



NATIONAL PROSECUTING AUTHORITY
South Africa



2011/12

Annual Report





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ACCOUNTING OFFICER'S OVERVIEW



One of the key highlights for the National Prosecuting Authority (NPA) in the past year was the inroads made in the case backlogs in all courts. A significant 5.7% reduction was achieved from 37 034 at the end of previous financial year to 34 926 at the end of this period. Towards the end of the past financial year, the NPA underwent a realignment of its structure to improve service delivery in key areas. This should translate into tangible improvements in case finalisation on the prosecution of complex commercial crime.

The legal challenge regarding the appointment of the National Director and his subsequent leave of absence had an impact on the NPA. Despite this, the NPA leadership ensured that it did not negatively affect service delivery.

The NPA has submitted its reviewed Strategic Plan 2017 and Annual Performance Plan 2013 to the Executive Authority for approval and has also tabled these documents in Parliament within the prescribed timeframes. The NPA Strategic Plan is based on the JCPS Delivery Agreement and performance will be closely monitored in line with indicators and targets as set out in these documents.

Work commenced by the Department of Justice and Constitutional Development (DoJ&CD) to clarify the accounting status of the NPA and address governance issues. Progress has been made and should be finalised in the coming year.

The acting CEO and Executive Manager: Finance and Procurement continued to participate in the Exco of the DoJ&CD. This has ensured that I am able to exercise my duties as the accounting officer of the NPA more effectively.

As a key role player in the Justice Crime Prevention and Security (JCPS) Cluster it is important to ensure that the NPA is well resourced and adequately capacitated. The drive initiated in the previous financial year to address the vacancy rate, continued. The vacancy rate was reduced from 15.3% as at the end of 2011 to 13.7% as at the end of 2012. Constraints in respect of the Compensation of Employees budget prevented the NPA from further addressing this rate. The aspirant prosecutor programme of the NPA which serves as the entrance to the NPA was significantly bolstered with an additional 160 aspirant prosecutors being taken onto the programme.



NATIONAL PROSECUTING AUTHORITY – VOTE 24 For the year ended 31 March 2012

The NPA spent 99.8% of its appropriation as at the end of the financial year (after virement). The NPA assisted the Department of Justice and Constitutional Development (DoJ&CD) with a once-off virement of R30 million. The NPA also finalised a long outstanding legal dispute with Imperial Holdings Ltd. The matter has already been settled on satisfactory terms, and the bulk of the settlement amount was paid during the period under review whilst the balance will be paid in the new financial year.

In the past financial year 99% of all NPA staff submitted performance agreements to the Human Resource Management and Development (HRM&D) unit of the NPA compared to 88% in the previous financial year. Increased staff awareness has contributed to this increase.

All disclosures of financial interest by senior managers were submitted to the Department of Public Service and Administration (DPSA) with the exception of 7 officials that were seconded to other government departments. The late submission by these 7 officials was condoned by the DPSA.

All assets acquired in the year have been reconciled with the accounting system and loaded on the NPA asset management system (Assetware). The transfer of assets of the Directorate for Special Operations (DSO) has also been completed. Disciplinary action is instituted for poor compliance with asset management when identified.

The disciplinary action against all officials responsible for irregular expenditure in the past years as identified in the report of a service provider has been finalised. There has been a marked reduction in the incidence of incurring irregular expenditure as strong measures to prevent, identify and correctly disclose irregular expenditure have been put in place.

Similarly steps have been taken to address fruitless or wasteful expenditure and such debt is recovered as identified.

Lastly I would like to acknowledge the support that we received from Minister Jeff Radebe, MP, Deputy Minister Andries Nel, MP, the National Director Adv Menzi Simelane, Acting National Director Adv Nomgcobo Jiba, Acting CEO Karen van Rensburg, the Portfolio Committee on Justice and Constitutional Development, the Parliament, SCOPA and the Auditor-General of South Africa. I would also like to extend my deepest gratitude to the broader NPA family for making the period under review a success.

Ms N Sindane

Director-General: Department of Justice and Constitutional Development

Date: 31 May 2012

1. GENERAL INFORMATION

Vision, Mission and Values

The vision of the National Prosecuting Authority (NPA) is to achieve:

Justice in our society so that people can live in freedom and security

The mission of the NPA is:

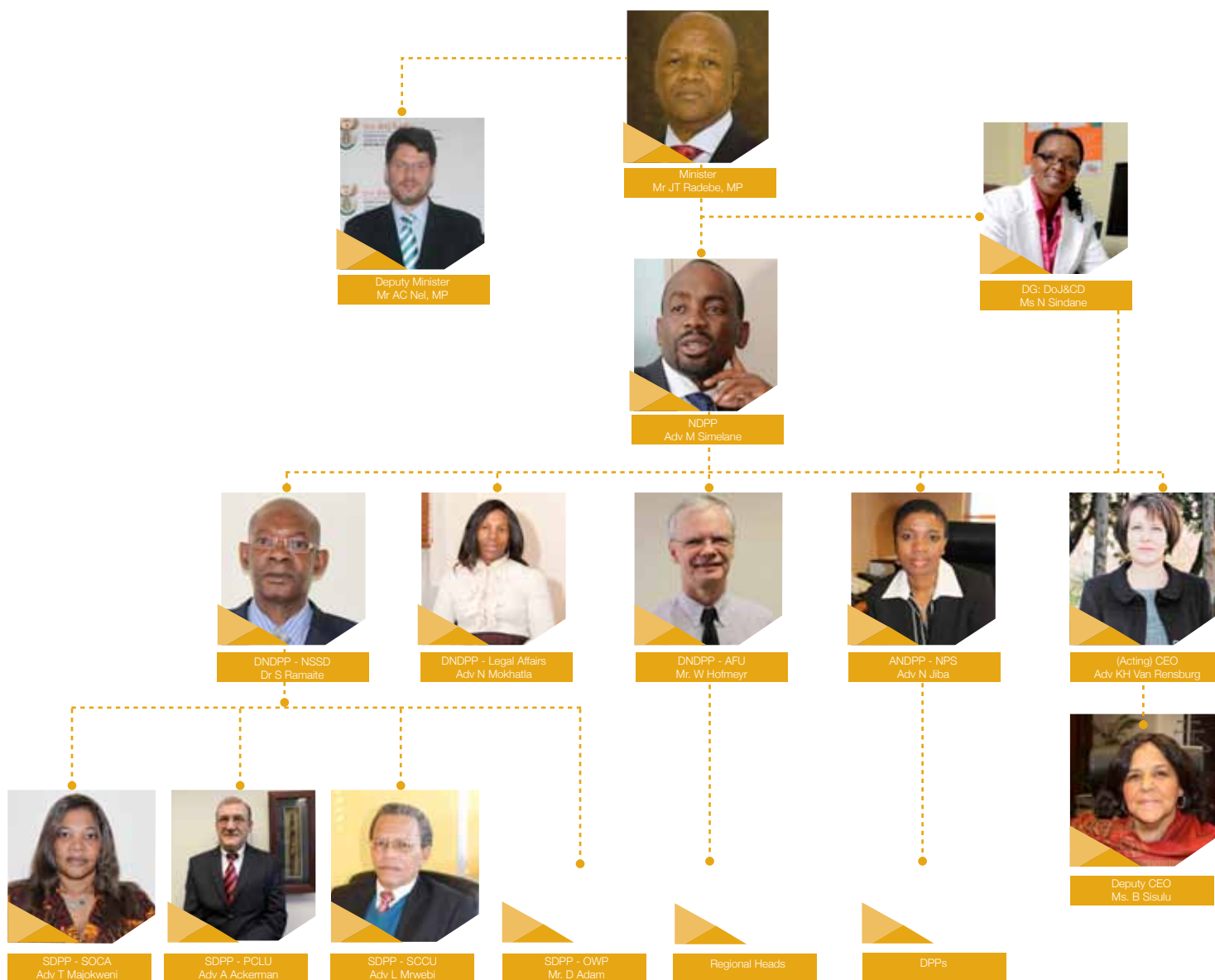
Guided by the Constitution, we in the National Prosecuting Authority, ensure justice to the victims of crime by prosecuting without fear, favour or prejudice, and by working with our partners and the public to solve and prevent crime.

Values of the NPA are:

- **Integrity** which is displayed through ethical conduct, high moral standards, honesty, moral principles and values, no bribery or corruption – zero tolerance, keeping promises, truthfulness and being beyond reproach
- **Accountability** which is depicted by being responsible and answerable for our actions
- **Service excellence** which is found in providing first class customer service and complying with the Batho Pele principles
- **Professionalism** which can be seen through commitment/dedication, punctuality, competence, and professional conduct in and out of court
- **Credibility** which is depicted in the following behaviour consistency and the ability to inspire belief or trust

ORGANISATIONAL STRUCTURE

The structure of the NPA during the financial year is depicted in the NPA Strategic Plan 2011/2016. However, after consultation with relevant stakeholders, the NPA recommended amendment of its organisational structure to the Minister of Justice and Constitutional Development as required by the prescripts, to improve performance and service delivery. An analysis of the relationship between the performance of the organisation and the structure deemed the restructuring necessary. These changes will ensure that the provision of specialised services is efficient and that the accountability level is enhanced. Proposed amendments included the re-establishment of the Specialised Commercial Crime Unit (SCCU) and the National Prosecutions Service (NPS). The current structure of the NPA is set out below.



DIRECTORS OF PUBLIC PROSECUTIONS (DPPs)



Director of Public Prosecutions
Mthatha
Adv B Madolo



Director of Public Prosecutions
Northern Cape
Adv I Thenga



(Acting)
Director of Public Prosecutions
Kwa-Zulu Natal
Adv S Mlotshwa



Director of Public Prosecutions
North Gauteng
Adv S Mzinyathi



Director of Public Prosecutions
South Gauteng
Adv A Chauke



Director of Public Prosecutions
Grahamstown
Adv L Mahlali



Director of Public Prosecutions
Western Cape
Adv R De Kock



Director of Public Prosecutions
North West
Adv J Smit



Director of Public Prosecutions
Free State
Adv X Khanyile



LEGISLATIVE MANDATE

In terms of the Constitution and the NPA Act, the NPA is seized with the responsibility for instituting prosecutions on behalf of the State. The key legislation is briefly discussed below.

Constitutional Mandate

The NPA derives its mandate from section 179 of the Constitution. Section 179(2) expressly empowers the prosecuting authority to institute criminal proceedings on behalf of the state, and to carry out any necessary functions incidental to instituting criminal proceedings. Furthermore, section 179(4) requires that the prosecuting authority must exercise its functions without fear, favour or prejudice.

The National Director of Public Prosecutions (National Director), as head of the prosecuting authority, and Directors of Public Prosecutions (DPPs), as heads of the NPA at the various seats of the High Court, are responsible for compliance with the abovementioned constitutional obligation. In terms of section 179(5) of the Constitution the National Director must determine prosecution policy and issue policy directives, which must be observed in the prosecution process. Furthermore, in terms of section 179(6) of the Constitution, the Minister responsible for the administration of justice, exercises final responsibility over the prosecuting authority, and may, in terms of section 33(2) of the NPA Act, request reports from the National Director regarding the functioning of the NPA.

National Prosecuting Authority Act, 1998 (Act No. 32 of 1998) (NPA Act)

In terms of section 20(1) of the NPA Act, the power vests in the prosecuting authority, to:

- (a) institute and conduct criminal proceedings on behalf of the State
- (b) carry out any necessary functions incidental to instituting and conducting such criminal proceedings, and
- (c) discontinue criminal proceedings

In terms of section 11 of the NPA Act, the President may, after consultation with the Minister and National Director, appoint not more than four persons as Deputy National Directors of Public Prosecutions (DNDPP). A DNDPP has all the powers as set out in section 20(1) of the NPA Act. The DNDPPs' powers and functions are exercised subject to the control and direction of the National Director. The National Director may assign certain specific functions to a DNDPP, for example legal affairs which includes constitutional actions and litigation.

In terms of section 13(1)(c) of the NPA Act the President may also appoint one or more Special Directors of Public Prosecutions (Special Director) to exercise certain powers, carry out certain duties and perform certain functions conferred or imposed on or assigned to him or her by the President by proclamation in the Gazette. In terms of section 24(3), such Special Director must exercise the powers, carry out the duties and perform the functions conferred or imposed on or assigned to him or her by the President, subject to the directions of the National Director.

Non-entity specific legislation

The NPA as the sole entity seized with the responsibility for instituting prosecutions on behalf of the State, is legally bound and empowered by various legislation. Below is a short discussion of the key pieces of legislation that have a bearing on the NPA and its work:

Criminal Procedure Act, 1977 (Act No. 51 of 1977)

This Act regulates matters relating to criminal proceedings in a court of law, including the power to withdraw a charge and stop a prosecution, private prosecution, search and seizure, attendance in court, arrest, summons, admission of guilt, bail, release of accused person, summary trial, the charge, the plea, jurisdiction, preparatory examination, trial before different courts, conduct of proceedings, witnesses, evidence, competent verdicts, previous convictions, sentence, compensation, reviews and appeals.

Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998)

This Act provides measures for the law enforcement agencies and the prosecuting authority to combat organised crime and money laundering. The primary feature of the Act includes provisions for the recovery of the proceeds of unlawful activity. Chapter 5 provides for the forfeiture of benefits derived from crime in those cases where the “defendant” is convicted of an offence. Chapter 6, on the other hand, does not focus on wrongdoers themselves, but on tainted property that either has been used to commit an offence or which constitutes proceeds of crime. It provides for forfeiture of proceeds of, and instrumentalities used in crime. It is not based on a conviction and may be invoked even where there is no prosecution.

Implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No. 27 of 2002)

The Priority Crimes Litigation Unit (PCLU) headed by a Special Director (SDPP) in the Office of the National Director is mandated to manage and direct the investigation and prosecution of crimes contemplated in the above Act. These crimes include serious national and international crimes, which include acts of terrorism and sabotage, high treason, sedition, and foreign military crimes committed by mercenaries.

Witness Protection Act, 1998 (Act No. 112 of 1998)

The Office for Witness Protection (OWP) promotes and supports the criminal justice system in judicial proceedings by providing protection, support and related services to vulnerable and intimidated witnesses and related persons in order that witnesses can provide essential evidence without fear of intimidation, harm or danger. The OWP is established in the Department of Justice with the Director-General as the accounting officer but is administered by the NPA.

Other legislation that impacts on the NPA is as follows:

- Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004)
- Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) (Sexual Offences Act)
- Child Justice Act, 2008 (Act No. 75 of 2008)

Legislation tabled in Parliament

The NPA did not directly table any legislation in Parliament as this is done by the DoJ&CD.

NATIONAL DIRECTOR'S STATEMENT



Despite challenges mainly occasioned by the case flow management, the NPA remains committed in ensuring that it delivers on its mandate and achieves its strategic objectives. The work done by prosecutors was fairly impressive in most respects, although we did not reach all our targets. According to the latest South African Police Service (SAPS) crime statistics, the country experienced, in general terms, a reduction in most serious crimes - including contact and trio crime categories. This is an indication that the efforts of those involved in the fight against crime are starting to bear fruit, and the performance of prosecutors has made a significant contribution to that success.

The NPA has aligned its Strategic Plan to achieve Outcome 3 of the JCPS Delivery Agreement that seeks to ensure that all people are and feel safe. Although the targets in respect of particularly output 5 have not been met, significant progress has been made in identifying potential cases and developing investigative and prosecution strategies to deal with these cases in the short to medium term. A high level overview of the performance of the NPA in respect of the other outputs is briefly discussed below.

The NPA increased the number of cases finalised by way of Alternative Dispute Resolution Mechanisms (ADRM) by 2.2%. The NPA maintained high conviction rates in all courts (district, regional and high courts) with an overall conviction rate of 88.8%. All levels of courts maintained a positive clearance ratio during 2011/12 thus disposing of more cases than the number of new cases enrolled. There was a 12.2% reduction in the number of cases withdrawn in the courts due to better and improved screening mechanisms.

The NPA has ensured that the target set out under Output 4 of the JCPS Delivery Agreement in respect of the number of operational Thuthuzela Care Centres (TCCs) was met. This brings the total to 30, while additional sites have been identified and are at various stages of implementation.

In line with the priority of dealing with corruption in the JCPS more effectively (Output 3 of the JCPS Delivery Agreement), the number of JCPS officials convicted with corruption increased from 29 in 2010/11 to 107 in this period (269%) improvement.

No witnesses were harmed or threatened by persons from whom they are protected while on the programme. However, one witness was harmed in an altercation while attending a social event.

The Asset Forfeiture Unit (AFU) had limited success in respect of achieving its targets. It continued to improve its success rate and achieved the highest rate ever of 96.1% against a target of 90%. Overall, it did well on its value targets with more than R540 million frozen for the second consecutive year. R131

million was recovered and paid to the victims of crime and to the Criminal Assets Recovery Account (CARA), the highest amount ever. However, it was about 5.5% below target on the number of cases done, partly because of the increased focus on more complex high impact cases.

The NPA continued to focus on increasing its capacity to effectively carry out its mandate. It is encouraging that during the year under review we were able to bring down our vacancy rate to around 13.7%, while the prosecutorial vacancy rate was reduced from 12.12% at the beginning of the financial year to 11.4% at the end of the financial year. Further efforts are hampered by the lack of funding in the Compensation of Employees budget. The appointment of three DPPs (one of which is an African Woman) to the long vacant positions of DPP in Johannesburg, Bloemfontein and Mthatha as well as Special Director, Special Commercial Crime Unit (SCCU) was welcomed and increased the top management capacity of the NPA. The aim of the NPA is to continue to build strong and highly skilled teams of prosecutors who will bring about remarkable improvements in the area of prosecutions. The process of implementing the Occupation Specific Dispensation (OSD) has also gone a long way in recognising the immense talent and experience of many of our prosecutors in the legal field, and I am encouraged that the implementation of the 2nd Phase of OSD has been completed.

Acknowledgements

I wish to thank all NPA employees for their dedication and commitment during the past year. I particularly want to thank my senior management group for the support that they have afforded me during my term as acting National Director.

The SMS Summit was an important milestone on our road to excellent service delivery. I wish to thank all managers for their active participation in the event.

Lastly, I would like to thank the corporate services staff for their continued support in ensuring that we are put in a position where we can better perform and deliver on our mandate. Your efforts and dedication are much appreciated.

Let us unite in our vision to address crime by working harder and smarter with our partners and stakeholders.



Adv Nomgcobo Jiba
Acting National Director of Public Prosecutions
Date: 31 May 2012

2. INFORMATION ON PREDETERMINED OBJECTIVES

Key Strategic Objectives in the ENE

The NPA identified the following organisational measurable objectives for the ENE:

- Improve prosecutorial efficiency by increasing the number of cases finalised excluding alternative dispute resolution mechanisms (ADRM)
- Increase the use of alternative ways of delivering justice by increasing the number of cases finalised through ADRM
- Contribute to improving the effectiveness of the Criminal Justice System (CJS) by ensuring that no witnesses are harmed or threatened while on the witness protection programme
- Remove the proceeds of crime from the control of criminals by increasing the value of freezing orders (court orders to freeze individuals' assets)
- Contribute to combating corruption in the Justice Crime Prevention Security Cluster by ensuring the conviction of people of corruption and freezing of their assets
- Contribute to improving investor perceptions, trust and willingness to invest by convicting and freezing assets of persons who have more than R5 million in assets obtained through illicit means
- Maintain the conviction rates in the High Courts, Regional Courts and District Courts.
- Improve justice services for the victims of sexual offences by establishing additional TCCs
- Increase the number of new completed forfeiture cases
- Increase the number of new freezing orders
- Increase the value of new freezing orders
- Maintain the overall success-rate of the AFU

2.1 Overall Performance

2.1.1 Voted Funds

Table 1: Voted Funds for the NPA

Appropriation	Main Appropriation R'000	Adjusted Appropriation R'000	Final Appropriation R'000	Actual Amount Spent R'000	(Over)/Under Expenditure R'000
National Prosecuting Authority	2 640 257	2 651 665	2 621 665	2 615 415	6 250
Public Prosecutions	1 900 765	1 933 163	1 951 858	1 951 858	0
Office for Witness Protection	137 842	148 230	132 870	132 870	0
Asset Forfeiture	106 074	122 555	104 507	104 507	0
Support Services	495 576	447 717	432 430	426 180	6 250
Responsible Minister / MEC		Minister of Justice and Constitutional Development			
Administering Dept		Department of Justice and Constitutional Development			
Accounting Officer		Director-General of Justice and Constitutional Development			

2.1.2 Aim of the Vote

The NPA provides a coordinated prosecution service that ensures that justice is delivered to the victims of crime through general and specialised prosecutions, removes the profit from crime, and protects certain witnesses.

