243	227 598	223 046
Number of new cases finalised: - including alternative dispute resolution mechanisms	National Prosecuting Authority	379 034	388 634	431 601	404 229	412 313	420 559	428 970
- excluding alternative dispute resolution mechanisms		334 551	298 656	311 825	317 677	324 030	330 511	337 121
Conviction rate: - high courts	National Prosecuting Authority	87.8% (1 016)	85% (987)	86% (1 461)	86%	87%	87%	87%
- regional courts		72% (26 618)	73% (25 338)	73% (29 431)	74%	74%	74%	74%
- district courts		87.4% (258 172)	87% (227 482)	88.1% (276 154)	87%	87%	87%	87%
- sexual offences courts		65% (3 869)	66% (2 887)	66.7% (5 300)	66%	66%	66%	66%
- specialised commercial crime unit		96.6% (3 869)	94.1% (1 232)	93.7% (1 408)	94%	94%	94%	94%
Asset forfeiture unit: - number of new completed forfeiture cases	National Prosecuting Authority	242	223	277	275	300	310	330
- number of new freezing orders		252	226	275	280	310	330	350
- value of new freezing orders		R1.3bn	R394m	R320m	R360m	R400m	R420m	R440
- success rate		88% (213)	88% (196)	86.5 (262)	86%	86%	86%	86%

Expenditure estimates

Table 23.2 Justice and Constitutional Development

Programme	Audited outcome			Adjusted appropriation	Revised estimate	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10		2010/11	2011/12	2012/13
R million								
1. Administration	648.3	1 180.9	1 203.2	1 436.8	1 402.8	1 472.9	1 604.2	1 693.1
2. Court Services	2 501.6	2 675.2	3 077.5	3 524.6	3 557.1	3 871.9	4 241.1	4 555.0
3. State Legal Services	329.6	382.5	525.3	595.1	571.0	644.1	677.9	711.8
4. National Prosecuting Authority	1 421.7	1 719.7	1 926.9	2 382.2	2 365.2	2 439.6	2 586.8	2 718.3
5. Auxiliary and Associated Services	952.6	1 235.6	1 511.6	1 782.2	1 777.2	1 821.9	1 973.7	2 052.4
Subtotal	5 853.8	7 194.0	8 244.4	9 721.0	9 673.3	10 250.5	11 083.7	11 730.6
Direct charge against the National Revenue Fund	1 099.3	1 184.5	1 601.1	1 669.7	1 671.7	1 929.9	2 104.2	2 251.9
Judges' salaries	269.3	298.5	504.8	503.7	505.7	465.5	504.9	540.3
Magistrates' salaries	830.0	886.1	1 096.3	1 166.0	1 166.0	1 464.4	1 599.3	1 711.6
Total	6 953.1	8 378.5	9 845.5	11 390.7	11 345.0	12 180.4	13 187.9	13 982.5
Change to 2009 Budget estimate				63.0	17.3	7.7	177.5	295.8

Economic classification

Current payments	5 516.8	6 849.4	8 093.4	9 424.4	9 349.4	9 984.8	10 718.9	11 380.2
Compensation of employees	3 619.7	4 250.9	5 326.2	6 277.1	6 233.7	6 834.7	7 375.3	7 846.8
Goods and services	1 897.1	2 598.5	2 767.2	3 147.3	3 115.3	3 149.5	3 342.7	3 532.6
<i>of which:</i>								
Computer services	197.1	275.6	309.2	462.9	456.6	386.5	409.7	432.8
Lease payments	324.7	408.0	430.8	532.8	530.4	598.2	652.3	709.2
Property payments	239.3	342.8	405.3	337.7	337.7	348.1	379.3	408.0
Travel and subsistence	292.9	403.1	473.9	443.8	443.8	466.6	487.4	506.6
Interest and rent on land	-	-	-	-	0.4	0.6	0.8	0.9
Transfers and subsidies	813.5	984.0	1 266.2	1 382.1	1 412.4	1 567.9	1 705.5	1 766.1
Provinces and municipalities	3.1	-	0.0	-	0.0	-	-	-
Departmental agencies and accounts	757.4	937.4	1 193.8	1 281.0	1 281.0	1 448.4	1 577.5	1 631.8
Foreign governments and international organisations	4.7	3.6	5.1	4.5	4.5	4.7	5.0	5.2
Non-profit institutions	-	-	-	2.7	2.7	-	-	-
Households	48.4	43.1	67.4	94.0	124.3	114.8	123.0	129.0
Payments for capital assets	620.1	541.1	482.2	583.6	581.0	627.7	763.5	836.2
Buildings and other fixed structures	328.9	296.2	416.8	445.8	445.8	479.8	598.5	694.4
Machinery and equipment	270.0	241.7	65.2	135.8	135.2	147.8	164.9	141.7
Software and other intangible assets	21.1	3.2	0.2	1.9	-	0.1	0.1	0.1
Payments for financial assets	2.7	4.0	3.7	0.6	2.2	-	-	-
Total	6 953.1	8 378.5	9 845.5	11 390.7	11 345.0	12 180.4	13 187.9	13 982.5

Expenditure trends

The Department of Justice and Constitutional Development's expenditure increased from R5.9 billion in 2006/07 to R9.7 billion in 2009/10, at an average annual rate of 18.4 per cent, compared to the slower growth of 6.5 per cent over the MTEF period. This growth excludes direct charges against the National Revenue Fund, and the budget is set to increase to R11.7 billion by 2012/13. The strong growth between 2006/07 and 2009/10 was mainly due to additional funding for: the modernisation of the justice system, the appointment of 2 prosecutors per court, and improved capacity in the Master's Office, the director-general's office and state litigation services.

Between 2006/07 and 2009/10, expenditure in compensation of employees increased at an average annual rate of 22.3 per cent. Over the medium term, this expenditure is expected to increase at the slower average annual rate of 6.7 per cent. The slower rate of increase over the medium term is due to the expansion of capacity and the implementation of the occupation specific dispensation for legally qualified professionals. Similarly, expenditure on goods and services increased at an average annual rate of 18.4 per cent between 2006/07 and 2009/10, but is expected to increase at the slower average annual rate of 3.9 per cent over the MTEF period. The slower rate of increase is due to the implementation of efficiency savings over the MTEF period.

The 2010 Budget sets out additional allocations of R458.9 million in 2010/11, R679.2 million in 2011/12 and R886.1 million in 2012/13 for: implementing legislation concerning vulnerable groups; building new courts and upgrading existing infrastructure; appointing additional judges, magistrates and public defenders to the Legal Aid Board; the carry through costs related to the higher than budgeted wage increases in 2009/10; and increased capacity and office accommodation for the South African Human Rights Commission and the Office of the Public Protector.

Infrastructure spending

In 2008/09, major extensions of court buildings were completed in Richmond (Northern Cape) and Mitchells Plain (Western Cape). A new court facility was completed for the periodical court at Augrabies (Northern Cape) and a major refurbishment was completed at Polokwane (Limpopo), providing accommodation for the interim seat of the high court at Polokwane. Small new construction projects that are planned for completion in 2009/10 include Colesberg (Northern Cape) (R17.2 million), Ekgangala (Mpumalanga) (R23.4 million), Tsakane (Gauteng) (R4.6 million), Galeshewe (Northern Cape) (R43.6 million), and Ashton and Lutzville (Western Cape) (R9.2 million and R6.1 million).

In 2008/09, 391 court facilities were earmarked to improve accessibility for persons with disabilities. 135 of these were completed by the end of 2008/09, 144 were at practical completion stage, 81 at the construction stage, and 31 at the tender stage. Projects in the department's repair and maintenance programme were at various stages by the end of 2008/09, with 57 completed, 33 in the maintenance phase, and 3 in the planning phase (design and tender).

Although the department has no mega project planned for 2009/10, 4 large construction projects will begin by the end of the year. These include: the Ntuzuma magistrate's office, anticipated to be completed before the end of 2011/12; the new building for the permanent seat of the Polokwane high court, also anticipated for completion before the end of 2011/12; a new Katlehong magistrate's office, already under construction; and major extensions to the South Gauteng (Johannesburg) high court. Other large projects that are still in the planning phase include the Nelspruit high court building (R267.8 million) and a project at Port Shepstone (R190.3 million).

Departmental receipts

Revenue is mainly generated from fines, penalties and forfeits imposed by the courts, photocopy charges for court cases and access to information, and money recovered by state attorneys. Due to the recession, departmental receipts are expected to increase at a moderate average annual rate of 5.6 per cent over the medium term. Departmental receipts of R358.9 million are expected for 2009/10, and projected to increase to R422.5 million in 2012/13.

