

Vote 23

Justice and Constitutional Development

Amount to be appropriated	R4 092 947 000
Statutory appropriations	R154 318 000
Responsible Minister	Minister of Justice and Constitutional Development
Administering Department	Department of Justice and Constitutional Development
Accounting Officer	Director-General: Justice and Constitutional Development

Aim

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

Key objectives and programmes

The core function of the Department of Justice and Constitutional Development is to give effect to the constitutionally mandated requirement that South Africa have a fair, equitable and accessible system of justice. In addition, the Department provides certain legal services to Government.

This mandate has been translated into five organisational objectives:

- To maintain, improve and streamline a system of courts in which legal proceedings of a criminal, civil and administrative nature are processed efficiently and effectively
- To investigate certain crimes and prosecute all criminal offenders
- To provide legal services to Government and represent it in legal proceedings
- To research, draft and promote legislation
- To facilitate 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:

- *Administration* provides for the overall policy and organisational management of the Department.
- *Administration of Courts* establishes and maintains the system of courts and supports their management and administration.
- *State Legal Services* provides legal and legislative services to Government and facilitates constitutional amendments.
- *National Prosecuting Authority* provides a coordinated prosecutorial service, protects certain witnesses and investigates serious organised crime.
- *Auxiliary and Associated Services* renders a variety of auxiliary services associated with the Department's aims.

Strategic overview and key policy developments: 1998/99 – 2004/05

Notable achievements of the initial stages of transformation, the objectives of which were set out in 1997 in 'Justice Vision 2000', include:

- The system of justice has been rationalised with the unification of the 11 apartheid based administrations of justice. In turn, the system of courts was transformed and rationalised, with the establishment of the Constitutional Court, the various Labour Courts and other specialised judicial institutions. The Lower Courts are also benefiting from a strategy to separate judicial and administrative functions and now employ court managers for the latter.
- The establishment of the National Prosecutions Authority (NPA) transformed the management and functioning of the prosecution service.
- Various independent bodies with important roles in upholding and promoting the values of the Constitution have been established. These include the Truth and Reconciliation Commission (TRC), the South African Human Rights Commission (SAHRC), the Public Protector, the Commission on Gender Equality (CGE) and the Judicial Services Commission. While some of these bodies were established following South Africa's transition to democracy, older institutions have been transformed to ensure their alignment with the values of the Constitution and the policies of Government.
- The National Crime Prevention Strategy – an integrated, inter-departmental strategy aimed at re-engineering criminal justice and reducing crime – was developed and is being implemented. This has led to much greater cooperation between the departments which make up the Integrated Justice System (IJS), as well as a heightened emphasis on modernising the IJS service delivery methods. The Department is also looking at ways to further raise the efficiency of the system through improved case flow management, the appropriate use of plea-bargaining and the increased use of alternative dispute resolution processes for civil matters.
- The Department has sought to address some of the unique needs of certain groups of victims and witnesses, such as women, children and the disabled, through a variety of initiatives including heightening awareness of their needs, adjusting physical infrastructure and developing procedures to protect their rights.
- The promoting of sound international cooperation in criminal matters, such as extradition, has led to improved relations with other countries and their law enforcement agencies.
- Human resource development and achieving higher levels of representivity among departmental staff have been prioritised.
- The Department has sought to increase the accessibility of courts by building additional facilities and upgrading existing accommodation, including establishing a partnership with the Johannesburg Development Agency to provide, manage and maintain the Constitutional Court precinct.
- The Department adopted a number of measures aimed at reducing the opportunities available for corruption. Greater attention has also been paid to improving levels of security in court and of court officials, particularly in the Western Cape.

In order to continue to improve service delivery, the Department, assisted by members of the business community, has developed a set of objectives for its continued development as an organisation:

- **Keep it Just:** Uphold the Constitution and develop an effective and fair justice system.
- **Keep it Managed:** Raise effectiveness and efficiency by adopting sound management practices.
- **Keep it Focused:** Convert policy into action and put people first.
- **Keep it Resourced:** Modernise systems and facilities while upgrading intellectual capital.
- **Keep it Coordinated:** Promote partnerships within the Department and with other role-players.

To give effect to this vision, the organisational structure of the Department has been revised and streamlined, and a Board of Directors now manages the Department and advises the Ministry. The Chief Executive Officer, who is the accounting officer, and the managing directors of eight business units, serve as executive members on the Board. The business units have clear responsibilities and are held accountable for their performance. They include: four line function structures dealing with court services, legal services, legislation and constitutional development, and the Masters' Office; and four supporting business units dealing with finances, human resources, public relations, and information systems. Non-executive directors include the Chief Justice, the chairpersons of the Magistrates' Commission and of the Legal Aid Board (LAB), the National Director of Public Prosecutions (NDPP), senior business executives and a member of the legal fraternity.

Expenditure estimates

Table 23.1: Justice and Constitutional Development

Programme	Expenditure outcome					Medium-term expenditure estimate		
	Audited	Audited	Preliminary	Adjusted	Revised			
R thousand	1998/99	1999/00	2000/01	2001/02		2002/03	2003/04	2004/05
1 Administration	238 126	220 269	238 631	366 354	336 354	350 277	335 712	354 943
2 Administration of Courts	960 420	1 026 984	1 142 405	1 322 165	1 312 165	1 391 258	1 549 169	1 682 048
3 State Legal Services	121 610	135 935	141 989	182 352	172 352	196 557	198 126	213 814
4 National Prosecuting Authority	418 588	484 366	605 151	822 241	722 241	942 316	1 040 185	1 108 346
5 Auxiliary and Associated Services	586 558	786 831	609 475	1 130 431	930 431	1 212 539	950 781	1 008 311
Subtotal	2 325 302	2 654 385	2 737 651	3 823 543	3 473 543	4 092 947	4 073 973	4 367 462
Direct charge on the National Revenue Fund	113 819	138 083	149 624	157 551	164 672	154 318	161 785	171 532
Judges' Salaries	113 819	138 083	149 624	157 551	164 672	154 318	161 785	171 532
Total	2 439 121	2 792 468	2 887 275	3 981 094	3 638 215	4 247 265	4 235 758	4 538 994
Change to 2001 Budget Estimate				287 409	(55 470)	220 494	269 961	
Economic classification								
Current	2 175 735	2 508 440	2 577 689	3 404 747	3 254 747	3 724 039	3 571 235	3 837 559
Personnel	1 338 113	1 464 780	1 642 151	1 857 575	1 804 245	2 090 349	2 185 741	2 351 502
Transfer payments	481 619	671 462	403 072	680 328	680 328	814 560	531 280	563 641
Other current	356 003	372 198	532 466	866 844	770 174	819 130	854 214	922 416
Capital	149 567	145 945	159 962	418 796	218 796	368 908	502 738	529 903
Transfer payments	1 409	1 818	–	–	–	–	–	–
Acquisition of capital assets	148 158	144 127	159 962	418 796	218 796	368 908	502 738	529 903
Total	2 325 302	2 654 385	2 737 651	3 823 543	3 473 543	4 092 947	4 073 973	4 367 462
Standard items of expenditure								
Personnel	1 338 113	1 464 780	1 642 151	1 857 575	1 804 245	2 090 349	2 185 741	2 351 502
Administrative	158 461	175 186	192 061	318 118	300 820	259 513	271 003	279 837
Inventories	42 454	37 006	57 926	66 971	38 078	95 263	56 535	65 996
Equipment	60 851	48 089	96 219	183 811	133 811	175 296	237 052	259 024
Land and buildings	94 698	105 060	112 475	248 446	98 446	211 138	279 739	293 523
Professional and special services	86 184	86 287	177 043	377 675	345 690	361 252	407 185	442 871
Transfer payments	483 028	673 280	403 072	680 328	680 328	814 560	531 280	563 641
Miscellaneous	61 513	64 697	56 704	90 619	72 125	85 576	105 438	111 068
Total	2 325 302	2 654 385	2 737 651	3 823 543	3 473 543	4 092 947	4 073 973	4 367 462