2.1.3 Strategic Outcome Orientated Goals

JCPS Outcome:	All people of South Africa are and feel safe
NPA Strategic Outcome Oriented Goal	To provide effective prosecution and related services
Goal Statement	To ensure that all matters are dealt with speedily and effectively

2.1.4 Overview of the Service Delivery Environment

The main services provided by the NPA are: prosecution of cases, witness protection services and removing the profit from crime through the use of the Prevention of Organised Crime Act (POCA).

The main indicator for the demand in the NPA is the number of cases referred to the NPA for prosecution. The South African Police Service (SAPS) is mainly responsible for this indicator. The increase in investigative capacity of the SAPS was expected to result in an increase in cases referred to the NPA for prosecution. There has, however, been a decrease in the number of cases enrolled but a significant increase in the number of cases referred to the NPA for decision. This can be attributed to better screening of cases in the courts.

The level of crime is an indirect indicator of the demand for the NPA services and there has been a decline in reported crime over the past years. However, the actual demand is the number of resolved (or detected cases) that are referred to the NPA. As the overall level of crime decreases, it should result in an increase in resolved cases as the investigations can focus on fewer cases. The NPA needs to prepare for this eventuality through an increase in prosecutors. The effective functioning of the CJS may be compromised by the increase in new cases, coupled with existing court rolls. This will result in the increase of outstanding court rolls (work in progress) unless the NPA completes more cases than it receives.

The availability of diversion programmes provides an option of diverting suitable cases from the mainstream prosecution, thereby alleviating the trial demands on the courts. However, in most jurisdictions the CJS has been unable to cope with this demand, adding to the overburdened court rolls.

The NPA is dependent on the role players within the JCPS to deliver on its mandate. Successful partnerships with key stakeholders and effective service delivery of all are required. To be successful, all stakeholders need to align their plans and targets. In this respect the Chief Justice has acknowledged that this is an issue that needs to be addressed by the judiciary. The general inefficiency of the CJS (such as the reduction in court utilisation as well as the quality of investigation) affects the NPA's ability to deliver and this, as well as media reporting, impacts negatively on the level of public confidence in the system.



The Lower and High Courts maintained a positive clearance ratio¹ during 2011/12. A total of 897 842 new cases were enrolled and 930 932 cases were disposed² of, which represents a positive clearance rate of 3.7%. As the NPA strives to deliver justice to the community, a total of 33 090 more cases were disposed of than received.

The enhanced focus of the courts on serious crime has resulted in improved finalisation of cases by both the High and Regional Courts. Increases of 4.7% and 3.1%, respectively, were achieved. Furthermore, the Regional Courts managed to improve the conviction rate in an effort to curb serious crime. The courts also excelled in the prosecution of trio crimes by finalising 232.1% more cases compared to the number reported in the previous financial year.

Better screening processes, including the implementation of the screening protocol, further resulted in a reduction of 12.2% in the number of cases withdrawn and assisted in the enrolment of mainly trial-ready matters. Better screening contributed to a reduced inflow of new cases, as cases in which there is no *prima facie* case, are not enrolled. In total: 6.4% more dockets than in 2010/11 were referred for decision and a total of 650 677 dockets were dealt with during 2011/12, which represents an increase of 5.4% on the previous year.

An increased use of delivering justice by means of ADRM³ was achieved by increasing the number of cases finalised in this manner with 2.2%, namely, from 129 846 in 2010/11 to 132 693 in 2011/12. High conviction rates were maintained. An average of 1 685 High and Lower Courts finalised 316 098 cases with a verdict, achieving an 88.8% conviction rate. This is slightly higher than the conviction rate achieved during 2010/11, although 4.5% fewer verdict cases were finalised compared to the total of 331 045 verdict cases finalised during 2010/11. This reduction must be viewed against the steady decline in court utilisation, as well as the 6.9% (70 630) increase in formal bail applications compared to the 66 046 applications dealt with during 2010/11. Valuable court time is spent on bail applications, which could have been used for trial-ready matters.

The courts reduced the backlog of cases through the prioritisation and proper preparation of cases. A remarkable reduction of 5.7% was achieved from the 37 034 cases recorded at the end of 2010/11. The Backlog Court Project assisted this achievement as a total of 15 886 cases were finalised by the backlog courts during the reporting period.

¹The clearance ratio equals the number of new cases received divided by the number of cases disposed (excluding cases diverted before enrolment in terms of the CJA).

²Total number of criminal court cases and cases under investigation disposed of in the reporting period. These include court cases finalised by verdict and sentence (including section 57A of the Criminal Procedure Act), or through the use of alternatives such as diversion or informal mediation, withdrawn, warrants of arrest issued, transferred from the court roll, and struck from the roll irrespective of the date of enrolment of the case.

³ADRM include diversions after enrolment, matters diverted in terms of the Child Justice Act (CJA) and informal mediations.

In line with the priority focus of the JCPS Delivery Agreement on dealing with corrupt JCPS officials, the NPA increased the number of convictions to 107 compared to 29 during the previous year. A remarkable improvement of 269% was achieved. The Asset Forfeiture Unit (AFU) achieved an exceptional overall success rate of 96.1%, losing only 12 of the 307 cases finalised. The value of deposits into the Criminal Assets Recovery Account (CARA) reduced as a result of the increased focus on corruption cases where recovered funds are returned to the state as the victim of the crime. However, the combined value of recoveries to CARA and victims was R131 million, by far the highest amount ever achieved.

The most challenging aspect of the JCPS Delivery Agreement is output 5, which requires an improvement in investor perception trust and willingness to invest in South Africa. A target was set to convict at least 100 people with assets of more than R5 million obtained through illicit means, by 31 March 2014. The NPA participates in the Anti-Corruption Task Team (ACTT) which was set up to focus on this target.

Although the coordinated effort has not yet resulted in any such convictions, it has made remarkable progress. In the past 20 months, the ACTT has brought 22 such persons to court as accused in these matters and froze the assets of 23. The ACTT is investigating a further 34 persons that potentially have R5 million or more in criminal assets. The ACTT has already frozen assets to the value of R604 million in these cases, and forfeited R61 million, which is being returned to the state.

In addition, the ACTT is dealing with a number of other serious corruption cases. In total, it is investigating 57 cases involving 414 persons. Of these, 22 cases are in court with 15 people convicted and another 167 accused. The other 232 persons are still being investigated as suspects. The total value of all assets frozen to date in cases dealt with by the ACTT is R647 million⁴.

Specialised services to the victims of sexual offences were delivered at 30 fully operational TCCs across the country. The number of fully operational sites increased from 27 to 30 over the reporting period.

The latest Victims of Crime Survey (2011)⁵ conducted by Statistics South Africa highlights the following key findings with some reference to the courts:

- According to 41.8% of households the levels of violent crimes have decreased⁶ during 2010
- 64.7% of households nationally indicated that they were satisfied with the way courts are doing their work, of which 51.8% reported that courts passed appropriate sentences (especially in North West and Northern Cape); 29.8% said courts achieved a good conviction rate (especially in Gauteng and Western Cape) and 17.9% “praised” courts because they were not corrupt
- However, 34.6% of the households indicated that the sentencing of perpetrators was too lenient (especially in the Western Cape [51.2%]).⁷ Furthermore, 25.8%

⁴Figures relating to ACTT matters presented in this report have been verified by the ACTT.

⁵Survey conducted from January to March 2011.

⁶Statistics South Africa. 2011. *Victims of Crime Survey. Statistical Release P0341. Page 6.*

⁷*Ibid.* Page 25.



reported that “cases dragged on for too long” due to postponements and a mere 4.4% indicated that “no proper notice of the hearings was served by the courts”

The NPA received R11.4 million additional allocation for higher personnel remuneration increases that the main budget provided for. The original budget in respect of Compensation of Employees was increased with an amount of R60 million during the virement process (R 30 million during the Adjustment Estimates and R 30 million as part of the final virement). This was as a result of the implementation of the OSD Phase II back-pay and carried through costs. An additional amount of R30 million was transferred through virement to the SIU from savings within Goods and Services, as well as Machinery and Equipment.

No funds were rolled-over from 2010/11 to the 2011/12 financial year.

2.1.5 Overview of the Organisational Environment

All positions in the top structure of the NPA, namely, that of the NDPP and the four DNDPPs are filled. All DPP posts, with the exception of the recently vacated post in KwaZulu-Natal, have been filled.

After consultation with relevant stakeholders, the NPA recommended the amendment of its organisational structure to the Minister of Justice and Constitutional Development to improve performance and service delivery. Analysis of the relationship between the performance of the organisation and the structure deemed the restructuring necessary. These changes will ensure that the provision of specialised services is efficient and that the accountability level is enhanced. Proposed amendments included the re-establishment of the Specialised Commercial Crime Unit (SCCU) and the National Prosecutions Service (NPS).

The budget constraints experienced within the JCPS cluster affect accommodation and general resourcing in the Lower Courts.

In terms of the challenges experienced regarding the lack of an integrated information management system in the cluster, significant progress has been made and the Electronic Case Management System (ECMS) will be implemented from 1 April 2012 at selected sites.

The NPA's prosecutorial vacancy rate is 11.4%, which is a reduction of 1.3% over the previous financial year. However, there was an increase of approximately 155 (5%) in the number of prosecutors in the past year. An additional 160 aspirant prosecutors were accepted as part of the NPA Aspirant Prosecutor Programme, who were employed on contract.

2.1.6 Key Policy Developments and Legislative Changes

National Prosecuting Authority Amendment Bill

Currently, the Constitution and the provisions of the NPA Act guarantee the independence of the prosecuting authority in so far as it relates to the institution of criminal proceedings. Furthermore, the independence of the prosecuting authority has been confirmed by the Supreme Court of Appeal and the Constitutional Court.

However, at present section 36 of the NPA Act states that the DoJ&CD must, in consultation with the NDPP, prepare the necessary estimates of revenue and expenditure of the NPA. It also provides that the Director-General is, subject to the PFMA, the accounting officer of the NPA.

The abovementioned arrangement gives rise to certain practical challenges and has also been seen by some critics as a factor that may jeopardise the independence of the NPA. The view is held that both financial and administrative independence are required for the effective performance of the functions of the prosecuting authority. Accordingly, in the beginning of 2011 the Minister of Justice and Constitutional Development requested the DoJ&CD to prepare draft amendments to the NPA Act so as to provide for an independent administration of the NPA; to further regulate the executive authority of the NPA; and to provide for the appointment of a Chief Executive Officer (CEO) as accounting officer for the NPA.

At the beginning of April 2012, the Minister submitted a draft Bill to the Acting National Director for comment. The NPA is in the process of considering the Bill.

Judicial Matters Amendment Bill, 2011

The Judicial Matters Amendment Bill [B11-2012] was introduced into Parliament during March 2012. The Bill envisages, among others, the amendment of the NPA Act, 1998, so as to further regulate the remuneration of Deputy Directors and prosecutors and to regulate the continued employment and conditions of service of certain persons employed by the NPA.

2.1.7 Departmental Revenue, Expenditure, and Other Specific Topics

Collection of departmental revenue

The revenue received by the NPA during the financial year relates to non-tax revenue and financial transactions i.e. recoveries from previous year's expenditure. Generally, there is an increase in the total revenue received during 2011/12 and this is mainly as a result of a refund received from a supplier in respect of payments made in previous financial years.

Table 2: Collection of departmental revenue in the NPA

Departmental Receipts	2008/09 Actual R'000	2009/10 Actual R'000	2010/11 Actual R'000	2011/12 Target R'000	2011/12 Actual R'000	% deviation from target
Total Non-tax revenue	1 494	1 773	1 872	1 195	1 068	-11%
Interest	296	253	267	146	83	-43%
Sales by market establishments	513	114	65	0	0	0
Other Sales	664	1 000	1 111	1 049	985	-6%
Transfers received: Local & Foreign	21	406	429	0	0	0
Sale of capital assets	0	0	0	-	40	100%
Financial transactions (Recovery of loans and advances)	2 770	9 384	9 910	40	7 079	17 597%
TOTAL DEPARTMENTAL RECEIPTS	4 264	11 157	11 782	1 235	8 187	563%

2.1.8 Departmental Expenditure

Before virement, the NPA showed an overspending on compensation of employees (R30 million) due to the implementation of OSD phase II for Legally Qualified Personnel. An amount of R30 million was made available during the virement process in order to provide assistance to the SIU.

Table 3: Departmental expenditure

Details per sub-programme	Main Appropriation 2011/12	Roll-overs and adjustments	Shifting of Funds	Virement	Final Appropriation	Actual Amount Spent	(Over)/ Under Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Public Prosecutions	1 900 765	32 398	20 244	(1 549)	1 951 858	1 951 858	-
Office for Witness Protection	137 842	10 388	(15 360)	-	132 870	132 870	-
Assets Forfeiture Unit	106 074	16 481	(18 048)	-	104 507	104 507	-
Support Services	495 576	(47 859)	13 164	(28 451)	432 430	426 180	6 250
Total	2 640 257	11 408	-	(30 000)	2 621 665	2 615 415	6 250

2.1.9 Transfer Payments

The NPA transferred R2 million to the Safety and Security Sector Education and Training Authority (SASSETA). SASSETA is responsible for the development of an integrated education and training authority for the safety and security sector. Transfer of funds to SASSETA will be subject to conditions and it is required to establish and implement effective, efficient, and transparent financial management and internal control systems.

2.1.10 Conditional Grants and Earmarked Funds

Conditional grants are not applicable to the NPA.

The NPA has received additional funding from National Treasury that was earmarked for the reduction of case backlogs (R114m for 2010/11, R121m for 2011/12 and R127m for 2012/13).

2.1.11 Capital Investment, Maintenance and Asset Management Plan

The DoJ&CD reports on this under Programme 2 of the Vote.

2.2 Programme Performance

The activities of Programme 4: National Prosecuting Authority (NPA) are organised in the following four sub-programmes:

- The sub-programme: Public Prosecutions provides for general prosecutions and several specialised prosecution units, such as those for priority crimes litigation, sexual offences and community affairs and specialist commercial crimes.
- The sub-programme: Office for Witness Protection provides for protection, support and related services to vulnerable witnesses and related people in judicial proceedings.
- The sub-programme: Asset Forfeiture Unit 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 corporate support services in terms of finance, human resources, ICT, supply chain and risk management to the NPA.

Performance in respect of ENE indicators

The NPA performance in respect of the ENE indicators is set out in the table below. In respect of some of the indicators the NPA did not achieve its targets. There are a number of contributing factors as set out in the report.

Table 4: Performance against ENE selected performance indicators

Sub-Programme	Indicator as published in the ENE	2008/09	2009/10	2010/11	2011/12 Target	2011/12 Actual	% Deviation from target	Change over period 2010/11 -2011/12	Reason for deviation
Public Prosecutions	Number of criminal court cases finalised per year excl ADRM	311 825	350 910	331 045	365 087	316 098	-13.4%	-4.5%	Steady decline in court utilisation and increase in formal bail applications which could have been used for trial ready matters
	Number of criminal court cases finalised per year through ADRM	119 776	118 631	129 846	131 117	132 695	1.2%	2.2%	Target exceeded due to an increased use of delivering justice by means of ADRM
	Conviction rate: High courts ⁸	86%	88%	87.8%	87%	84.6%	-2.4%	-3.2%	Slight deviation due to fewer cases where evidence was accepted by court.
		1 461	1 083	954	1 127	963			
	Conviction rate: Regional courts ⁹	73%	74%	73.4%	74%	74.3%	0.3%	0.9%	Target exceeded due to higher percentage of cases where evidence was accepted by court.
		29 431	28 578	27 371	29 773	28 665			
	Conviction rate: District courts ¹⁰	88%	91%	90.7%	87%	90.8%	3.8%	0.1%	Target exceeded due increased use of Sec 57A admission of guilt
		238 377	281 290	265 348	292 654	251 030			
	Number of new completed forfeiture cases	277	271	320	310	301	-2.9%	-5.9%	Target up by 29% in 3 years. Deviation due to focus on high value cases

⁸The number below the percentage represents only the number of convictions

⁹The number below the percentage represents only the number of convictions

¹⁰The number below the percentage represents only the number of convictions

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Sub-Programme	Indicator as published in the ENE	2008/09	2009/10	2010/11	2011/12 Target	2011/12 Actual	% Deviation from target	Change over period 2010/11 - 2011/12	Reason for deviation
Asset Forfeiture	Number of new freezing orders	275	315	333	330	318	-3.6%	-4.5%	Target up by 29% in 3 years. Deviation due to focus on high value cases
	Value of new freezing orders (R million)	R320m	R491m	R549.2m	R500m	R553.4m	10.7%	0.8%	Deviation due to more focus on high value cases
	Success rate ¹¹	87%	92%	95.7%	90%	96.1%			Best result ever due to increased focus on quality - target to be increased
		196	262	314	310	295	6.1%	0.4%	
Sexual Offences	Total number of Thuthuzela Care Centres	17	20	27	30	30	0%	11.1%	Target reached
Office for Witness Protection	Number of witnesses harmed or threatened	0	0	0	0	0	0%	0%	Target reached

Although no witnesses were harmed or threatened by persons by whom they were protected, while on the witness protection programme, a witness under protection was harmed during an altercation while attending a social event.

Although the coordinated effort has not yet resulted in any such convictions, it has made remarkable progress. This process will be discussed in the report under output 5.

¹¹The number below represents the percentage only the number of cases successfully finalised.





SUB PROGRAMME 1: PUBLIC PROSECUTIONS

Sub-programme 1: Public Prosecutions

Purpose: Public Prosecutions provides for general prosecutions and several specialised prosecution units, such as those for priority crimes litigation, sexual offences and community affairs, and specialist commercial crime.

Introduction

The NPA provides a prosecution service in the Lower and High Courts in all nine provinces and collaborates with national and international stakeholders where necessary. The PCLU focuses on serious national and international crimes, including treason, sedition, terrorism, sabotage and military crimes committed by mercenaries in foreign countries. The SOCA develops strategy and policy, and oversees the management of cases relating to sexual offences, domestic violence, human trafficking, maintenance offences and young offenders. The sub-programme also provides specialist prosecution support to the Directorate for Priority Crimes Investigation (DPCI). The SCCU focuses on serious economic crimes.

The NPA actively participated in the JCPS and the JCPS targets form part of NPA strategic plan. There are six high level strategic objectives enunciated in the annual plan and performance in respect thereof is indicated in the discussion below.