Table 23.3 Departmental receipts

R thousand	Audited outcome			Adjusted estimate	Revised estimate	Medium-term receipts estimate		
	2006/07	2007/08	2008/09	2009/10		2010/11	2011/12	2012/13
Departmental receipts	319 510	317 016	356 775	358 888	358 888	377 649	399 761	422 546
Sales of goods and services produced by department	10 786	14 979	14 394	16 541	16 541	14 245	14 915	15 765
Sales of scrap, waste, arms and other used current goods	6	–	33	–	–	–	–	–
Transfers received	–	1 408	21	800	800	–	–	–
Fines, penalties and forfeits	262 616	238 025	271 506	296 273	296 273	315 234	333 833	352 861
Interest, dividends and rent on land	13 394	49 244	45 170	27 043	27 043	28 773	30 471	32 208
Sales of capital assets	–	–	10	135	135	143	152	160
Transactions in financial assets and liabilities	32 708	13 360	25 641	18 096	18 096	19 254	20 390	21 552
Total	319 510	317 016	356 775	358 888	358 888	377 649	399 761	422 546

Programme 1: Administration

Expenditure estimates

Table 23.4 Administration

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
R million							
Minister ¹	1.2	1.7	2.0	1.7	1.8	1.9	2.0
Deputy Minister ¹	0.2	0.3	1.3	1.4	1.5	1.6	1.7
Management	40.6	228.4	54.9	77.3	55.4	59.3	63.0
Corporate Services	306.2	597.6	751.4	907.5	905.6	982.1	1 013.4
Office Accommodation	300.0	352.9	393.6	448.9	508.6	559.3	613.0
Total	648.3	1 180.9	1 203.2	1 436.8	1 472.9	1 604.2	1 693.1
Change to 2009 Budget estimate				398.2	309.7	354.5	374.0

1. From 2008/09, the current payments relating to the total remuneration package of political office bearers are shown, before this, only salary and car allowance are included. Administrative and other subprogramme expenditure may in addition include payments for capital assets as well as transfers and subsidies.

Current payments	627.3	1 100.4	1 183.8	1 408.8	1 398.1	1 516.9	1 631.5
Compensation of employees	151.1	178.2	222.3	318.0	328.2	346.2	363.6
Goods and services	476.2	922.2	961.5	1 090.8	1 069.9	1 170.5	1 267.7
<i>of which:</i>							
Computer services	10.9	71.1	21.3	44.6	39.4	42.3	42.7
Lease payments	216.5	280.4	296.8	326.4	387.7	431.1	478.5
Property payments	89.0	304.1	344.9	272.7	278.6	306.7	332.4
Travel and subsistence	45.1	64.1	92.8	86.4	81.4	87.1	92.0
Interest and rent on land	–	–	–	–	–	0.2	0.2
Transfers and subsidies	9.6	7.7	9.3	9.7	9.8	10.2	10.7
Provinces and municipalities	0.1	–	–	–	–	–	–
Departmental agencies and accounts	4.0	3.9	3.0	4.6	4.8	5.1	5.3
Foreign governments and international organisations	4.7	3.6	5.1	4.5	4.7	5.0	5.2
Households	0.8	0.3	1.2	0.6	0.2	0.2	0.2
Payments for capital assets	10.4	69.8	9.8	18.4	65.0	77.0	50.8
Machinery and equipment	10.2	69.4	9.8	18.4	65.0	77.0	50.8
Software and other intangible assets	0.2	0.5	–	–	0.0	0.0	0.0
Payments for financial assets	1.0	3.0	0.2	–	–	–	–
Total	648.3	1 180.9	1 203.2	1 436.8	1 472.9	1 604.2	1 693.1

Details of selected transfers and subsidies

Departmental agencies and accounts							
Departmental agencies (non-business entities)							
Current	4.0	3.9	3.0	4.6	4.8	5.1	5.3
Safety and Security Sector Education and Training Authority	4.0	3.9	3.0	4.6	4.8	5.1	5.3
Foreign governments and international organisations							
Current	4.1	3.6	5.1	4.5	4.7	5.0	5.2
International Criminal Court	4.1	3.6	5.1	4.5	4.7	5.0	5.2

Expenditure trends

The programme's expenditure grew strongly at an average annual rate of 30.4 per cent, from R648.3 million in 2006/07 to R1.4 billion in 2009/10. Most of this growth was in the *Corporate Services* subprogramme, in which expenditure increased at an average annual rate of 43.6 per cent over the same period to provide for guarding, cash in transit and physical security services. Over the medium term, spending is expected to slow to an average annual rate of 5.6 per cent to reach R1.7 billion in 2012/13, and is largely driven by the increased prioritisation of security at courts.

The increase of 82.2 per cent in the programme's spending in 2007/08 was due to the once-off replacement of computer hardware and the appointment of temporary state advocates in the director-general's office. The temporary appointment of the state advocate is the major reason for the 462.5 per cent increase in the *Management* subprogramme in 2007/08.

Expenditure in compensation of employees increased at an average annual rate of 28.1 per cent between 2006/07 and 2009/10 due to higher than normal salary increases, the appointment of interns, and the expansion of financial capacity at the regional level. Spending on compensation of employees is expected to grow marginally over the medium term, at an average annual rate of 4.6 per cent. A once-off payment to the International Criminal Court in 2008/09 resulted in a 42.3 per cent increase in transfers to foreign governments and international organisations. Payments for capital assets increased by a significant 571.2 per cent in 2007/08 due to the once-off purchase of digital court recording equipment. Over the medium term, expenditure on payments for capital assets is projected to increase to R50.8 million in 2012/13 at an average annual rate of 40.3 per cent, due to increased departmental spending on security equipment for courts.

Programme 2: Court Services

- *Constitutional Court* funds the activities and operations of this court, which has jurisdiction over constitutional matters only.
- *Supreme Court of Appeal* funds the activities and operations of this court, which adjudicates appeals and questions of law from the high courts.
- *High Courts* funds the activities and operations of the various high court divisions, which have jurisdiction over the defined geographical areas in which they are located.
- *Specialised Courts* funds the activities and operations of the labour and labour appeal courts, the land claims court, the special tribunal, and the family courts.
- *Lower Courts* funds the activities and operations of the various regional and district courts. The regional courts adjudicate serious criminal matters. District courts adjudicate civil cases and less serious criminal cases.
- *Family Advocate* funds these offices, which make recommendations to the court where there is litigation and mediation relating to children in family matters.
- *Magistrate's Commission* funds this commission, which makes recommendations on the appointment and tenure of magistrates.
- *Government Motor Transport* funds vehicles for judges and department officials.
- *Facilities Management* funds the building and upgrading of courts and justice service delivery points.
- *Administration of Courts* funds the management of courts' administration and performance evaluation functions.

Funding for the *Government Motor Transport* subprogramme depends on the number of new appointees expected each year and the planned replacement of existing vehicles. Funding for the *Facilities Management* subprogramme is distributed based on planned capital works, infrastructure upgrades and additions. Funding for the other subprogrammes is distributed based on personnel composition and historical expenditure patterns. Once-off operational requirements are also taken into account.

Objectives and measures

- Ensure that justice proceedings are prompt by:
 - reducing the case backlog in regional courts by between 20 per cent and 30 per cent per year, from the 14 815 cases in 2008/09 to 11 500 in 2010/11, through 42 dedicated case backlog courts
 - reducing the case cycle time for criminal cases involving children by 12 per cent per year, from the current 18 months to 15 months in 2010/11, through implementing the provisions of the Child Justice Act (2008)
 - reducing the number of cases on court rolls by increasing matters dealt with by admission of guilt fines (assaults, theft, crimen injuria) from 30 115 in 2007/08 to 10 000 in 2011/12
 - securing 150 justice service delivery points with integrated security infrastructure through contracted service providers by the end of 2010/11
 - replacing 20 per cent of current branch courts (46 of 230) with full court services by the end of 2010/11 through redesignating the identified branch courts.
- Provide adequate family law litigation services and family mediation services to protect the interests of children by finalising 50 per cent of all cases handled by the family advocate within 6 months in 2010/11.

Service delivery focus

In 2008/09, the Constitutional Court finalised 56 per cent of cases on the roll (69 out of 123) against a target of 85 per cent. The Supreme Court of Appeal received 167 petitions for leave to appeal in criminal matters, of which 127 (75 per cent) were finalised in 2008/09. This represents 75 per cent of appeals finalised against a target of 85 per cent. High courts finalised 1 161 criminal trials (51.7 per cent of the total case load of 2 245 in 2008/09). 54 427 motions applications were finalised in high courts. (39 per cent of the total case load of 84 117).

Of a total district court criminal case load of 973 658 in 2008/09, 261 004 were withdrawn, 188 027 warrants were issued, 48 572 cases were transferred, 92 557 cases were struck off the roll, 238 379 verdicts were guilty and 32 106 verdicts were not guilty, with alternative dispute resolution mechanisms used in 80 428 cases. The district courts maintained an average of 3 hours and 52 minutes in 2008/09, from the average of 3 hours and 48 minutes recorded in 2007/08. The lower courts achieved a conviction rate of 86.3 per cent in the first quarter of 2009/10 compared to 85.6 per cent in the same period in 2008/09.

Regional court backlogs were at 30 per cent (15 767 of 51 802 cases) at the end of 2008/09 against a target of 25 per cent. From the end of the third quarter in 2006/07 to the end of 2008/09, the backlog courts finalised 8 855 cases (73.9 per cent of 11 978 received), mainly due to the larger number of new cases flowing in and more cases being kept on regional court rolls. Changes to the minimum sentences legislation in December 2007 mean that the regional courts can impose life sentences and do not need to send these cases to high courts. Since the inception of the national backlog project, 8 855 cases have been finalised, including 3 649 withdrawals and rescreening, and 609 transfers to higher courts. New interventions resulting from the review of the criminal justice system and the National Prosecuting Authority, such as alternative dispute resolution mechanisms, will start to have a positive impact on how cases are being dealt with from 2010/11. In 2009/10, the number of cases removed from the regional court rolls as a result of court backlogs until the end of August 2009 was 3 022. This includes 1 945 cases finalised, 1 000 cases withdrawn and 77 cases transferred.

