

Vote 22

Justice and Constitutional Development

To be appropriated by Vote	R3 544 885 000
Statutory appropriations	R148 800 000
Responsible Minister	Minister for Justice and Constitutional Development
Administering Department	Department of Justice and Constitutional Development
Accounting Officer	Director-General: Justice and Constitutional Development (excluding Schedule 1 institutions and the Legal Aid Board)

Aim

The aim of the Department of Justice and Constitutional Development is to promote and maintain an efficient system of judicial administration, to transform the legal system and to promote constitutional development in line with the new constitutional dispensation.

Key objectives and programmes

The Constitution requires fair and equitable justice for all, which requires the transformation of judicial policies and systems, and the efficient and effective functioning of the judicial system. The Department of Justice and Constitutional Development has four primary objectives:

- Maintaining a system of courts in which legal proceedings of criminal, civil and administrative natures are processed
- Providing legal advice to Government in the drafting of legislation, the development of the Constitution and the handling of legal proceedings instituted against parts of Government
- Investigating certain crimes and prosecuting all criminal offenders
- Facilitating the delivery of additional services linked to the administration of justice, including services delivered by constitutionally independent institutions

The activities of the Department are organised into five programmes that address each of the four objectives listed above. In addition, the *Administration* programme provides for the overall policy and organisational management of the Department, as well as the drafting of some legislation.

Strategic overview and key policy developments: 1997/98 – 2003/04

The five-year framework for directing the transformation of the Department of Justice and Constitutional Development was set out in *Justice Vision 2000*, approved by Cabinet in May 1997 and launched in September of that year. The Department is currently revising its strategic objectives and has submitted a new strategy proposal to the Department of Public Service and Administration. The Department's transformation strategy has been effected through policy initiatives, legislative interventions and organisational developments. Like all departments, it has had to manage both its transformation-related work and the delivery of its services within the medium-term budget. In practice, this has meant maintaining service delivery through the existing institutional framework while restructuring is phased in.

The Department has, however, been translating a value-based mission into one based on key outcomes. The key areas for improving performance are:

- Ensuring fair and equal access to justice for all
- Developing and maintaining a legitimate, service-oriented and efficient system of courts and institutions for the administration of justice, equitably distributed throughout the country and staffed by people who represent all citizens
- Developing and maintaining a justice system that contributes to improving the safety and security of people by creating a deterrent and building respect for the law
- Ensuring that it is integrated, efficient, representative, and facilitates development
- Encouraging the development of a well-trained, broadly representative, accessible and evenly distributed legal profession
- Providing effective and efficient legal services to Government

In trying to meet these objectives, the Department is integrating a range of additional objectives. These include:

- Modernising all systems in the justice network, including financial, administrative and management systems
- Developing systems for assessing and improving performance
- Overcoming the challenges of coordinating the work of functionally independent entities such as prosecutors and magistrates
- Complying with increased constitutional, legal and international obligations
- Overseeing the implementation of transformation statutes such as the Promotion of Administrative Justice Act of 2000, the Promotion of Equality and Prevention of Unfair Discrimination Act of 2000, and the Promotion of Access to Information Act of 2000
- Integrating traditional courts and customary law into the mainstream legal system
- Transforming the judiciary while reconciling judicial independence with public accountability and the introduction of a complaint mechanism in respect of judges
- Improving productivity and security in the courts
- Transforming the Legal Aid Board and moving from the *judicare* system to one based on public defenders operating from justice centres
- Promoting the access to justice of vulnerable groups, including women, children, disabled or elderly people, people living with HIV/Aids and victims of sexual offences
- Integrating the Constitutional Development portfolio, which was inherited from the Department of Provincial and Local Government, into ministerial and departmental structures

Expenditure estimates

Table 22.1: Justice and Constitutional Development

Programme	Expenditure outcome					Medium-term expenditure estimate		
	Audited 1997/98	Audited 1998/99	Preliminary outcome 1999/00	Adjusted appropriation 2000/01	Revised estimate	2001/02	2002/03	2003/04
R thousand								
Administration	221 800	250 786	233 972	296 008	296 008	314 393	322 734	337 186
Administration of courts	1 171 459	1 251 295	1 341 443	1 518 760	1 489 760	1 593 924	1 705 887	1 818 104
State legal services	121 693	121 610	135 935	158 790	158 790	161 826	170 062	178 126
National Prosecuting Authority	105 008	115 053	156 204	318 872	318 872	415 365	496 837	548 927
Auxiliary and associated services	487 418	586 558	786 831	657 293	612 293	1 059 377	1 177 639	922 560
Subtotal	2 107 378	2 325 302	2 654 385	2 949 723	2 875 723	3 544 885	3 873 159	3 804 903
Direct charge to the National Revenue Fund for Judges' salaries	102 344	113 819	138 083	136 141	136 141	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	3 085 864	3 011 864	3 693 685	4 026 771	3 965 797
Change to 2000 Budget Estimate				105 246	31 246	447 069	649 572	

Economic classification

Current	2 024 291	2 175 735	2 508 440	2 716 677	2 671 677	3 182 528	3 465 306	3 352 165
Personnel	1 285 711	1 338 113	1 464 780	1 638 505	1 653 505	1 764 483	1 904 785	2 032 892
Transfer payments	442 138	481 619	671 462	404 704	404 704	663 933	786 253	503 059
Other current	296 442	356 003	372 198	673 468	613 468	754 112	774 268	816 214
Capital	83 087	149 567	145 945	233 046	204 046	362 357	407 853	452 738
Transfer payments	932	1 409	1 818	-	-	-	-	-
Acquisition of capital assets	82 155	148 158	144 127	233 046	204 046	362 357	407 853	452 738
Subtotal	2 107 378	2 325 302	2 654 385	2 949 723	2 875 723	3 544 885	3 873 159	3 804 903
Direct charge on the National Revenue Fund for Judges salaries	102 344	113 819	138 083	136 141	136 141	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	3 085 864	3 011 864	3 693 685	4 026 771	3 965 797

Standard items of expenditure

Personnel	1 285 711	1 338 113	1 464 780	1 638 505	1 653 505	1 764 483	1 904 785	2 032 892
Administrative	139 184	158 461	175 186	194 581	194 581	267 190	247 654	258 003
Inventories	31 012	42 454	37 006	63 275	63 275	57 709	54 301	56 535
Equipment	54 627	60 851	48 089	116 794	87 794	181 160	217 524	237 052
Land and buildings	34 034	94 698	105 060	132 049	132 049	193 787	211 138	229 739
Professional and special services	62 093	86 184	86 287	316 036	271 036	345 004	389 446	407 185
Transfer payments	443 070	483 028	673 280	404 704	404 704	663 933	786 253	503 059
Miscellaneous	57 647	61 513	64 697	83 779	68 779	71 619	62 058	80 438
Subtotal	2 107 378	2 325 302	2 654 385	2 949 723	2 875 723	3 544 885	3 873 159	3 804 903
Direct charge on the National Revenue Fund for Judges' salaries	102 344	113 819	138 083	136 141	136 141	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	3 085 864	3 011 864	3 693 685	4 026 771	3 965 797

Departmental receipts

The Department collected R49,8 million of revenue during 1999/00 and estimates receipts of R49,8 million in 2000/01. Revenue is collected from a variety of sources listed in the table below and is deposited into the National Revenue Fund.