NPA Strategic Objective 1: Increased successful prosecution of serious reported crime

Table 5: Strategic Objective: Increased successful prosecution of serious reported crime

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
Number of criminal court cases in which a sentence of 10 years or more of direct imprisonment without the option of a fine is imposed	n/a	n/a	n/a	baseline	6 125	n/a	n/a (New Indicator)	n/a (New Indicator)
Convictions in criminal court cases measured against the number of new cases enrolled in the Regional and High Courts (serious crime)	35.9%	35.7%	33.4%	39%	38.4%	-0.6%	4.6%	Enhanced focus on serious crime
	30 892	29 661	28 325		29 628 ¹²			

¹²Figure represents the number of convictions in the Regional and High Courts

Table 6: Performance indicators for increased successful prosecution of serious reported crime

Performance indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
Conviction rate on Complex Commercial Crime	93.7% 1 408	93.6% 825 ¹³	92.5% 742	92% 981	91.6% 754	-0.4%	-0.9%	Figure includes only dedicated courts due to structure change
Conviction rates on trio crimes	n/a	n/a	85.6% 535	85% 347	84.8% 1 525	-0.2%	-0.8%	Increased number of convictions although in fewer cases evidence accepted by court
Conviction rate of organised crime	n/a	n/a	85% 17	85% 18	89.1% 171	4.1%	4.1%	Target exceeded – increased convictions
Conviction rate in sexual offences ¹⁴	n/a	n/a	n/a ¹⁵	48% 5 348	65.1% 4 501	17.1%	-0.5%	See Footnote 14
Number of backlogs in the Regional and High Courts	16 306	16 325	17 242	15 609	17 646	-11.4%	-2.3%	Steady decline in court utilisation and increase in formal bail applications which impacts negatively on the speedy finalisation of cases

Increased prosecutions of serious crime

Complex Commercial Crime (Specialised Commercial Crime Unit [SCCU])

The SCCU is a small specialist prosecution unit resorting under the National Specialised Services Division in the Office of the National Director. It embraces expertise in specific categories of complex commercial crimes. There is centralised coordination of corruption prosecutions irrespective of the regions where the offences were committed.

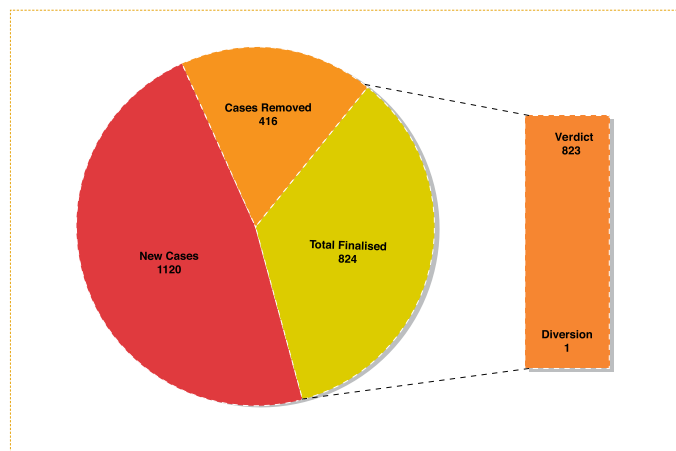
During the reporting period, a total of 10 dedicated commercial crime courts finalised 824 cases with a conviction rate of 91.6%. A reduction of 0.9 % is noted in the conviction rate compared to the previous financial year. The SCCU did manage to increase the number of cases finalised by 11.1% compared to the previous year with 82 more cases finalised. This was achieved despite the fact that court utilisation declined on average with 31 minutes per day and fewer new cases were received.

¹³Figure includes only dedicated courts due to structure change.

¹⁴The conviction rate previously reported was for the dedicated sexual offences courts in operation at the time. As these courts no longer exist, a comparison with previous data is not possible (see NPA annual report 2010/11 pg.17). All regional courts that deal with sexual offences report their data. In 2003, the average conviction rate for sexual offences in all courts was 47%. The targets were set with this in mind.

¹⁵Sexual offences were only measured in all courts from 2011/12 therefore there is no historical data.

Figure 2: Case Management by SCCU



Within the offices of the DPP in each division, dedicated prosecutors have been identified to deal with the following crime types:

- Trio Crimes
- Organised Crimes
- Tax Crimes
- Environmental Crimes

Their achievements are highlighted hereunder:

Trio Crime Prosecutions

During 2011/12 the courts increased the number of finalised trio prosecutions with 232.1% compared to the 535 cases reported as finalised during the previous year. A total of 1 777 cases comprising of 2 152 trio counts were finalised with a conviction rate of 85.8%. A breakdown of the categories compared to the previous year is indicated in the table below.

Table 7: Breakdown of categories of trio crimes prosecutions finalised

Trio crime category	2010/11		2011/12		% deviation	
	Cases	Counts	Cases	Counts	Cases	Counts
House robberies	308	480	923	1 092	+199.7%	127.5%
Business robberies	140	216	542	640	+287.1%	196.3%
Vehicle robberies / hi-jacking	87	114	312	420	+258.6%	268.4%
TOTAL	535	810	1777	2 152		

Organised Crime Prosecutions

The sections dealing with organised crime finalised a total of 192 trial cases with a conviction rate of 89.1%. This illustrates a marked improvement compared to the previous year during which 17 cases were successfully finalised and sentence was passed (comprising of 7 racketeering and 6 money-laundering cases). The 192 trial cases included 5 racketeering convictions as well as 25 counts of money-laundering.

Tax Prosecutions

The NPA finalised 640 specialised tax prosecutions by means of trials with an exceptional conviction rate of 99.1%. This is a remarkable increase from the 399 cases finalised during the previous financial year.

Environmental Crimes

The NPA has done ground-breaking prosecutions in respect of environmental crimes in the last year. In 66 environmental cases prosecuted, seven sentences of direct imprisonment were handed down.

The following were highlights of achievements:

In the matter of **S v. Anker Coal & Mineral Holdings SA (Pty) Ltd**, the accused was charged with contravening the National Environmental Management Act and the Mineral and Petroleum Resources Development Act. The company drilled prospecting holes within a sensitive area. The prospecting activities took place within 100 meters from the Usutu River. The Company failed to comply with a notice to take rectifying steps to rehabilitate all the unsealed boreholes within the time period specified and to remove dumped materials. They were fined R 150 000 which was conditionally suspended for 5 years.

In the matter of **S v. Stefan Frylinck and Mpofu Consulting CC** an environmental consultant was found guilty of giving misleading or incorrect information to authorities in an environmental impact assessment for the first time. The accused was found guilty of supplying the Department of Environment Affairs with misleading or incorrect information under the National Environmental Management Act. An environmental impact study was done by the accused. During the construction it emerged that the building was erected on a protected wetland. The authorities had given the development the go-ahead on the basis of a faulty report by the accused. They were sentenced to 2 years imprisonment or a fine of R80 000 of which 1 year or R40 000 is suspended for 5 years.

In **S v Silicon Smelters (Pty) Ltd**, was the first air pollution prosecution. The accused bought the business from Highveld Steel and Vanadium Corporation Ltd. They conducted a scheduled process for which they failed to apply for a license to operate scheduled processes. The accused failed to comply with conditions in the registration certificates belonging to the previous owner. They were charged in terms of Section 51(1) of the Air Quality Act No. 39 of 2004 as well as a contravention of Section 28(14) of the National Environment Management Act 1998. On the first count the accused was sentenced to a fine of R2 million of which R1 million was suspended for five years and on the second count the accused was sentenced to a fine of R1 million of which R500 000 was suspended for 5 years.

The NPA participated in the multi-disciplinary project to address the plundering of rhino horn. During the year 24 cases were finalised with convictions in 20 cases involving 28 accused, a conviction rate of 83%. The accused were acquitted in 4 cases. 17 of the 28 convicted accused were sentenced to direct imprisonment without the option of a fine where 10 years or more direct imprisonment was imposed in respect of 7 accused. In the other 8 cases with a guilty verdict involving 11 accused, fines were imposed. Convictions were obtained were for the illegal possession of rhino horns (8 cases), illegal dealing in rhino horns (4 cases) and the illegal hunting of rhino (6 cases).

A particularly effective sentence was imposed in the matter of State versus J Els in which the accused was sentenced to direct imprisonment as well as the payment of R1 million, to be paid over 10 months, to the National Wildlife Crime Reaction Unit.

Priority Crimes Litigation Unit (PCLU)

The PCLU was established to deal with serious crimes. The PCLU and the Institute for Security Studies (ISS) hosted a training workshop that took place in the beginning of December 2011 in Stellenbosch. Approximately 25 NPA prosecutors were trained on international crimes and terrorism.

Noteworthy Cases

State v Brian Patrick Roach

Roach was arrested *inter alia* on a charge of attempted extortion and other alternative charges (including terrorism) relating to an attempt to extort USD 4 million through the internet from the governments of the United Kingdom (UK) and United States of America (USA). His subsequent arrest was the result of cooperation between the DPCI, Crime Intelligence, SAPS' Technical Support Units, the Federal Bureau of Investigations (FBI) and Scotland Yard's Counter-Terrorism Division. The accused was convicted of attempted extortion, money laundering and possession of ammunition in June 2011. He was sentenced to 12 years imprisonment - 7 years of which was suspended. The instrumentalities of crime were forfeited to the State. The Financial Intelligence Centre (FIC) requested a report so that the case could be reported to FATF as a matter in which money laundering charges were properly pursued.



State v Mustafa Jonker (Mohamed)

The accused was a founder member of an organisation known as the Imam Haroon Brigade (“IHB” an Islamic organisation aligned to Al Qaeda), which was dissatisfied with the alleged capitalist democratic economic policy of the South African Government. During 2008, the SAPS received information that the accused was experimenting with explosives and intended detonating self-made explosives at unknown targets in the country. After a search and seizure was conducted at his residence, the accused challenged the legality thereof and fled the country. The accused clandestinely returned before the Supreme Court of Appeal (SCA) was due to pronounce on the legality of the search and seizure. After legality was confirmed, the accused attempted to flee but was convinced to hand himself over and pleaded guilty to a charge of possessing items connected to the engagement of a terrorist activity in contravention of Act 33 of 2004.

Missing Persons Task Team (MPTT)

Gallows Project: In partnership with the Department of Correctional Services (DCS) and the City of Tshwane the families of 140 political prisoners who were executed (hanged), were traced. The unmarked graves of those executed were surveyed, identified and marked at an event attended by President Zuma, several Ministers, and the NDPP in December 2011.

Patrick Mahlangu: A public event was held at the Soshanguve Cemetery on 14 April 2011 attended by the Mayor of Tshwane and members of the family of Patrick Mahlangu during which excavations were conducted at the cemetery in search of his remains.

Noteworthy cases for this reporting period are as follows:

- **MK Valdez:** The remains were exhumed on 26 June 2011 and the forensic examination is underway.
- The family of Jameson Mngomezulu was taken on a spiritual repatriation on 5 May 2011 to the site of Jozini Dam in KwaZulu-Natal where he was tortured and executed, and to the site at Sodwana Bay where his remains were blown up. No recovery of remains was possible and therefore spiritual repatriation was the only alternative.

NPA Strategic Objective 2: Improved collaboration with JCPS partners

Table 8: Strategic Objective: Improved collaboration with JCPS partners

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
Overall conviction rate	86.3% 269 173	88.6% 310 951	88.3% 293 673	88% 323 513	88.8% 280 658	0.8%	0.5%	Target exceeded due to higher percentage of cases where evidence was accepted by court
Number of criminal court cases finalised including ADRM	431 601	469 541	460 891	496 204	448 793	-9.6%	-2.6%	Steady decline in court utilisation and increase in formal bail applications which could have been used for trial ready matters

Table 9: Performance indicators for improved collaboration with JCPS partners

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
Number of cases finalised through ADRM	119 776	118 631	129 846	131 117	132 693	1.2%	2.2%	Target exceeded due to an increased use of delivering justice by means of ADRM
Number of criminal court cases with verdict	311 825	350 910	331 045	365 087	316 098	-13.4%	-4.5%	Steady decline in court utilisation and increase in formal bail applications which could have been used for trial ready matters
Number of appeals finalised in the High Court	n/a	1 156	1 553	1 673	1 650	-1.4%	6.2%	Increased number of appeals finalised compared to previous year. More postponements prevented achievement of target

Table 9: Performance indicators for improved collaboration with JCPS partners Cont.

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
Number of appeal backlogs	n/a	n/a	262	269	261	-3%	-0.4%	Target achieved due to increased number finalised
Prosecutorial vacancy rate	24.9%	16.5%	12.2%	12%	11.4%	-0.6%	-0.8%	Target exceeded
Conviction rate in High Courts	86%	88%	87.8%	87%	84.6%	-2.4%	-3.2%	Slight deviation due to fewer cases where evidence was accepted by court
	1 461	1 083	954	1 127	963			
Conviction rate in Regional Courts	73%	74%	73.4%	74%	74.3%	0.3%	0.9%	Target exceeded due to higher percentage of cases where evidence was accepted by court
	29 335	28 578	27 371	29 773	28 665			
Conviction rate in District Courts	88%	91%	90.7%	87%	90.8%	3.8%	0.1%	Target exceeded due to increased use of Sec 57A admission of guilt
	238 377	281 290	265 348	292 654	251 030			
Number of Case Backlogs	42 495	38 563	37 034	37 796	34 926	-7.6%	-5.7%	The Backlog project assisted with focus on backlog as it aims to ensure that the inflow of the number of new cases is balanced by the number of matters concluded and that matters are finalised speedily
Clearance Ratio on decision dockets received	n/a	n/a	85.1%	85%	99.5%	14.5%	14.4%	Target achieved due to increased focus on the turnaround time of decisions made on decision dockets
			628 603		650 677 ¹⁶			
% of formal representations dealt with within 5 days ¹⁷	n/a	n/a	n/a ¹⁸	100%	55.5%	-44.5%	n/a	New indicator
					1 709			
Number of witnesses harmed or threatened while on the witness protection programme	0	0	0	0	0	0%	0%	Target reached

¹⁶Figure represents the number of case dockets dealt with during the reporting period

¹⁷Figure represents the number of representations dealt with within 5 days

¹⁸This is a new indicator

Table 9: Performance indicators for improved collaboration with JCPS partners Cont.

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 -11/12	
% of witnesses that walk off the witness protection programme	16.9%	28%	5%	6%	1.8%	4.2%	3.2%	Target exceeded
Number of completed AFU matters	277	271	320	310	300	-3.2%	-6.3%	Target up by 24% in 3 years. Deviation due to focus on high value cases
Number of new freezing orders	275	315	333	330	318	-3.6%	-4.5%	Target up by 29% in 3 years. Deviation due to focus on high value cases
Time to completion of trial in cases where assets are restrained	n/a	n/a	Baseline	5% improvement	Indicator not measured	n/a		New indicator
Value of completed AFU matters (Rm)	R271m	R184m	R211.6m	R225m	R163.6m	-27.3%	-22.7%	Deviation due to more focus on high value cases
Value of new freezing orders (Rm)	R320m	R491m	R549.2m	R500m	R553.4m	10.7%	0.8%	Deviation due to more focus on high value cases
Success rate overall for AFU cases	87%	92%	95.7%	90%	96.1%	6.1%	0.4%	Best result ever due to increased focus on quality - target to be increased
	196	262	314	310	295			

Deliver a speedy, quality prosecution within the prescripts of the law

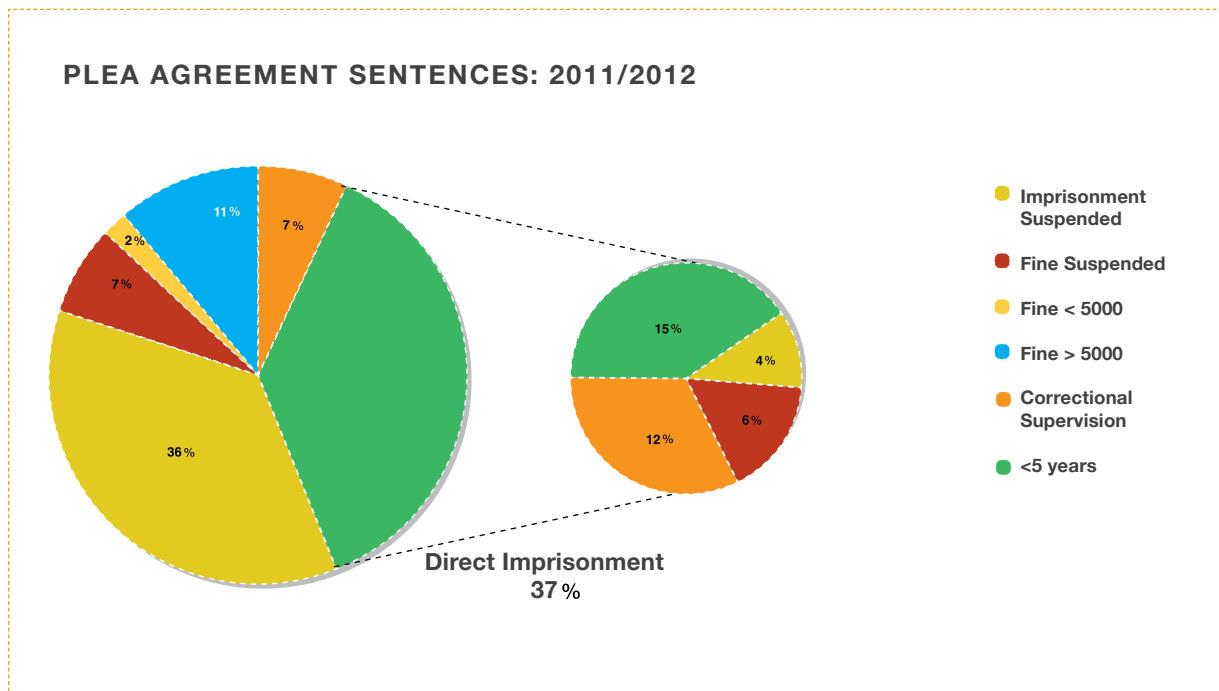
A breakdown per forum of the 448 793 cases that were finalised by all courts during 2011/12 are indicated in the table below compared to the performance during the previous financial year:

Table 10: Annual comparison of cases finalised: 2010/11 - 2011/12

Forum	2010/11	% of National	2011/12	% of National	% Deviation
High Court	1 087	0.2%	1 138	0.3%	0.1%
Regional Court	39 197	8.5%	40 408	9.0%	0.5%
District Court	420 607	91.3%	407 247	90.7%	-0.6%
All	460 891	100%	448 793	100%	

A total of 663 plea and sentence agreements were successfully concluded comprising of 6 882 counts. Even though the number of agreements concluded does not appear to be significant, the counts involved in these matters would have taken some time to finalise if trials were to be conducted. In 162 (37%) of the cases, the sentences imposed comprised of direct imprisonment – a breakdown of the sentence can be seen from the figure below.

Figure 3: Sentences imposed in plea and sentence agreements

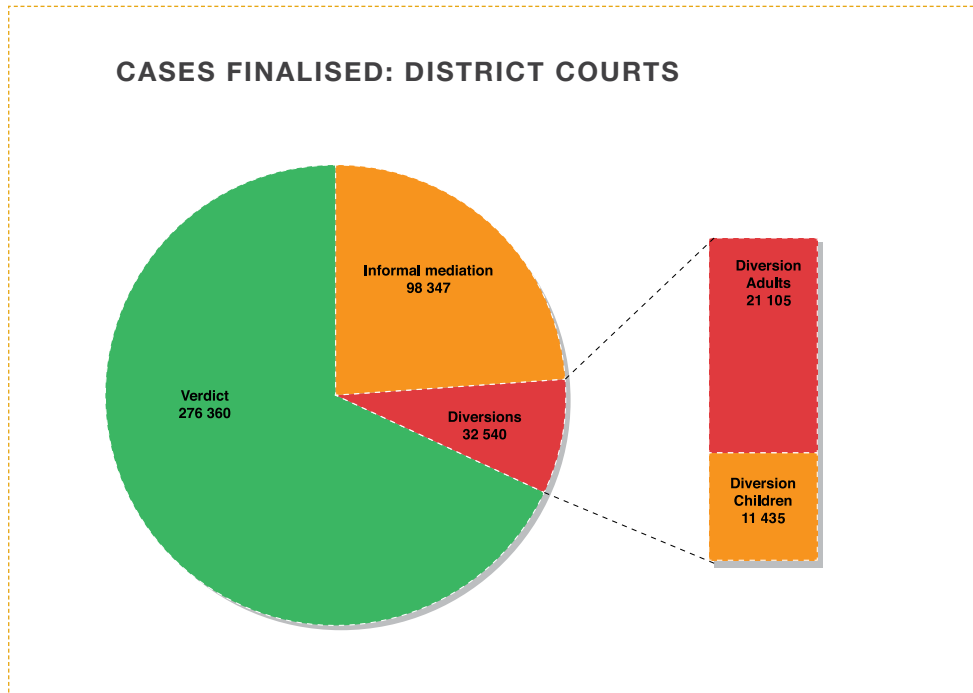


District Court Performance

The District Courts finalised 407 247 cases comprising of 276 360 verdict cases (67.9%) and 130 887 ADRM cases (32.1%). This represents a finalisation rate of 2.2 cases per court per day. Compared to the previous financial year, the District Courts finalised 3 360 fewer cases (-3.2%).