The Office of the Family Advocate finalised 47 per cent (5 600 out of 11 894) of queries against a target of 50 per cent in 2008/09. Between April and June 2009, 4 070 children were diverted compared to 4 350 between January and March. 55 per cent of cases handled by the family advocates were finalised within 6 months. Up to September 2009, 57 per cent of cases handled by the family advocates were finalised within 6 months.

As part of providing integrated security infrastructure, 520 sites were surveyed in 2008/09, of which 127 high risk sites were prioritised. 15 periodical and 40 branch courts were converted and capacitated to become main courts in 2008/09 as part of the objective to replace 20 per cent of current branch courts (46 of 230) with full court services by the end of 2010/11.

Expenditure estimates

Table 23.5 Court Services

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
R million							
Constitutional Court	27.2	45.0	61.8	69.5	89.7	93.0	96.8
Supreme Court of Appeal	12.0	12.9	12.1	14.4	14.1	14.5	15.2
High Courts	214.7	226.4	246.3	246.9	267.5	280.2	292.3
Specialised Courts	20.9	24.6	26.9	24.7	29.6	30.9	32.2
Lower Courts	1 613.6	1 645.3	1 824.4	2 216.3	2 385.6	2 586.3	2 753.5
Family Advocate	44.8	67.3	85.2	92.7	95.1	99.8	104.8
Magistrate's Commission	4.7	7.6	7.4	8.9	10.1	10.7	11.1
Government Motor Transport	24.3	27.8	17.3	26.9	35.4	37.5	38.4
Facilities Management	323.7	361.1	479.5	515.5	631.5	759.4	865.0
Administration of Courts	215.9	257.2	316.6	308.7	313.5	328.8	345.8
Total	2 501.6	2 675.2	3 077.5	3 524.6	3 871.9	4 241.1	4 555.0
Change to 2009 Budget estimate				(386.5)	(159.4)	(89.7)	(1.0)
Economic classification							
Current payments	1 919.7	2 296.3	2 607.6	3 006.5	3 320.6	3 564.7	3 779.3
Compensation of employees	1 161.1	1 482.1	1 710.8	2 095.3	2 303.2	2 513.1	2 693.2
Goods and services	758.7	814.3	896.9	911.2	1 017.4	1 051.6	1 086.1
<i>of which:</i>							
Computer services	1.2	7.8	6.3	7.2	8.0	8.3	8.5
Lease payments	21.4	3.3	27.2	33.5	37.4	38.7	40.0
Property payments	126.5	–	26.2	23.9	26.7	27.6	28.5
Travel and subsistence	172.9	234.8	275.9	252.6	282.0	291.5	301.0
Transfers and subsidies	7.3	10.2	9.9	12.4	23.1	24.9	26.0
Provinces and municipalities	0.8	–	0.0	–	–	–	–
Non-profit institutions	–	–	–	2.7	–	–	–
Households	6.5	10.2	9.9	9.7	23.1	24.9	26.0
Payments for capital assets	573.1	368.7	456.8	505.7	528.3	651.5	749.7
Buildings and other fixed structures	328.9	296.1	416.8	445.8	479.8	598.5	694.4
Machinery and equipment	225.5	72.0	39.9	59.9	48.5	52.9	55.2
Software and other intangible assets	18.6	0.5	0.1	0.0	0.0	0.1	0.1
Payments for financial assets	1.5	0.0	3.1	–	–	–	–
Total	2 501.6	2 675.2	3 077.5	3 524.6	3 871.9	4 241.1	4 555.0
Details of selected transfers and subsidies							
Non-profit institutions							
Current	–	–	–	2.7	–	–	–
National Institute for Crime Prevention and Re-integration of Offenders (NICRO)	–	–	–	2.7	–	–	–
Households							
Other transfers to households							
Current	–	0.1	1.7	–	–	–	–
Claims Against the State	–	0.1	1.7	–	–	–	–

Expenditure trends

Expenditure grew at an average annual rate of 12.1 per cent, from R2.5 billion in 2006/07 to R3.5 billion in 2009/10, compared to a slower increase over the MTEF period at an average annual rate of 8.9 per cent. The strong historical growth can be attributed to the implementation of a number of projects, including new legislation and special projects related to the 2009 FIFA Confederations Cup and the 2010 FIFA World Cup, such as establishing special courts for the duration of the 2010 FIFA World Cup. Over the medium term, spending will focus on: the review of the criminal justice system; implementing approved legislation, including the Children's Act (2005) and the Child Justice Act (2008); modernising courts and their systems and procedures; improving case flow management; promoting the use and development of indigenous languages in courts; monitoring the institutional efficiency of all courts; and broadening access to court services.

Expenditure by the *Constitutional Court* subprogramme increased by 65.6 per cent in 2007/08 and 37.3 per cent in 2008/09 to cater for the expanded capacity required by the court and the chief justice. Over the medium term, this subprogramme is expected to grow strongly at an average annual rate of 11.6 per cent. Between 2006/07 and 2009/10, expenditure in the *Family Advocate* subprogramme increased at an average annual rate of 27.5 per cent, which can be attributed to the appointment of more personnel because of the department's increased responsibility arising from the implementation of the Children's Act (2005). Over the MTEF period, this subprogramme is expected to grow at the slower average annual rate of 4.2 per cent.

Expenditure by the *Lower Courts* subprogramme, which accounts for an average of 61.1 per cent of this programme's budget over the medium term, is expected to increase from R2.2 billion in 2009/10 to R2.8 billion in 2012/13, at an average annual rate of 7.5 per cent, compared to 11.2 per cent between 2006/07 and 2009/10. The subprogramme's allocations are expected to be used to improve service delivery, integrate the management of cases and people along the justice chain, improve human resource development, and fill all vacancies.

Expenditure in the *Facilities Management* subprogramme, which funds the building of new courts and the rehabilitation of existing court infrastructure, is expected to increase at an average annual rate of 18.8 per cent between 2009/10 and 2012/13 to R865 million in 2012/13, due to allocations for building new courts, rehabilitating courts and the day-to-day maintenance of courts. Spending on the *Administration of Courts* subprogramme increased at an average annual rate of 12.7 per cent between 2006/07 and 2009/10, due to additional allocations for increased capacity and a project to reduce criminal case backlogs.

Spending on compensation of employees increased at an average annual rate of 21.7 per cent from 2006/07 to 2009/10 compared to the projected slower growth rate of 8.7 per cent over the MTEF period. This is mainly due to the higher than expected salary increases and implementation costs for the occupational specific dispensation for legally qualified professionals. Goods and services spending is expected to increase at an average annual rate of 6.1 per cent over the 7-year period, increasing from R758.7 million in 2006/07 to R1.1 billion in 2012/13. The growth is as a result of projects to reduce criminal case backlogs and the implementation of the Children's Act (2005). Spending on payments for capital assets is expected to grow strongly over the medium term at an average annual rate of 14 per cent. This is an increase from the negative growth of 4.1 per cent between 2006/07 and 2009/10, and is due to additional appropriations for facilities management.

Programme 3: State Legal Services

- *State Law Advisors* provides legal advisory services to the executive, all state departments, parastatals and autonomous government bodies.
- *Litigation and Legal Services* provides attorney, conveyancing and notary public services to the executive, all state departments, parastatals and other government bodies through the offices of the state attorney, and provides legal support to the department and the ministry.
- *Legislative Development and Law Reform* prepares and promotes legislation, conducts research, promotes, maintains and develops the Constitution and its values, and assists and protects independent institutions supporting constitutional democracy to ensure their independence, impartiality, dignity and effectiveness.
- *Master of the High Court* funds this office, which supervises the administration of deceased and insolvent estates, trusts, curatorships and the Guardian's Fund. The Guardian's Fund administers money on behalf of minors, persons incapable of managing their own affairs, unborn heirs, and missing or absent persons.

Funding for these subprogrammes is distributed based on personnel composition and historical expenditure patterns. Once-off operational requirements are also taken into account.

Objectives and measures

- Improve the legal system by preparing at least 12 bills and 14 subordinate legislative instruments (regulations and rules) for submission to the Ministry of Justice and Constitutional Development by 2010/11.
- Facilitate law reform by submitting at least 15 research publications to the South African Law Reform Commission for consideration and approval in 2011/12.

- Reduce litigation costs for the department by 25 per cent by 2010/11 by developing and implementing a blueprint on state litigation.
- Improve the administration of estates and the Guardian's Fund by:
 - finalising registered deceased estates worth less than R125 000 within 4 months
 - finalising registered deceased estates worth more than R125 000 within 12 months
 - finalising registered insolvency estates and liquidation estates within 6 months
 - providing beneficiaries of the Guardian's Fund with access to funds within 60 days of application, after all necessary documentation has been received.

Service delivery focus

In 2008/09, 29 legislative instruments (11 bills, 8 regulations and 10 rules) were submitted to the ministry against a target of 12. Over the same period, the South African Law Reform Commission released 10 research publications, meeting the target.

The 2008/09 target of finalising 90 per cent of all opinions, agreements and draft legislation was also met. 98.7 per cent of instructions (764 of 774) were finalised, including the writing of 203 legal opinions, the certification of 183 bills, the certification of 354 international agreements, and the translation of 24 bills. In the first quarter of 2009/10, 43 per cent of opinions and 97 per cent of international agreements were finalised within 30 days of receiving them.