Table 22.2: Justice and Constitutional Development: Revenue

R thousand	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Departmental revenue	26 311	37 103	35 458	49 778	38 256	42 081	46 290
Total	26 311	37 103	35 458	49 778	38 256	42 081	46 290

Expenditure trends

The Justice and Constitutional Development Vote shows steady growth, averaging 10,3 per cent a year over the seven-year period. The *Administration of courts* programme consumes an average of 48 per cent of the total, reflecting the priority attached to the provision of judicial infrastructure for the justice system.

Within the Vote, spending has grown fastest on the *National Prosecution Authority*. The programme grows by an average of 31,7 per cent a year between 1997/98 to 2003/04, largely owing to the establishment of the Directorate of Special Operations (Scorpions) in 1999.

The *Auxiliary and associated services* programme also shows strong growth, averaging 11,2 per cent a year over the seven-year period. Expenditure within this programme has been variable, however, as spending on certain subprogrammes, such as the Truth and Reconciliation Commission, has fallen while expenditure on others, such as Capital works, has risen. Other subprogrammes, such as the *President's Fund*, which is used to pay apartheid reparations, receive allocations only in some of the years under review.

The personnel share is projected to fall from 57,5 per cent of the total vote in 2000/01 to 53,4 per cent in 2003/04. This adjustment is matched by increased spending on capital, an annual average growth of 32,7 per cent over the seven-year period. The structural changes within the Vote reflect the importance the Department attaches to investment in appropriate physical and information technology infrastructure.

The 2001 Budget increases the medium-term allocations to the Department of Justice and Constitutional Development by R447,1 million in 2001/02 and R649,5 million in 2002/03 with a further policy-related increase in 2003/04 of R299,3 million. The additional resources contribute towards:

- Paying R500 million in reparations to victims of gross human rights abuses
- Recruiting additional personnel in the prosecution service and for the Directorate of Special Operations
- Assisting the Legal Aid Board in improving its coverage and capacity
- Improving the remuneration of judges
- Ensuring that additional courts are build and existing infrastructure maintained
- Supplementing allocations for the constitutionally independent institutions funded on the Vote of the Department

The Department expects to underspend on its 2000/01 budget by about R74 million. The underspending can be attributed partly to several posts not having been filled for the entire year, and to a delay in rolling out certain information technology projects. These delays will result in the rollover of funds, to be spent next year.

It is expected that the Department will receive some portion of the unallocated infrastructure funds for the maintenance and upgrading of courts, as well as for the improvement of the physical security of South Africa's court buildings.

Programme 1: Administration

This programme aims to develop departmental strategies and policies, as well as to manage and administer the Department and its activities. It includes policy formulation by the Minister, Deputy Minister, Director-General and other members of the Department's management. Other activities comprise organising the Department; rendering centralised administrative, legal and office support services; managing departmental personnel and financial administration; determining working methods and procedures; and exercising control through head office and regional offices. The Department also investigates, prepares and promotes amendments to existing and new primary or subordinate legislation that has a bearing on its line functions. During the parliamentary process, the Department renders a significant advisory and drafting service to the relevant Parliamentary Committees. This is funded through Corporate services subprogramme.

Table 22.3: Administration

Subprogramme	Expenditure outcome			Adjusted appropriation 2000/01	Medium-term expenditure estimate		
	Audited 1997/98	Audited 1998/99	Preliminary outcome 1999/00		2001/02	2002/03	2003/04
R thousand							
Minister ¹	493	638	518	518	634	669	702
Deputy Minister ²	381	414	421	421	492	519	545
Management	15 000	26 868	7 789	10 203	10 380	10 831	11 316
Corporate services	205 926	222 866	225 244	284 866	302 887	310 715	324 623
Total	221 800	250 786	233 972	296 008	314 393	322 734	337 186
Change to 2000 Budget Estimate				3 135	10 866	6 302	

¹ Payable as from 1 April 2000: salary: R 478 530, car allowance: R 119 632

² Payable as from 1 April 2000: salary: R371 263, car allowance: R92 818

Economic classification

Current	209 307	228 883	227 537	290 962	306 278	311 539	325 575
Personnel	153 164	151 575	151 870	198 390	186 265	195 495	205 215
Transfer payments	-	-	-	-	5 100	-	-
Other current	56 143	77 308	75 667	92 572	114 913	116 044	120 360
Capital	12 493	21 903	6 435	5 046	8 115	11 195	11 611
Transfer payments	-	-	-	-	-	-	-
Acquisition of capital assets	12 493	21 903	6 435	5 046	8 115	11 195	11 611
Total	221 800	250 786	233 972	296 008	314 393	322 734	337 186

Standard items of expenditure

Personnel	153 164	151 575	151 870	198 390	186 265	195 495	205 215
Administrative	39 909	43 221	43 911	42 564	60 356	51 219	53 123
Inventories	6 794	8 377	8 683	9 736	9 434	8 487	8 804
Equipment	13 970	23 710	8 858	7 615	10 705	14 926	15 481
Land and buildings	-	-	-	-	-	-	-
Professional and special services	5 138	20 780	16 799	35 035	42 533	52 607	54 563
Transfer payments	-	-	-	-	5 100	-	-
Miscellaneous	-	-	-	-	-	-	-
Civil Pensions	2 825	3 123	3 851	2 668	-	-	-
Stabilisation Fund	-	-	-	-	-	-	-
Total	221 800	250 786	233 972	296 008	314 393	322 734	337 186

Policy developments

The Department has worked in close cooperation with its partners in the integrated justice system to explore policy and technical solutions to weaknesses in the administration of justice. This has led to the development of projects aimed at modernising the administration of the Department and transforming the nature and mode of delivery of the Department's services to the community.

During the 1999 and 2000 sessions of Parliament, the Department assisted in the preparation of 11 bills submitted to Parliament, nine of which have been approved. Most of these laws are comprehensive in nature and give impetus to the transformation process and the spirit of the Constitution. These include laws relating to the right of access to information, just administrative action and equality, as well as legislation dealing with protected disclosures and the Directorate of Special Operations (Scorpions).

Subordinate legislation was also prepared and finalised to give effect to nine Acts of Parliament dealing, among others, with transformation issues such as maintenance, domestic violence, witness protection, the recognition of customary marriages, the prevention of organised crime, access to information, administrative justice and equality. Since 1994, the Department has been instrumental in the finalisation of 75 Acts of Parliament, approximately 12 each year, which have contributed significantly to a transformed society.