Expenditure trends

The Vote shows steady growth, averaging 10,9 per cent a year between 1998/99 and 2004/05. At 36,1 per cent, *Administration of Courts*, which provides for the core responsibilities of the Department, consumes the largest portion of the budget. This is even higher if once-off allocations, such as those to the President's Fund, are excluded from the total.

Within the Vote, spending has grown fastest on the *National Prosecution Authority* programme. It grows by an average of 17,6 per cent a year between 1998/99 to 2004/05, largely because of a function shift from *Administration of Courts*, the establishment of the Directorate of Special Operations (DSO), and provisions for the appointment of more prosecutors.

Auxiliary and Associated Services shows consistent growth, averaging 9,4 percent 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, do not receive allocations in each year.

Personnel expenditure is projected to grow faster than the budget as a whole over the medium term so that more staff can be employed. Capital spending will have grown by an annual average of 23,5 per cent over the seven-year period as the Department invests in its physical and information technology (IT) infrastructure.

Relative to the 2001 Budget, the 2002 Budget increases the medium-term allocations to the Department by R220,5 million in 2002/03 and R270,0 million in 2003/04, with further policy related increases in 2004/05 of R303,2 million. The additional resources will be used: to increase capacity in courts, the Directorate of Special Operations and the Masters' Offices; implement legislation; increase Legal Aid Board coverage; improve the remuneration of judges; enhance physical infrastructure; and build the capacity of the independent institutions.

Departmental receipts

The Department collected revenue of R49,7 million during 2000/01 and estimates the receipt of R90,5 million in 2001/02. Revenue is collected from a variety of sources and is deposited into the National Revenue Fund. The rise in receipts in 2001/02 reflects interest earned on the Trust Account and the Guardian Fund.

Table 23.2: Departmental receipts

	Revenue outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2002/03	2003/04	2004/05
R thousand	1998/99	1999/00	2000/01	2001/02			
Total departmental receipts	37 103	35 458	49 777	90 500	95 925	101 677	107 774

Programme 1: Administration

Administration provides for the development of departmental strategies, policies and systems. It includes policy formulation by the Ministry, and the CEO, and various support services such as human resources, communications and financial management. *Administration* also provides for researching, preparing and promoting legislation bearing on the Department's functions, and for providing advisory and drafting services to relevant parliamentary committees, particularly in relation to changes to the Constitution.

Expenditure estimates

Table 23.3: Administration

Subprogramme	Expenditure outcome				Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01	Adjusted appropriation 2001/02	2002/03	2003/04	2004/05
R thousand							
Minister ¹	638	518	598	646	685	722	759
Deputy Minister ²	414	421	499	501	531	560	588
Management	26 868	7 789	8 636	10 380	12 966	13 316	14 995
Corporate Services	210 206	211 541	228 898	354 827	336 095	321 114	338 601
Total	238 126	220 269	238 631	366 354	350 277	335 712	354 943
Change to 2001 Budget Estimate				66 918	27 543	(1 474)	

¹ Payable as from 1 April 2001. Salary: R516 812. Car allowance: R129 203.

² Payable as from 1 April 2001. Salary: R400 964. Car allowance: R100 241.

Economic classification

Current	216 223	213 834	235 243	357 108	339 688	324 101	342 635
Personnel	142 400	141 935	156 951	201 278	207 512	205 207	210 315
Transfer payments	–	–	–	5 100	–	–	–
Other current	73 823	71 899	78 292	150 730	132 176	118 894	132 320
Capital	21 903	6 435	3 388	9 246	10 589	11 611	12 308
Transfer payments	–	–	–	–	–	–	–
Acquisition of capital assets	21 903	6 435	3 388	9 246	10 589	11 611	12 308
Total	238 126	220 269	238 631	366 354	350 277	335 712	354 943

Standard items of expenditure

Personnel	142 400	141 935	156 951	201 278	207 512	205 207	210 315
Administrative	41 374	41 915	46 103	73 695	63 003	53 755	57 467
Inventories	7 743	7 997	4 673	18 157	11 175	7 994	8 570
Equipment	23 208	8 315	4 641	12 707	14 809	14 840	15 892
Land and buildings	–	–	–	–	–	–	–
Professional and special services	20 278	16 256	25 036	55 417	53 778	53 916	62 699
Transfer payments	–	–	–	5 100	–	–	–
Miscellaneous	3 123	3 851	1 227	–	–	–	–
Total	238 126	220 269	238 631	366 354	350 277	335 712	354 943

Policy developments

The Department of Justice and Constitutional Development has worked in close cooperation with its partners in the Integrated Justice System to develop solutions to weaknesses in the justice system. This has led to projects aimed at modernising the administration of justice and transforming both the nature and delivery of the Department's services. Key developments include the following:

- Modernising systems, including financial, administrative and management systems, such as the new Masters' financial and administration system that will be implemented by April 2002
- Introducing measures to ensure that all outstanding financial transactions are processed by April 2003
- Re-engineering the budget management processes, including planning processes, through the Justice Footprint Project that will model and cost the delivery of all services by January 2003
- Strengthening the internal audit component, which is directly monitored by an Audit Committee, by extending an arrangement with private sector institutions to develop the capacity of component staff

- Promoting and maintaining an anti-corruption and fraud strategy that includes a risk assessment component and a fraud prevention plan, and embarking on a significant forensic audit by April 2002
- Developing mechanisms for assessing and improving performance, such as broadening the focus on service delivery through service level agreements
- Implementing new legislation dealing with access to information and other constitutional rights
- Transforming and improving the judicial professions while seeking to reconcile independence with public accountability (to be supported through legislation by the end of 2002)
- Continuing to implement measures to remove bottlenecks in the IJS and dealing with the backlog of cases

Expenditure trends

At 6,7 per cent a year, the average annual increase of personnel expenditure in *Administration* is less than the average rate of growth of the programme as a whole, which is 6,9 per cent per year. Professional and special services, on the other hand, increases by an average of 20,7 per cent a year as a result of the commitment of resources to the development and modernisation of management systems. This is also reflected in the increase in the proportion of the budget spent on equipment, which rises from 3,5 per cent in 2001/02 to 4,5 per cent in 2004/05.

