



PROGRAMME PERFORMANCE

8. Part 2: Programme Performance

Voted Funds

| Appropriation | Main Appropriation | Adjusted Appropriation | Actual Amount Spent | Over/Under Expenditure |
|-----------------------------------|---|------------------------|---------------------|------------------------|
| | R'000 | R'000 | R'000 | R'000 |
| National Prosecuting Authority | 2,480,084 | 2,385,473 | 2,228,715 | 156,758 |
| Public Prosecution | 1,533,591 | 1,581,402 | 1,526,853 | 54,549 |
| Office for Witness Protection | 126,140 | 127,611 | 120,223 | 7,388 |
| Directorate of Special Operations | 293,090 | 143,699 | 102,567 | 41,132 |
| Asset Forfeiture Unit | 71,242 | 73,475 | 78,536 | -5,061 |
| Support Services | 456,021 | 459,286 | 400,536 | 58,750 |
| Responsible Minister: | Minister of Justice and Constitutional Development | | | |
| Administering Department: | Department of Justice and Constitutional Development | | | |
| Accounting Officer: | Director-General for Justice and Constitutional Development | | | |

Aim of the Vote

The NPA provides a coordinated prosecuting service that protects certain witnesses, and removes the profit from crime.

Programme 4: National Prosecuting Authority (NPA)

There are four sub-programmes:

- The sub-programme: **Public Prosecutions** includes general prosecutions and several specialist prosecution units, such as those for priority crimes litigation, sexual offences and community affairs, and specialised commercial crime.
- The sub-programme: **Witness Protection** provides protection, support and related services to vulnerable witnesses and related persons in judicial proceedings.
- The sub-programme: **Asset Forfeiture** seizes assets that are the proceeds of crime or have been part of an offence through a criminal or civil process.
- The sub-programme: **Support Services** provides the NPA and its several components with a wide range of administrative, managerial and support services.

The NPS carries out the primary responsibility of the NPA. Since the formation of the NPA several business units have been added: the SCCU, the PCLU, the SOCA, the OWP, and the AFU. The support services component, Corporate Services (CS), deals with a wide range of aspects including communications, information management, human resources, security, etc.



Key measurable objectives

The NPA identified the following organisational measurable objectives:

- Improve prosecutorial efficiency by increasing the number of cases finalised by 2 per cent, from 311 488 in 2008/09 to 330 551 in 2011/12.
- Increase the use of alternative ways of delivering justice by increasing the number of cases finalised (including diversion) by 2 per cent per year, from 396 303 in 2008/09 to 420 559 in 2011/12.
- Improve capacity to deal with complex commercial crime by increasing the number of cases finalised by the Specialised Commercial Crime Unit by 2 per cent, from 1 257 in 2008/09 to 1 334 in 2011/12.
- Improve justice services for the victims of sexual offences by establishing five additional Thuthuzela Care Centres to bring the total number to 30 in 2011/12 from the current 15.
- Protect and support vulnerable and intimidated witnesses by ensuring that no witnesses are harmed or threatened while on the witnesses protection programme, thus reducing the percentage of witnesses that walk off the programme from 16 percent in 2008/09 to 10 percent in 2011/12.
- Contribute to reducing the incentive of crime by removing its proceeds from the control of criminals and by increasing the value of freezing orders (court orders to freeze an individual's assets) from R330 million in 2008/09 to R420 million in 2011/12.



The performance in terms of these objectives is contained in the table below:

Table 2: Key Measurable Objectives for the NPA as reflected in the Estimates of National Expenditure (ENE)

| Sub-programme | Indicator | Target 2009/10 | Actual 2009/10 | Deviation | Notes |
|-------------------------------|--|----------------|----------------|-----------|---|
| 1. Public Prosecutions | Number of backlog cases | 40 498 (-2%) | 38,563 | -0.05% | Target exceeded |
| | Number of cases finalised: with diversion: NPS | 404,229 | 469,541 | 16.2% | A significant improvement due to focus on performance management and monitoring |
| | Number of cases finalised: without diversion: NPS | 317,677 | 350,910 | 10.5% | A significant improvement due to more courts in session and increased focus on performance management |
| | Number of cases finalised by means of alternatives | 86,552 | 108,531 | 20.3% | |
| | Conviction rate: High courts | 86.0% | 87.7% | 2.0% | |
| | Conviction rate: Regional courts | 74.0% | 73.6% | -0.6% | |
| | Conviction rate: District courts | 87.0% | 90.5% | 3.5% | |
| | Conviction rate: Sexual offences courts | 66.0% | 68% | 2.6% | |
| | Number of TCCs | 20 | 20 | 0.0% | |
| | Conviction rate: SCCU | 94.0% | 93.6% | -0.4% | |
| | Number of cases finalised: SCCU | 1,257 | 1026 | -18.4% | A total of 889 cases were finalised by the ten dedicated courts. 137 cases were finalised by SCCU prosecutors in the regions. |
| 2. Witness Protection | Number of witnesses harmed or threatened | 0 | 0 | 0.0% | |
| | Percentage of walk-offs | 14% | 29% | 107.1% | The amended definitions as previously reported contributed to this factor. The definition has been amended and submitted for approval |
| 3. Asset Forfeiture | Number of completed forfeiture cases | 275 | 271 | -1.5% | Below target but second highest ever achieved |
| | Number of new freezing orders | 280 | 315 | 12.9% | |
| | Value of new freezing orders (R million) | R 360m | R 491m | 36.4% | |
| | Success rate | 86.0% | 92.4% | 7.4% | A good result but not comparable with previous years due to a new definition |