Expenditure trends

Growth in administrative expenditure slows to an average of 4,4 per cent between 2000/01 and 2003/04, as against 10,1 per cent a year from 1997/98 to 2000/01. Growth in the earlier period reflects large, one-off expenditures on information technology equipment for managers in the Department in 1997/98 and 1998/99. Corporate services constitute 96,3 per cent of spending on *Administration*, as it provides the majority of centralised administrative services for the Department.

Trends in spending on *Administration* point towards a shift from personnel expenditure towards professional and special services. The personnel share falls from 67 per cent in 2000/01 to 60,9 per cent in 2003/04, while that of professional and special services rises from 2,3 per cent in 1997/98 to 16,2 per cent in 2003/04. This reflects the Department's prioritisation of system development and rollout in the modernisation of the criminal and civil justice processes. This is also reflected in the rise of programme expenditure on equipment from 2,6 per cent in 2000/01 to 3,5 per cent next year and 3,4 per cent by 2003/04 as a result of the 32 per cent a year increase in equipment expenditure over the medium term.

Programme 2: Administration of courts

The *Administration of courts* programme aims to support the management and administration of all courts in South Africa. The programme is organised into five subprogrammes:

- The Constitutional Court is the court of last appeal on constitutional questions, and decides cases in which the constitutionality of actions and/or legislation is questioned.
- The Supreme Court of Appeal is the court of last appeal for all civil and criminal matters in which there are no challenges to the constitutionality of actions or legislation. It decides cases appealed from the High Courts.
- The High Courts adjudicate disputes as the courts of the first instance in cases that fall within their jurisdiction, and decide appeals from the lower courts.
- Specialised courts have been established in terms of various Acts to decide specialised matters. These include:
 - The Labour Court and the Labour Appeal Court, in terms of the Labour Relations Act of 1995
 - The Land Claims Court, in terms of the Restitution of Land Rights Act of 1994
 - The Special Tribunal, in terms of the Special Investigation Units and Special Tribunals Act of 1996
 - The Family Courts

- The Lower courts adjudicate disputes within their jurisdiction and provide various services to other departments on an agency basis.

Table 22.4: Administration of courts

Subprogramme	Expenditure outcome			Adjusted appropriation 2000/01	Medium-term expenditure estimate		
	Audited 1997/98	Audited 1998/99	Preliminary outcome 1999/00		2001/02	2002/03	2003/04
R thousand							
Constitutional Court	6 434	6 708	8 538	9 055	8 773	9 284	9 713
Supreme Court of Appeal	6 268	6 299	5 605	6 878	5 408	5 723	5 987
High Court	84 241	90 466	99 298	85 278	109 458	115 833	121 186
Specialised courts	7 455	8 918	9 975	18 523	12 468	13 194	13 804
Lower courts	1 067 061	1 138 904	1 218 027	1 399 026	1 457 817	1 561 853	1 667 414
Total	1 171 459	1 251 295	1 341 443	1 518 760	1 593 924	1 705 887	1 818 104
Change to 2000 Budget Estimate				27 964	40 503	87 990	

Economic classification

Current	1 148 078	1 230 901	1 320 300	1 468 563	1 543 904	1 640 755	1 739 297
Personnel	957 406	1 007 405	1 090 449	1 105 767	1 197 801	1 272 162	1 363 144
Transfer payments	-	-	-	-	-	-	-
Other current	190 672	223 496	229 851	362 796	346 103	368 593	376 153
Capital	23 381	20 394	21 143	50 197	50 020	65 132	78 807
Transfer payments	-	-	-	-	-	-	-
Acquisition of capital assets	23 381	20 394	21 143	50 197	50 020	65 132	78 807
Total	1 171 459	1 251 295	1 341 443	1 518 760	1 593 924	1 705 887	1 818 104

Standard items of expenditure

Personnel	957 406	1 007 405	1 090 449	1 105 767	1 197 801	1 272 162	1 363 144
Administrative	84 008	97 531	104 377	115 167	128 407	121 077	125 400
Inventories	20 821	29 609	23 238	42 243	34 713	31 232	32 393
Equipment	27 457	24 955	26 542	61 875	58 818	86 591	95 277
Land and buildings	-	-	-	-	-	-	-
Professional and special services	45 408	51 619	52 924	137 058	132 566	166 017	172 012
Transfer payments	-	-	-	-	-	-	-
Miscellaneous							
Civil Pensions Stabilisation Fund	14 768	15 524	18 122	20 549	40 299	27 260	28 257
Witness fees	21 457	24 545	25 181	35 099	-	-	-
Ex gratia payments	79	21	18	110	-	-	-
Allowances mediator	55	86	105	109	385	512	538
Expert witnesses	-	-	487	783	696	783	816
Psychiatrist	-	-	-	-	209	221	233
Accused: Accommodation	-	-	-	-	30	32	34
Total	1 171 459	1 251 295	1 341 443	1 518 760	1 593 924	1 705 887	1 818 104

Policy developments

In collaboration with the South African Police Service, the Department of Correctional Services and Business Against Crime, the Department is investigating the re-engineering of court processes to increase the effectiveness and efficiency of the criminal and civil justice system. The investigation is consistent with the tenets of the National Crime Prevention Strategy and includes a pilot project on the automation of numerous court processes and better management information systems.

Specialised courts, such as on sexual offences, commercial courts and a specialised hijacking court have been established to improve the criminal justice system. In order to limit the use of court resources to serious cases, traffic courts and tax courts are being instituted with the assistance of local government and the South African Revenue Services. Other initiatives include the awaiting

trial prisoners project, which aims to reduce the time awaiting trial prisoners spend in prisons or police cells.

Expenditure trends

The *Administration of courts* programme funds the core function of the Department: the establishment and operation of courts in the exercise of justice. For this reason, the programme consumes about 50,5 per cent of the resources allocated to the Department every year, if the one-off allocations to the *President's Fund* are discounted. The programme's budget will have grown by an average of 7,6 per cent a year over seven years by 2003/04, with growth averaging 8,3 per cent between 1997/98 and 2000/01, and 6,9 per cent between 2000/01 and 2003/04.

Within the *Administration of courts* programme, the Lower courts subprogramme consumes an average of 91,7 per cent of expenditure, reflecting the importance of Magistrates' Courts in the administration of justice. This subprogramme has grown slightly faster than the programme as a whole, at 7,6 per cent a year. The fastest growing subprogramme, however, has been Specialised courts, with an average of 10,8 per cent a year. This subprogramme also received significant additional allocations during 2000/01, reflecting the one-off costs of establishing Family Courts. This was also reflected in the unusually high expenditure on equipment in that year.

The budget of the *Appeal Court* will have fallen over the seven years under review, reflecting the shift of some of its work towards the *Constitutional Court*.