Additional funding is also allocated for building capacity in the business unit of the Chief Financial Officer.

Programme 2: Administration of Courts

Administration of Courts provides for the services rendered by courts in South Africa. The programme has five subprogrammes, each of which establishes courts which hear cases that fall within their jurisdiction, from constitutional matters in the Constitutional Court, to cases heard in the first instance or on appeal in the Supreme Court of Appeals, High Courts and Lower Courts. In addition, the Specialised Courts subprogramme provides for the Labour and Labour Appeal Courts, the Land Claims Court, the Special Tribunal, and the Family Courts.

The Lower Courts also provide various services to other departments on an agency basis.

Expenditure estimates

Table 23.4: Administration of Courts

Subprogramme	Expenditure outcome				Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01	Adjusted appropriation 2001/02	2002/03	2003/04	2004/05
R thousand							
Constitutional Court	6 708	8 538	9 046	8 773	9 468	9 713	10 296
Supreme Court of Appeal	6 299	5 605	5 757	5 408	5 923	6 836	7 346
High Courts	90 466	99 298	104 689	109 458	130 351	126 186	128 457
Specialised Courts	8 918	9 975	15 396	12 468	18 074	18 804	20 632
Lower Courts	848 029	903 568	1 007 517	1 186 058	1 227 442	1 387 630	1 515 317
Total	960 420	1 026 984	1 142 405	1 322 165	1 391 258	1 549 169	1 682 048
Change to 2001 Budget Estimate				104 360	(314 629)	(268 935)	

	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01		2002/03	2003/04	2004/05
R thousand							
Economic classification							
Current	940 026	1 005 841	1 128 732	1 289 796	1 344 953	1 427 862	1 548 512
Personnel	729 111	789 592	852 183	895 184	1 004 481	1 033 278	1 122 910
Transfer payments	–	–	–	–	–	–	–
Other current	210 915	216 249	276 549	394 612	340 472	394 584	425 602
Capital	20 394	21 143	13 673	32 369	46 305	121 307	133 536
Transfer payments	–	–	–	–	–	–	–
Acquisition of capital assets	20 394	21 143	13 673	32 369	46 305	121 307	133 536
Total	960 420	1 026 984	1 142 405	1 322 165	1 391 258	1 549 169	1 682 048

Standard items of expenditure

Personnel	729 111	789 592	852 183	895 184	1 004 481	1 033 278	1 122 910
Administrative	84 950	90 775	93 636	144 763	110 105	118 831	129 789
Inventories	29 609	23 238	30 615	29 252	31 762	32 393	34 661
Equipment	24 955	26 542	58 701	41 167	56 305	87 777	101 946
Land and buildings	–	–	–	–	–	50 000	50 000
Professional and special services	51 619	52 924	69 932	151 180	136 280	172 012	185 773
Transfer payments	–	–	–	–	–	–	–
Miscellaneous	40 176	43 913	37 338	60 619	52 325	54 878	56 969
Total	960 420	1 026 984	1 142 405	1 322 165	1 391 258	1 549 169	1 682 048

Policy developments

In collaboration with the other departments in the Integrated Justice System and Business Against Crime, the Department continues to deal with the re-engineering of court processes to increase effectiveness and efficiency. Initiatives are consistent with the tenets of the National Crime Prevention Strategy and include projects relating to the automation of process and management systems in courts. Key developments include:

- Developing professional court managers to separate administrative from judicial and prosecutorial functions, with many administrative staff in courts having been trained in 2001
- Implementing procedures, and providing appropriate facilities, to ensure that the rights of victims and witnesses are secured, and that their experience of the IJS improves, using new technologies and by improving the skills of department personnel
- Appointing lay assessors to increase the participation of communities in courts
- Establishing a Court Operations Room and a Court Performance Review Committee to monitor performance and implement interventions where required
- Continuing to seek to define a role for traditional courts and law in the administration of justice
- Re-engineering the maintenance system through statutory and administrative reforms
- Attending to the number, distribution and jurisdiction of courts in order to improve delivery, while also increasing the number of hours that courts sit every week
- Putting in place programmes to improve confidence in the courts and the legal system
- Developing a national action plan to transform the sheriff's profession
- Facilitating the promotion of the rights of children in court, ensuring the provision of legal representation to children, reducing the number of children awaiting trial and establishing one stop child justice centres to improve services

Expenditure trends

Administration of Courts funds the establishment and operation of courts in the exercise of justice. For this reason, the programme consumes about 36,1 per cent of the budget allocated to the Department every year, if once-off allocations to the President's Fund are discounted. The programme's budget will have grown by an average of 9,8 per cent a year over seven years by 2004/05, with growth averaging 11,2 per cent between 1998/99 and 2001/02, and 8,4 per cent between 2001/02 and 2004/05.

The Lower Courts subprogramme consumes an average of 89 per cent of expenditure, reflecting the importance of Magistrates' Courts in the administration of justice. The need to build the capacity of the Lower Courts explains why the subprogramme has grown faster than the programme as a whole, at 10,2 per cent a year. The fastest growing subprogramme, however, has been Specialised Courts as these institutions have become central to the Department's strategy.

The general shift from personnel expenditure towards expenditure on equipping the courts is reflected in the rise of the share of the budget for equipment, from 2,6 per cent in 1998/99 to 6,1 per cent by 2004/05, and the corresponding fall of personnel expenditure from 75,9 to 66,7 per cent. In addition, increased expenditure on IT is reflected in the projected average annual growth of expenditure on professional and special services of 23,8 per cent over the seven years.

Although the budget for programme falls relative to the estimates in the 2001 Budget, this reflects a shift of responsibility for Public Prosecutions to the *National Prosecuting Authority*. Excluding this, the programme's budget grows to accommodate the employment of additional court personnel and to provide additional physical and IT infrastructure.