In addition to the cases finalised the courts dealt with 60 941 formal bail applications. High conviction rates were maintained and during 2011/12 a conviction rate of 90.8% was achieved by all District Courts. Increased focus on ADRM resulted in 2.3% more cases finalised through use of ADRM compared to the 127 959 finalised during 2010/11. A total of 961 compensation orders were granted to victims of crime.

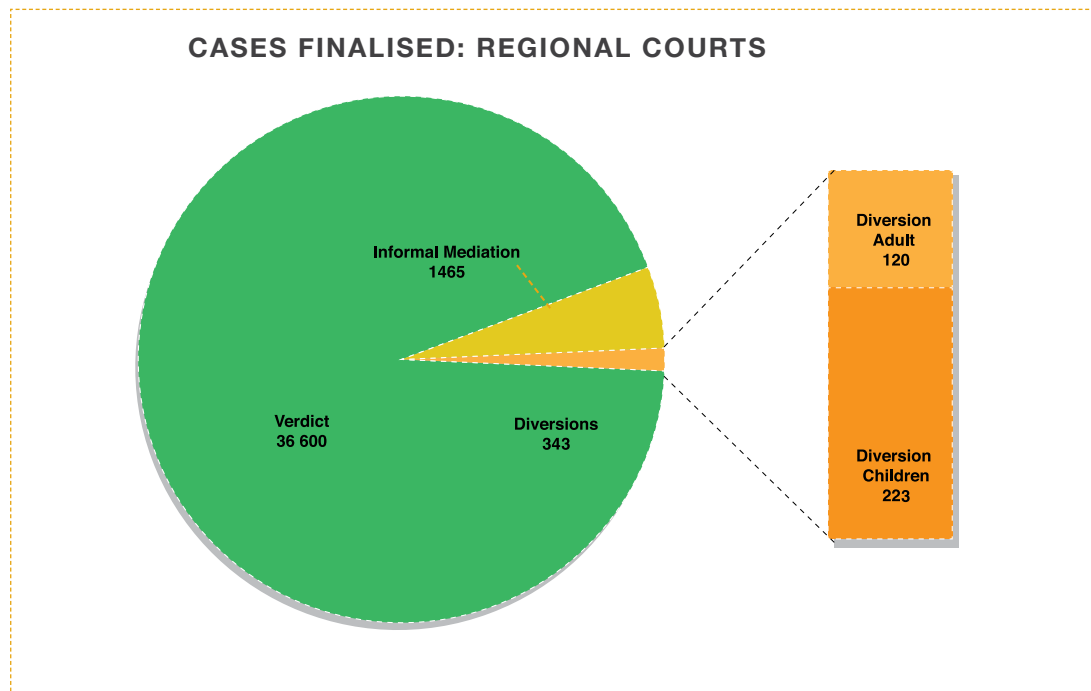
Figure 4: District Courts: Cases finalised 2011/12



Regional Court Performance

The Regional Courts finalised 40 408 cases comprising 38 600 verdict cases (95.5%) and 1 808 ADRM cases (4.5%). This represents a finalisation rate of 0.5 cases per court per day. The Regional Courts excelled whilst striving to curb serious crime and increased the number of finalised cases by 3.1% by finalising 1 211 more cases compared to the previous year. An increased conviction rate of 74.3% was further achieved by all Regional Courts. In addition to the speedy finalisation of cases, 9 683 (19.2%) formal bail applications were also dealt with compared to the 8 120 applications recorded during the previous year (increase of 1 563). A total of 446 compensation orders to the value of R28.6m were granted to victims of crime which is a 127.6% increase from the 196 compensation orders granted during the previous financial years.

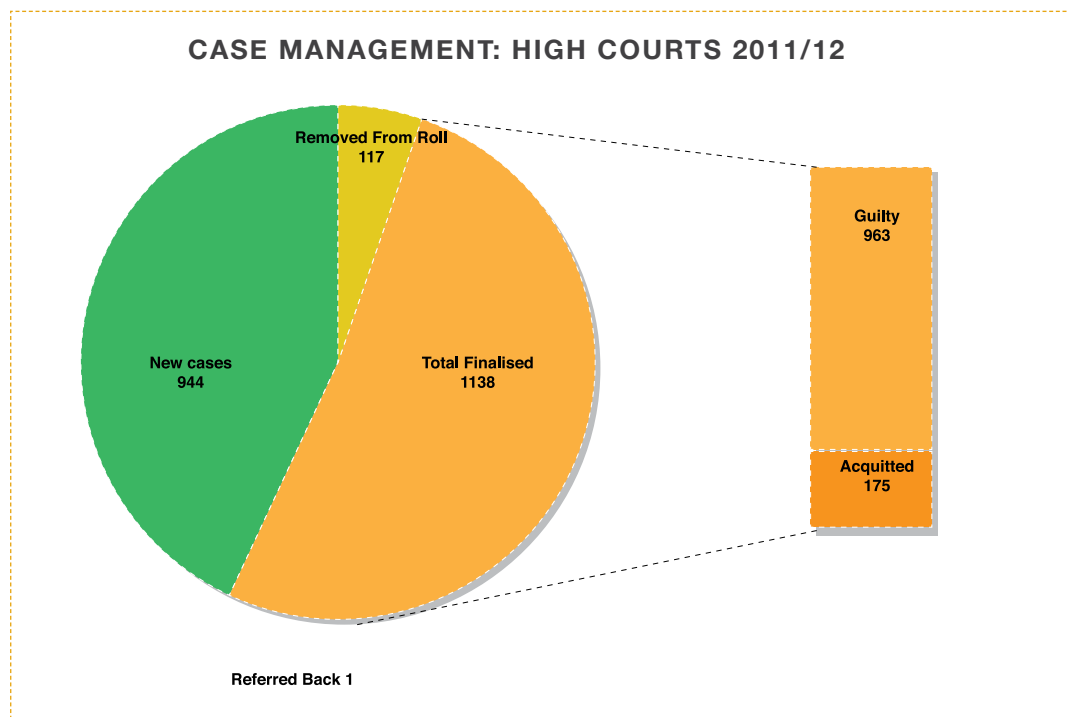
Figure 5: Regional Courts: Cases finalised 2011/12



High Court Performance

The High Courts finalised 1 138 cases. A total of 1 119 cases were finalised by means of trial in the High Court whilst 19 related to cases convicted by Regional Courts and transferred to the High Court for finalisation and sentencing. A conviction rate of 84.6% was achieved by all High Courts. A sentence involving ten years or more direct imprisonment was imposed in 75.2% of the cases with convictions.

Figure 6: Case management: High Courts



Use of suitable alternatives to punitive justice

During the reporting period a total of 132 695 cases were finalised by means of ADRM of which 1 808 (1.4% of national total) were finalised by the Regional Courts and 130 887 cases (98.6% of national total) by the District Courts. A 2.2% increase was achieved compared to the previous year although fewer cases were dealt with by the Regional Courts.

Table 11: Breakdown of use of ADRM per forum

Forum	2010/11	% of National	2011/12	% of National	% deviation
Regional Court	1 887	1.5%	1 808	1.4%	-0.1%
District Court	127 959	98.5%	130 887	98.6%	0.1%
All	129 846	100.0%	132 695	100.0%	

Alternative dispute resolution encompasses diversion and informal mediation as methods of resolution of disputes between the parties. The use of ADRM ensures that the criminal courts are freed up to concentrate on trial cases. During the reporting period, a total of 26 461 cases were diverted after enrolment, a total of 6 420 cases were diverted before enrolment in terms of the Child Justice Act and 99 812 cases were successfully mediated on an informal basis. A focused approach on alternative measures to reduce trial cases has resulted in a 19.8% increase in the number of cases informally mediated compared to the total of 83 308 cases informally mediated during the previous financial year.

Diversions in terms of the Child Justice Act (CJA)

The CJA came into operation on 1st of April 2010 and created a new procedural framework for dealing with children who were in conflict with the law. This Act seeks to ensure children's accountability and respect for the fundamental freedoms of others, and to prevent crime and promote public safety through the use of diversions, alternative sentencing and restorative justice.

During 2011/12, a total of 15 809 children were dealt with of which 870 children (5.5%) were between the ages of 10 – 13 years and 14 939 children (94.5%) were between the ages 14 – 17 years old. Fewer children between the ages of 10 – 13 years old were dealt with during 2011/12, whilst a slight increase is noted in the age group 14 – 17 years old. A comparison with the previous year is set out in the table below:

Table 12: Comparison of age groups dealt with in terms of the CJA

Age Group	2010/11	% of total	2011/12	% of total	% deviation
10 – 13 years	910	5.8%	870	5.5%	-0.3%
14 – 17 years	14 678	94.2%	14 939	94.5%	0.3%
Total Children	15 588	100%	15 809	100%	

During 2011/12, an overall reduction of 18.4% is noted in the number of children diverted in terms of the CJA compared to the 7 869 diverted during 2010/11. The table below indicates the manner in which the children were dealt with compared to the previous year. Section 9 referrals were reduced with 26.4%, section 41 diversions with 13.7% and 19.5% fewer children were diverted during the preliminary inquiry phase. Noteworthy is that during 2011/12, only 113 matters involving Schedule 3 offences were diverted in terms of section 52(3) of the Child Justice Act (CJA), where the relevant DPPs indicated the existence of exceptional circumstances.

Table 13: Breakdown of the manner in which children in conflict with the law were dealt with

Forum	Sec.9 Referrals			Sec 41 Diversion			Preliminary Inquiry Diversion		
	2010/11	2011/12	% deviation	2010/11	2011/12	% deviation	2010/11	2011/12	% deviation
District Court	788	559	-29.1%	2 401	2 057	-14.3%	4 561	3 640	-20.2%
Regional Court	7	26	271.4%	43	53	23.3%	69	85	23.2%
TOTAL	795	585	-26.4%	2 444	2 110	-13.7%	4 630	3 725	

During 2011/12, 724 children were convicted with a conviction rate of 84.0% after the case was referred for trial although 443 children were still diverted during the trial stage

Appeals and Appeals Backlog

A total number of 1 650 criminal appeals were finalised. A total of 756 appeals are outstanding (excluding those already enrolled for hearing) of which 261 (34.5%) have been outstanding for longer than 12 months.

Case Flow Management (CFM)

The NPA is a committed partner in CFM and assists other stakeholders in the optimal productivity of the courts. The NPA is represented at the High Court CFM structure that is now in place, chaired by Judge President Mthiyane; as well as the Lower Courts National Integrated CFM Committee (NICFM) led by the Regional Court President Ms. Monaledi. The Office of the Chief Justice (OCJ) is not only monitoring progress of these CFM structures, but is also in a process of setting uniform norms and standards for the judiciary.

Case Backlogs and Backlog Project

The JCPS departments have introduced various interventions to deal with the case backlogs. In this regard a specific Case Backlog Reduction Project was implemented in November 2006 with the Regional Courts as the main focus area. (Backlog cases are viewed as all those cases longer than 6 months on the District Court roll, 9 months on the Regional Court roll and 12 months on the High Court roll.) The Case Backlog Reduction Project assists Regional and District Court centres in identified priority areas country-wide that require focused attention. The project's aim is to ensure that the inflow of the number of new cases is balanced by the number of matters concluded and that matters are finalised more speedily. This intervention led to the establishment of more than 50 additional Regional Backlog Courts (through the appointment of additional regional court magistrates, clerks, prosecutors, interpreters and legal aid lawyers on contract). The number has fluctuated since then as courts were closed or shifted to other areas once the backlog has been dealt with. After an investigation into the performance of the District Courts, several high priority District Backlog Courts were also established since April 2010.

At the end of March 2012, there were 62 Regional and 16 District Backlog Courts in session. The project deliverables have been integrated into the Outputs of the JCPS Delivery Agreement. The backlog courts excelled during 2011/12 as indicated in the table below. The number of outstanding cases was reduced by 8.3% and the backlog cases by 5.7%. An increase of 43.3% has also been achieved in the number of cases finalised by the backlog courts.

Table 14: Outstanding and backlog cases

Forum	Outstanding Cases			Backlog Cases			Finalised Cases: Backlog courts		
	2010/11	2011/12	% deviation	2010/11	2011/12	% deviation	2010/11	2011/12	% deviation
High Courts	1 175	1 273	8.3%	367	374	1.9%	0	0	0.0%
Regional Courts	52 756	49 387	-6.4%	16 875	17 272	2.4%	5 272	5 885	11.6%
District Courts	164 729	149 872	-9.0%	19 792	17 280	-12.7%	5 813	10 001	72.0%
Total All Courts	218 660	200 532	-8.3%	37 034	34 926	-5.7%	11 085	15 886	

Since inception of the project in 2006, an 11.8% reduction was achieved in the number of all Regional Court backlog cases, from 19 536 backlog cases (on an outstanding roll of 46 901) in November 2006, to 17 272 backlog cases (on an outstanding roll of 49 387) at the end of March 2012. This was achieved notwithstanding a 5.3% increase in the number of outstanding cases. The additional Regional Backlog Courts finalised a total of 24 604 cases since inception of the project from 1 November 2006 until the end of March 2012.

The additional District Backlog Courts achieved a 22.3% reduction in the number of backlog cases, from 22 238 backlog cases (on an outstanding roll of 178 461) in March 2010, to 17 280 backlog cases (on an outstanding roll of 149 872) at the end of March 2012. A similar reduction of 16% was also achieved in the number of outstanding district court cases. A total of 15 814 cases were finalised by the District Backlog Courts since 1 April 2010 until the end of March 2012.

This brings the total number of cases finalised from the Regional and District Court rolls as a result of the Backlog Courts, since 1 November 2006 until the end of March 2012, to 40 418 cases. A number of cases were also removed from the roll which brings the total cases disposed by the Backlog Courts since their inception to a total of 73 564 cases.

Clearance Ratio on Decision Dockets

Prosecutors have dealt with a total of 650 677 (99.5%) dockets from the 654 225 dockets received for decision. The number of new dockets received for decision has risen by 6.4% from the 605 442 dockets received during the previous financial year.

Percentage Representations Dealt With

A total of 3 082 new representations were received by the various Divisions. A total of 1 709 were being dealt with within 5 days of receipt representing 55.5% of the new representations received. A total of 2 580 were finalised of which 1 370 were within 30 days of receipt of the representations (53.1%).

NPA Strategic Objective 3: Improved prosecution of JCPS officials charged with corruption

Table 15: Strategic Objective: Improved prosecution of JCPS officials charged with corruption

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of JCPS Personnel convicted of corruption	n/a	40	29	50	107	114%	269%	A zero tolerance approach followed by the JCPS Cluster to fraud and corruption within its ranks
		82%	70.7%	77.0%	72.6% ¹⁹			
Value of assets linked to corruption and fraud frozen	n/a	R5m	R0	R2m	R3.079m	53.9%	100%	Target exceeded

Table 16: Performance indicators for improved prosecution of JCPS officials charged with corruption

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Time to finalise a JCPS corruption prosecution	n/a	n/a	n/a	9months	9.3months	-3.3%	n/a (new indicator)	New Indicator
				75%	69.4% ²⁰			
Number of freezing orders for JCPS officials	n/a	n/a	0	5	11	120%	100%	Target exceeded
Value of freezing orders for JCPS officials	n/a	n/a	0	R2m	R3.079m	53.9%	100%	Target exceeded
Number of completed AFU cases re JCPS prosecutions for corrupt activities	n/a	n/a	0	2	7	250%	100%	Target exceeded
Value of completed cases re JCPS prosecutions for corrupt activities	n/a	n/a	0	R2m	R0.061m	-96.9%	100%	Substantially below target due to lack of larger cases. Poor performance in Q4
% of SMS members that are vetted	n/a	n/a	n/a ²¹	73%	42% ²²	-10.9%	3.2%	In the previous year the NPA did not monitor the number of sms members that have certificates

¹⁹The percentage represents the conviction rate of cases in JCPS Officials charged with corruption

²⁰The percentage represents the number of cases finalised within the target of 9 months from enrolment of these cases

²¹In the previous year the NPA did not monitor the number of sms members that have certificates

²²NPA measures applications as the vetting process falls outside the ambit of the NPA.

²³In the previous financial year the NPA did not monitor the number of prioritised non-sms members that have certificates



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% of prioritised non-SMS members that are vetted	n/a	n/a	n/a ²³	75%	34%	-10.6%	3%	In the previous financial year the NPA did not monitor the number of prioritised non-sms members that have certificates
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Fast track cases involving JCPS personnel charged with corruption

The NPA supports the JCPS Cluster, which has a zero tolerance approach to fraud and corruption within its ranks as this undermine its efforts to render quality services to communities. The ACTT, which comprises the DPCI, the SIU and the NPA resources (both prosecutions and asset forfeiture) are utilised to strengthen the capacity of law enforcement agencies in the fight against corruption.

During the past year, 175 cases with charges of corruption were finalised involving 182 JCPS officials. A 72.6% conviction rate was attained in 127 cases and 107 officials were convicted. The focus of the SCCU was on the coordination of all prosecutions of JCPS officials for corruption. The average time to finalise a JCPS corruption prosecution was 9.3 months. The NPA approved the Fraud and Corruption Response Plan (FCRP) developed by the IMU which in essence is the NPA's strategy to deal with and prevent fraud and corruption in the NPA. Enterprise Risk Management identified the risks relating to corruption and put systems in place to prevent it. A fraud and corruption risk register has been developed and is closely monitored.

The NPS has created a database of officials who have been charged with corruption. A detailed audit of the Minimum Anti Corruption Capacity (MACC) was developed by the ACTT to evaluate all the JCPS departments in terms of compliance. Clear terms of reference were developed and signed off by the JCPS working group.

NPA Strategic Objective 4: To improve justice services for the victims of crime

Table 17: Strategic Objective: To improve justice services for the victims of crime

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of operational TCCs	17	20	27	30	30	0%	11.1%	Target reached

Table 18: Performance Indicators for improving justice services for the victims of crime

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation from target	Change over period 10/11 - 11/12	
Conviction rates in the prosecution of sexual offences reported at TCCs	61.2%	64.5%	63%	63%	60.7%	-2.3%	-2.3%	Can be contributed to various factors, inter alia, case flow management being dealt with by presiding officers, substantial drop in the number of dedicated courts, decrease in specialised services, considerable increase in sexual offence matters reported at TCCs, etc.
	365	701	1 286		1 323			
% of cases reported at a TCC that are referred to court for prosecution	n/a	n/a	25%	28%	57.4%	29.4%	32.4%	Target exceeded
					2 401			
Number of magistrates courts/high courts where CPO services are provided	n/a	n/a	65	68	78	14.7%	20%	Target exceeded
Number of awareness and education interventions to manage the perception of crime and the effectiveness of the CJS	87	111	108	107	630	489%	489%	Target exceeded
Strategic media communications re the performance of the NPA etc.	n/a	n/a	n/a	Quarterly	Quarterly ²⁴	0%	0%	Target exceeded
Payments to victims of crime	R42.1m	R52m ²⁵	R55m ²⁶	R50m	R125.8m ²⁷	127.5%	151.6%	Target exceeded

²⁴The NPA participates in the JCPS Quarterly brief to media.