The general shift away from personnel expenditure towards expenditure on equipping the courts is reflected in the rise of the share of the budget for equipment from 2 per cent in 1997/98 to 4,3 per cent by 2003/04, and the corresponding fall of personnel expenditure from 81,7 to 75 per cent. In addition, increased expenditure on information technology services is reflected in the projected average annual growth of expenditure on professional and special services of 24,9 per cent over the seven years.

The allocation of additional resources to this programme is intended to cover increases in judges' salaries, as well as the employment of additional court personnel and the provision of some additional physical and information technology infrastructure.

Outputs and service delivery trends

Table 22.5: Administration of courts: Key outputs and indicators

Subprogramme	Outputs	Service delivery indicators
Constitutional Court, Supreme Court of Appeal, High Courts, specialised courts and lower courts	The resolution of disputes and the adjudication of persons in accessible courts where processes are speedy and fair	Number of cases finalised Size of the case backlog Average length of trials Number of court hours worked Customer satisfaction surveys
Special Tribunal	Adjudication of cases by the Special Tribunal, emanating from investigations by the Special Investigating Unit	Number of cases Value of property/funds in question Duration of cases

The Court Management Unit at the Directors of Public Prosecutions has been tasked with the development and maintenance of a database on the functioning of the courts. From the information gathered in the first six months of 2000, the following is evident:

- There is a gradual upward trend in average daily court hours – District Court hours per day have increased by 5 per cent to 4,04 (the target is 4,00); in Regional Courts by 7 per cent to 3,59 (the target is 4,15) and in High Courts by 9 per cent to 3,21 (from 3,18 in February 2000).

- There is an increase in cases finalised by prosecutors – in District Courts there was a 25 per cent increase to 31 cases per month (the target is 40) and in Regional Courts the increase was 67 per cent to 10 cases (the target is 15). However, in High Courts, cases finalised per month decreased by 19 per cent from February to 123.
- There has been mixed success in dealing with the backlog of cases on court rolls – in District Courts, cases per roll decreased by 8 per cent to 145 (the target is 110) and cases in Regional Courts decreased by 5 per cent to 140 (the target is 100), but there was an increase of 115 per cent in High Court cases to 1 037 (from 482 in February).
- The conviction rate is improving significantly – District and Regional Courts achieved conviction rates of 67 per cent (an increase of 5 per cent) and 81 per cent (a decrease of 4 per cent) respectively. The conviction rate in High Courts increased from 76 in February to 85 in June (by 12 per cent).
- The average length of time to complete trials has almost doubled over the past five years. The average time spent awaiting trial is around 131 days (May 2000, against 76 during June 1996).

Programme 3: State legal services

The *State legal services* programme aims to provide legal and legislative services to Government, as well as to process and facilitate amendments to the Constitution as required. The programme is organised into the following subprogrammes:

- Legal services: The State Attorney acts as attorney, notary and conveyancer for Government, while State Law Advisers furnish legal opinions, scrutinise draft legislation and rectify primary and secondary legislation. The subprogramme is also responsible for the administration of estates and liquidation of companies, and for supervision over the administration of trust property of minors and persons under curatorship and administration of the Guardian Fund. Family advocates advise and act on behalf of minor and dependant children in order to safeguard their interests.
- Legislative services provide for the research activities of the South African Law Commission to ensure that the legal system adapts to new challenges. The Commission's work includes extensive reviews of whole branches of the law or of substantive pieces of legislation, including legislation administered by other Departments.
- Constitutional development oversees the natural development of the Constitution and the democratic dispensation.

Table 22.6: State legal services

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1997/98	Audited 1998/99	Preliminary outcome 1999/00		2001/02	2002/03	2003/04
R thousand				2000/01			
Legal services	114 537	114 319	127 898	147 110	148 882	156 460	163 878
Legislative services	6 110	4 352	7 601	8 561	9 638	10 128	10 609
Constitutional development	1 046	2 939	436	3 119	3 306	3 474	3 639
Total	121 693	121 610	135 935	158 790	161 826	170 062	178 126
Change to 2000 Budget Estimate				925	(3 063)	(1 828)	

Economic classification							
Current	119 358	119 882	135 146	155 954	159 392	166 712	174 652
Personnel	100 492	98 709	112 636	131 334	132 298	138 854	145 758
Transfer payments	-	-	-	-	-	-	-
Other current	18 866	21 173	22 510	24 620	27 094	27 858	28 894
Capital	2 335	1 728	789	2 836	2 434	3 350	3 474
Transfer payments	-	-	-	-	-	-	-
Acquisition of capital assets	2 335	1 728	789	2 836	2 434	3 350	3 474
Total	121 693	121 610	135 935	158 790	161 826	170 062	178 126
Standard items of expenditure							
Personnel	100 492	98 709	112 636	131 334	132 298	138 854	145 758
Administrative	8 538	8 621	9 140	9 267	14 086	13 057	13 542
Inventories	2 178	3 242	2 349	5 040	4 488	4 038	4 188
Equipment	2 938	2 362	1 491	3 640	3 586	5 000	5 186
Land and buildings	-	-	-	-	-	-	-
Professional and special services	6 156	7 239	8 690	7 486	7 368	9 113	9 452
Transfer payments	-	-	-	-	-	-	-
Miscellaneous							
Civil Pensions Stabilisation Fund	1 391	1 437	1 629	2 023	-	-	-
Total	121 693	121 610	135 935	158 790	161 826	170 062	178 126

Policy developments

The law reform programme of the Law Commission is closely aligned to the priorities of Government to enhance the transformation of the legal system. The Commission reports on the following crucial areas:

- Customary law (recognition of customary marriages, conflict of laws, customary law of succession, administration of estates, and traditional leaders)
- Improving the position of women (domestic violence and sexual offences)
- Improving the position of children (juvenile justice, sexual offences and a review of childcare legislation)
- Legal aspects relating to HIV/Aids
- Review of the law of insolvency
- International and domestic arbitration, as well as community courts
- The development of a new sentencing framework and a policy on the compensation of victims of crime

Expenditure trends

The *State legal services* programme shows modest growth, averaging 6,6 per cent a year over the seven-year period. The slower growth of only 3,9 per cent a year over the medium term reflects the shifting of resources into the delivery of services to the public. The Legal services subprogramme is projected to consume 92 per cent of the total programme over the medium term. This subprogramme's share has declined somewhat from earlier years, which highlights the shift of resources to the Constitutional development subprogramme, as personnel are recruited to take forward this important, though relatively new, area of work.