Key outputs, indicators and targets

Administration of Courts

Subprogramme	Output	Output measure/Indicator	Target
Constitutional Court	Accessible, fair, efficient and transparent court processes	Number of cases finalised Court hours worked	5% improvement
Supreme Court of Appeal	Accessible, fair, efficient and transparent court processes	Number of cases finalised Court hours worked	5% improvement
High Courts	Accessible, fair, efficient and transparent court processes	Number of cases finalised Court hours worked	1 000 cases 4 hours per day per court
Specialised Courts	Accessible, fair, efficient and transparent court processes	Number of cases finalised	Finalise all cases
Lower Courts	Accessible, fair, efficient and transparent court processes	Number of cases finalised Court hours worked	40 cases per month per District Court and 15 cases per month per Regional Court 5 hours per District Court and 4 hours per Regional Court per day

During 2001, the Department, in cooperation with the National Prosecuting Authority and other role-players, initiated Saturday Courts and laid on additional courts in order to deal with case backlogs, particularly in the Regional Courts. Over 12 000 cases were resolved in these courts between January and September 2001, with up to five daily hours being achieved.

Programme 3: State Legal Services

State Legal Services aims to provide efficient, professional and reliable legal services to Government, and is organised into three subprogrammes.

- Legal Services provides for the work of the State Attorney, who acts as attorney, notary and conveyancer for Government. The state law advisers provide legal opinions, scrutinise

international agreements, scrutinise and correct draft legislation, and attend relevant Parliamentary Portfolio committees as legal advisers for all national departments. The Legal Services subprogramme is also responsible for the administration of estates and liquidation of companies, and for supervising the administration of trusts, and the property of minors deposited in the Guardian Fund and of persons under curatorship. Family advocates, who act on behalf of minor and dependent children in order to safeguard their interests, are also provided for.

- Legislative Services provides for the research activities of the South African Law Commission. The Commission's work includes extensive reviews of wide areas of law and legal practice.
- Constitutional Development is involved in promoting, maintaining and developing the Constitution and its values by researching, developing and promoting appropriate legislation.

Expenditure estimates

Table 23.5: State Legal Services

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01		2002/03	2003/04	2004/05
R thousand							
Legal Services	114 319	127 898	133 729	168 808	182 500	183 878	198 711
Legislative Services	4 352	7 601	7 655	10 238	10 552	10 609	11 246
Constitutional Development	2 939	436	605	3 306	3 505	3 639	3 857
Total	121 610	135 935	141 989	182 352	196 557	198 126	213 814
Change to 2001 Budget Estimate				20 526	26 495	20 000	

Economic classification

Current	119 882	135 146	141 046	179 118	194 198	194 652	210 131
Personnel	98 709	112 636	118 921	132 338	161 413	165 758	178 483
Transfer payments	–	–	–	–	–	–	–
Other current	21 173	22 510	22 125	46 780	32 785	28 894	31 648
Capital	1 728	789	943	3 234	2 359	3 474	3 683
Transfer payments	–	–	–	–	–	–	–
Acquisition of capital assets	1 728	789	943	3 234	2 359	3 474	3 683
Total	121 610	135 935	141 989	182 352	196 557	198 126	213 814

Standard items of expenditure

Personnel	98 709	112 636	118 921	132 338	161 413	165 758	178 483
Administrative	8 621	9 140	9 827	14 672	17 967	13 542	15 158
Inventories	3 242	2 349	2 908	5 488	4 958	4 188	4 481
Equipment	2 362	1 491	1 735	4 386	3 571	5 186	5 578
Land and buildings	–	–	–	–	–	–	–
Professional and special services	7 239	8 690	7 753	25 468	8 647	9 452	10 114
Transfer payments	–	–	–	–	–	–	–
Miscellaneous	1 437	1 629	845	–	1	–	–
Total	121 610	135 935	141 989	182 352	196 557	198 126	213 814

Policy developments

The establishment of a Constitutional Litigation Unit is planned to represent the state in all constitutional matters, advise Parliament on constitutional issues, guide the drafting of legislation when constitutional matters, arise and train all state attorneys in trial advocacy.

A comprehensive juri-linguistic service is being established. This will help to promote the legislative use of official languages other than English and Afrikaans.

State Legal Services is being restructured to improve efficiency and increase professionalism. Closer cooperation between state attorneys and state law advisers will be developed.

The Law Commission is focusing on measures aimed at restoring respect for the legal system. It is investigating a wide variety of issues, including the integration of customary law, sexual offences legislation, juvenile justice issues, the legal aspects of HIV/Aids, and anti-terrorism legislation.

A computerised information system is being developed for the Masters' Offices. This will allow electronic access to estate information and will allow liquidators, executors, creditors and others to do their Masters' Office business online. The process of finalising estates will be reduced by months.

Expenditure trends

State Legal Services grows at an average of 9,7 per cent a year over the seven-year period. Legal Services is projected to consume 92,9 per cent of the total programme over the medium term. This subprogramme's share has increased from earlier years to make provision for the implementation of new legislation and to increase the capacity of the Masters' Offices to deal with intestate black people.

Key outputs, indicators and targets

State Legal Services

Subprogramme	Output	Output measure/Indicator	Target
Legal Services	Provide opinions; scrutinise international agreements; process primary and secondary legislation State attorneys to give advice	Number of opinions, laws and international agreements finalised	5% reduction in turn-around time
		Number of cases finalised	5% increase
	Administration of estates Represent children in Family Courts	Monies collected in respect of state debt	5% increase
		Number of estates registered and administered	5% increase
Legislative Services	Promote, maintain and develop the Constitution and its values Transformation of the legal system	Number of cases finalised	10% improvement
		Establishment of a unit for statutory law revision	December 2002
	Transform and improve the criminal justice system	The research and proposal development relating to:	
		• The Child Care Act (74 of 1983)	December 2002
		• The publication of divorce proceedings	December 2002
		• Domestic partnerships	March 2003
		• Islamic marriages and related matters	December 2002
		• Incapable adults	March 2003
		• The customary law of succession	December 2002
		• The administration of estates	December 2002
• Prescription periods	December 2002		
• The Apportionment of Damages Act (34 of 1995)	December 2002		
Promote access to justice	Developing and producing reports on:		
	• Out of court settlements	December 2002	
	• The viability of compensating victims of crime	December 2002	
	• Reviews of sexual offences	December 2002	
	• Terrorism	March 2003	
	Legislative proposal on community courts	December 2002	

A Masters' Business Unit has been established to govern, professionalise and give strategic direction to the Masters' Offices, and to develop plans to ensure that management of the estates of black people who die intestate is incorporated into the work of the Masters' Offices.

A Legislative Drafting Unit has been established to develop legislation and policies relating to a wide range of issues.