²⁵Figure includes only payments to victims of crime associated with the use of asset forfeiture provisions

²⁶Figure includes only payments to victims of crime associated with the use of asset forfeiture provisions

²⁷The figure includes payments to victims of crime associated with the use of asset forfeiture provisions (R93.8m) as well as other payments associated with criminal prosecutions (R32m)



Sexual Offences and Community Affairs (SOCA)

The SOCA develops strategy and policy relating to sexual offences, domestic violence, human trafficking, maintenance matters and young offenders. The broad outcomes that SOCA seeks to achieve are to:

- Improve the conviction rate in gender-based crimes and crimes against children
- Actively protect vulnerable groups from abuse and violence
- Ensure access to maintenance support
- Systematically reduce secondary victimisation

Sexual Offences Prosecutions

During 2011/12, the courts enhanced their focus to protect the rights of vulnerable groups from abuse and violence. A total of 6 913 sexual offence matters were finalised with a conviction rate of 65.1%. Average conviction rate of sexual offences prosecuted at sites linked to TCCs, dropped from 63% to 60.7% (which can be contributed to various factors, inter alia, case flow management being dealt with by presiding officers, substantial drop in the number of dedicated courts, decrease in specialised services, considerable increase in sexual offence matters reported at TCCs, etc.)

The training manual for sexual offences was reviewed and relevant additional sections were included (inter alia on the CJA and Children's Act and case law).

- In respect of the NPA integrated training programme for all relevant stakeholders at TCC-sites, a detailed programme and manual was developed which caters for topics inter alia on social context, child witnesses, mind maps of Sexual Offences Act, medical examinations, investigations, etc. by a joint group of experts from the SOCA, SAPS, the Department of Health (DoH) and the DSD.
- A comprehensive commentary on the Sexual Offences Act was compiled with several officials of SOCA contributing which was published by JUTA in April 2011.
- A position paper regarding the status of sexual offences dedicated courts was compiled upon request of the Deputy Minister of Justice and Constitutional Development to engage in discussions revitalising these courts.
- The USA Department of Justice invited a team of experts from SA on gender based violence (led by the SOCA) on a study tour during October 2011. The delegates visited various departments, courts, legal offices and non-governmental organisations (NGOs) both in Washington DC and New York. Presentations were submitted to numerous invited senior officials and delegates with discussions of current legislation and its interpretation in case law.

Maintenance Matters

A total of 152 350 (143 505 in 2010/11) formal and informal maintenance enquiries were processed and 94 171 (61.8%) were finalised compared to 86 149 in 2010/11 (60%). A total of eleven maintenance training sessions were delivered during the year attended by 172 prosecutors.

Child Justice

- In total 8 Child Justice training sessions were conducted and attended by 214 prosecutors.
- Additional inputs on training and diversions statistics, amongst others, were submitted to the DoJ&CD for the progress report to Parliament on the implementation of the CJA.

Trafficking in Persons

- The training programme and manual were reviewed and standardised in light of the latest developments in trafficking.
- The established Trafficking in Persons Task Team met to find ways to collectively address issues of national concern and to align their strategy with national and provincial task teams' strategies.
- An NPA delegation consisting of members of SOCA presented inputs and interpretations regarding the latest draft of the "Prevention and Combating of Trafficking in Persons Bill", to the Justice Portfolio Committee on 15 June 2011. A comprehensive presentation and narrative document were presented which was complimented by members of the Committee.

Domestic Violence

- In total for the financial year, the team delivered 5 training sessions on the Domestic Violence Act attended by 108 prosecutors.
- The SOCA established a partnership with information and systems management in DoJ&CD National Operations Centre (NOC) to develop an electronic and standardised case management system for domestic violence matters specifically in relation to protection orders but also those offences linked to gender based violence.

Increase the number of TCCs

Thirty TCCs are regarded as fully operational service centres. Over this reporting period the number of sites providing services on a limited scale increased from 45 to 52. The number of fully operational sites increased from 27 to 30 with the number of matters reported at sites increasing from 20 496 to 28 557 (+39%) and the number of cases finalised at court increased from 1 761 to 2 180 (+23.7%). The number of cases received at court where case managers are appointed, increased from 9 716 to 10 949 (+12.6%).



Court Preparation

The NPA's Ke Bona Lesedi Court Preparation programme continues to prepare state witnesses for court in all matters, not only that of sexual offences, by Court Preparation Officers (CPOs). It serves to contribute towards a reduction of secondary trauma and as such it contributes to the improvement of conviction rates. The CPOs, administer Victim Impact Statements, which has enhanced compensation for victims and further assisted the courts during sentence stage. There are 140 CPO posts and they operated at 76 Lower and 2 High Courts. During the period under review, 81 167 witness sessions were conducted by CPOs, which is an average of 55 witnesses per CPO.

Vetting of staff

The NPA currently employs 208 SMS members of which 87 have been issued with vetting certificates at the levels identified by the organisation. The NPA relies on the SSA to conduct secret vetting and has processed 73 applications in respect of SMS members. 31 Members still need to be processed.

In respect of non SMS members, 362 staff members have been identified whose vetting is to be prioritised in line with the organisations priorities. Of these 118 members have been issued with certificates and a further 147 have been processed. The other 97 still need to be processed.

NPA Strategic Objective 5: Increased successful prosecutions of serious corruption

Table 19: Strategic Objective: Increased successful prosecutions of serious corruption

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of convictions where there is at least R5m assets restrained	n/a	n/a	0	15	0	-100%	-100%	Although the coordinated effort has not yet resulted in any such convictions, it has made remarkable progress
Number of freezing orders with at least R5m assets	0	2 ²⁸	13 ²⁹	40	7	-82.5%	-46.2%	

Table 20: Performance Indicators for increased successful prosecutions of serious corruption

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of prosecutions instituted for serious corruption matters	n/a ³⁰	1	15	40	4	-90%	-73.3%	SCCU focused its attention on the key output of prosecuting cases of corruption where there were assets of at least R5 million to be seized by participating in the ACTT dealing with these matters

Develop prosecution strategies with partners to identify and prosecute serious corruption cases

NPA contributed to the multi-disciplinary Anti-Corruption Task Team (ACTT). The NPA is represented on the different courts structures such as the Executive Principals' Meeting, the monthly Operational Meeting, the lower level operational meeting, as well as the ACTT Secretariat. The SCCU focused its attention on the key output of prosecuting cases of corruption where there were assets of at least R5 million to be seized by participating in the ACTT dealing with these matters.

Although the coordinated effort has not yet resulted in any such convictions, it has made remarkable progress. In the past 20 months, the ACTT has brought 22 such persons to court as accused in these matters and froze the assets of 23. The ACTT is investigating a further 34 persons that potentially have R5 million or more in criminal assets. The ACTT has already frozen assets to the value of R604 million in these cases, and forfeited R61 million, which is being returned to the state.

²⁸There was an order obtained in earlier years bringing the total for the period to 23

²⁹In the previous financial year 16 orders in respect of persons were reported based on the best estimate of assets available at the time. However, once assets were under control of the curator and properly valued, three persons no longer met the requirements of R5m.

³⁰There were 2 prosecutions that were instituted before "08/09

In addition, the ACTT is dealing with a number of other serious corruption cases. In total, it is investigating 57 cases involving 414 persons. Of these, 22 cases are in court with 15 people convicted and another 167 accused. The other 232 persons are still being investigated as suspects. The total value of all assets frozen to date in cases dealt with by the ACTT is R647 million³¹.

NPA Strategic Objective 6: Increased prosecution of cyber crime

Table 21: Strategic Objective: increased prosecution of cyber crime

Strategic Objective	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of dedicated cybercrime prosecutors	n/a	n/a	n/a	4	3	-25%	n/a (New indicator)	Budgetary constraints and shortage of resources prevented specialisation

Table 22: Performance indicators for increased prosecution of cyber crime

Performance Indicator	Audited/Actual Performance			Target 2011/12	Performance Against Target			Reason for Deviation
	2008/09	2009/10	2010/11		2011/12 Actual	% Deviation on target	Change over period 2010/11 -2011/12	
Number of cybercrime prosecutions finalised	n/a	n/a	n/a	baseline	216	n/a	n/a	New indicator
Conviction rate in cybercrime prosecutions	n/a	n/a	n/a	74%	87.5% ³²	13.5%	n/a	A special focus was placed on the prosecution of cybercrime cases in order to curb this growing international phenomenon
					189			
Number of prosecutors trained in cybercrime prosecutions	n/a	n/a	174	191	175	-8.3%	0.6%	Shortage of resources to attend training programmes

In line with the JCPS Agreement, a special focus was placed on the prosecution of cybercrime cases in order to curb this growing international phenomenon. Although new technologies create new criminal opportunities rather than new crime types, cybercrime is an extension of an ordinary crime committed within cyber space where information and communication technologies are used as an instrumentality, target or a means for perpetuating further crimes.

During 2011/12, the courts finalised a total of 216 cybercrime cases with a conviction rate of 87.5%. Special focus was further placed on the skills development of prosecutors and a total of 175 prosecutors were trained during the reporting period.

The SCCU finalised 130 cyber crime related matters with a conviction rate of 96.2%. This represents 60.2% of all cyber crime related matters dealt with by all courts.

³¹Figures relating to ACTT matters presented in this report have been verified by the ACTT.

³²The figure represents the number of convictions.



SUB PROGRAMME 2: WITNESS PROTECTION



Sub-programme 2: Office for Witness Protection

Purpose: The Office for Witness Protection provides for protection, support and related services to vulnerable witnesses and related people in judicial proceedings.

The following were highlights of achievements:

- During the past year, 407 witnesses and 462 related persons were handled on the programme with a total of 28 criminal prosecutions finalised where witnesses were on the programme.
- A total of 32 witnesses signed-off from the programme. This refers to cases where protected witnesses voluntarily leave the programme because they do not seek protection services any longer.
- After completing their testimonies, 31 witnesses with 21 dependants were discharged. This number includes witnesses in cases where a decision was taken not to use their testimonies or where witnesses were not required to testify.
- In 33 cases, witnesses and their related persons were successfully discharged, relocated and reintegrated back in to society throughout the year.



SUB PROGRAMME 3: ASSET FORFEITURE



Sub-programme 3: Asset Forfeiture Unit

Purpose: Asset Forfeiture seizes assets that are the proceeds of crime or have been part of an offence, through a criminal or civil process.

Introduction

The AFU is a small dedicated unit of prosecutors specialising in civil litigation. Financial investigations are conducted by a small group of investigators that do not have law enforcement powers, as well as investigators from the DPCI that are attached to the AFU offices in regional task teams. The AFU has a presence in all provinces, generally located with the office of the DPP in that province or when that is not possible, as close as possible to the DPP office and the High Court.

Highlights of achievement

- 318 restraint and preservation orders were obtained, which is 3.6% below the target of 330, and 4.5% below the previous year. This is the second highest ever achieved.
- The value of new restraints was R553.4 million, which is 10.7% above the target of R500 million, and 0.8% above the previous year. This is the second highest ever achieved.
- 300 cases were completed, which is 3.2% below the target of 310, and 6.3% below the previous year. This is the second highest ever achieved.
- The value of completed cases was R163.6 million, which is 27.3% below the target of R225 million, and 22.7% below the previous year. This is the lowest figure in the past four years.
- The value of deposits into the CARA was R37.3 million, which is 32.2% below the target of R55 million, and 24.2% below the previous year. This is the lowest figure in the past five years.
- The value of payments to victims was R93.8 million, which is 87.6% above the target of R50 million, and 69.6% above the previous year. This is the highest ever achieved.
- The combined value of recoveries to CARA and to victims was R131 million, which is by far the highest amount ever achieved.
- 7 new freezing orders were obtained in serious corruption cases, which is 82.5% below the target of 40.

The AFU is in the process of enhancing the capacity of its operations managers to manage the flow of cases through its production area. Part of this process relates to the anticipation of where cases are likely to originate, and the resultant allocation of the necessary available resources to meet the requirements of its upstream partners.

³³Refers to a protected witness who voluntarily does not want to be under protection any longer

Targets

Over the past 5 years, the AFU has increased its annual targets significantly - by 56% and 81% for the number and value of cases done, respectively. Despite the rapid increase, the AFU had a good year, and it met most of its targets.

During the past year, the AFU decided to focus more of its resources on large cases that make a bigger impact, especially on the large number of cases from the ACTT. The intensive effort required to litigate these cases has had the inevitable consequence that fewer small cases could be finalised. In line with this change of focus, the AFU has requested that its number targets should not increase further, but that its value targets increase at about 20% per year (instead of the current 12%). This will increase the current target for new freezing orders from R500 million (in 2011/12) to R1 billion over 4 years.

Number of cases done

The change of focus to higher value cases has required much more effort being put into very big freezing orders. Thus, although performance for the number of cases done is close to the target and is the second best ever achieved, it is significantly lower than the year before.

Value of cases done

The change of focus has resulted in good performance for the value of cases done, with many more big cases still in the pipeline. However, it has had a short term impact on the value of completed cases as the bigger cases take longer to finalise.

The value of deposits into the Criminal Assets Recovery Account (CARA) reduced during the year as a result of the increased focus on corruption cases which resulted in more of the recovered funds being returned to victims of crime rather than being deposited in CARA. Overall, the total recovered funds of R131 million is the highest ever achieved.

Success indicators

The highlight of the year was an exceptional overall success rate of 96.1%, against 95.7% in the previous year and a target of 90%. Only 12 of 307 cases finalised were lost.

The number of judgements obtained was similar to its normal performance after an exceptional previous year. The AFU also managed to maintain its success rate in judgements at above 65%, after it had dipped below 60% a few years ago.

Output 5 – dealing with serious corruption matters

The AFU participated actively in the ACTT in the JCPS cluster to deal with corruption cases more effectively. The core team consists of the NPA, the DPCI and the SIU.



SUB PROGRAMME 4: SUPPORT SERVICES

NPA CORPORATE SERVICES LEADERSHIP

Executive Management Team



(Acting) CEO
KH Van Rensburg



Deputy CEO
Ms. B Sisulu



Communications
Bulelwa Makeke



Integrity Management unit
(Acting)
Prince Mokotedi



Security and Risk Management
Tshildzi Ramahana



Finance and Procurement
Gordon Hollamby



Strategy Management
(Acting)
Marthi Du Plessis



Human Resources
Management and Development
Matshidiso Modise



Information Management
Service Centre
Denton Serobatse



Sub-programme 4: Support Services

Purpose: Support Services provide both governance and resourcing support services to the core function of the NPA and consists of various service centres covering wide and diverse areas.

Introduction

Support Services in the NPA provides the following support services to the NPA:

- Strategy Management
- Integrity Management
- Communication and Community Outreach
- Finance and Procurement
- Human Resource Management and Development
- Security Management
- Information Management and Technology

Strategy Management

The strategy management office facilitated and coordinated the development of the NPA Strategic Plan for 2012-2017 and the Annual Performance Plan (APP) for 2012/13. This was done through strategic review and annual planning sessions at both national and regional levels. Additionally, the office developed the Service Delivery Improvement Plan (SDIP) for 2012-2015 in consultation with the SDIP champions nominated by the business units and service centres.

The enterprise performance management (EPM) function monitored the implementation of the APP for 2011/12 through monthly and quarterly performance overview reporting.

The enterprise risk management (ERM) facilitated the development of the following top NPA organisational risks:

Table 23: Top NPA risks and mitigation plans

Risk	Action Taken
Poor financial management and control	<ul style="list-style-type: none"> Additional Asset Controllers were appointed and placed in the regions in order to improve asset management controls within the organisation. Alleged misconduct by the staff including non-compliance to financial management processes and procedures were identified, investigated and disciplinary action taken. Vigorous drive to address all the audit findings was implemented through the facilitation of an internal audit action plan. Capturing of leave forms on Persal was decentralised to the service centres in the regions.
Unethical and corrupt behaviour within the NPA	<ul style="list-style-type: none"> Fraud and Corruption Response Strategy was developed and approved by the CEO. Performed fraud and corruption risk assessment to identify areas and functions that are susceptible to fraud and corruption.
Absence of joint planning within the JCPS cluster	NPA acknowledged the impact the risk has on deliverables (especially with regard to the finalisation of cases speedily or securing convictions). However, the risk is not entirely within the direct control of the NPA. Nevertheless, management continued to be actively involved in meetings and forums with stakeholders within the JCPS Cluster.
Lack of control of the budget to support delivery specifically in the lower courts	The organisation had to re-prioritise current baseline budget allocation to accommodate the operational costs at lower courts. However, the issue of lack of budget continues to be a challenge for the organisation.
Shortage of suitably qualified, skilled and competent personnel across most/all disciplines within the NPA	<ul style="list-style-type: none"> A collective effort to reduce the turnaround time for recruitment was introduced; the aim is to ensure that posts are advertised within one month of becoming vacant. A vacancy age analysis report with the recruitment progress report is kept and monitored regularly. Skills Development Forum was re-established. Adopted a policy that encouraged recruitment of external candidates. Reviewed prosecutors' recruitment strategy with the view of adopting a bottom up recruitment strategy.

During the 2011/2012 financial year, research and policy information (R&PI) continued to generate information to inform decision making at all levels, through research, evaluation research and information management (see table below):

Table 24: Research projects conducted

Research Projects	Customer and/or Client
Crime and Criminal Justice Survey – this five-year project was finalised during 2011/2012. This project added value to the organisation, in particular to the annual strategic review of the organisation.	NPA – Strategy
The Situational Analysis Report (SAR) – assisted with the annual strategic review.	NPA – Strategy
Evaluation Research Design: Performance of Public Prosecutions (Good Performing Courts) – value added to the organisation, in particular to the performance of the courts.	DNDPP: Strategy and Operations Management
CS Customer Satisfaction Survey – to measure the satisfaction of the NPA employees with the support services. The core function of the organisation can be strengthened by the effective functioning of the support services and assist with improving service delivery.	ACEO
Governance Delivery Framework – to inform the development of a Delivery Governance Compliance Framework, including mechanisms to monitor compliance to the prosecution policy and policy directives.	Public Prosecutions – Legal Affairs Division
Continuing Professional Development Project – Situational Analysis of Lower court training in the NPA to inform the development of a Basic Skills Framework for the Lower Courts.	Human Resources Management and Development (HRM&D)



In the period, the project and programme management office (PMO) continued to focus on enhancing project maturity levels within the NPA. This alleviated reliance on outside resources and built internal capacity to project manage identified strategic initiatives. Emphasis was on supporting the audit facilitator to ensure that the NPA attained financial accountability and transparency.

Integrity Management Unit (IMU)

Highlights

- There is an improvement in respect of the turnaround time of the investigations. The quality has been consistently good; there is still room for improvement in respect of forensic investigations.
- The compliance index has been finalised and is now being implemented.
- The conflict of interest framework is now fully integrated and has enabled the proper functioning of the early warning system.
- All aspirant prosecutors received training on the NPA Code of Ethics.
- International Anti-Corruption day was rolled out to all nine provinces.
- 100% of all Financial Declarations from senior managers were received and submitted to the Minister of Justice and the Public Service Commission.
- 11 NPA officials were trained and certified as Ethics Officers.

³⁴Late submission was condoned for 7 managers

Communications Unit

Public Education and Awareness

Roadshows: During the year under review, the Communications Unit organised and participated in a number of roadshows nationally to educate the public about the work of the NPA and the CJS. Most of these road shows were conducted in collaboration with our partners in the JCPS, and specifically focus on peri-urban and rural communities where access to information tends to be limited. All the nine provinces were covered, and the feedback received from attendants contributes by shaping the nature of further interventions with more communities, to ensure that we continually improve the quality of our services and interactions with the South African community.

SABC Radio Campaigns: The NPA also engaged on an intensive public education and awareness radio campaign using the SABC Radio platform. The six-month long campaign was broadcasted on 15 radio stations, including all those in the public broadcast service platform. Through the campaign we reached approximately 30 million listeners throughout the entire country in all the official languages, and the format of the shows allowed for listeners to engage and ask questions to the prosecutors about the topic under discussion.

Topics discussed covered the whole range of matters generally related to prosecutions, including the explanation of processes such as bail, plea and sentence agreements, case withdrawals and strike-offs, sexual offences, domestic violence and asset forfeiture. Due to the overwhelming success of this campaign in achieving the organisation's communication objectives, the NPA will consider extending it to community media for even wider access to the public.