In 2008/09, the Master of the High Court resolved 77 009 estates of less than R125 000 within 4 months compared to 61 742 registered, and finalised 27 179 estates of R125 000 and more against 36 179 registered. In the second quarter of 2009/10, 8 455 applications for money from the Guardian's Fund were received, compared to 10 712 in the first quarter. Of the total applications received in the second quarter, 10 826 were processed, as opposed to 10 382 in the first quarter. The average turnaround time to finalise an application was 16.97 days compared to 16.58 days in the first quarter.

Expenditure estimates

Table 23.6 State Legal Services

Subprogramme	Audited outcome			Adjusted	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
R million							
State Law Advisors	18.6	22.9	30.1	35.0	39.9	41.6	43.6
Litigation and Legal Services	141.6	146.7	198.1	206.5	238.5	252.3	264.9
Legislative Development and Law Reform	25.7	26.4	29.9	42.7	47.7	48.6	51.2
Master of the High Court	143.7	186.6	267.2	310.9	318.0	335.4	352.1
Total	329.6	382.5	525.3	595.1	644.1	677.9	711.8
Change to 2009 Budget estimate				25.2	34.3	27.2	27.0
Economic classification							
Current payments	323.0	377.5	520.2	589.7	638.6	673.5	707.1
Compensation of employees	260.0	292.5	388.8	494.9	528.9	557.8	585.7
Goods and services	63.0	84.9	131.5	94.8	109.7	115.7	121.5
<i>of which:</i>							
Computer services	0.0	0.6	0.5	2.6	1.1	1.2	1.2
Lease payments	3.4	3.0	3.0	7.8	4.9	5.5	5.9
Property payments	0.6	1.4	0.3	0.1	0.7	0.7	0.7
Travel and subsistence	13.3	20.0	23.6	20.4	21.6	22.8	23.7
Transfers and subsidies	3.3	1.2	1.7	1.6	1.1	1.3	1.4
Provinces and municipalities	0.2	–	–	–	–	–	–
Households	3.1	1.2	1.7	1.6	1.1	1.3	1.4
Payments for capital assets	3.3	3.9	3.3	3.8	4.5	3.1	3.3
Machinery and equipment	3.2	3.7	3.3	3.7	4.5	3.1	3.3
Software and other intangible assets	0.0	0.1	0.0	0.1	–	–	–
Payments for financial assets	–	0.0	0.1	–	–	–	–
Total	329.6	382.5	525.3	595.1	644.1	677.9	711.8

Table 23.6 State Legal Services (continued)

R million	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Economic classification							
Details of selected transfers and subsidies							
Households							
Other transfers to households							
Current	-	0.4	0.2	-	0.4	0.6	0.6
Claims Against the State	-	0.4	0.2	-	0.4	0.6	0.6

Expenditure trends

Expenditure increased at an average annual rate of 21.8 per cent, from R329.6 million in 2006/07 to R595.1 million in 2009/10. Over the medium term, expenditure is expected to increase steadily to R711.8 million in 2012/13, at an average annual rate of 6.2 per cent. The increase will go towards: improving access to the Guardian's Fund; facilitating access to deceased and insolvent estates services; increasing capacity by employing additional personnel in the state attorney's office; and developing the skills of existing personnel.

Spending in the Master of the High Court subprogramme grew at an average annual rate of 29.3 per cent between 2006/07 and 2009/10 due to the appointment of additional personnel, but this growth is projected to decrease to an average annual rate of 4.2 per cent over the MTEF period. The slower increase in spending in compensation of employees between 2006/07 and 2009/10 at an average annual rate of 23.9 per cent is due to the implementation of the occupation specific dispensation for legally qualified professionals, which had the largest impact in this programme. Growth is expected to slow to an average annual rate of 5.8 per cent between 2009/10 and 2012/13. The 27.9 per cent decrease in expenditure on goods and services in 2009/10 relates mainly to the introduction of cost efficiency measures and the conclusion of contractual work on financial reform projects in the Guardian's Fund.

Programme 4: National Prosecuting Authority

- *Public Prosecutions* provides for general prosecutions and several specialised prosecution units, such as those for priority crimes litigation, sexual offences and community affairs, and specialised commercial crime.
- *Office for Witness Protection* provides for protection, support and related services to vulnerable witnesses and related people in judicial proceedings.
- *Asset Forfeiture Unit* funds this unit, which seizes assets that are the proceeds of crime or have been part of an offence through a criminal or civil process.
- *Support Services* funds corporate support services to the National Prosecuting Authority.

Funding for these subprogrammes is distributed based on personnel composition and historical expenditure patterns. Once-off operational requirements are also taken into account. The *Directorate of Special Operations* subprogramme has been removed following the shift of its investigative function to the new Directorate for Priority Crime Investigation in the Department of Police in 2009/10.

Objectives and measures

- Improve prosecutorial efficiency by increasing the number of cases (including diversions) finalised by 2 per cent, from 317 677 in 2009/10 to 337 121 in 2012/13.
- Enhance the use of alternative ways of delivering justice by increasing the number of cases finalised (including diversion) by 2 per cent per year, from 404 229 in 2009/10 to 428 970 in 2012/13.
- Improve prosecutorial efficiency in dealing with complex commercial crime by increasing the number of cases finalised by the specialised commercial crime unit by 2 per cent, from 1 436 in 2009/10 to 1 524 in 2012/13.

- Improve justice services for the victims of sexual offences by establishing 5 additional Thuthuzela care centres per year to bring the total number in 2012/13 to 35 from the current 20.
- Protect and support vulnerable and intimidated witnesses by ensuring that no witnesses are harmed or threatened while on the witness protection programme, thus reducing the percentage of witnesses that walk off the programme from 40 per cent in 2009/10 to 16 per cent in 2012/13.
- Contribute to reducing the incentive for crime through removing its proceeds from the control of criminals by increasing the value of freezing orders (court orders to freeze an individual's assets) from R400 million in 2009/10 to R440 million in 2012/13.

Service delivery focus

The national prosecuting service finalised 431 601 cases in 2008/09, including cases which do not follow normal court proceedings but are nevertheless resolved (diversions), with an average conviction rate of 86.3 per cent. 43 470 cases were diverted. In the first half of 2009/10, high and lower courts finalised 180 549 cases, with a conviction rate of 88.4 per cent. A further 53 682 cases were finalised through alternative dispute resolution mechanisms, including diversions, informal mediations and admission of guilt agreements. The service will continuously improve case flow management and efficiency at courts, prioritise the use of restorative justice and alternative dispute resolution, and strengthen governance and monitoring.

An average of 50 regional courts dedicated to sexual offences finalised 5 300 cases in 2008/09, with a 66.7 per cent conviction rate against the 70 per cent target. In the first half of 2009/10, 2 195 cases were finalised, with a 69.9 per cent conviction rate. 8 more Thuthuzela care centres were established in 2008/09, bringing the total to 17. In 2009/10, preparations were under way to bring the number of Thuthuzela care centres to 20.

In 2008/09, the specialised commercial crime unit disposed of 3 529 cases, with a conviction rate of 93.7 per cent against a target of 94 per cent. In the first half of 2009/10, the unit disposed of 1 703 cases, and maintained its conviction rate of 93.8 per cent against its targeted 94 per cent.

In 2008/09, the Office for Witness Protection had 431 witnesses, including family members, on the programme, with no witnesses or family members harmed or threatened. The definition of a walk off was amended in 2008/09 to include all people that voluntarily left the programme before testifying, were given notice to leave the programme due to misconduct, or who left the safe house without prior notice. Under the new definition, 16.9 per cent of witnesses walked off the programme in 2008/09 against a target of zero. In the first half of 2009/10, 19.2 per cent of witnesses walked off. Witness fees and allowances remain a challenge and the biggest contributor to the increase in walk offs in the current economic environment.

In 2008/09, the asset forfeiture unit obtained 275 orders to restrain assets to the value of approximately R320.2 million, and 277 cases to the value of R271.5 million were finalised. R65.9 million was paid into the criminal assets recovery account. The unit achieved a success rate of 86.5 per cent in 2008/09. In the first half of 2009/10, the unit obtained 148 new freezing orders to the value of R365.9 million, exceeding the annual target of R360 million. 130 cases to the value of R134.9 million were finalised. The unit achieved a success rate of 86.5 per cent against a target of 86 per cent.