Outputs and service delivery trends

Table 22.7: State legal services: Key outputs and indicators

Subprogramme	Outputs	Service delivery indicators
Legal services	Opinions provided, laws drafted and applications for extradition examined by the State Law Advisor Advice furnished by State Attorneys Administration of estates	Cases against Government dealt with Number of complaints against administration of estates Amount of money collected in respect of state debt, and average length it is outstanding Number of people having access to the administration of estates Number of cases of people using the Office of the Family Advocate
Legislative services	Law Commission projects affecting law reform successfully completed	Number of projects Implementation rate
Constitutional development	The effective administration of the process of constitutional development	Amount of advice offered Number of actual/proposed changes to the Constitution dealt with

During 2000, the Law Commission approved two issue papers, seven discussion papers and five reports. An additional two discussion papers and one report will be submitted to the Commission for final approval early in 2001. Since 1994, the Commission has finalised 44 reports and published 43 discussion papers and 16 issue papers. The production rate of the Commission is higher than that of five of the biggest Law Commissions elsewhere in the world. In addition, the Commission has an implementation rate of 85 per cent, which compares extremely favourably with that of the other Commissions.

Programme 4: National Prosecuting Authority

The *National Prosecuting Authority* aims to provide a coordinated prosecutorial service on behalf of Government. The programme comprises three subprogrammes:

- Public prosecutions undertake the prosecution of criminals and coordinate administrative and related matters regarding the prosecuting authority.
- The Witness protection subprogramme coordinates the safekeeping and protection of witnesses in criminal cases where such safekeeping is warranted.
- Special operations: The Directorate of Special Operations is an investigative unit that uses a multi-disciplinary approach of intelligence, investigations and prosecution to pursue criminals, especially those involved in serious and organised crimes.

Table 22.8: National Prosecuting Authority

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2001/02	2002/03	2003/04
R thousand	1997/98	1998/99	1999/00	2000/01			
Public prosecutions	80 268	90 057	125 670	150 390	180 365	198 587	205 867
Witness protection programme	16 007	15 614	13 760	19 143	25 000	26 250	27 560
Special operations	8 733	9 382	16 774	149 339	210 000	272 000	315 500
Total	105 008	115 053	156 204	318 872	415 365	496 837	548 927
Change to 2000 Budget Estimate				-	34 366	60 072	

Economic classification							
Current	104 120	112 986	151 934	297 298	400 406	475 810	520 828
Personnel	74 001	79 624	108 654	201 602	245 519	295 545	315 910
Transfer payments	-	-	-	-	-	-	-
Other current	30 119	33 362	43 280	95 696	154 887	180 265	204 918
Capital	888	2 067	4 270	21 574	14 959	21 027	28 099
Transfer payments	-	-	-	-	-	-	-
Acquisition of capital assets	888	2 067	4 270	21 574	14 959	21 027	28 099
Total	105 008	115 053	156 204	318 872	415 365	496 837	548 927

Standard items of expenditure							
Personnel	74 001	79 624	108 654	201 602	245 519	295 545	315 910
Administrative	6 337	8 665	17 162	26 311	36 891	43 010	45 494
Inventories	1 209	1 206	2 729	6 161	8 942	10 425	11 027
Equipment	1 205	2 422	4 728	22 286	14 959	22 440	28 447
Land and buildings	-	-	-	-	-	-	-
Professional and special services	5 191	6 369	7 641	40 085	79 054	92 167	97 489
Transfer payments	-	-	-	-	-	-	-
Miscellaneous							
Civil Pensions Stabilisation Fund	1 058	1 153	1 497	3 284	-	-	-
Protected custody of witnesses	16 007	15 614	13 760	19 143	25 000	26 250	27 560
Witness fees	-	-	10	-	-	-	-
Expert witnesses	-	-	23	-	-	-	-
Informer fees	-	-	-	-	5 000	7 000	23 000
Total	105 008	115 053	156 204	318 872	415 365	496 837	548 927

Policy developments

The Directors of Public Prosecutions began operations in 1999. Its functions and authority are being extended and formalised through organisational and, where necessary, legislative changes. At present, its main functions involve the management and strategic direction of the prosecution services. In June 2000, the Directors of Public Prosecutions negotiated a performance agreement with public prosecutors to provide incentives for the efficient functioning of the prosecutorial services.

The Directorate of Special Operations has recorded significant successes since its establishment in 1999. Several important investigations into crime, corruption and urban terrorism have been undertaken, with notable successes in both the Western Cape and KwaZulu-Natal. The Asset Forfeiture Unit is reducing the incentive to commit crime by seizing the proceeds of crime.

Expenditure trends

The *National Prosecuting Authority* programme is the fastest growing programme in the Department's budget. It grows by an average of 31,7 per cent a year over the seven years under review, and its share rose from 5 per cent of the Department's budget to 14,4 per cent. This reflects the rapid growth of the Public prosecutions subprogramme, which has grown by 17 per cent a year over the period, but is principally accounted for by the establishment of the Scorpions and the growth of the Special operations subprogramme by 81,8 per cent a year, albeit from a very low base. These figures reflect the very high priority accorded to the investigation and prosecution of criminals in the allocation of resources to and within the Department.

Given the significant growth of the programme budget as a whole, the budgets of all the standard items also grow strongly. The growth of the equipment budget (69,4 per cent a year over seven years) and the budget for professional and special services (63 per cent a year) grow particularly

quickly. Personnel expenditure grows less slowly than the programme budget as a whole, at 27,4 per cent a year.

The additional allocations are intended to raise the personnel complement of the prosecution service and the Directorate of Special Operations, while facilitating additional expenditure on essential physical and information technology infrastructure.

Outputs and service delivery trends

Table 22.9: National Prosecuting Authority: Key outputs and indicators

Subprogramme	Outputs	Service delivery indicators
Public prosecutions	A legitimate, representative, efficient and effective prosecution service Prosecution and conviction of accused persons	Customer satisfaction surveys Number of prosecutions Number of convictions Accessibility of prosecution service Number of cases withdrawn in court due to lack of witness cooperation
Witness protection programme	Witnesses placed on the programme and protected	Number of witnesses receiving protection: 730 on average
Special operations	Successful prosecution and prosecution of accepted matters <ul style="list-style-type: none"> • Identify or act against crime syndicate • High level of integrity in law enforcement Assets recovered and crime unprofitable A technical and forensic capacity Effective combatting of organised crime	Number of arrests, prosecutions and convictions following investigations Value of assets confiscated Number of syndicates identified and number of projects running against them

Programme 5: Auxiliary and associated services

The programme renders a variety of auxiliary services and services associated with the Department's aims. Activities are organised into the following subprogrammes:

- The Judicial Service Commission makes recommendations regarding the appointment, removal from office, term of office and tenure of judges, as well as advising national and provincial governments on matters related to the administration of justice.
- The Magistrates Commission plays a variety of roles in the administration of personnel and other matters relating to magistrates and other judicial officials in terms of the Safety Matters Rationalisation Act of 1996.
- The Office for the Control of Interception and Monitoring of Communications administers the Interception and Monitoring Prohibition Act of 1992.
- The Truth and Reconciliation Commission is processing applications from individuals who applied in terms of the relevant legislation.
- The South African Human Rights Commission promotes, enhances and monitors compliance with the Bill of Rights. The Commission is constitutionally independent of the Department of Justice and Constitutional Development.
- The Commission on Gender Equality was set up to promote gender equality in South Africa, and is constitutionally independent of the Department.
- The Special Investigating Unit investigates allegations of maladministration and corruption by public officials. When required, it institutes proceedings in the Special Tribunal to recover government property or money.