Events and exhibitions: Events and exhibitions were used very efficiently to profile the work of the NPA and bring information closer to the people. The NPA participated in a number of exhibitions such as the Royal Show (KwaZulu-Natal) and the Rand Show (Gauteng) where the NPA stands were awarded medals in recognition of its effective exhibitions and quality of educational material available. Other exhibitions include the Grahamstown National Arts Festival, the Pretoria Spring Show and the Mangaung Cultural Festival.

Career Awareness Sessions

Communications, together with other units in the NPA, embarked on a campaign to educate students about the various career options offered by the organisation as well as to explain how the CJS works. The campaign was also used to market the Aspirant Prosecutors Programme, an initiative of the NPA used to identify and develop prosecutors of the future. During the period under review, a total of 10 career awareness sessions were conducted, covering tertiary institutions in the Eastern Cape, Free State, Gauteng, North West, Kwa-Zulu Natal, and Limpopo.

Media Relations

During the year under review, media relations played a major role in profiling case outcomes in every day prosecutions in courts around the country. The availability of spokespersons for media reporting outside court has proved to be one of the most effective ways of sharing important criminal case information with the public. This approach has contributed to raising public awareness about the NPA's performance against its crime fighting targets and we believe has had an impact on the public perception of being safer, as reported in the last crime survey released by the police.

Internal Communications

The NPA's internal newsletter, Khasho continued to play an important role in profiling the work of prosecutors and informing staff about important developments within the organisation. The newsletter was also used as platform to enable prosecutors to share their experiences and best practices when dealing with particular cases. The newsletter is also published on the NPA's website to enable interested members of the public to access it.

REGIONAL COMMUNICATIONS MANAGERS (RCMs)



Phaladi Shuping
RCM: DPP Free State and
(Acting) DPP Northern Cape



Frank Lesenyego
RCM: DPP North west



Phindi Louw (Acting)
RCM: DPP South Gauteng



Medupi Simasiku
RCM: DPP North Gauteng



Natasha Ramkisson
RCM: DPP Kwa-Zulu Natal



Eric Ntabazalila
RCM: DPP Western Cape



Luxolo Tyali
RCM: DPP Mthatha



Tsepo Ndwalaza
RCM: DPP Grahamstown

Finance & Procurement

Highlights of achievements

For the 2011/12 financial year, Finance & Procurement met most of its targets in respect of its 2011/12 annual plan:

- The Audit Action Plan was implemented. The plan addresses audit findings raised by the Auditor-General and Internal Audit.
- The Internal Control Unit commenced operations. The main function of this Unit is to improve the internal control environment in Finance & Procurement.
- The Expenditure Control Committee was re-constituted and finalised all the cases of reported irregular expenditure.
- In respect of asset management, additional work was performed to ensure and maintain the integrity of the asset register. The asset register was updated to allow for a split into major and minor assets and quarterly asset verifications were performed. The unit took over control of IT equipment and the management thereof. In this regard, a complete IT asset verification process was done in terms of which all officials had to verify what IT assets were in their possession. 14 Deputy Managers were appointed to assist with asset, fleet and facility management in the regions. All asset controllers and deputy managers were trained on asset management. From a governance perspective, the asset strategy, policy, asset management plan and standard operating procedures were reviewed and finalised. In addition, the NPA Furniture Standards and Norms were approved and implemented.
- The budget section performed well and 99.8% of the NPA voted funds were spent (after virement). Quarterly budget reviews were performed where expenditure patterns were interrogated and after which funds were reprioritised. Expenditure against budget is reported to management on a monthly basis. In terms of the annual plan, three cost benefit analyses were performed. In an interesting aspect of the report is to determine the average cost to finalise a criminal court case and to monitor the trend.
- Quarterly interim financial statements were prepared and submitted on time.
- The supply chain management section was restructured to improve efficiency. Additional staff was appointed to focus specifically on contract management, supplier performance, and leases. However, turnaround times for bids and requests for quotations remain a concern. Five bids were awarded during the financial year. All members of the Bid Adjudication Committee have completed the prescribed training course for bid committee members – in addition, 45 other officials were trained on bid committees. Members of the bid specification and evaluation committees will be drawn from this pool of trained officials. The NPA procurement plan was submitted to National Treasury.



- Monthly cash flow reports, debtors' reports, suspense account control reports, bank reconciliation reports, and donor funding income and expenditure reports were submitted. Despite challenges, 89.3% of invoices, were paid within 30 days of receipt of the invoice during the financial year. Where invoices are not paid within this time frame, reasons are recorded and action taken.
- The NPA User Asset Management Plan (UAMP) for 2011/12 was submitted.
- In respect of fleet management, an additional 70 vehicles were procured. These vehicles are mainly used by prosecutors to travel to courts. Fleet availability remains consistently high at above the target of 95%.

Human Resource Management and Development (HRM&D)

Human Resource Management

The focus on reducing the vacancy rate continued during this financial year and a total of 602 posts were filled. The overall vacancy rate was reduced from 15.3% to 13.7% during this year and prosecutorial vacancies rate reduced from 12.2% to 11.4%. The turnaround times for filling of vacancies was more than halved although the prescribed target of 4 months has not been met as yet.

With the leave audit finalised, the leave files were decentralised to the regions to improve the management of these files without movement of documents between the regions and head office. The Reviewed Recruitment and Selection Policy was approved and implemented.

Human Resource Development

Training interventions were provided with 381 programmes made available and 4 453 delegates attending these various programmes. A total of 232 bursaries were awarded of which 33 were for postgraduate studies. Prosecutors with a three year qualification were given an opportunity to study to improve their qualification through a separate drive of awarding them bursaries.

Workplace Transformation

During the period both the Employment Equity (EE) policy and the strategy were developed. The policy was tabled on the agenda of the Departmental Bargaining Chamber and will be finalised in the next financial year. The draft EE Strategy is being finalised and will be approved in the next financial year. A draft framework for the management of people with disabilities was finalised and is still with the legal advisory division for legal vetting before it is approved. Implementation of these policy documents will be in the new year, once approved.

Employee Health and Wellness

This financial year saw the launch of sport and recreation programmes in most regions, which were well received. Further efforts on other wellness programmes continued, including HIV and Aids programmes. Employees were encouraged to test as part of the government initiatives on HIV and Aids, to get South Africans tested and be aware of their status.

34 HIV Testing and Counselling clinics were conducted and just less than 1000 employees were reached despite disruption of services by the service provider, due to the untimely death of the director responsible for the NPA programme.

Labour Relations

In terms of management of labour matters there was an increase in the number of cases where employees were disciplined for misconduct related to non compliance. Timelines for dealing with appeals also improved drastically this year after the Minister gave the NPA the delegated authority to deal with appeals. The success rate for disputes finalised has improved as out of a total of 98 disputes that were finalised, only 3 were ruled against the NPA. Further, although there was a significant increase in the number of grievances that emanated due to the non payments of rewards following the performance assessments, a large number of these grievances were resolved, except those that have to be referred to other authorities like the DPSA and the Public Service Commission.

Also of significance during the year is the increase in the number of SMS members that were disciplined for non-submission of financial disclosures relating to the previous financial years, which contributed towards the government outcome of dealing with corruption.

Security & Risk Management (S&RM)

The S&RM of the NPA continued to implement security programs specifically guided by governments Minimum Information Security Standards and Minimum Physical Security Standards as well as the NPA internal approved security policies. The compliance to the security regulatory frameworks has improved due to the impact of the services rendered to the NPA building facilities. In order to enhance compliance the service centre conducted around 33 security road shows and awareness sessions in head office and at regional level.

Protection of NPA Personnel and Visitors

S&RM continued to monitor the provision of effective access control, protection of information and assets in the NPA building facilities. The Unit further coordinated and registered 30 cases of threats against NPA employees, in which all the employees who were threatened received protection. The expenditure incurred due to the events of threats to employees is approximately R12million.

The services of security guarding of the NPA building facilities is still rendered by the contracted security service provider and the risk to the safety of people and assets of the state is transferred to those service providers.

Coordination of security services in high profile cases and planned events

The service centre coordinated security services for 11 high profile cases that affect prosecution in the NPA and five organisational events during the period of reporting. In all the above events, no incidents of security breaches or injuries reported.



Protection of Sensitive Information and Vetting

The S&RM conducted vetting field work and completed 66 files. A total number of 34 security clearances were issued by the SSA and received from them. The S&RM conducted pre-employment screening for 464 posts of the NPA in respect of 3 979 candidates. The service centre further managed to roll out the classification of information guidelines as well as the security vetting information system to cover all areas of screening potential candidates for employment.

Implementation of Occupational Health and Safety (OHS)

S&RM embarked on an OHS training initiative at the beginning of the financial year. During the month of May 2011 the S&RM Eastern Cape office managed to finalise the Emergency Evacuation plan for the SCCU Port Elizabeth office. Evacuation exercise for SCCU Port Elizabeth, Kwa-Zulu Natal Office and head office building in conjunction with Tshwane Disaster Management were conducted. During the financial year various OHS committees were established and committee meetings were conducted at certain offices. S&RM conducted various OHS inspections in all DPP/NPA offices including various lower courts in conjunction with DoJ&CD. Through these inspections S&RM seeks to improve OHS compliance through engaging various stakeholders such as DoJ&CD, landlords, local authorities to collectively improve OHS compliance in the workplace. A team from head office was tasked to conduct OHS audits to measure the effectiveness of implementation and identify areas which need intervention/correction and to assist regional offices to ensure effective implementation. These interventions will take effect in the new financial year 2012/13.

Information Management Service Centre (IMSC)

Information Communications Technology (ICT) Governance

The IMSC started the process of implementing an ICT governance framework. The first step of this process was to send four IMSC officials to an Information Technology Infrastructure Library foundation training session. These officials will advise the Executive Manager of the best possible way of implementing the framework. General ICT policies, standards and procedures will have to be developed. A Disaster Recovery Plan was developed and approved. The implementation will be done in the new financial year.

Systems Development

Phase 1 development of the Electronic Case Management System (ECMS) – was completed. The system was in pilot at Cullinan and Benoni Magistrates Courts. Roll-out of the system is planned from 1 April 2012. The implementation of the Electronic Document and Records Management System is on hold awaiting finalisation of the File-plan.

The interim performance assessment solution was finalised and rolled out. There is a request for further development to be addressed in the new financial year. The development of the Early Warning Capability System was placed on hold due to the prioritisation of the ECMS.

Eleven of the proposed 13 reports on the reporting capability for the AFU were developed and are awaiting approval. A further process of re-evaluating the AFU system requirements commenced.

ICT Infrastructure

Server replacement and systems redesign project was completed in the regions. Final integration at head office was hampered by the failure of the Storage Area Network and email server functionality. User authentication server migration, i.e. Active Directory Migration was fully completed. All sites are elevated to the latest platform, Microsoft Active Directory 2008 R2. All NPA's wide area network is inter-operable.

Email migration to Exchange 2010 was completed. The emails are stored on an old SAN, which failed to connect with the servers for data retrieval and storage, thus causing issues with the migration.

The process of decommissioning of old servers commenced.

Document and Records Management

Performance indicator	Baseline (Actual Output) 2010/2011	Actual Performance against target	
		Target 2011/12	Actual 2011/12
Time to provide information sources	100%	100%	100%
Provisioning of key information sources to prosecutors	85%	85%	85%
Level of provisioning of library collection in line with organisational demand	70%	75%	75%

- The conversion of library material from inventory to assets was completed within the given timeframes. Compliance with prescripts was achieved.
- A new loose leaf distribution tool was developed and implemented in conjunction with the publishers Juta Law and LexisNexis. This tool implementation places the NPA library as a leading library in terms of subscription management.
- The Library Services have procured 440 copies of the 4 key publications identified for prosecutors and was distributed to all aspirant and graduate prosecutors within three months.
- Regional library visits were undertaken to establish the status of each. Matters raised in feedback reports were addressed.
- All heritage assets in the Cape Town library were added to the library management system and an archive established where these items are kept in conditions suitable for the preservation of archival material.

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ACRONYMS AND DEFINITIONS

Acronyms and Definitions

ACTT	Anti-Corruption Task Team
ADRM	Alternative Dispute Resolution Mechanism
AENE	Adjusted Estimates of National Expenditure
AFU	Asset Forfeiture Unit
APP	Annual Performance Plan
CCJS	Crime and Criminal Justice Survey
CEO	Chief Executive Officer
CFM	Case Flow Management
CJS	Criminal Justice System
CPA	Criminal Procedure Act
CS	Corporate Services
DCS	Department of Correctional Services
DG	Director- General
DNDPP	Deputy National Director of Public Prosecutions
DoH	Department of Health
DOJ&CD	Department of Justice and Constitutional Development
DPCI	Directorate for Priority Crimes Investigation
DPP	Director of Public Prosecutions
DSO	Directorate of Special Operations
DPSA	Department of Public Service Administration
DSD	Department of Social Development
DV	Domestic Violence
ECMS	Electronic Case Management System
ENE	Estimates of National Expenditure
EPM	Enterprise Performance Management
ERM	Enterprise Risk Management
Exco	Executive Committee
FBI	Federal Bureau of Investigations
FIC	Financial Intelligence Centre
HIV	Human Immunodeficiency Virus
HRM&D	Human Resource Management and Development
ICT	Information and Communication Technology
IHB	Imam Haroon Brigade
IJS	Integrated Justice System
IMSC	Information Management Service Centre
IMU	Integrity Management Unit
IT	Information Technology
JCPS	Justice, Crime Prevention and Security
LASA	Legal Aid South Africa
MLA	Mutual Legal Assistance
MPTT	Missing Persons Task Team
NDPP	National Director of Public Prosecutions
NGOs	Non-governmental Organisations
NICFM	National Integrated Case Flow Management Committee
NICOC	National Intelligence Coordinating Committee



Acronyms and Definitions Continues

NOC	National Operations Centre
NPA	National Prosecuting Authority
OCJ	Office of the Chief Justice
OHS	Occupational Health and Safety
ORD	Operation Recruitment Drive
OSD	Occupation Specific Dispensation for Legally Qualified Personnel
OWP	Office for Witness Protection
PCLU	Priority Crimes Litigation Unit
PFMA	Public Finance Management Act
PMO	Programme Management Office
POCA	Prevention of Organised Crime Act
R&PI	Research and Policy Information
S&T	Subsistence and Travel
SABC	South African Broadcasting Corporation
SADC	Southern African Development Community
SAFACT	South African Federation Against Counterfeit Theft
SAHRA	South African Heritage Resources Agency
SAPS	South African Police Service
SASSETA	Safety and Security Cluster Sector Education and Training Authority
SAQA	South African Qualifications Authority
SARS	South African Revenue Service
SCA	Supreme Court of Appeal
SCCU	Specialised Commercial Crimes Unit
SDPP	Special Director of Public Prosecutions
SMS	Senior Management Service
SRM	Security and Risk Management
SSA	Senior State Advocate
TCC	Thuthuzela Care Centre
TRC	Truth and Reconciliation Commission
UAMP	User Asset Management Plan
UK	United Kingdom
UNICEF	United Nations Children's Fund
USA	United States of America
VGM	Victoria & Griffiths Mxenge

KEY CONCEPTS

Alternative Dispute Resolution Mechanism: Alternative dispute resolution encompasses diversion and informal mediation as methods of resolution of disputes between the parties:

Diversion: Diversion is one of the alternative ways of delivering justice. It is the process of electing, in suitable and deserving criminal court cases including Child Justice Act matters, a manner of disposing of a criminal court case other than through normal criminal court proceedings. (It usually implies the withdrawal of the charges against the accused person, after he / she participates in particular certified programmes.) After the offender has completed the diversion programme, the social worker submits a report to the prosecutor. If it is clear that the offender has co-operated and benefited from the programme, the matter is withdrawn and recorded as a diverted case on the daily statistics. These figures are totalled on the last court date of each calendar month. Separate statistics are recorded for children (younger than 18 years) and adult diversions.

Informal mediation: is the process by which a prosecutor, duly authorised thereto and within the ambit of the restorative justice guidelines, while acting as a mediator between the victim and the offender, resolves the conflict which resulted in the criminal court case or addressed the harm caused in a manner that does not require formal justice but seeks to deliver justice. The matter is withdrawn.

Case: In the NPA a case includes criminal court cases and civil court cases. These concepts are defined as:

Criminal Court Case: A criminal court case is a matter that has been enrolled in a criminal court of South Africa regardless of the forum. At present, excluded from criminal court cases are traffic matters, domestic violence cases, maintenance inquiries, appeals, civil motions, inquests, decision dockets, reviews and ex parte applications. A criminal court case may have multiple counts and or accused and can involve multiple police dockets. A single docket may result in multiple court cases.

Civil Court Case: A civil court case is a civil matter that has been enrolled in a court of South Africa regardless of the forum. This includes ex parte applications or applications on Notice. It includes motion and trial proceedings. Examples are restraint, preservation, forfeiture and confiscation applications. It also includes interlocutory applications relating to living and legal expenses and curators in civil matters.

Walk-offs: Witnesses on the witness protection programme that, during the reporting period, either voluntarily left the programme before testifying were given notice to leave the programme due to misconduct or left the safe-house without prior notice.

Definitions of Measures/Indicators

Cases finalised (including ADRM)

Number of Criminal Court Cases finalised in the reporting period by verdict, or through the use of alternatives such as diversion or informal mediation, irrespective of the date of enrolment. The Criminal Court



Case is measured as finalised on the date on which the verdict of not guilty is given (including stopping of prosecution in terms of section 6(b) of Act 51 of 1977 (CPA)) or sentence is imposed in the case of a guilty verdict, and includes cases dealt with in terms of section 57A of the CPA. Should there be multiple accused, the case is only counted upon conclusion of the case against all accused.

Cases finalised

Criminal Court Cases finalised in the reporting period irrespective of the date of enrolment, by verdict and are measured on the date that the verdict of not guilty is given, or sentence is imposed in the case of a guilty verdict, and includes cases dealt with in terms of section 57A of CPA. Should there be multiple accused, the case is only counted upon conclusion of the case against all accused.

Backlog cases

Number of criminal court cases on the outstanding court roll in which the duration from the date of enrolment in that forum exceeds 6 months in a District Court, 9 months in a Regional Court and 12 months in a High Court.

Conviction rate

Percentage of cases finalised with a guilty verdict (including Sec 57 of the CPA) divided by the number of cases finalised (i.e. excluding ADRM). Conviction rate is measured at the date of sentencing or verdict of not-guilty irrespective of the date when the plea was first entered.

Witnesses harmed or threatened

Number of witnesses that were harmed or threatened during the reporting period by a person or persons from whom they were protected either directly or through an agent, while on the Witness Protection Programme.

Percentage of walk-offs

Percentage of witnesses that walked off the programme against the average number of witnesses on the programme, measured on the last day of the reporting period. The average number of witnesses is calculated by adding the total number of witnesses on the programme each day of the reporting period and dividing it by the total number of days in the reporting period.

New completed forfeiture cases

Number of asset forfeiture cases enrolled in which a final order has been obtained or the court refused to make an order in the reporting period regardless of when the matter was enrolled.

New freezing orders

Number of cases enrolled in which freezing orders were obtained in the reporting period. An order is counted only once for each case, at the time when the initial order was obtained or refused. Return dates and appeals are therefore not counted (they are counted as other orders). When an obtained order is reversed on the return date or on appeal, this is not counted as a negative order for the reporting period in which it occurred. It is reflected in the AFU success rate.

Value of new freezing orders

Total value of assets frozen by court orders obtained in the reporting period, reported in rands and estimated on the best available evidence on the date when the order is obtained. This does not necessarily refer to the value of the freezing order as determined by the court, but to the value of the actual assets frozen. The value of orders that are refused are not counted unless the decision is later reversed. When an order is reversed it is not counted as a negative value for the reporting period in which it was reversed.

Success rate

Number of enrolled cases finally won as a percentage of all cases which were finally won or lost. Cases are finally won or lost when a final order is obtained in favour of or against the NPA, i.e. after all appeal processes have been finalised. It is measured at the date when the case was finally won or lost irrespective of the date when the matter was enrolled. Cases finally lost include cases abandoned after an order was obtained. Cases re-done will be taken into account separately.