Expenditure estimates

Table 23.7 National Prosecuting Authority

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
R million							
Public Prosecutions	1 000.0	1 183.9	1 427.9	1 708.2	1 748.2	1 856.7	1 953.6
Office for Witness Protection	63.4	79.6	103.6	128.0	127.8	135.1	141.6
Asset Forfeiture Unit	49.0	59.8	64.5	73.7	81.8	86.7	91.1
Support Services	309.3	396.4	330.9	472.2	481.8	508.3	532.0
Total	1 421.7	1 719.7	1 926.9	2 382.2	2 439.6	2 586.8	2 718.3
Change to 2009 Budget estimate				(97.8)	(178.7)	(190.8)	(198.3)

Table 23.7 National Prosecuting Authority (continued)

R million	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Economic classification							
Current payments	1 403.7	1 675.9	1 919.4	2 354.5	2 420.0	2 565.9	2 696.4
Compensation of employees	984.6	1 142.2	1 454.0	1 773.0	1 826.3	1 941.2	2 044.0
Goods and services	419.1	533.7	465.4	581.5	593.1	624.1	651.8
<i>of which:</i>							
Computer services	37.0	35.5	47.7	36.9	37.9	39.8	41.6
Lease payments	83.4	121.3	103.8	165.2	168.2	177.0	184.8
Property payments	23.3	37.3	33.8	41.0	42.2	44.4	46.3
Travel and subsistence	60.4	83.9	81.5	84.1	81.2	85.5	89.3
Interest and rent on land	–	–	–	–	0.6	0.6	0.7
Transfers and subsidies	3.1	2.8	4.9	9.4	9.6	10.4	11.0
Provinces and municipalities	1.1	–	–	–	–	–	–
Departmental agencies and accounts	–	–	1.1	1.4	1.5	1.6	1.6
Households	2.0	2.8	3.8	7.9	8.1	8.9	9.3
Payments for capital assets	14.8	40.1	2.3	17.8	10.0	10.5	11.0
Buildings and other fixed structures	–	0.1	–	–	–	–	–
Machinery and equipment	14.8	37.9	2.3	16.0	10.0	10.5	11.0
Software and other intangible assets	–	2.1	0.0	1.8	–	–	–
Payments for financial assets	0.1	0.9	0.3	0.6	–	–	–
Total	1 421.7	1 719.7	1 926.9	2 382.2	2 439.6	2 586.8	2 718.3

Details of selected transfers and subsidies

Departmental agencies and accounts							
Departmental agencies (non-business entities)							
Current							
Safety and Security Sector Education and Training Authority	–	–	1.1	1.4	1.5	1.6	1.6

Expenditure trends

Expenditure increased at an average annual rate of 18.8 per cent between 2006/07 and 2009/10, rising from R1.4 billion in 2006/07 to R2.4 billion in 2009/10. This was to provide for the carry through costs of appointing at least 2 prosecutors per court to reduce criminal case backlogs and of the occupation specific dispensation for legally qualified professionals.

Over the medium term, expenditure is expected to increase marginally to R2.7 billion at an average annual rate of 4.5 per cent, and will be focused on the appointment of additional prosecutors and the implementation of a project to reduce criminal case backlogs. The largest subprogramme, *Public Prosecutions*, accounts for an average of 71.8 per cent of the programme's budget over the medium term. It increases from R1.7 billion in 2009/10 to R2 billion in 2012/13 at an average annual rate of 4.6 per cent, due to allocations for the appointment of prosecutors and the implementation of job evaluation results. This is, however, slower than the 19.5 per cent growth rate between 2006/07 and 2009/10. Expenditure on compensation of employees is expected to increase at an average annual rate of 4.9 per cent over the medium term, rising from R1.8 billion in 2009/10 to R2 billion in 2012/13 to cater mainly for expected increases in salary costs. Spending on payments for capital assets increased by a significant 666 per cent, from R2.3 million in 2006/07 to R17.8 million in 2009/10, due to the once-off purchase of computer and other IT equipment.

Programme 5: Auxiliary and Associated Services

- *Office for the Control of Interception and Monitoring of Communication* funds this office, which authorises applications by law enforcement agencies for intercepting and monitoring communications in terms of the relevant legislation.
- *South African Human Rights Commission* funds this commission, which promotes and monitors the observance of human rights in South Africa.
- *Special Investigating Unit* funds this unit, which provides professional forensic investigating and litigation services to all state institutions at national, provincial and local levels to combat maladministration, corruption and fraud and to protect state assets and public money.
- *Legal Aid Board* funds this board, which provides legal aid to indigent people and legal representation at the state's expense, as set out in the Constitution.
- *Office of the Public Protector* funds this office, which investigates any alleged improper conduct in state affairs, public administration, or any sphere of government, or conduct which results in any impropriety or prejudice.
- *Justice Modernisation* designs and implements IT infrastructure and networks to re-engineer business processes for the administration of civil and criminal justice in the integrated justice system.
- *President's Fund* provides funding to give effect to the reparations policy flowing from the findings of the Truth and Reconciliation Commission.
- *Represented Political Parties' Fund* provides for funding for political parties participating in Parliament and provincial legislatures.

Service delivery focus

Since 1998/99, R800 million has been appropriated by Parliament to the President's Fund. Payments to beneficiaries began in 2003/04 and by the end of 2008/09, R527 million had been paid to 15 913 beneficiaries.

In 2008/09, 2 430 digital court recording systems were installed to replace the outdated analogue recording equipment in courts. Since 2008/09, 4 721 employees have had access to the e-scheduler system, which tracks and evaluates case flow management on a daily basis in each court across the country. In 2008/09, 2 897 desktop computers were renewed at 109 sites, 336 desktop computers were deployed to new users and 2 136 printers were renewed at 217 sites. In the same year, 47 courts and 22 correctional centres were identified for the implementation of the video remand solution.

Over the medium term, this programme will be incorporated into the review of the criminal justice system to ensure the interconnectivity of IT systems between various justice role players.

Expenditure estimates

Table 23.8 Auxiliary and Associated Services

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
R million							
Office for the Control of Interception and Monitoring of Communication	0.1	0.1	0.1	0.6	0.6	0.6	0.7
South African Human Rights Commission	49.2	55.3	60.6	70.1	73.5	82.9	88.9
Special Investigating Unit	55.6	103.1	116.3	154.7	165.8	178.0	181.3
Legal Aid Board	501.4	613.0	838.1	848.4	991.9	1 081.4	1 112.8
Office of the Public Protector	68.3	78.8	86.5	108.9	112.8	124.6	132.7
Justice Modernisation	198.6	302.0	321.8	506.7	379.2	402.1	426.8
President's Fund	–	–	–	0.0	0.0	0.0	0.0
Represented Political Parties Fund	79.4	83.4	88.2	92.8	98.1	104.0	109.2
Total	952.6	1 235.6	1 511.6	1 782.2	1 821.9	1 973.7	2 052.4
Change to 2009 Budget estimate				124.0	(98.1)	(73.7)	(106.0)

Table 23.8 Auxiliary and Associated Services (continued)

R million	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Economic classification							
Current payments	180.7	243.4	312.0	469.4	359.9	381.4	406.1
Compensation of employees	0.6	0.1	0.1	0.5	0.5	0.5	0.6
Goods and services	180.1	243.3	311.9	469.0	359.4	380.9	405.5
of which:							
Computer services	148.0	160.7	233.3	371.6	300.2	318.1	338.7
Travel and subsistence	1.1	0.3	0.0	0.4	0.5	0.5	0.6
Transfers and subsidies	753.4	933.5	1 189.7	1 274.9	1 442.1	1 570.9	1 624.9
Departmental agencies and accounts	753.4	933.5	1 189.7	1 274.9	1 442.1	1 570.9	1 624.9
Payments for capital assets	18.5	58.7	9.9	37.9	19.9	21.3	21.4
Machinery and equipment	16.2	58.7	9.9	37.9	19.9	21.3	21.4
Software and other intangible assets	2.3	–	–	–	–	–	–
Total	952.6	1 235.6	1 511.6	1 782.2	1 821.9	1 973.7	2 052.4

Details of selected transfers and subsidies

Departmental agencies and accounts							
Departmental agencies (non-business entities)							
Current	753.4	933.5	1 189.7	1 274.9	1 442.1	1 570.9	1 624.9
Legal Aid Board	501.4	613.0	838.1	848.4	991.9	1 081.4	1 112.8
Office of the Public Protector	67.8	78.7	86.5	108.9	112.8	124.6	132.7
Represented Political Parties Fund	79.4	83.4	88.2	92.8	98.1	104.0	109.2
South African Human Rights Commission	49.2	55.3	60.6	70.1	73.5	82.9	88.9
Special Investigating Unit	55.6	103.1	116.3	154.7	165.8	178.0	181.3

Expenditure trends

Spending in this programme is dominated by transfer payments to several departmental agencies. Expenditure increased at an average annual rate of 23.2 per cent between 2006/07 and 2009/10, rising from R952.6 million to R1.8 billion. This was due to additional funding for justice modernisation and capacity in the independent bodies, also evident in the increases of 261.8 per cent in machinery and equipment and 23.9 per cent in transfers and subsidies in 2007/08. The increase of 22.3 per cent in total programme spending between 2007/08 and 2008/09 was due to funding for implementing improved conditions of service for legally qualified personnel at the Legal Aid Board.

Over the medium term, the budget is expected to grow at an average annual rate of 4.8 per cent to reach R2.1 billion in 2012/13. This is mainly for improved capacity and office accommodation at the South African Human Rights Commission and the appointment of additional public defenders to the Legal Aid Board. The growth also provides for the expected 8.4 per cent increase in spending on transfers and subsidies, from R1.3 billion in 2009/10 to R1.6 billion in 2012/13.

Goods and services spending increased at an average annual rate of 37.6 per cent between 2006/07 and 2009/10 due to ongoing allocations to the integrated justice system programme, which aims to provide speedy business productivity solutions enabled by IT.

Public entities and constitutional institutions**Legal Aid Board****Strategic overview: 2006/07 – 2012/13**

The Legal Aid Board was established in terms of section 2 of the Legal Aid Act (1969) to provide legal aid to indigent people and legal representation at the state's expense to eligible people, in terms of the Constitution. The board provides services in all regional, district and high courts through its extended network. Its role is to

provide independent and impartial legal aid, with the intention of improving justice and public confidence in the law and the administration of justice.