Crucial investigations by the South African Law Commission into sexual offences are near completion, the review of the Child Care Act of 1983, and the customary law of succession.

Programme 4: National Prosecuting Authority

The *National Prosecuting Authority programme* aims to provide a prosecution service that is prompt, vigorous and fearless, promoting the public interest and ensuring that all people are treated with dignity.

- Public Prosecutions coordinates and assists prosecuting structures in the Office of the Director of Public Prosecutions and Lower Court Prosecutors.
- Witness Protection Programme coordinates the safekeeping and protection of witnesses in certain serious criminal cases.
- Special Operations funds the Directorate of Special Operations, also known as the Scorpions, which came into operation in January 2001. The Directorate of Special Operations investigates serious organised crime, aiming to prosecute these offences effectively.

Expenditure estimates

Table 23.6: National Prosecuting Authority

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01		2002/03	2003/04	2004/05
R thousand							
Public Prosecutions	387 171	446 874	531 797	587 241	636 146	688 865	735 984
Witness Protection Programme	22 035	20 718	23 883	25 000	34 170	35 820	37 932
Special Operations	9 382	16 774	49 471	210 000	272 000	315 500	334 430
Total	418 588	484 366	605 151	822 241	942 316	1 040 185	1 108 346
Change to 2001 Budget Estimate				15 800	445 479	491 258	

Economic classification

Current	416 521	480 096	601 459	799 782	913 789	1 004 586	1 078 561
Personnel	367 093	419 446	511 816	626 175	713 593	778 633	836 777
Transfer payments	–	–	–	–	–	–	–
Other current	49 428	60 650	89 643	173 607	200 196	225 953	241 784
Capital	2 067	4 270	3 692	22 459	28 527	35 599	29 785
Transfer payments	–	–	–	–	–	–	–
Acquisition of capital assets	2 067	4 270	3 692	22 459	28 527	35 599	29 785
Total	418 588	484 366	605 151	822 241	942 316	1 040 185	1 108 346

Standard items of expenditure

Personnel	367 093	419 446	511 816	626 175	713 593	778 633	836 777
Administrative	23 093	32 760	40 723	52 538	60 928	64 431	68 714
Inventories	1 840	3 415	7 361	8 942	11 203	11 837	12 649
Equipment	2 924	5 271	5 143	22 459	30 556	36 588	31 111
Land and buildings	–	–	–	–	–	–	–
Professional and special services	6 871	8 184	22 830	82 127	92 786	98 136	104 996
Transfer payments	–	–	–	–	–	–	–
Miscellaneous	16 767	15 290	17 278	30 000	33 250	50 560	54 099
Total	418 588	484 366	605 151	822 241	942 316	1 040 185	1 108 346

Policy developments

The progressive development of National Prosecuting Authority structures means that it now includes the National Prosecuting Service, the Directorate of Special Operations, the Witness Protection Programme, the Asset Forfeiture Unit (AFU), and specialised units such as the Sexual Offences and Community Affairs Unit and the Specialised Commercial Crimes Unit.

In terms of the National Prosecuting Authority Amendment Act (61 of 2000), the Directorate of Special Operations is a distinct and autonomous agency. It is currently engaged in finalising the protocols and regulations required for its operations.

Expenditure trends

The programme has grown by an average of 17,6 per cent a year over the seven years under review, and its share of the Vote will have risen from 18,0 per cent in 1998/99 to 25,4 per cent in 2004/05. This partly reflects the rapid growth of the Public Prosecutions subprogramme, which has grown by 11,3 per cent a year over the period. However, it is principally accounted for by the establishment of the Scorpions and the growth of the Special Operations budget by 81,4 per cent a year. These figures reflect the very high priority accorded to the investigation and prosecution of criminals.

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 (48,3 per cent a year over seven years) and the budget for professional and special services (57,5 per cent a year) show particularly fast growth. Personnel expenditure grows more slowly than the programme budget as a whole, at 14,7 per cent a year.

The allocations made to increase the amounts projected in the 2001 Budget 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 IT infrastructure. The additional allocation also reflects the shift of responsibility for prosecutors from *Administration of Courts*.

Key outputs, indicators and targets

National Prosecuting Authority

Subprogramme	Output	Output measure/Indicator	Target
Public Prosecutions	Effective and efficient prosecutions	Reduction in case backlog/outstanding roll	District court roll brought down to 110 outstanding cases per roll Regional court roll brought down to 100 cases outstanding per roll
		Customer satisfaction	Complaints reduced by 10%
		Conviction rate	District Courts: 80% Regional Courts: 75% High Courts: 77%
		Reduction in number of decision dockets	Less than 10 000 for the entire country
		Reduction in court disposal time	Regional Courts: 6 months in 80% of cases District Courts: 4 months in 80% of cases High Courts: 12 months in 80% of cases
		Witness Protection Programme	Confident safe witnesses appearing in court
Special Operations	Investigation, prosecution and disruption of organised crime	Number of completed asset forfeiture cases	75 cases
		Number of forfeitures initiated	100
		Value of assets seized	R250 million
		Value of assets forfeited	R75 million
		Amount of money deposited into Criminal Asset Recovery Fund	R50 million
		Overall success rate for Asset Forfeiture Unit	85 per cent
		Conviction rate (Directorate of Special Operations cases)	94 per cent
		Financial crime cases finalised	Increase number of cases finalised

The National Prosecuting Authority continues to make progress in all areas. This includes improving average court hours to at least four hours, increasing conviction rates, and increasing the number of seizures and forfeitures in the case of the Asset Forfeiture Unit. The Directorate of Special Operations has also continued to make an impact in combating organised crime. Notable achievements include combating urban terror and gangsterism in the Western Cape, vehicle hijacking in Gauteng, and taxi violence and racketeering in the Eastern Cape.

In the first six months of 2001, the Specialised Commercial Crime Unit brought 212 cases to court, achieving 153 convictions with only 18 acquittals in completed cases. The Witness Protection Unit protected 651 people, of which 306 were witnesses and the rest were family members.

Programme 5: Auxiliary and Associated Services

Auxiliary and Associated Services provides for services associated with the Department's aims.

- The Judicial Service Commission makes recommendations on the appointment, removal from office, and tenure of judges, and advises Government on the administration of justice.