- The Legal Aid Board was set up to give effect to the right to legal representation enshrined in the Constitution. It ensures that funds are available for providing indigent accused persons with legal advice, and assists them with various civil and administrative proceedings.
- The Office of the Public Protector conducts investigations to expose, counteract or rectify corruption, maladministration, abuse of power, improper prejudice occasioned by administrative decisions and improper use of government funds. The Public Protector is constitutionally independent of the Department.
- The National Crime Prevention Strategy administers and implements the National Crime Prevention Strategy in conjunction with other departments in the criminal justice system.
- The President's Fund gives effect to the reparations policy flowing from the work of the Truth and Reconciliation Commission.
- Government motor transport provides vehicles for departmental use.

Table 22.10: Auxiliary and associated services

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1997/98	Audited 1998/99	Preliminary outcome 1999/00		2000/01	2001/02	2002/03
R thousand							
Judicial Service Commission	445	341	562	672	792	882	969
Magistrate's Commission	938	991	1 386	2 462	3 749	4 175	4 589
Office for the Control of Interception and Monitoring of Communications	78	163	231	206	216	241	264
Truth and Reconciliation Commission ¹	79 425	53 869	14 617	25 500	10 000	–	–
Human Rights Commission ¹	9 434	16 930	17 296	21 780	21 899	22 853	24 708
Commission on Gender Equality ¹	4 334	13 830	10 726	12 262	13 057	13 073	13 683
Special Investigating Unit ¹	9 646	16 192	16 894	17 739	21 419	23 438	25 898
Legal Aid Board ¹	334 526	222 171	340 880	245 573	312 103	320 356	336 063
Public Protector ¹	4 773	5 627	15 399	23 969	29 371	32 849	36 053
National Crime Prevention Strategy	–	–	–	96 000	183 000	155 000	163 000
President Fund ¹	–	100 000	200 000	1	190 001	310 001	1
Government motor transport	9 785	8 746	8 130	21 200	19 000	19 950	20 940
Capital works	34 034	94 698	105 060	132 049	193 787	211 138	229 739
Represented Political Parties Fund ¹	–	53 000	55 650	57 880	60 983	63 683	66 653
Total	487 418	586 558	786 831	657 293	1 059 377	1 177 639	922 560
Change to 2000 Budget Estimate				57 081	335 597	463 424	

¹ Amounts specifically and exclusively appropriated.

Economic classification							
Current	443 428	483 083	673 523	503 900	772 548	870 490	591 813
Personnel	648	800	1 171	1 412	2 600	2 729	2 865
Transfer payments	442 138	481 619	671 462	404 704	658 833	786 253	503 059
Other current	642	664	890	97 784	111 115	81 508	85 889
Capital	43 990	103 475	113 308	153 393	286 829	307 149	330 747
Transfer payments	932	1 409	1 818	–	–	–	–
Acquisition of capital assets	43 058	102 066	111 490	153 393	286 829	307 149	330 747
Total	487 418	586 558	786 831	657 293	1 059 377	1 177 639	922 560

Standard items of expenditure							
Personnel	648	800	1 171	1 412	2 600	2 729	2 865
Administrative	392	423	596	1 272	27 450	19 291	20 444
Inventories	10	20	7	95	132	119	123
Equipment	9 057	7 402	6 470	21 378	93 092	88 567	92 661
Land and buildings	34 034	94 698	105 060	132 049	193 787	211 138	229 739
Professional and special services	200	177	233	96 372	83 483	69 542	73 669
Transfer payments	443 070	483 028	673 280	404 704	658 833	786 253	503 059
Miscellaneous							
Civil Pensions Stabilisation Fund	7	10	14	11	-	-	-
Total	487 418	586 558	786 831	657 293	1 059 377	1 177 639	922 560

Policy developments

An additional allocation of R500 million up to 2002/03 has been made available through the President's Fund for the payment of reparations to the victims of gross violations of human rights identified by the Truth and Reconciliation Commission. Between 1998/99 and 2002/03, R800 million will have been allocated for the payment of both urgent and final reparations. During 2000/01, approximately R42 million will be spent of urgent interim reparations to approximately 15 000 recipients. This process will be completed during 2001/02. There is R323 million remaining in the President's Fund and, together with the additional allocation of R500 million during 2001/2 and 2002/03, a sum of R823 million is available for the payment of final reparations. Such payments will amount to about R40 000 per recipient, depending on the number of people who qualify.

The passing of the Promotion of Access to Information Act of 2000 and the Promotion of Equality and Prevention of Unfair Discrimination Act of 2000 will place additional obligations and responsibilities on the South African Human Rights Commission. These will include public education campaigns, developing guides on the legislation, training information officers and equality court officials, assisting complainants, and compiling reports to Parliament. The establishment of the National Centre for Human Rights Education and Training has generated considerable interest from all sectors of society and will benefit the Commission's human rights training work, as well as its work in building a culture of human rights.

The National Conference on Racism held in August to September 2000 tasked the Commission with developing a National Action Plan and Strategy to Combat Racism. This plan must be completed for adoption by Government in December 2001 and will officially launch the South African Decade for National Mobilisation Against Racism (2001–2010)

The Commission on Gender Equality will make inputs into policy development by Government, private sector and other stakeholders. It will focus on its role in the development of a National Gender Policy by the Office on the Status of Women in the Presidency.

The Legal Aid Board is currently rolling out justice centres, which will provide indigent accused persons with the services of a public defender. This will reduce the cost of making justice accessible by reducing the reliance on attorneys and advocates in private practice.

The function of transferring resources to parties represented in the National Assembly from the Represented Political Parties Fund has been shifted to the Department of Justice and Constitutional Development from the Department of Provincial Affairs and Local Government. This does not represent a change in policy.

Expenditure trends

The budget of *Auxiliary and associated services* is composed of two types of subprogramme: those that are relatively permanent and have relatively stable expenditure patterns; and those that are more variable, with allocations made on a contingent basis. While most subprogrammes are in the former category, a sizeable proportion of total expenditure are allocated to the subprogrammes Truth and Reconciliation Commission, President's Fund and National Crime Prevention Strategy. The expenditure of these subprogrammes varies greatly from year to year, obscuring basic trends in the programme budget.

The budget for *Auxiliary and associated services* will have grown by 11,2 per cent a year between 1997/98 and 2003/04. This trend, however, masks the expenditure on the President's Fund which begins in 1998/99 and ends in 2002/03. During this period, R800 million was allocated for the payment of reparations.