The board uses five broad channels to fulfil its mandate: justice centres, cooperation agreements, judicare, special litigation, and other cost effective and efficient ways to provide legal assistance. It provides legal aid primarily through the legal practitioners it employs at its justice centres. Its national network includes 62 fully functional justice centres (compared to only 59 in 2007/08), 13 high court units and 55 satellite offices.

The board's strategic objectives are: to increase access to independent legal services (civil and criminal), especially for rural and remote communities; to protect vulnerable groups; and to promote alternative dispute resolution and restorative justice. It has identified the following priority groups: children in civil matters; every detained person, including sentenced prisoners; every accused person who wishes to appeal or review a court decision in a higher court; women, particularly in divorces, maintenance and domestic violence cases; and the landless, especially eviction cases.

Over the medium term, it remains critical that communities receive increased public education on their rights and responsibilities, and on how to access services. The Legal Aid Board will continue to participate in the criminal justice cluster initiatives, and will see to the implementation of the actions emerging from the criminal justice system review. The quality of legal services is important, and the institution will increase its focus on improving turnaround times for trials, improving coordination between stakeholders at the local court level, focusing participation in cluster forums and other professional structures, and supporting the independence of the judiciary.

Savings and cost effective service delivery

Efficiency savings of R34.3 million were identified in the Legal Aid Board's budget for 2012/13. The board intends to maintain operating expenditure at a zero growth rate, reduce spending on incentive bonuses and lower its judicare budget, which means that any additional matters will be dealt with by in-house legal practitioners.

Selected performance indicators

Table 23.9 Legal Aid Board

Indicator	Programme/Activity	Past				Current	Projections		
		2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	1011/12	2012/13
Number of new legal matters	National operations	340 224	358 883	396 068	434 922	439 271	443 664	448 101	452 582
Number of new legal matters finalised: - criminal - civil	National operations	303 126	346 497	399 738	400 310	404 313	408 356	412 440	416 564
		270 206	308 727	359 124	368 201	371 968	375 688	379 445	383 239
		(79%) 32 920 (21%)	(86%) 37 770 (14%)	(90%) 40 614 (10%)	(92%) 32 109 (8%)	(92%) 32 345 (8%)	(92%) 32 668 (8%)	(92%) 32 995 (8%)	(92%) 33 325 (8%)
Annual acquittal rate (including withdrawals)	National operations	-	-	-	22% (87 769)	22% (88 949)	22% (89 838)	22% (90 737)	22% (91 644)
Annual ratio of legal aid practitioners per district court	National operations	-	-	0.91:1	0.91:1	1.1	1.1	1.1	1.1
Annual ratio of legal aid practitioners per regional court	National operations	-	-	1.17:1	1.17:1	1.18:1	1.20:1	1.25:1	1.25:1

Service delivery focus

The Legal Aid Board met all its legal services delivery targets for 2008/09. The number of new cases dealt with increased by 38 854, from 396 068 in 2007/08 to 434 922 in 2008/09. This is 39 703 cases more than the target. The number of new matters for the first half of 2009/10 (210 165) exceeded the target for the same period (202 157). Cases finalised increased from 399 738 in 2007/08 to 400 310 in 2008/09 against a target of 324 534. The number of finalised matters (193 608) in the first half of 2009/10 is above the target.

In 2008/09, 39 989 children were assisted in criminal matters and 5 279 in civil matters. The number of automatic reviews in courts continues to decrease steadily, from 12 019 in 2007/08 to 10 597 in 2008/09.

In the first half of 2009/10, the ratio of legal aid practitioners per district court was on target at 1:1, while the ratio for regional courts was 1.18:1, also on target.

Over the medium term, the board's focus will be to increase the number of criminal and civil matters finalised, thus increasing access to justice. This will be achieved by maintaining the ratio of legal aid practitioners per district at 1:1, while for regional courts the ratio will be increased to 1.25:1 in 2012/13.

Expenditure estimates

Table 23.10 Legal Aid Board: Programme information

R million	Audited outcome			Revised estimate	Medium-term estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Compensation of employees	310.5	402.9	609.7	657.7	719.3	793.3	817.4
Judicare	92.6	83.4	87.7	78.3	78.3	81.8	85.1
Cooperation agreements	4.8	4.7	3.4	4.2	7.5	7.8	8.1
Impact Litigation	2.1	2.7	4.0	3.2	5.3	5.5	5.8
Civil Disbursement	1.6	1.6	2.0	2.9	1.5	1.6	1.7
Other programmes	122.1	129.1	144.2	188.0	196.0	207.4	210.7
Total expense	533.7	624.3	851.1	934.2	1 007.9	1 097.4	1 128.8

Table 23.11 Legal Aid Board: Financial information

Statement of financial performance R million	Audited outcome			Revised estimate	Medium-term estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Revenue							
Non-tax revenue	17.4	26.3	34.2	16.0	16.0	16.0	16.0
<i>Other non-tax revenue</i>	17.4	26.3	34.2	16.0	16.0	16.0	16.0
Transfers received	501.4	613.0	838.1	918.2	991.9	1 081.4	1 112.8
Total revenue	518.8	639.3	872.3	934.2	1 007.9	1 097.4	1 128.8
Expenses							
Current expense	533.7	624.3	851.1	934.2	1 007.9	1 097.4	1 128.8
Compensation of employees	310.5	402.9	609.7	664.2	725.8	797.1	821.4
Goods and services	208.4	203.7	225.1	250.9	261.7	279.1	290.5
Depreciation	14.7	17.5	16.0	19.1	20.4	21.2	16.9
Interest, dividends and rent on land	0.1	0.2	0.2	–	–	–	–
Total expenses	533.7	624.3	851.1	934.2	1 007.9	1 097.4	1 128.8
Surplus / (Deficit)	(14.9)	15.1	21.2	–	–	–	–
Statement of financial position							
Carrying value of assets	45.3	63.4	97.6	103.2	99.9	97.7	98.1
<i>of which: Acquisition of assets</i>	13.6	36.0	47.7	26.1	19.8	21.8	20.3
Receivables and prepayments	4.6	3.8	3.7	4.8	6.3	8.2	8.6
Cash and cash equivalents	212.5	252.0	230.7	226.1	214.8	204.0	203.9
Assets not classified elsewhere	0.7	0.9	1.3	0.9	0.9	0.9	1.0
Total assets	263.2	320.1	333.3	335.0	321.9	310.9	311.6
Accumulated surplus/deficit	125.3	142.4	164.9	164.8	164.8	164.8	164.8
Borrowings	0.9	1.0	2.0	2.1	1.2	0.8	0.4
Post-retirement benefits	1.1	1.1	1.1	1.1	1.2	1.2	1.2
Trade and other payables	30.9	47.0	32.4	27.8	29.7	32.2	33.8
Provisions	105.1	128.6	132.9	139.2	125.0	111.9	111.3
Total equity and liabilities	263.2	320.1	333.3	335.0	321.9	310.9	311.6

Expenditure trends

The Legal Aid Board receives transfers from government through the Department of Justice and Constitutional Development, and has been allocated R991.1 million, R1.1 billion and R1.1 billion over the medium term. This is the board's main source of revenue, supplemented only by interest income. Total revenue is expected to grow at an average annual rate of 6.5 per cent, from R934.2 million to R1.1 billion between 2009/10 and 2012/13.

Expenditure is expected to increase over the medium term at an average annual rate of 6.5 per cent, rising from R934.2 million in 2009/10 to R1.1 billion in 2012/13. Compensation of employees spending is set to increase as a proportion of total expenditure, mainly due to the board's strategy to reduce the outsourcing of legal representation. This is expected to be achieved by appointing more staff and implementing the occupational specific dispensation for legally qualified professionals. The increases of 22.3 per cent in 2007/08 and 36.7 per cent in 2008/09 on transfers received were for this reason.

The 2010 Budget provides additional allocations of R13.6 million in 2010/11, R35.9 million in 2011/12 and R47 million in 2012/13 for the carry through costs in compensation of employees of salary wage agreements and the appointment of additional public defenders. The deficit realised in 2006/07 was due to depreciation, which was a non-cash item.