- The Magistrate's Commission plays various statutory roles in relation to the development of the magistracy and magistrates.
- The Office for the Control of Interception and Monitoring of Communication administers the Interception and Monitoring Prohibition Act (127 of 1992).
- The South African Human Rights Commission promotes compliance with the Bill of Rights.
- The Commission on Gender Equality promotes gender equality in South Africa.
- The Special Investigating Unit investigates allegations of maladministration and corruption by public officials and institutes proceedings in the Special Tribunal to recover government property or money.
- The Legal Aid Board ensures that funds are available for providing indigent accused persons with legal advice, and assists them with various civil and administrative proceedings.
- The Public Protector conducts investigations into allegations of various forms of corruption and maladministration in the exercise of administrative powers and the use of public funds.
- The National Crime Prevention Strategy subprogramme funds some activities of the departments involved in the Integrated Justice System in order to give effect to the modernisation of the IJS.
- The President's Fund gives effect to the reparations policy flowing from the work of the Truth and Reconciliation Committee.
- Government Motor Transport manages vehicles for departmental use.

Expenditure estimates

Table 23.7: Auxiliary and Associated Services

Subprogramme	Expenditure outcome				Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01	Adjusted appropriation 2001/02	2002/03	2003/04	2004/05
R thousand							
Judicial Service Commission	341	562	540	792	888	969	1 027
Magistrate's Commission	991	1 386	3 215	3 749	10 750	4 589	4 864
Office for the Control of Interception and Monitoring of Communication	163	231	259	216	253	264	280
Truth and Reconciliation Commission ¹	53 869	14 617	30 181	10 000	–	–	–
Human Rights Commission ¹	16 930	17 296	21 780	21 899	26 958	29 845	33 341
Commission on Gender Equality ¹	13 830	10 726	12 262	13 057	14 633	15 759	16 588
Special Investigating Unit ¹	16 192	16 894	17 739	21 419	22 958	24 845	26 341
Legal Aid Board ¹	222 171	340 880	245 573	322 103	341 827	357 924	378 282
Public Protector ¹	5 627	15 399	17 573	35 766	34 500	36 253	38 436
National Crime Prevention Strategy	–	–	75 494	133 000	155 000	163 000	172 780
President's Fund	100 000	200 000	1	190 001	310 001	1	1
Government Motor Transport	8 746	8 130	14 503	19 000	19 950	20 940	22 196
Capital Works	94 698	105 060	112 475	298 446	211 138	229 739	243 523
Represented Political Parties Fund	53 000	55 650	57 880	60 983	63 683	66 653	70 652
Total	586 558	786 831	609 475	1 130 431	1 212 539	950 781	1 008 311
Change to 2001 Budget Estimate				71 054	34 900	28 221	

¹ Amounts specifically and exclusively appropriated.

	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited 1998/99	Audited 1999/00	Preliminary outcome 2000/01		2002/03	2003/04	2004/05
R thousand							
Economic classification							
Current	483 083	673 523	471 209	778 943	931 411	620 034	657 720
Personnel	800	1 171	2 280	2 600	3 350	2 865	3 017
Transfer payments	481 619	671 462	403 072	675 228	814 560	531 280	563 641
Other current	664	890	65 857	101 115	113 501	85 889	91 062
Capital	103 475	113 308	138 266	351 488	281 128	330 747	350 591
Transfer payments	1 409	1 818	-	-	-	-	-
Acquisition of capital assets	102 066	111 490	138 266	351 488	281 128	330 747	350 591
Total	586 558	786 831	609 475	1 130 431	1 212 539	950 781	1 008 311
Standard items of expenditure							
Personnel	800	1 171	2 280	2 600	3 350	2 865	3 017
Administrative	423	596	1 772	32 450	7 510	20 444	8 709
Inventories	20	7	12 369	5 132	36 165	123	5 635
Equipment	7 402	6 470	25 999	103 092	70 055	92 661	104 497
Land and buildings	94 698	105 060	112 475	248 446	211 138	229 739	243 523
Professional and special services	177	233	51 492	63 483	69 761	73 669	79 289
Transfer payments	483 028	673 280	403 072	675 228	814 560	531 280	563 641
Miscellaneous	10	14	16	-	-	-	-
Total	586 558	786 831	609 475	1 130 431	1 212 539	950 781	1 008 311

Policy developments

The e-Justice Programme modernises systems and brings them in line with international best practice by building IT infrastructure for electronic financial and case management systems.

The transformation of the Legal Advice Board includes moving from the Judicare system towards one that offers legal representation through lawyers employed by justice centres. These centres will reduce the cost of making justice accessible by reducing the reliance on attorneys and advocates in private practice. Twenty-four justice centres are already operating and the LAB aims to have 60 established in two years. A recent court decision that provides for automatic appeals from Lower Courts to High Courts is expected to increase demand for services.

The promulgation of the Promotion of Access to Information Act (2 of 2000) and the Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000) will continue to place additional obligations and responsibilities on the South African Human Rights Commission. These will include running public education campaigns, developing guides on the legislation, training information officers and Equality Court officials, assisting complainants, and compiling reports for 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 Commission's human rights training work and building a culture of human rights.

The Special Investigating Unit has been restructured into a permanent anti-corruption entity. A project management approach to investigations is being adopted and certain work will be outsourced to other forensic specialists.

The Commission for Gender Equity continues to provide input into policy development by Government, especially in cooperation with the Office on the Status of Women in the Presidency.

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 more ad hoc basis. While most subprogrammes are in the former category, a sizeable proportion of total expenditure is allocated to the President's Fund and the National Crime Prevention Strategy, which have more variable allocations.

The programme budget will have grown by 9,4 per cent a year between 1998/99 and 2004/05. This trend, however, masks the fact that allocations to the President's Fund began in 1998/99 and end in 2002/03. During this period, R800 million will have been allocated for the payment of reparations.

The Legal Aid Board will have consumed 35,0 per cent of programme expenditure over the seven years under review. Although annual spending has been variable, recent changes in policy, 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, which has grown from zero in 1999/00 to a total of R699,2 million between 2000/01 and 2004/05, reflects the Department's investment in modernising the courts and its other functions. This prioritising is also reflected in the average of 22,6 per cent a year growth in the budget for Capital Works over the last seven years, with these resources being used to maintain, upgrade and procure physical infrastructure.