JCPS Officials

All the signatories to the JCPS Delivery Agreement and includes persons employed in the following departments:

- Arts and Culture
- Defence
- Finance
- Government Communication and Information Service
- Home Affairs
- Intelligence Services
- Justice and Constitutional Development (including such entities such as: Legal Aid South Africa, Judicial Services Commission etc.)
- National Intelligence Agency
- National Prosecuting Authority
- National Treasury
- Office of the Public Service Commission
- Provincial and Local Government
- Public enterprises
- Public Service and Administration
- Safety and Security
- South African Police Service
- South African Revenue Service (including Customs)
- Special Investigating Unit

Corruption

Corruption should be understood as the misuse of public or private office or position or resources with a corrupt intent, and may include acts of bribery, nepotism, extortion, fraud and theft. **Serious crime**

Serious is regarded as all criminal court cases prosecuted in the regional and high courts.



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NATIONAL PROSECUTING AUTHORITY – VOTE 24
ANNUAL FINANCIAL STATEMENTS FOR THE
For the year ended 31 March 2012





**NATIONAL PROSECUTING AUTHORITY – VOTE 24
ANNUAL FINANCIAL STATEMENTS FOR THE
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NATIONAL PROSECUTING AUTHORITY - VOTE 24 REPORT OF THE AUDIT COMMITTEE for the year ended 31 March 2012

1. REPORT OF THE AUDIT COMMITTEE

We are pleased to present our report for the financial year ended 31 March 2012.

1.1 AUDIT COMMITTEE MEMBERS AND ATTENDANCE

The Audit Committee consists of the members listed below and is required to meet at least four times per annum as per its approved terms of reference. During the current year, six meetings were held and two members retired as indicated below.

Name of members	Numbers of meetings attended	Status
Mr. Motsamai Karedi (Chairperson)	6	Reappointed 15 December 2009
Mr. Cedric Boltman	6	Reappointed 15 December 2009
Ms. Bajabulile Luthuli	4	Appointed 15 December 2009
Ms. Matshego Ramagaga	2	Retired 24 February 2012
Ms. Zodwa Manase	0	Retired 24 February 2012
Mr. Wilson Ramabulana	6	Appointed 15 December 2009

1.2 AUDIT COMMITTEE RESPONSIBILITY

We report that we have adopted appropriate formal terms of reference in our charter in line with the requirement of section 38(1(a) of the public finance management Act, 1999 (Act NO. 1 of 1999) and Treasury Regulation 3.1.

1.3 THE EFFECTIVENESS OF INTERNAL CONTROL

There has been a significant improvement in internal control during the year under review and key controls remained in place throughout the reporting period. The Audit Committee noted that some challenges on controls still existed. However, management has demonstrated commitment to address them and has as such, developed and implemented a remedial plan of which Audit Committee will monitor and review on an ongoing basis.

1.4 INTERNAL AUDIT

The Department of Justice and Constitutional Development's Internal Audit Unit is also responsible for the auditing of the National Prosecuting Authority.

The Internal Audit unit has discharged its responsibilities as per the internal audit plan. The unit has also shown a notable improvement in comparison to the challenges experienced over the past few years.

1.5 AUDITOR-GENERAL SOUTH AFRICA

We have met with the Auditor-General South Africa to ensure that there are no unresolved issues.

1.5.1 The quality of in-year management and monthly/quarterly reports submitted in terms of the PFMA.


We are satisfied with the content and quality of monthly and quarterly reports prepared and issued by the Accounting Officer of the department during the year under review.

1.5.2 Evaluation of financial statements.

We have done the following:

- Reviewed and discussed the audited annual financial statements to be included in the annual report with the Auditor-General South Africa and the Accounting Officer;
- Reviewed the Auditor-General South Africa's management letter and management's response to it;
- Reviewed the department's compliance with legal and regulatory provisions; and
- Reviewed significant adjustments resulting from the audit.

We concur and accept the conclusions of the Auditor-General South Africa's report on the annual financial statements and are of the opinion that the audited annual financial statements should be accepted, read together with the report of the Auditor-General South Africa.



M Karedi
Chairperson of the Audit Committee

Date: 30 July 2012

REPORT BY THE ACCOUNTING OFFICER TO THE EXECUTIVE AUTHORITY AND PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

1. GENERAL REVIEW OF STATE OF FINANCIAL AFFAIRS

The legislative mandate of the NPA is to institute criminal proceedings on behalf of the State, and to carry out any necessary functions incidental to instituting criminal proceedings. This mandate is derived from section 179 of the Constitution and the National Prosecuting Authority Act. The purpose of the NPA is to provide a co-ordinated prosecutions service that ensures that justice is delivered to the victims of crime through general and specialised prosecutions, removes the profit from crime, and protects certain witnesses.

The NPA received an unqualified audit opinion with two matters of emphasis in the 2010/11 financial year. The matters of emphasis relate to the restatement of corresponding figures and irregular expenditure. Every effort was made to ensure the NPA further improves on its financial management.

There were no significant events that impacted upon the state of financial affairs during the year under review.

The Accounting Officer of the NPA is the Director-General of the Department of Justice and Constitutional Development (DoJ&CD). The Chief Executive Officer (CEO: NPA) continued to act as the Accounting Officer of the NPA on the basis of a delegation of authority from the Director-General: DoJ&CD.

The NPA is programme four within the Justice Vote.

Table 1: NPA Financial performance for the year ended 31 March 2012

	Note	2011/12	2010/11
		R'000	R'000
Total revenue		2,632,305	2,519,749
Less:			
Total expenditure		2,616,851	2,502,006
Current expenditure		2,568,400	2,434,568
Transfers and subsidies		7,442	7,447
Capital assets		40,686	56,051
Financial assets		323	3,940
Surplus for the year		15,454	17,743



The NPA spent 99.8% of its appropriation as at the end of the financial year (after virement). As part of the final virement, an amount of R30 million was transferred to the DoJ&CD. Compensation of Employees came under pressure during the financial year under review and an amount of R 60 million was moved from Goods & Services to Compensation of Employees (R 30 million during the Adjustment Estimates and R 30 million as part of the final virement). The saving on Goods and Services at the NPA was forced and resulted from cost saving measures introduced during the financial year.

It should be noted that the NPA only administers the personnel budget of prosecutors at the lower courts. The administration of the remainder of this budget remains with the DoJ&CD. The lack of suitable and sufficient office accommodation at some of the courts continues to place a constraint on the filling of vacancies.

Irregular expenditure amounting to R 11,700 million was disclosed in the financial statements in respect of the financial year under review. The cases identified were investigated and disciplinary action was recommended where appropriate.

Fruitless and wasteful expenditure relating to the current financial year amounts to R 104,713.54. The major portion of this amount relates to motor vehicle accidents. The NPA is in the process of raising debts against the officials responsible in order to recover the fruitless expenditure. No shows are recovered from officials as and when identified. The R 3,931 million opening balance consist mainly of one case in which a senior official was on suspension with full pay for a considerable period. The NPA has concluded its investigation to determine liability and the matter will be finalised in the 2012/13 financial year.

2. SERVICE RENDERED BY THE NPA

2.1 In broad terms, the NPA renders the following services:

- 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 specialist commercial crimes.
- The sub-programme: **Office for Witness Protection** provides protection, support and related services to vulnerable witnesses and related persons in judicial proceedings.
- The sub-programme: **Asset Forfeiture** unit seizes the assets that are the proceeds of crime or have been involved in the commission of an offence either through criminal or civil process.
- The sub-programme: **Corporate Services** provides the following corporate services support services:

- o Finance and Procurement
- o Human Resource Management and Development
- o Information Management and Technology
- o Research and Policy Development Management
- o Security Management
- o Communication and Public Awareness
- o Strategy and Risk Management
- o Programme and project management
- o Integrity Management

2.2 Tariff policy

The NPA does not charge tariffs for services rendered.

2.3 Free services

The NPA has the constitutional mandate to institute criminal prosecutions for and on behalf of the State and to carry out any necessary functions incidental to instituting criminal proceedings. It therefore does not render free services that would have yielded significant revenue had a tariff been charged.

3.CAPACITY CONSTRAINTS

The vacancy rate at the NPA decreased from 24.9% at the end of the 2008/09 financial year to 15.3% at the end of the 2010/11 financial year. The vacancy rate in the NPA as at 31 March 2012 is 13.7% while the vacancy rate for prosecutors is 11.4%. The NPA experienced serious capacity constraints during the past financial year due to the strain on the compensation budget. Currently the NPA has only sufficient funds for filled posts, and will therefore not be in a position to further address the vacancy rate despite the fact that some of the courts are being managed with less than one prosecutor per court.

The NPA continued to experience considerable difficulty to attract staff from outside. The lack of capacity is compounded by delays in the recruitment process and the fact that most vacancies are filled by internal candidates. Near the end of the financial year, the recruitment process was slowed down as funding for compensation of employees was exhausted.

As pointed out above, accommodation for prosecutors remains a constraint. At some lower courts, prosecutors do not have offices or share offices. At other courts, prosecutors are accommodated in temporary accommodation. The lack of suitable accommodation and the appalling state of some courts are not conducive to an environment where victims are treated with dignity or respect. The NPA continues to engage the DoJ&CD to address these concerns.

4. UTILISATION OF DONOR FUNDS

The following projects were funded through donations received in cash or kind during the current financial year:

Donor	Project	Short description
European Union	Human trafficking – Sexual Offences and Community Affairs (SOCA)	Assistance to South African Government to prevent and react to human trafficking.
CARA	Various projects with the NPA	Assistance to law enforcement agencies in fighting organised crime.
Royal Danish Commission (UNICEF)	Thuthuzela project – SOCA	To roll out Thuthuzela Care Centres.(TCCs)
USAID	Women Justice and Empowerment Initiative	To improve care provided to victims of rape through the establishment of seven new TCCs.
US Presidency (USAID)	Support to PEPFAR: Thuthuzela Care Centres	To improve care provided to victims of rape through the establishment of TCCs.

Please refer to Annexure 1D of the Annual Financial Statements for further details in regard to donor funding

The NPA is fortunate to continue attracting donor funding for its projects. The nature of these projects, the relationships developed over time with the donors involved, and shared ownership and management of the projects, where appropriate, contribute to the success of our interaction with the donor community.

5. TRADING ENTITIES AND PUBLIC ENTITIES

This is not applicable to the NPA.

6. ORGANISATIONS TO WHOM TRANSFERS HAVE BEEN MADE

The NPA has transferred an amount of R2 million to the SASSETA. SASSETA was created to develop an integrated education and training authority for the safety and security sector. Transfer of funds to SASSETA will be subjected to conditions and it is required to establish and implement effective, efficient and transparent financial management and internal control systems.

7. PUBLIC PRIVATE PARTNERSHIPS

This is not applicable to the NPA.

8. CORPORATE GOVERNANCE ARRANGEMENTS

The NPA regards enterprise risk management (ERM) as vital to the successful delivery on its organisational mandate including its obligation to deliver services to its stakeholders.

The strategic risks for 2011/2012 were approved and the strategic risks for 2012/2013 were identified,

rated by EXCO and approved by the DG: DoJ&CD. All business units, including the regions, assessed their risks and mitigation plans were developed and progress tracked against these plans. Reviews and follow-up reviews were conducted on the implementation of documented risk mitigation plans during the reporting period. The NPA utilises an electronic system BarnOwl to manage its risks.

For the period under review, the following augmentations were made to the Enterprise Risk Management (ERM) and the governance thereof:

- The Risk Management Committee was established and had its first meeting where the NPA ERM policy and handbook were reviewed (the handbook serves as a single point of reference on risk management for the NPA, in that it includes: the NPA ERM framework; policy; strategy; process maps; guidebooks on risk identification; control activities; risk assessment, risk rating and risk response strategy. Valuable input was provided.
- ERM also formed part of quarterly performance reviews meetings conducted both at the Regions and Head Office, as well as strategic planning sessions carried out throughout the NPA for increased and sustainable awareness on risk management.

A five year Business Continuity Plan was developed and approved. The plan will be effective from the 1st of April 2012 to 31 March 2017.

The Audit Committee continued to provide oversight in terms of risk management for the NPA.

The NPA is serviced by the Internal Audit unit of the DoJ&CD. The NPA is in the process of establishing its own capacity.

The Budget Review Committee held quarterly budget review meetings with the heads of all business units. During these reviews, spending patterns are examined and funds reprioritised, should it be necessary. This review process is now well established in the NPA. Monthly expenditure reports are presented to management and budget coaches interact with business units on a daily basis.

Integrity Management Unit (IMU) formed part of the strategic planning sessions carried out throughout the NPA for increased and sustainable awareness on ethics and good governance. A number of workshops were conducted in all regions to maintain a high level of awareness on ethics.

A compliance index was developed which highlights the legal requirements the NPA should adhere to. The compliance index was administered and a report prepared on the level of compliance in the NPA. The report was presented to the Audit Committee during April 2012. The NPA will analyse and verify this data during the coming financial year.

The IMU also conduct a Minimum Anti Corruption Capacity Audit in order to assess compliance with anti-corruption requirements. The audit was required by the Anti-Corruption Task Team and was submitted to the DPSA.

The IMU reviewed the reporting mechanisms of the NPA and found a high level of awareness on the hotline to report unethical conduct.



The Security and Risk Management service centre (S&RM) continued to manage the provision of security services at all NPA building facilities. Employees who are threatened as a result of the execution of their duties are provided with protection services. Policies and guidelines have been developed to deal with the different programmes of security in NPA. Occupational health and safety programmes were implemented in the NPA building facilities.

The NPA has finalised its Business Continuity Plan as well as Disaster Recovery Plan for ICT services. The implementation of both these plans will be priorities in the coming financial year.

9. DISCONTINUED ACTIVITIES / ACTIVITIES TO BE DISCONTINUED

The NPA did not discontinue any activities during the reporting period nor are there any activities to be discontinued.

10. NEW / PROPOSED ACTIVITIES

The NPA does not intend to commence any new activities that will have an effect on the operations of the organisation.

11. ASSET MANAGEMENT

Immovable assets are under the control of the Department of Justice and Constitutional Development. The NPA provides inputs into the Department's UAMP. In respect of movable assets, two verifications, as well as one stock-take were conducted to ensure that the NPA's asset register remains up-to date during the period under review. To ensure that the accurate reporting on assets becomes a sustainable function within the NPA, fourteen regional Asset, Fleet and Facilities management positions were created and filled. A fair value exercise was conducted on assets where the matching of invoice descriptions and/or delivery addresses of assets with physical assets, were impossible. The process followed to fair value these assets, was pre-approved by the Executive Manager: Finance and Procurement.

All assets acquired during the 2011/12 financial year, have been reconciled with the accounting system, and loaded to the NPA Asset Management system, AssetWare.

In the financial year under review, 123 asset controllers were trained on general asset management principles and the use of scanners. The training interventions will be continued in the new financial year. Disciplinary action was instituted in respect of offices where poor compliance was identified.

12. INVENTORIES

Quarterly stock takes and reconciliations of inventory were performed. The value of inventory at 31 March 2012 was R 5, 497 million. Inventory mainly consists of stationary, learning and teaching support material, and other consumables. The basis of the valuation was invoice cost.

13. INFORMATION OF PRE-DETERMINED OBJECTIVES

The NPA utilised a manual system to collect performance information from the sources in the various regions and units, capturing and consolidating the information in a national excel database. There are checks and balances in the manual system as methods are used to double check data furnished. Corporate Services made use of an electronic system, Troux, for the capturing and storing of performance information, thereby reducing the risk of human error. An integrated electronic case management system that will enable the Justice Crime Prevention Cluster to have an end to end view of a case has been developed. The pilot at two sites has successfully been completed and a phased implementation approach will be followed starting with 5 high volume sites.

Monthly and quarterly performance reports are generated and interrogated by management through EXCO on a quarterly basis. These reports are forwarded to the Minister and the Director-General of DoJ&CD and National Treasury on a quarterly basis.

14. EVENTS AFTER THE REPORTING DATE

The NPA received a judgment on 20 April 2012 in an appeal matter by the PSA union against an arbitration award in favour of the NPA. The judgment requires of the NPA to implement a Job Evaluation conducted on prosecutors in 2005 for which the NPA does not have the funding available. The amount involved is R140m and has been provided for in the Annual Financial Statements as a provision.

15. SCOPA RESOLUTIONS

In respect of the SCOPA resolutions listed below it is important to note that many of these resolutions date back years. The NPA has not been invited to SCOPA for the past three years therefore these issues remain unresolved/open.

NATIONAL PROSECUTING AUTHORITY – VOTE 24 REPORT OF THE ACCOUNTING OFFICER For the year ended 31 March 2012

Reference to previous audit report and SCOPA resolutions	Subject	Progress report
Sixth Report of SCOPA adopted by the National Assembly on the 8 February 2008.		
Par 3(3.1) SCOPA recommends that: These matters are finalised as a matter of urgency to ensure that the NPA realises its mandate	Accountability governance status of the NPA	A draft NPA Amendment Bill has been prepared and provided to the NPA for comment. The Bill seeks to ensure total independence of the NPA.
Par 3(3.2) SCOPA recommends that: Vacant posts are filled to ensure that strategic objectives are achieved and the operations of the NPA runs smoothly.	Capacity and people related issues	The NPA continued efforts to further reduce the vacancy rate. In the current year the overall vacancy rate was reduced from 15.3% to current rate of 13.7%. The prosecutorial vacancy rate was reduced from 12.2% to 11.4%. Further efforts are constrained by the lack of funding on compensation of employees.
Par 3 (3.3) SCOPA recommends that: • A system or process is put in place to enable CARU to fulfil its mandate. • Policies and procedures are implemented and vacancies are filled.	Criminal Assets Recovery Account	The CARA Unit was transferred to the DoJ&CD with effect from 1 December 2009
Third report of SCOPA adopted by the National Assembly on the 8 February 2008		
Paragraph 5 page 63 of the Auditor General Report for 2007/08: SCOPA recommends that: The Accounting Officer ensures that the outcome of the investigation is submitted to the Committee and. Action is taken to avoid discrepancies with regard to the above-mentioned issues.	Irregular, fruitless and wasteful expenditure	The outcome of the investigations of the SCM unit was submitted to the committee. The reports were referred to Labour Relations to initiate disciplinary actions against officials involved. Final written warnings were issued to three senior managers. The matter is finalised.
Paragraph 6 page 64 of the Auditor General Report for 2007/08:	Tangible assets	The Asset register was updated and further refined by classifying assets into major and minor assets. During 2011/12 two asset verifications and a stock take were performed. Fourteen regional asset, fleet
SCOPA recommends that: • An updated asset register is in place and reviewed by management regularly; • Policies that are related to financial reporting must be communicated throughout the entity.		& facilities management positions were created and filled. A fair value exercise was conducted on assets where the matching of invoice descriptions and/or delivery addresses of assets with physical assets, were impossible.
Paragraph 12 page 65 of the Auditor General Report for 2007/08: SCOPA recommends that: • The information on PERSAL is updated on a daily basis and management should make sure that policies and procedures are implemented. • Information on housing guarantees with names of people who were transferred to other departments must be submitted to Parliament within 60 days after the adoption of this recommendation by the house. • Written report to be submitted to Parliament on wrong appointments made by the NPA. on all consequent issues as raised by the Auditor	Housing guarantees	Communication with both the employees and the banks continued during the period on a bi-annual basis. Information and names of employees who had housing guarantees who were transferred and whose files were not audited was submitted as requested. Guarantees to the amount of R701 215 were released during the period and the current liabilities are R2.5 million.
General within 60 days after the adoption of this recommendation by the House.		
Paragraph 7 page 64 of the Auditor General Report for 2007/08: SCOPA recommends that; •Policies, guidelines and procedures are in place and management must monitor the implementation of these policies; •Leave forms must be completed, approved by relevant managers and be captured on the PERSAL system on a daily basis.	Leave entitlement	Policies and procedures on leave management are in place. The NPA continued issuing circulars with regards to leave management. Management of leave was completely decentralised. Spot checks were conducted in various offices and deviations attended to.