Additional tables

Table 23.A Summary of expenditure trends and estimates per programme and economic classification

Programme	Appropriation		Audited outcome	Appropriation			Revised estimate
	Main	Adjusted		Main	Additional	Adjusted	
	2008/09		2008/09	2009/10			2009/10
R million							
1. Administration	941.1	967.8	1 203.2	1 041.8	395.0	1 436.8	1 402.8
2. Court Services	3 371.6	3 342.5	3 077.5	3 911.1	(386.5)	3 524.6	3 557.1
3. State Legal Services	503.2	503.2	525.3	569.9	25.2	595.1	571.0
4. National Prosecuting Authority	2 122.7	2 115.5	1 926.9	2 178.2	204.0	2 382.2	2 365.2
5. Auxiliary and Associated Services	1 402.8	1 586.6	1 511.6	1 610.0	172.3	1 782.2	1 777.2
Subtotal	8 341.4	8 515.5	8 244.4	9 311.1	409.9	9 721.0	9 673.3
Direct charge against the National Revenue Fund	1 389.3	1 588.0	1 601.1	1 669.7	-	1 669.7	1 671.7
Judges' salaries	370.3	1 588.0	504.8	404.8	99.0	503.7	505.7
Magistrates' salaries	1 019.0	-	1 096.3	1 264.9	(99.0)	1 166.0	1 166.0
Total	9 730.8	10 103.5	9 845.5	10 980.8	409.9	11 390.7	11 345.0
Economic classification							
Current payments	8 059.6	8 219.9	8 093.4	8 953.0	471.4	9 424.4	9 349.4
Compensation of employees	5 194.3	5 392.7	5 326.2	5 921.7	355.5	6 277.1	6 233.7
Goods and services	2 865.3	2 827.2	2 767.2	3 031.4	115.9	3 147.3	3 115.3
Interest and rent on land	-	-	-	-	-	-	0.4
Transfers and subsidies	1 150.7	1 334.7	1 266.2	1 358.2	23.9	1 382.1	1 412.4
Departmental agencies and accounts	1 061.7	1 245.5	1 193.8	1 260.0	21.0	1 281.0	1 281.0
Foreign governments and international organisations	4.2	4.2	5.1	4.5	-	4.5	4.5
Non-profit institutions	-	-	-	-	2.7	2.7	2.7
Households	84.8	84.9	67.4	93.8	0.3	94.0	124.3
Payments for capital assets	520.5	549.0	482.2	669.5	(86.0)	583.6	581.0
Buildings and other fixed structures	368.3	423.2	416.8	445.8	-	445.8	445.8
Machinery and equipment	142.8	121.4	65.2	213.9	(78.1)	135.8	135.2
Software and other intangible assets	9.4	4.4	0.2	9.8	(7.9)	1.9	-
Payments for financial assets	-	0.0	3.7	-	0.6	0.6	2.2
Total	9 730.8	10 103.5	9 845.5	10 980.8	409.9	11 390.7	11 345.0

Table 23.B Detail of approved establishment and personnel numbers according to salary level ¹

Department	Personnel post status as at 30 September 2009			Number of personnel posts filled / planned for on funded establishment						
	Number of posts on approved establishment	Number of funded posts	Number of posts additional to the establishment	Actual			Mid year ²	Medium-term estimate		
				2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Department	23 479	21 707	241	19 348	21 309	21 517	20 992	21 978	22 470	23 143
Salary level 1 – 6	12 676	12 318	90	11 109	12 137	12 227	12 158	12 494	12 590	12 726
Salary level 7 – 10	7 404	6 572	131	6 299	6 637	6 518	6 291	6 943	7 236	7 627
Salary level 11 – 12	2 813	2 302	11	1 481	1 967	1 792	2 090	2 077	2 159	2 271
Salary level 13 – 16	586	515	9	459	568	980	453	464	485	519
Administration	1 157	1 159	7	764	764	942	816	985	1 011	1 234
Salary level 1 – 6	321	321	1	242	242	254	246	294	299	334
Salary level 7 – 10	547	549	6	379	379	459	412	475	488	570
Salary level 11 – 12	199	199	-	87	87	157	96	139	141	219
Salary level 13 – 16	90	90	-	56	56	72	62	77	83	111

Table 23.B Detail of approved establishment and personnel numbers according to salary level ¹ (continued)

	Personnel post status as at 30 September 2009			Number of personnel posts filled / planned for on funded establishment						
	Number of posts on approved establishment	Number of funded posts	Number of posts additional to the establishment	Actual			Mid year ²	Medium-term estimate		
				2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Court Services	14 255	14 255	76	13 162	14 312	14 204	13 934	13 934	13 934	13 934
Salary level 1 – 6	10 624	10 624	33	9 827	10 702	10 624	10 524	10 524	10 524	10 524
Salary level 7 – 10	3 191	3 191	37	2 974	3 249	3 219	3 049	3 049	3 049	3 049
Salary level 11 – 12	353	353	3	282	282	282	282	282	282	282
Salary level 13 – 16	87	87	3	79	79	79	79	79	79	79
State Legal Services	1 990	1 999	8	1 459	1 601	1 679	1 775	1 914	1 917	1 922
Salary level 1 – 6	771	777	6	562	592	627	657	762	762	762
Salary level 7 – 10	628	630	2	458	478	513	582	609	609	609
Salary level 11 – 12	477	477	–	361	428	435	433	451	453	457
Salary level 13 – 16	114	115	–	78	103	104	103	92	93	94
National Prosecuting Authority	6 075	4 292	148	3 961	4 630	4 690	4 465	5 143	5 606	6 051
Salary level 1 – 6	960	596	50	478	601	722	731	914	1 005	1 106
Salary level 7 – 10	3 036	2 200	84	2 486	2 529	2 325	2 246	2 808	3 088	3 397
Salary level 11 – 12	1 784	1 273	8	751	1 170	918	1 279	1 205	1 283	1 313
Salary level 13 – 16	295	223	6	246	330	725	209	216	230	235

1. Data has been provided by the department and may not necessarily reconcile with official government personnel data.

2. As at 30 September 2009.

Table 23.C Summary of expenditure on training

	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Compensation of employees (R million)	2 632.9	3 183.0	3 874.0	4 638.2	4 987.1	5 358.9	5 830.3
Training expenditure (R million)	12.4	18.3	37.5	86.4	78.9	83.6	89.4
Training as percentage of compensation	0.5%	0.6%	1.0%	1.9%	1.6%	1.6%	1.5%
Total number trained in department (head count)	20 842	12 082	12 142	–			
<i>of which:</i>							
Employees receiving bursaries (head count)	1 165	1 173	–	–			
Learnerships trained (head count)	56	–	111	–			
Internships trained (head count)	125	95	100	–			

Table 23.D Summary of departmental public private partnership (PPP) projects

Project description: Management of monies in trust	Project annual unitary fee at time of contract	Budgeted expenditure	Medium-term expenditure estimate			
			2009/10	2010/11	2011/12	2012/13
R million						
Projects in preparation, registered in terms of Treasury Regulation 16¹	–	109.0	110.4	113.9	119.7	
PPP unitary charge	–	109.0	110.4	113.9	119.7	
Total	–	109.0	110.4	113.9	119.7	

1. Only projects that have received Treasury Approval: 1.

Table 23.E Summary of expenditure on infrastructure

Project name	Service delivery outputs	Current project stage	Total project cost	Audited outcome			Adjusted appropriation 2009/10	Medium-term expenditure estimate		
				2006/07	2007/08	2008/09		2010/11	2011/12	2012/13
R million										
Departmental infrastructure										
Soweto magistrate office	New magistrate office	Feasibility	330.0	-	7.3	-	-	-	-	-
Justice college	New comprehensive Judicial training centre	Feasibility	221.5	-	-	-	-	-	-	-
Nelspruit high court	New high court in Mpumalanga	Feasibility	210.0	-	1.0	-	14.8	35.8	217.3	-
Polokwane high court	New high court in Limpopo	Tender	210.0	-	1.0	-	35.5	102.3	28.1	-
Nkuzuma magistrate office	New magistrate office	Tender	190.4	6.6	1.0	-	20.8	54.7	-	-
Port Shepstone magistrate office	New magistrate office	Design	93.9	-	0.5	-	11.9	19.9	77.2	81.3
Johannesburg high court	Additional 5 floors to the existing high court accommodation	Construction	200.2	8.0	2.6	18.5	11.6	47.6	37.4	226.1
Phase 2 of accessibility programme	Extension of the accessibility programme to cover other disability disciplines	Feasibility	70.0	-	-	54.9	7.2	11.3	-	-
Upgrading, refurbishment and renovations of various court buildings	Upgrade, refurbishment and renovations	Various	-	60.5	108.0	-	25.3	27.1	-	-
Orlando magistrate office in New Canada	New magistrate office	Feasibility	105.0	-	-	-	-	-	5.8	91.6
Kathlehong magistrate office	New magistrate office	Construction	97.9	-	-	7.3	7.2	45.7	29.6	101.4
Mamelodi magistrate office	New magistrate office	Tender	89.8	11.6	1.0	9.3	4.4	20.9	19.1	56.0
Orange Farm magistrate office	New magistrate office	Feasibility	63.0	-	-	-	-	-	-	-
Booyens magistrate office	New magistrate office	Design	56.0	-	-	-	12.7	-	-	-
Galeshewe magistrate office	New magistrate office	Construction	54.6	-	-	29.6	14.1	-	-	-
Goodwood magistrate office	New magistrate office	Feasibility	53.6	-	-	-	-	-	-	-
Hermanus magistrate office	New magistrate office	Feasibility	40.6	-	0.5	-	-	-	-	-
Diepsloot magistrate office	New magistrate office	Feasibility	39.6	-	-	-	-	-	-	-
Richard's Bay magistrate office	New magistrate office	Design	39.5	-	-	-	1.3	37.4	18.2	-
Letlhabile magistrate office	New magistrate office	Feasibility	37.0	-	-	-	-	-	-	-
Simunye magistrate office	New magistrate office	Feasibility	35.0	4.3	0.2	-	-	-	-	-
Springbok magistrate office	New magistrate office	Feasibility	42.2	-	0.2	-	-	-	-	-
Witbank magistrate office	New magistrate office	Feasibility	33.7	-	-	-	-	-	-	-

Table 23.E Summary of expenditure on infrastructure (continued)