Key outputs, indicators and targets

Auxiliary and Associated Services

Subprogramme	Output	Output measure/indicator	Target
Human Rights Commission	Well developed materials and campaigns on human rights	Number of publications	Increase human rights awareness by at least 10% especially in rural communities
		Increase awareness	Reach 20% of the population through publications and promotional materials
	Processing complaints and determining appropriate remedies	Number of complaints/investigations	Increase the number of complaints handled and investigated by at least 20%
	Publishing annual socio-economic rights and human development reports	Submission of reports to Parliament	Within 6 months of the end of each year
	Human rights training, courses, seminars, workshops and manuals	Numbers of seminars	6 seminars reaching 420 professionals
Number of workshops/courses		84 workshops, courses reaching 2 520 people	
Commission on Gender Equality	Enhancing awareness of gender issues in the public sector and in wider society	Number of training manuals	3 training manuals
		Well developed materials and programmes	50 education/information events, including workshops, radio and public speaking, and 10 manuals
	Equality and prevention of unfair gender-based discrimination	Evaluate policies and practices of public and private institutions	Report to Cabinet on findings
	Input into policy legislation	Investigation of complaints	5 sectors from private and public sectors
Special Investigating Unit	Investigating corruption and preventing losses to the state	Research, submission, presentation and intervention	100 per office
		Total savings and recoveries	10 interventions into legislation and policy formulation (sex workers, customary law, Unemployment Insurance Fund, domestic workers and Special Development Initiative)
		Cash recoveries	R100 million
		New investigations referred	R40 million
Public Protector	Investigating complaints	Investigations completed	30 investigations
		Number of investigations and number of matters finalised	50 investigations
			National office: 120 per investigator North-West regional office: 228 per investigator Other regional offices: 180 investigations per investigator

Public entities reporting to the Minister

Judicial Service Commission

The Judicial Service Commission (JSC) makes recommendations on the terms of appointment for judges. The Judicial Service Commission facilitates judicial orientation and education through training seminars for newly appointed judges and runs seminars on race, gender and poverty as well as on the sentencing of convicted offenders. It also investigates complaints against sitting judges. The JSC drafted a manual of practical information for all judges.

Legal Aid Board

The Legal Aid Board (LAB) provides legal representation to the poor. It carries out Government's obligation to ensure that the constitutional rights of accused in criminal cases are secured. The method of delivery of legal aid services has proved to be unacceptably expensive and cumbersome to administer. For this reason, the briefing of legal professionals has been scaled down and replaced with delivery of services by salaried employees in legal aid clinics, advice offices and public defender offices. With effect from 31 May 2001 there is no longer a filter mechanism between Lower Courts and the High Courts in respect of criminal appeals. Every accused person convicted in a Magistrate's Court has an automatic right of appeal to the High Court. It is estimated that in excess of 100 000 people will qualify for legal aid for a criminal appeal per year.

Annexure

Vote 23: Justice and Constitutional Development

Table 23.8: Summary of expenditure trends and estimates per programme

Table 23.9: Summary of expenditure trends and estimates per economic classification

Table 23.10: Summary of expenditure trends and estimates per standard item

Table 23.14: Summary of transfers and subsidies per programme

Table 23.11: Summary of personnel numbers and costs

Table 23.12: Summary of expenditure on training

Table 23.13: Summary of information and communications technology expenditure

Table 23.8: 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 2000/01	Other adjustments	Adjusted appropriation		Current	Capital	Total		
	1998/99	1999/00	2000/01	2001/02			2002/03			2003/04	2004/05		
R thousand													
1 Administration	238 126	220 269	238 631	314 393	26 741	25 220	366 354	336 354	339 688	10 589	350 277	335 712	354 943
2 Administration of Courts	960 420	1 026 984	1 142 405	1 593 924	80 463	(352 222)	1 322 165	1 312 165	1 344 953	46 305	1 391 258	1 549 169	1 682 048
3 State Legal Services	121 610	135 935	141 989	161 826	15 600	4 926	182 352	172 352	194 198	2 359	196 557	198 126	213 814
4 National Prosecuting Authority	418 588	484 366	605 151	415 365	15 800	391 076	822 241	722 241	913 789	28 527	942 316	1 040 185	1 108 346
5 Auxiliary and Associated Services	586 558	786 831	609 475	1 059 377	61 054	10 000	1 130 431	930 431	931 411	281 128	1 212 539	950 781	1 008 311
Subtotal	2 325 302	2 654 385	2 737 651	3 544 885	199 658	79 000	3 823 543	3 473 543	3 724 039	368 908	4 092 947	4 073 973	4 367 462
Direct charge on the National Revenue Fund	113 819	138 083	149 624	148 800	-	8 751	157 551	164 672	154 318	-	154 318	161 785	171 532
Judges' Salaries	113 819	138 083	149 624	148 800	-	8 751	157 551	164 672	154 318	-	154 318	161 785	171 532
Total	2 439 121	2 792 468	2 887 275	3 693 685	199 658	87 751	3 981 094	3 638 215	3 878 357	368 908	4 247 265	4 235 758	4 538 994
Change to 2001 Budget Estimate							287 409	(55 470)			220 494	269 961	

Table 23.9: 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 2000/01	Other adjustments	Adjusted appropriation		Current	Capital	Total		
	1998/99	1999/00	2000/01	2001/02			2002/03			2003/04	2004/05		
R thousand													
Current	2 175 735	2 508 440	2 577 689	3 182 528	118 784	103 435	3 404 747	3 254 747	3 724 039	-	3 724 039	3 571 235	3 837 559
Personnel	1 338 113	1 464 780	1 642 151	1 764 483	16 210	76 882	1 857 575	1 804 245	2 090 349	-	2 090 349	2 185 741	2 351 502
Salaries and wages	932 771	1 057 068	1 152 112	1 429 058	-	979	1 430 037	1 404 245	1 857 282	-	1 857 282	1 806 357	1 948 071
Other	405 342	407 712	490 039	335 425	16 210	75 903	427 538	400 000	233 067	-	233 067	379 384	403 431
Transfer payments	481 619	671 462	403 072	663 933	6 395	10 000	680 328	680 328	814 560	-	814 560	531 280	563 641
Subsidies to business enterprises	-	-	-	5 100	-	-	5 100	5 100	-	-	-	-	-
Other levels of government													
social security funds	-	-	-	-	-	-	-	-	-	-	-	-	-
universities and technikons	-	-	-	-	-	-	-	-	-	-	-	-	-
extra-budgetary institutions	481 619	671 462	403 072	658 833	6 395	10 000	675 228	675 228	814 560	-	814 560	531 280	563 641
provincial government	-	-	-	-	-	-	-	-	-	-	-	-	-
local government	-	-	-	-	-	-	-	-	-	-	-	-	-
Households and non-profit institutions	-	-	-	-	-	-	-	-	-	-	-	-	-
Foreign countries and international credit institutions	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	356 003	372 198	532 466	754 112	96 179	16 553	866 844	770 174	819 130	-	819 130	854 214	922 416
Capital	149 567	145 945	159 962	362 357	80 874	(24 435)	418 796	218 796	-	368 908	368 908	502 738	529 903
Transfer payments	1 409	1 818	-	-	-	-	-	-	-	-	-	-	-
Other levels of government	-	-	-	-	-	-	-	-	-	-	-	-	-
Other capital transfers	1 409	1 818	-	-	-	-	-	-	-	-	-	-	-
Movable capital	53 460	39 067	47 487	168 570	26 215	(24 435)	170 350	120 350	-	157 770	157 770	222 999	236 380
Motor vehicles (transport)	7 337	6 312	14 420	20 040	-	-	20 040	17 856	-	21 046	21 046	24 158	25 607
Equipment - Computers	22 394	23 802	21 746	79 355	500	(25 415)	54 440	35 551	-	55 957	55 957	85 919	91 074
Equipment - Other office equipment	16 442	7 811	2 968	38 006	25 715	700	64 421	51 855	-	33 283	33 283	50 287	53 305
Other	7 287	1 142	8 353	31 169	-	280	31 449	15 088	-	47 484	47 484	62 635	66 394
Fixed capital	94 698	105 060	112 475	193 787	54 659	-	248 446	98 446	-	211 138	211 138	279 739	293 523
Land	23 896	12 983	-	-	-	-	-	-	-	-	-	-	-
Buildings	33 893	56 290	105 989	183 787	-	-	183 787	183 787	-	191 138	191 138	199 739	211 723
Infrastructure	2 380	11 716	1 595	10 000	54 659	-	64 659	(85 341)	-	20 000	20 000	80 000	81 800
Other	34 529	24 071	4 891	-	-	-	-	-	-	-	-	-	-
Total	2 325 302	2 654 385	2 737 651	3 544 885	199 658	79 000	3 823 543	3 473 543	3 724 039	368 908	4 092 947	4 073 973	4 367 462