The Legal Aid Board will have consumed 37,2 per cent of programme expenditure over the seven years under review. Although annual spending on this subprogramme has been variable, recent changes in payment policies, as well as progress towards eliminating the backlog of outstanding invoices, are expected to result in a more stable expenditure pattern in future. Expenditure on the National Crime Prevention Strategy has grown from zero in 1999/00 to a total of R597 million between 2000/01 and 2003/04, reflecting the Department's investment in the modernisation of the courts and its other functions. This prioritisation is also reflected in the 40 per cent a year growth in the budget for Capital works, with these resources being used to maintain, upgrade and procure physical infrastructure.

Outputs and service delivery trends

Table 22.11: Auxiliary and associated services: Key outputs and indicators

Subprogramme	Outputs	Service delivery indicators
Human Rights Commission	Investigate of human rights violations and make recommendations on policy formulation Launch public awareness campaigns and publications on human rights Monitor social and economic rights and legislation Conduct human rights seminars and courses	Number of investigations and results thereof Levels of public awareness of Bill of Rights
Truth and Reconciliation Commission	Make recommendations on an interim and final or long-term reparation policy Restore the human and civil dignity of victims of gross human rights violations Investigate all gross human rights violations Grant amnesty to people who qualify	Development and implementation of reparations policy; Finalisation of amnesty hearings Human Rights Violations Committee made findings on just over 21 000 statements Summaries written for all 19 452 persons found to be victims
Special Investigating Unit	Conduct investigations into allegations of acts of maladministration or corruption	Number of investigations and amounts recovered
Public Protector	Investigate complaints	Number of investigations and results thereof
Commission on Gender Equality	Investigate complaints of gender discrimination Gender Link – a guide to development of gender policies in the private sector Annual Report Card: A report on gender mainstreaming and policy development and implementation in selected departments Acquisition and dissemination of resource materials; books; audio; video; and electronic information on gender equality from South Africa and beyond, through the Resource Centre	Number of investigations into complaints and outcome thereof Submissions made into policy and legislative processes Enhanced awareness of gender imperatives in all sectors. Development of gender policies in public and private sectors Number of requests for information and increased use of Resource Centre

Public entities reporting to the Minister responsible for Justice and Constitutional Development

Judicial Service Commission

The Judicial Service Commission makes recommendations regarding the appointment, removal from office, term of office and tenure of judges.

Legal Aid Board

The Department contributes towards to the Legal Aid Board to render legal aid in terms of the Constitution.

Annexure: Vote 22: Justice and Constitutional Development

Table 22.12: Summary of expenditure trends and estimates per programme

Table 22.13: Summary of expenditure trends and estimates per economic classification

Table 22.14: Summary of expenditure trends and estimates per standard item of expenditure

Table 22.15: Summary of transfers and subsidies per programme

Table 22.16: Summary of personnel numbers and costs

Table 22.17: Summary of expenditure on training

Table 22.12: Summary of expenditure trends and estimates per programme

	Expenditure outcome			Main appropriation	Adjustments appropriation			Revised estimate	Medium-term expenditure estimate				
	Audited	Audited	Preliminary outcome		Rollovers from 1999/00	Other adjustments	Adjusted appropriation		Current	Capital	Total	2002/03	2003/04
	1997/98	1998/99	1999/00										
R thousand													
Administration	221 800	250 786	233 972	292 873	-	3 135	296 008	296 008	306 278	8 115	314 393	322 734	337 186
Administration of courts	1 171 459	1 251 295	1 341 443	1 490 796	-	27 964	1 518 760	1 489 760	1 543 904	50 020	1 593 924	1 705 887	1 818 104
State legal services	121 693	121 610	135 935	157 865	-	925	158 790	158 790	159 392	2 434	161 826	170 062	178 126
National Prosecuting Authority	105 008	115 053	156 204	318 872	-	-	318 872	318 872	400 406	14 959	415 365	496 837	548 927
Auxiliary and associated services	487 418	586 558	786 831	615 169	20 086	22 038	657 293	612 293	772 548	286 829	1 059 377	1 177 639	922 560
Subtotal	2 107 378	2 325 302	2 654 385	2 875 575	20 086	54 062	2 949 723	2 875 723	3 182 528	362 357	3 544 885	3 873 159	3 804 903
Direct charge on the National Revenue Fund													
Judges' salaries	102 344	113 819	138 083	120 000	-	16 141	136 141	136 141	148 800	-	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	2 995 575	20 086	70 203	3 085 864	3 011 864	3 331 328	362 357	3 693 685	4 026 771	3 965 797
Change to 2000 Budget Estimate							105 246	31 246			447 069	649 572	

Table 22.13: Summary of expenditure trends and estimates per economic classification

	Expenditure outcome			Main appropriation	Adjustments appropriation			Revised estimate	Medium-term expenditure estimate				
	Audited	Audited	Preliminary outcome		Rollovers from 1999/00	Other adjustments 2000/01	Adjusted appropriation		Current	Capital	Total	2002/03	2003/04
	1997/98	1998/99	1999/00										
R thousand													
Current	2 024 291	2 175 735	2 508 440	2 674 101	-	42 576	2 716 677	2 671 677	3 182 528	-	3 182 528	3 465 306	3 352 165
Personnel	1 285 711	1 338 113	1 464 780	1 606 460	-	32 045	1 638 505	1 653 505	1 764 483	-	1 764 483	1 904 785	2 032 892
Salaries and wages	894 663	932 771	1 057 068	1 212 352	-	3 942	1 216 294	1 216 294	1 429 058	-	1 429 058	1 556 838	1 673 508
Other	391 048	405 342	407 712	394 108	-	28 103	422 211	437 211	335 425	-	335 425	347 947	359 384
Transfer payments	442 138	481 619	671 462	382 687	-	22 017	404 704	404 704	663 933	-	663 933	786 253	503 059
Other levels of Government	442 138	481 619	671 462	382 687	-	22 017	404 704	404 704	468 833	-	468 833	786 253	503 059
Households and non-profit institutions	-	-	-	-	-	-	-	-	-	-	-	-	-
Foreign countries and international credit institutions	-	-	-	-	-	-	-	-	-	-	-	-	-
Other current transfers	-	-	-	-	-	-	-	-	195 100	-	195 100	-	-
Other current expenditure	296 442	356 003	372 198	684 954	-	(11 486)	673 468	613 468	754 112	-	754 112	774 268	816 214
Capital	83 087	149 567	145 945	201 474	20 086	11 486	233 046	204 046	-	362 357	362 357	407 853	452 738
Capital transfers	932	1 409	1 818	-	-	-	-	-	-	-	-	-	-
Other levels of Government	-	-	-	-	-	-	-	-	-	-	-	-	-
Other capital transfers	932	1 409	1 818	-	-	-	-	-	-	-	-	-	-
Movable capital	48 121	53 460	39 067	89 511	-	11 486	100 997	71 997	-	168 570	168 570	196 715	222 999
Motor vehicles	8 853	7 337	6 312	23 200	-	9 000	32 200	32 200	-	20 040	20 040	22 096	24 158
Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-
Computers	22 051	22 394	23 802	28 477	-	(365)	28 112	17 112	-	79 355	79 355	82 663	85 919
Other office equipment	16 078	16 442	7 811	33 695	-	1 300	34 995	16 995	-	34 006	34 006	43 204	50 287
Other	1 139	7 287	1 142	4 139	-	1 551	5 690	5 690	-	35 169	35 169	48 752	62 635
Fixed capital	34 034	94 698	105 060	111 963	20 086	-	132 049	132 049	-	193 787	193 787	211 138	229 739
Land	593	23 896	12 983	-	-	-	-	-	-	-	-	-	-
Buildings	17 163	33 893	56 290	105 477	20 086	-	125 563	125 563	-	183 787	183 787	191 138	199 739
Infrastructure	2 692	2 380	11 716	1 595	-	-	1 595	1 595	-	10 000	10 000	20 000	30 000
Other	13 586	34 529	24 071	4 891	-	-	4 891	4 891	-	-	-	-	-
Subtotal	2 107 378	2 325 302	2 654 385	2 875 575	20 086	54 062	2 949 723	2 875 723	3 182 528	362 357	3 544 885	3 873 159	3 804 903
Direct charge on the National Revenue Fund													
Judges' salaries	102 344	113 819	138 083	120 000	-	16 141	136 141	136 141	148 800	-	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	2 995 575	20 086	70 203	3 085 864	3 011 864	3 331 328	362 357	3 693 685	4 026 771	3 965 797