Project name	Service delivery outputs	Current project stage	Total project cost	Audited outcome			Adjusted appropriation 2009/10	Medium-term expenditure estimate		
				2006/07	2007/08	2008/09		2010/11	2011/12	2012/13
R million										
Departmental infrastructure										
Kagiso magistrate office	New magistrate office	Construction	33.4	-	19.3	11.0	7.5	5.0	-	-
Colesberg magistrate office	New magistrate office	Handed over	31.3	-	11.6	10.7	6.5	-	-	-
Plettenberg Bay magistrate office	New magistrate office	Design	31.2	-	-	-	1.3	5.9	41.7	-
Jan Kempdorp magistrate office	New magistrate office	Design	23.4	-	-	2.5	-	0.1	11.7	115.9
Hankey magistrate office	New magistrate office	Construction	15.8	3.6	0.5	2.5	8.3	3.7	1.0	-
Tsakane magistrate office	New magistrate office	Construction	13.1	-	-	2.3	1.7	0.6	-	-
Elangala magistrate office	New magistrate office	Construction	13.0	-	10.0	9.1	4.0	0.3	-	-
Garies magistrate office	New magistrate office	Design	8.5	-	0.3	1.3	-	1.2	6.0	-
Ashton periodical court	New periodical court	Construction	6.5	-	3.3	1.0	5.0	-	-	-
Lohair periodical court	New periodical court	Design	6.0	-	0.8	1.5	-	1.1	1.9	-
Lutzville periodical court	New periodical court	Construction	5.9	-	-	1.1	4.4	0.6	-	-
Davel periodical court	New periodical court	Feasibility	5.8	-	0.8	-	-	-	-	24.3
Blyth periodical court	New periodical court	Design	5.7	-	1.0	0.8	0.0	4.9	4.0	-
Chrissiesmeer magistrate office	New magistrate office	Feasibility	5.7	-	-	-	-	-	-	-
Grooivlei periodical court	New periodical court	Feasibility	4.8	-	-	-	-	-	-	-
Keimons magistrate office	New magistrate office	Design	4.6	-	0.3	-	-	-	5.4	5.0
Dimbaza periodical court	New periodical court	Design	4.3	-	1.0	2.8	135.0	85.7	5.7	-
Tsineng magistrate office	New magistrate office	Feasibility	4.2	-	-	-	-	-	-	-
Glead periodical court	New periodical court	Feasibility	4.1	-	-	-	-	-	-	-
Ngombe magistrate office	New magistrate office	Feasibility	2.8	-	0.3	-	-	0.4	1.9	-
Bloemfontein Supreme Court of Appeal	Additional accommodation	Construction	101.4	-	-	12.5	11.1	5.9	-	-
Pietermaritzburg masters office in the Colonial Building	Additional accommodation	Construction	77.7	-	13.0	8.4	42.1	17.5	-	-
Mitchells Plain magistrate office	Additional accommodation	Construction	33.0	4.5	20.1	2.9	-	-	-	-
Butterworth magistrate office	Additional accommodation	Construction	33.0	-	-	5.7	29.0	3.3	-	-
Stanger magistrate office	Additional accommodation	Construction	26.5	-	-	18.2	4.0	0.7	-	-
Soshanguve magistrate office	Additional accommodation	Design	22.7	-	1.0	1.1	-	5.9	4.2	1.0
Port Elizabeth high court	Additional accommodation	Design	21.3	4.0	-	-	0.6	1.3	32.0	134.5
Thembalethu magistrate office	Additional accommodation	Construction	18.7	-	-	3.3	8.4	0.7	-	-
Humansdorp magistrate office	Additional accommodation	Design	14.5	-	1.3	-	0.0	0.7	7.3	6.1
Bredasdorp magistrate office	Additional accommodation	Construction	14.0	-	-	13.5	3.4	-	-	-

Table 23.E Summary of expenditure on infrastructure (continued)

Project name	Service delivery outputs	Current project stage	Total project cost	Audited outcome			Adjusted appropriation 2009/10	Medium-term expenditure estimate	
				2006/07	2007/08	2008/09		2010/11	2011/12
R million									
Departmental infrastructure									
Umzimkhulu magistrate office	Additional accommodation	Feasibility	12.9	-	-	-	-	-	-
Calvinia magistrate office	Additional accommodation	Design	12.7	-	-	-	0.6	6.8	-
KwaMbonambi periodical court	Additional accommodation	Design	11.8	-	-	0.0	0.5	1.4	4.6
Tsolo magistrate office	Additional accommodation	Feasibility	10.4	-	-	-	-	-	-
Sundumbili magistrate office	Additional accommodation	Feasibility	9.5	-	1.2	6.9	-	-	-
Nqamakwe magistrate office	Additional accommodation	Feasibility	8.9	-	-	0.2	-	-	-
Umtata magistrate office	Additional accommodation	Design	8.5	-	-	0.3	-	-	-
Cala magistrate office	Additional accommodation	Design	8.1	-	-	5.6	-	1.0	3.3
Tarkastad magistrate office	Additional accommodation	Construction	7.6	-	-	6.1	4.3	0.6	-
Schweizer Reneke magistrate office	Additional accommodation	Construction	7.3	-	-	7.1	1.0	1.4	-
Danielskuil periodical court	Additional accommodation	Construction	5.8	-	-	5.6	1.9	0.9	-
Nyoni periodical court	Additional accommodation	Design	5.5	-	-	4.1	0.0	1.4	4.7
Willowmore magistrate office	Additional accommodation	Feasibility	5.5	-	-	4.0	-	-	3.6
Wolmaransdorp magistrate office	Additional accommodation	Design	5.4	-	-	4.0	0.5	1.9	4.2
Bisho high court	Additional accommodation	Design	5.3	-	-	-	-	0.2	3.1
Mount Ayliff magistrate office	Additional accommodation	Design	5.1	-	-	3.7	-	-	-
Idutywa magistrate office	Additional accommodation	Feasibility	5.1	-	-	3.7	-	-	-
Barkley East magistrate office	Additional accommodation	Feasibility	4.9	-	-	-	-	0.6	2.0
Whittesee magistrate office	Additional accommodation	Feasibility	4.7	-	-	-	-	3.5	16.9
Grahamstown magistrate office	Additional accommodation	Feasibility	4.5	-	-	3.2	-	1.3	0.4
Christianna magistrate office	Additional accommodation	Design	4.1	-	-	3.0	0.1	0.6	5.8
Fraserburg magistrate office	Additional accommodation	Feasibility	3.2	-	-	2.4	-	0.2	1.8
Dundee magistrate office	Additional accommodation	Feasibility	3.1	-	-	-	-	-	-
Deben periodical court	Additional accommodation	Handed over	3.1	-	-	3.1	0.5	-	-
Umbumbulu magistrate office	Additional accommodation	Design	2.6	-	-	2.1	0.8	1.0	7.7
Highfats periodical court	Additional accommodation	Feasibility	1.4	-	-	-	-	-	0.9
Swellendam magistrate office	Additional accommodation	Feasibility	8.0	-	-	-	-	-	-
Riversdale magistrate office	Additional Accommodation	Tender	7.5	-	-	0.3	0.9	2.2	4.3

Table 23.E Summary of expenditure on infrastructure (continued)

Project name R million	Service delivery outputs	Current project stage	Total project cost	Audited outcome			Adjusted appropriation 2009/10	Medium-term expenditure estimate		
				2006/07	2007/08	2008/09		2010/11	2011/12	2012/13
Departmental infrastructure										
Galvendale magistrate office	Additional accommodation	Construction	12.0	-	-	-	8.2	8.4	1.3	
Various smaller courts	Upgrading of courts	Construction	-	-	-	-	-	-	-	
Katlehong magistrate office	Upgrading of courts	Various	-	4.8	5.0	-	-	-	-	
Mamelodi magistrate office	Upgrading of courts	Various	-	11.6	1.0	-	-	-	-	
Pietermaritzburg magistrate office	Upgrading of courts	Various	-	5.7	16.2	-	-	-	-	
Bloemfontein appeal court	Upgrading of courts	Various	-	3.6	21.7	21.7	-	-	-	
Galeshewe branch court	Upgrading of courts	Various	-	9.2	12.1	-	-	-	-	
Cianwilliam magistrate office	Upgrading of courts	Various	-	5.6	7.0	-	-	-	-	
Mothenwell magistrate office	Upgrading of courts	Various	-	7.3	3.3	-	-	-	-	
Vulindlela branch court	Upgrading of courts	Various	-	-	0.2	-	-	-	-	
Vosman branch court	Upgrading of courts	Various	-	-	0.2	-	-	-	-	
Soweto	Upgrading and additional accommodation for courts	Various	-	7.3	6.0	-	-	-	-	
Madadeni magistrate office	Upgrading of courts	Various	-	9.2	3.0	-	-	-	-	
Cape Town	Upgrading and additional accommodation for courts	Various	-	1.4	9.0	-	-	-	-	
Richmond Northern Cape magistrate office	Upgrading of courts	Various	-	-	2.3	-	-	-	-	
Nogeleni magistrate Office	Upgrading of courts	Various	-	-	-	5.2	2.0	-	-	
Infrastructure transfers to other spheres, agencies and departments										
Transfers to National Prosecuting Authority	Upgrade, refurbishment and renovations	Various	76.0	-	-	-	25.0	-	-	
Maintenance										
Various courts	Upgrading of various smaller courts	Feasibility	201.6	-	-	37.3	23.6	45.1	132.8	
Repairs and maintenance	Upgrading of various smaller courts	Feasibility	-	155.1	65.2	38.3	-	-	-	
Phase 2 of accessibility programme	Upgrading of various smaller courts	Various	-	-	-	54.9	7.2	11.3	-	
Total			3 378.7	323.7	361.1	479.5	515.5	631.5	759.4	865.0