Table 23.10: 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 2000/01	Other adjustments	Adjusted appropriation		Current	Capital	Total		
	1998/99	1999/00	2000/01	2001/02			2002/03			2003/04	2004/05		
R thousand													
Personnel	1 338 113	1 464 780	1 642 151	1 764 483	16 210	76 882	1 857 575	1 804 245	2 090 349	–	2 090 349	2 185 741	2 351 502
Administrative	158 461	175 186	192 061	267 190	–	50 928	318 118	300 820	259 513	–	259 513	271 003	279 837
Inventories	42 454	37 006	57 926	57 709	6 301	2 961	66 971	38 078	95 263	–	95 263	56 535	65 996
Equipment	60 851	48 089	96 219	181 160	26 215	(23 564)	183 811	133 811	17 526	157 770	175 296	237 052	259 024
Land and buildings	94 698	105 060	112 475	193 787	54 659	–	248 446	98 446	–	211 138	211 138	279 739	293 523
Professional and special services	86 184	86 287	177 043	345 004	86 516	(53 845)	377 675	345 690	361 252	–	361 252	407 185	442 871
Transfer payments	483 028	673 280	403 072	663 933	6 395	10 000	680 328	680 328	814 560	–	814 560	531 280	563 641
Miscellaneous	61 513	64 697	56 704	71 619	3 362	15 638	90 619	72 125	85 576	–	85 576	105 438	111 068
Total	2 325 302	2 654 385	2 737 651	3 544 885	199 658	79 000	3 823 543	3 473 543	3 724 039	368 908	4 092 947	4 073 973	4 367 462

Table 23.11: Summary of transfers and subsidies per programme

R thousand	Expenditure outcome				Medium-term expenditure estimate				
	Audited	Audited	Preliminary	Adjusted	Current	Capital	Total		
	1998/99	1999/00	2000/01	2001/02	2002/03			2003/04	2004/05
1 Administration	-	-	-	5 100	-	-	-	-	-
Skills Act	-	-	-	5 100	-	-	-	-	-
5 Auxiliary and Associated Services	483 028	673 280	403 072	675 228	814 560	-	814 560	531 280	563 641
Truth and Reconciliation Commission ¹	53 869	14 617	30 181	10 000	-	-	-	-	-
Human Rights Commission ¹	16 930	17 296	21 780	21 899	26 958	-	26 958	29 845	33 341
Commission on Gender Equality ¹	13 830	10 726	12 262	13 057	14 633	-	14 633	15 759	16 588
Special Investigating Unit ¹	16 192	16 894	17 739	21 419	22 958	-	22 958	24 845	26 341
Legal Aid Board ¹	222 171	340 880	245 573	322 103	341 827	-	341 827	357 924	378 282
Public Protector ¹	5 627	15 399	17 573	35 766	34 500	-	34 500	36 253	38 436
President's Fund	100 000	200 000	1	190 001	310 001	-	310 001	1	1
Government Motor Transport	1 409	1 818	83	-	-	-	-	-	-
Represented Political Parties Fund	53 000	55 650	57 880	60 983	63 683	-	63 683	66 653	70 652
Total	483 028	673 280	403 072	680 328	814 560	-	814 560	531 280	563 641

¹ Amount specifically and exclusively appropriated.

Table 23.12: Summary of personnel numbers and costs¹

Personnel numbers	1998/99	1999/00	2000/01	2001/02	2002/03
1 Administration	1 336	1 336	1 336	1 336	1 336
2 Administration of Courts	9 159	9 159	9 952	9 952	9 952
3 State Legal Services	692	692	697	697	697
4 National Prosecuting Authority	3 037	3 037	3 055	3 444	3 444
5 Auxiliary and Associated Services	17	17	17	17	17
Total	14 241	14 241	15 057	15 446	15 446
Total personnel cost (R thousand)	1 338 113	1 464 780	1 642 151	1 857 575	2 090 349
Unit cost (R thousand)	94.0	102.9	109.1	120.3	135.3

¹ Full-time equivalent

Table 23.13: Summary of expenditure on training

	Expenditure outcome		Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Preliminary outcome		2002/03	2003/04	2004/05
	1999/00	2000/01	2001/02			
R thousand						
1 Administration	15 565	17 411	14 018	17 642	17 694	17 729
2 Administration of Courts	1 020	10 078	12 500	12 178	12 422	12 434
3 State Legal Services	102	130	140	190	190	190
4 National Prosecuting Authority	118	202	240	10 051	10 352	10 362
5 Auxiliary and Associated Services	10	2	3	3	3	3
Total	16 815	27 823	26 901	40 064	40 661	40 718

Table 23.14: Summary of information and communications technology expenditure

R thousand	Adjusted	Medium-term expenditure estimate		
	appropriation	2001/02	2002/03	2003/04
1 Administration	248 316	483 038	810 420	810 025
Technology	140 166	203 916	219 720	198 225
Hardware	82 000	151 500	147 500	170 000
Software and licences	58 000	52 250	72 000	28 000
Audio-visual equipment	166	166	220	225
Systems	-	-	-	-
IT services	108 150	279 122	590 700	611 800
Consulting	100 000	270 500	580 000	600 000
Outsourcing	8 150	8 622	10 700	11 800
Total	248 316	483 038	810 420	810 025