Table 22.14: Summary of expenditure trends and estimates per standard item

	Expenditure outcome			Main appropriation	Adjustments appropriation			Revised estimate	Medium-term expenditure estimate				
	Audited	Audited	Preliminary outcome		Rollovers from 1999/00	Other adjustments 2000/01	Adjusted appropriation		Current	Capital	Total	2002/03	2003/04
	1997/98	1998/99	1999/00										
R thousand													
Personnel	1 285 711	1 338 113	1 464 780	1 606 460	–	32 045	1 638 505	1 653 505	1 764 483	–	1 764 483	1 904 785	2 032 892
Administrative	139 184	158 461	175 186	204 221	–	(9 640)	194 581	194 581	267 190	–	267 190	247 654	258 003
Inventories	31 012	42 454	37 006	64 927	–	(1 652)	63 275	63 275	57 709	–	57 709	54 301	56 535
Equipment	54 627	60 851	48 089	105 308	–	11 486	116 794	87 794	12 590	168 570	181 160	217 524	237 052
Land and buildings	34 034	94 698	105 060	111 963	20 086	–	132 049	132 049	–	193 787	193 787	211 138	229 739
Professional and special services	62 093	86 184	86 287	317 299	–	(1 263)	316 036	271 036	345 004	–	345 004	389 446	407 185
Transfer payments	443 070	483 028	673 280	382 687	–	22 017	404 704	404 704	663 933	–	663 933	786 253	503 059
Miscellaneous	57 647	61 513	64 697	82 710	–	1 069	83 779	68 779	71 619	–	71 619	62 058	80 438
Subtotal	2 107 378	2 325 302	2 654 385	2 875 575	20 086	54 062	2 949 723	2 875 723	3 182 528	362 357	3 544 885	3 873 159	3 804 903
Direct charge on the National Revenue Fund for Judges' salaries	102 344	113 819	138 083	120 000	–	16 141	136 141	136 141	148 800	–	148 800	153 612	160 894
Total	2 209 722	2 439 121	2 792 468	2 995 575	20 086	70 203	3 085 864	3 011 864	3 331 328	362 357	3 693 685	4 026 771	3 965 797

Table 22.15: Summary of transfers and subsidies per programme

R thousand	Expenditure outcome			Main appropriation	Adjustments appropriation			Revised estimate	Medium-term expenditure estimate				
	Audited	Audited	Preliminary outcome		Rollovers from 1999/00	Other adjustments	Adjusted appropriation		Current transfers	Capital transfers	Total	2002/03	2003/04
	1997/98	1998/99	1999/00										
Administration													
Skills Act	-	-	-	-	-	-	-	-	5 100	-	5 100	-	-
Auxiliary and associated services													
Truth and Reconciliation Commission ¹	79 425	53 869	14 617	8 500	-	17 000	25 500	25 500	10 000	-	10 000	-	-
Human Rights Commission ¹	9 434	16 930	17 296	16 763	-	5 017	21 780	21 780	21 899	-	21 899	22 853	24 708
Commission on Gender Equality ¹	4 334	13 830	10 726	12 262	-	-	12 262	12 262	13 057	-	13 057	13 073	13 683
Special Investigating Unit ¹	9 646	16 192	16 894	17 739	-	-	17 739	17 739	21 419	-	21 419	23 438	25 898
Legal Aid Board ¹	334 526	222 171	340 880	245 573	-	-	245 573	245 573	312 103	-	312 103	320 356	336 063
Public Protector ¹	4 773	5 627	15 399	23 969	-	-	23 969	23 969	29 371	-	29 371	32 849	36 053
President's Fund ¹	-	100 000	200 000	1	-	-	1	1	190 001	-	190 001	310 001	1
Represented Political Parties Fund ¹	-	53 000	55 650	57 880	-	-	57 880	57 880	60 983	-	60 983	63 683	66 653
Vehicles	932	1 409	1 818	-	-	-	-	-	-	-	-	-	-
Total	443 070	483 028	673 280	382 687	-	22 017	404 704	404 704	663 933	-	663 933	786 253	503 059

¹ Amounts specifically and exclusively appropriated

Table 22.16: Summary of personnel numbers and costs¹

Personnel numbers	1997/98	1998/99	1999/00	2000/01	2001/02
Administration	1 416	1 416	1 416	1 417	1 420
Administration of courts	11 384	11 384	11 384	12 062	12 062
State legal services	692	692	692	697	697
National Prosecuting Authority	732	732	732	732	732
Auxiliary and associated services	17	17	17	17	17
Total	14 241	14 241	14 241	14 925	14 928
Total personnel cost (R thousand)	1 285 711	1 338 113	1 464 780	1 638 505	1 764 483
Unit cost (R thousand)	90,3	94,0	102,9	109,8	118,2

¹ Full-time equivalent

Table 22.17: Summary of expenditure on training

R thousand	Preliminary outcome	Revised estimate	Medium-term expenditure estimate		
	1999/00	2000/01	2001/02	2002/03	2003/04
Administration	15 565	17 411	12 458	13 081	13 671
Administration of courts	1 020	10 078	11 850	12 430	13 040
State legal services	102	130	132	138	145
National Prosecuting Authority	118	202	240	285	295
Auxiliary and associated services	10	2	3	3	3
Total	16 815	27 823	24 683	25 937	27 154