NATIONAL PROSECUTING AUTHORITY – VOTE 24 REPORT OF THE ACCOUNTING OFFICER For the year ended 31 March 2012

Reference to previous audit report and SCOPA resolutions	Subject	Progress report
<p>Paragraph 16 page 66 of the Auditor General Report for 2007/08: SCOPA recommends that;</p> <ul style="list-style-type: none"> •Control activities are developed with consideration of their cost and potential effectiveness in mitigating risks to the achievement of financial reporting objectives 	Financial management	<p>Quarterly budget meetings are held with business units to review expenditure patterns to address prioritisation of funds spent against budget. Expenditure is being monitored in line with the draw-downs on a monthly basis to ensure that requests for virements & reprioritisation of funds are adequately addressed.</p> <p>The NPA Budget office provides detailed monthly expenditure reports to all business units to ensure effective management of expenditure.</p> <p>The NPA Finance Unit is providing training and support services to Business Units regarding budget management on an ongoing basis.</p>
<p>Paragraph 10 page 64 of the Auditor General Report for 2007/08: SCOPA recommends</p>	Non-compliance with the Preferential Procurement Policy Framework Act and Supply Chain Management	<p>The NPA management monitors and conducts perform reviews to ensure compliance with Supply Chain Management Practices pertaining to the procurement of goods and services.</p>
<p>that:</p> <ul style="list-style-type: none"> •Management lead by example in terms of being competent, independent and support the achievement of effective internal control over financial reporting. •The entity complies with Procurement policies, Supply Chain Management Practices and applicable legislation. <p>Disciplinary procedures must be instituted against officials responsible for any tender irregularities</p>	Practice	<p>Pre-awarding of all tenders is thoroughly checked and calculations will be adequately performed at Senior Management level to ensure that the correct bidder is awarded the bid.</p> <p>Disciplinary action was taken against officials for any tender irregularities.</p>
Fifteenth Report of SCOPA adopted by the National Assembly on the 11 December 2001		
<p>SCOPA recommended an independent and expert forensic investigation to, “prove or disapprove once and for all”, the allegations of corruption relating to the procurement process.</p>	Joint Investigation Report into the Strategic Defence Procurement Packages	<p>The NPA submitted a report to SCOPA on the 26 January 2009. The Committee reviewed the report and highlighted the need for further interaction with the NPA to seek clarity on certain matters related to the report.</p> <p>The investigation was handed to the SAPS with the dissolution of the DSO.</p> <p>A judicial commission of enquiry has since been established by the President.</p>

16. EXCEPTIONS AND DEVIATIONS RECEIVED FROM NATIONAL TREASURY

The NPA did not receive or apply for any exemption from the PFMA or Treasury Regulations or a deviation from the financial reporting requirements received for the current and or prior financial year.

17. OTHER

There are no other material facts or circumstance which may have an effect on the understanding of the financial state of affairs not addressed elsewhere in this report.

18. APPROVAL

The Annual Financial Statements set out on pages 87 to 128 have been approved by the Accounting Officer.



Karen van Rensburg

(Acting) CEO: NPA

Date: 31 May 2012



Nonkululeko Sindane

Director-General: Department of Justice and Constitutional Development

Date: 31 May 2012

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON VOTE 24: THE NATIONAL PROSECUTING AUTHORITY

REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I have audited the financial statements of the National Prosecuting Authority set out on pages 87 to 122, which comprise the appropriation statement, the statement of financial position as at 31 March 2012, the statement of financial performance, statement of changes in net assets and the cash flow statement for the year then ended, comprising a summary of significant accounting policies and other explanatory information.

Accounting officer's responsibility for the financial statements

2. The accounting officer is responsible for the preparation of these financial statements in accordance with the *Departmental financial reporting framework* prescribed by the National Treasury and the requirements of the Public Finance Management Act of South Africa, 1999 (Act No. 1 of 1999) and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor-General's responsibility

3. My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) (PAA), the *General Notice* issued in terms thereof and International Standards on Auditing. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.
4. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

6. In my opinion, the financial statements present fairly, in all material respects, the financial position of the National Prosecuting Authority as at 31 March 2012 and its financial performance and cash flows for the year then ended in accordance with the *Departmental financial reporting framework* prescribed by the National Treasury and the requirements of the Public Finance Management Act of South Africa, 1999 (Act No. 1 of 1999).

Emphasis of matter

I draw attention to the matters below. My opinion is not modified in respect of these matters.

Restatement of corresponding figures

7. As disclosed in disclosure note 24 to the financial statements, the corresponding figures for 31 March 2011 have been restated as a result of errors discovered during 31 March 2012 in the financial statements of the National Prosecuting Authority at, and for the year ended, 31 March 2011.

Payables

8. It was noted that included in accruals are payments that exceeded the payment term of 30 days from receipt of invoices as detailed in Treasury Regulation 8.2.3. These exceptions amounted to R38 200 000. Voted funds to be surrendered amounted to R6 250 000. Taking the above into account, the department would have overspent its budget by an amount of R31 950 000 should the invoices have been paid timeously, which would have resulted in unauthorised expenditure.

Significant uncertainties

9. As disclosed in disclosure note 19.1 to the financial statements, the department is the defendant in civil litigations with various suppliers for a variety of reasons. Furthermore, included in contingent liabilities are future fees and expenses for curators relating to asset forfeiture cases. The payment of the curator fees and expenses are dependent on the outcomes of the relevant cases.

Additional matter

10. I draw attention to the matter below. My opinion is not modified in respect of this matter.

Financial reporting framework

11. The financial reporting framework prescribed by the National Treasury and applied by the department is a compliance framework. The wording of my opinion on a compliance framework should reflect that the financial statements have been prepared in accordance with this framework. Section 20(2)(a) of the PAA, however, requires me to express an opinion on the fair presentation of the financial statements. The wording of my opinion therefore reflects this requirement.

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

12. In accordance with the PAA and the *General Notice* issued in terms thereof, I report the following findings relevant to compliance with laws and regulations and internal control, but not for the purpose of expressing an opinion.

Predetermined objectives

13. I performed procedures to obtain evidence about the usefulness and reliability of the information in the annual performance report as set out on pages 10 to 68 of the annual report.

14. The reported performance against predetermined objectives was evaluated against the overall criteria of usefulness and reliability. The usefulness of information in the annual performance report relates to whether it is presented in accordance with the National Treasury annual reporting principles and whether the reported performance is consistent with the planned objectives. The usefulness of information further relates to whether indicators and targets are measurable (i.e. well defined, verifiable, specific, measurable and time bound) and relevant as required by the *National Treasury Framework for managing programme performance information*.

The reliability of the information in respect of the selected sub-programmes is assessed to determine whether it adequately reflects the facts (i.e. whether it is valid, accurate and complete).

15. There were no material findings on the annual performance report concerning the usefulness and reliability of the information.

Additional matter

16. Although no material findings concerning the usefulness and reliability of the performance information were identified in the annual performance report, I draw attention to the following matter below.

Achievement of planned targets

17. Of the total number of 11 planned targets, only 7 were achieved during the year under review. This represents 36% of total planned targets that were not achieved during the year under review. This was mainly due to the fact that indicators and targets were not suitably developed during the strategic planning process.

Compliance with laws and regulations

18. I performed procedures to obtain evidence that the entity has complied with applicable laws and regulations regarding financial matters, financial management and other related matters. My findings on material non-compliance with specific matters in key applicable laws and regulations as set out in the *General Notice* issued in terms of the PAA are as follows:

Annual financial statements, performance and annual report

19. The financial statements submitted for auditing were not prepared in all material respects in accordance with the requirements of section 40(1)(b) of the PFMA. Material misstatements of the

corresponding figures for irregular expenditure and lease commitments identified by the auditors were subsequently corrected, resulting in the financial statements receiving an unqualified audit opinion.

Procurement and contract management

Performance of other remunerative work by employees

20. Employees of the department performed remunerative work outside their employment in the department without written permission from the relevant authority as required by section 30 of the Public Service Act.ct.

Expenditure management

21. The accounting officer did not take effective steps to prevent irregular expenditure, as required by section 38(1)(c)(ii) of the Public Finance Management Act and Treasury Regulation 9.1.1.
22. Contractual obligations and money owed by the department were not settled within 30 days or an agreed period, as required by section 38(1)(f) of the Public Finance Management Act and Treasury Regulation 8.2.3.

Internal control

23. I considered internal control relevant to my audit of the financial statements, the annual performance report and compliance with laws and regulations. The matters reported below under the fundamentals of internal control are limited to the significant deficiencies that resulted in the findings on compliance with laws and regulations included in this report.

Leadership

24. Leadership did not effectively communicate policies and procedures to ensure compliance with laws and regulations.

Financial and performance management

25. Management did not prepare regular, accurate and complete financial reports that were supported and evidenced by reliable information.
26. Furthermore the department did not have sufficient monitoring controls to ensure compliance with all applicable laws and regulations.



Pretoria

31 July 2012



AUDITOR-GENERAL
SOUTH AFRICA

Auditing to build public confidence

NATIONAL PROSECUTING AUTHORITY - VOTE 24 APPROPRIATION STATEMENT for the year ended 31 March 2012

Appropriation per programme									
APPROPRIATION STATEMENT	2011/12							2010/11	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1. National Prosecuting Authority									
Current payment	2,581,814	3,483	(11,925)	2,573,372	2,567,123	6,249	99.8	2,440,962	2,427,834
Transfers and subsidies	10,447	(3,483)	478	7,442	7,442	-	100	7,448	7,447
Payment for capital assets	59,404	-	(18,876)	40,528	40,527	1	100	56,184	56,051
Payment for financial assets	-	-	323	323	323	-	100	3,940	3,940
TOTAL	2,651,665	-	(30,000)	2,621,665	2,615,415	6,250	99.8	2,508,534	2,495,272
TOTAL (brought forward)									
Reconciliation with statement of financial performance									
ADD									
Departmental receipts				8,187				2,757	
Aid assistance				2,453				8,458	
Actual amounts per statement of financial performance (total revenue)				2,632,305				2,519,749	
ADD									
Aid assistance					1,436				6,734
Actual amounts per statement of financial performance (total expenditure)					2,616,851				2,502,006

**NATIONAL PROSECUTING AUTHORITY - VOTE 24
APPROPRIATION STATEMENT
for the year ended 31 March 2012**

Appropriation per economic classification									
	2011/12							2010/11	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	2,072,237	-	30,043	2,102,280	2,100,960	1,320	99,9	1,964,596	1,952,222
Goods and services	494,916	9,250	(41,968)	462,198	457,270	4,928	98,9	466,142	465,388
Interest and rent on land	14,661	(5,767)	-	8,894	8,893	1	100	10,224	10,224
Transfers and subsidies									
Departmental agencies and accounts	1,553	-	478	2,031	2,031	-	100	1,827	1,826
Households	8,894	(3,483)	-	5,411	5,411	-	100	5,621	5,621
Payments for capital assets									
Buildings and other fixed structures	15,793	670	-	16,463	16,462	1	100	14,850	14,723
Machinery and equipment	43,611	(670)	(18,876)	24,065	24,065	-	100	41,334	41,328
Payments for financial assets	-	-	323	323	323	-	100	3,940	3,940
TOTAL	2,651,665	-	(30,000)	2,621,665	2,615,415	6,250	99,8	2,508,534	2,495,272

Appropriation per programme									
Detail per sub-programme	2011/12							2010/11	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1.1 Public Prosecutions									
Current payment	1,924,150	21,370	(95)	1,945,425	1,945,425	-	100	1,863,198	1,851,433
Transfers and subsidies	5,810	(1,126)	-	4,684	4,684	-	100	5,137	5,137
Payment for capital assets	3,203	-	(1,549)	1,654	1,654	-	100	2,893	2,893
Payment for financial assets	-	-	95	95	95	-	100	1,929	1,929
1.2 Office for Witness Protection									
Current payment	134,943	(2,363)	(5)	132,575	132,575	-	100	127,348	127,348
Transfers and subsidies	97	66	-	163	163	-	100	49	49
Payment for capital assets	13,190	(13,063)	-	127	127	-	100	579	579
Payment for financial assets	-	-	5	5	5	-	100	1	1
1.3 Asset Forfeiture Unit									
Current payment	122,047	(17,685)	-	104,362	104,362	-	100	156,558	156,558
Transfers and subsidies	236	(176)	-	60	60	-	100	170	170
Payment for capital assets	272	(187)	-	85	85	-	100	142	142
Payment for financial assets	-	-	-	-	-	-	100	86	86

**NATIONAL PROSECUTING AUTHORITY - VOTE 24
APPROPRIATION STATEMENT
for the year ended 31 March 2012**

Appropriation per programme									
Detail per sub-programme	2011/12							2010/11	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1.4 Support Services									
Current payment	400,674	2,161	(11,825)	391,010	384,761	6,249	98.4	293,858	292,495
Transfers and subsidies	4,304	(2,247)	478	2,535	2,535	-	100	2,092	2,091
Payment for capital assets	42,739	13,250	(17,327)	38,662	38,661	1	100	52,570	52,437
Payment for financial assets	-	-	223	223	223	-	100	1,924	1,924
TOTAL	2,651,665	-	(30,000)	2,621,665	2,615,415	6,250	99.8	2,508,534	2,495,272

NATIONAL PROSECUTING AUTHORITY - VOTE 24 NOTES TO THE APPROPRIATION STATEMENT for the year ended 31 March 2012

1. Detail of transfers and subsidies as per Appropriation Act (after Virement):

Detail of these transactions can be viewed in the note on Transfers and subsidies, disclosure notes and Annexure 1 (A-B) to the Annual Financial Statements.

2. Detail of specifically and exclusively appropriated amounts voted (after Virement):

Detail of these transactions can be viewed in note 1 (Annual Appropriation) to the Annual Financial Statements.

3. Detail on payments for financial assets

Detail of these transactions per programme can be viewed in the note on Payments for financial assets to the Annual Financial Statements.

4. Explanations of material variances from Amounts Voted (after Virement):

Per Sub-Programme	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Variance as a % of Final Appropriation
Public Prosecutions	1,951,858	1,951,858	-	-
Office for Witness Protection	132,870	132,870	-	-
Asset Forfeiture Unit	104,507	104,507	-	-
Support Services	432,430	426,180	6,250	0.2
TOTAL	2,621,665	2,615,415	6,250	0.2

Per Economic classification	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Variance as a % of Final Appropriation
Current payments				
Compensation of employees	2,102,280	2,100,960	1,320	0.1
Goods and services	462,198	457,270	4,928	1.1
Interest and rent on land	8,894	8,893	1	-
Sub-total	2,573,372	2,567,123	6,249	0.2
Transfers and subsidies				
Departmental agencies and accounts	2,031	2,031	-	-
Households	5,411	5,411	-	-
Sub-total	7,442	7,442	-	-
Payments for capital assets				
Buildings and other fixed structures	16,463	16,462	1	-
Machinery and equipment	24,065	24,065	-	-
Sub-total	40,528	40,527	1	-
Payments for financial assets	323	323	-	-
TOTAL	2,621,665	2,615,415	6,250	0.2



NATIONAL PROSECUTING AUTHORITY – VOTE 24 NOTES TO THE APPROPRIATION STATEMENT For the year ended 31 March 2012

No material variances are reflected in Programme 4: National Prosecuting Authority after virement. However the following should be noted:

The original budget in respect of compensation of employees was increased with an amount of R 30,043 million during the final virement process. This was as a result of the implementation of the Occupation Specific Dispensation (OSD) back-pay and carry through cost.

The NPA transferred R 30 million to Department of Justice and Constitutional Development with National Treasury approval.

NATIONAL PROSECUTING AUTHORITY - VOTE 24 STATEMENT OF FINANCIAL PERFORMANCE for the year ended 31 March 2012

	Note	2011/12 R'000	2010/11 R'000
REVENUE			
Annual appropriation	1	2,621,665	2,508,534
Departmental revenue	2	8,187	2,757
Aid assistance	3	2,453	8,458
TOTAL REVENUE		2,632,305	2,519,749
EXPENDITURE			
Current expenditure			
Compensation of employees	4	2,100,960	1,952,222
Goods and services	5	457,270	465,388
Interest and rent on land	6	8,893	10,224
Aid assistance	3	1,277	6,734
Total current expenditure		2,568,400	2,434,568
Transfers and subsidies			
Transfers and subsidies	8	7,442	7,447
Total transfers and subsidies		7,442	7,447
Expenditure for capital assets			
Tangible capital assets	9	40,686	56,051
Total expenditure for capital assets		40,686	56,051
Payments for financial assets	7	323	3,940
TOTAL EXPENDITURE		2,616,851	2,502,006
SURPLUS FOR THE YEAR		15,454	17,743
Reconciliation of Net Surplus for the year			
Voted funds		6,250	13,262
Annual appropriation		6,250	13,262
Departmental revenue and NRF Receipts	15	8,187	2,757
Aid assistance	3.3	1,017	1,724
SURPLUS FOR THE YEAR		15,454	17,743

NATIONAL PROSECUTING AUTHORITY - VOTE 24
STATEMENT OF FINANCIAL POSITION
as at 31 March 2012

	Note	2011/12 R'000	2010/11 R'000
ASSETS			
Current assets		47,433	209,895
Fruitless and wasteful expenditure	10	-	24
Cash and cash equivalents	11	33,619	195,099
Prepayments and advances	12	1,638	1,377
Receivables	13	12,176	13,084
Aid assistance receivable	3.4	-	311
TOTAL ASSETS		47,433	209,895
LIABILITIES			
Current liabilities		41,783	204,480
Voted funds to be surrendered to the Revenue Fund	14	6,250	13,262
Departmental revenue to be surrendered to the Revenue Fund	15	417	310
Payables	16	30,325	184,954
Aid assistance repayable	3.4	-	1,002
Aid assistance unutilised	3.4	4,791	4,952
TOTAL LIABILITIES		41,783	204,480
NET ASSETS		5,650	5,415
Represented by:			
Recoverable revenue		5,650	5,415
TOTAL		5,650	5,415



NATIONAL PROSECUTING AUTHORITY - VOTE 24
STATEMENT OF CHANGES IN NET ASSETS
for the year ended 31 March 2012

	Note	2011/12	2010/11
		R'000	R'000
Recoverable revenue			
Opening balance		5,415	3,584
Transfers:		235	1,831
Debts raised		235	1,831
Closing balance		5,650	5,415
TOTAL		5,650	5,415

NATIONAL PROSECUTING AUTHORITY - VOTE 24
CASH FLOW STATEMENT
for the year ended 31 March 2012

	Note	2011/12 R'000	2010/11 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		2,632,265	2,519,749
Annual appropriated funds received	1.1	2,621,665	2,508,534
Departmental revenue received	2	8,147	2,757
Aid assistance received	3	2,453	8,458
Net (increase)/decrease in working capital		(153,958)	76,536
Surrendered to Revenue Fund		(21,342)	(22,574)
Surrendered to RDP Fund/Donor		(1,869)	(709)
Current payments		(2,568,400)	(2,434,568)
Payments for financial assets		(323)	(3,940)
Transfers and subsidies paid		(7,442)	(7,447)
Net cash flow available from operating activities	17	(121,069)	127,047
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	9	(40,686)	(56,051)
Proceeds from sale of capital assets	2.3	40	-
Net cash flows from investing activities		(40,646)	(56,051)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase in net assets		235	1,831
Net cash flows from financing activities		235	1,831
Net (decrease)/increase in cash and cash equivalents		(161,480)	72,827
Cash and cash equivalents at beginning of period		195,099	122,272
Cash and cash equivalents at end of period	18	33,619	195,099



The Financial Statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. However, where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the Financial Statements and to comply with the statutory requirements of the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the Act and the Division of Revenue Act, Act 1 of 2010.

1. Presentation of the Financial Statements

1.1 Basis of preparation

The Financial Statements have been prepared on a modified cash basis of accounting, except where stated otherwise. The modified cash basis constitutes the cash basis of accounting supplemented with additional disclosure items. Under the cash basis of accounting transactions and other events are recognised when cash is received or paid.

1.2 Presentation currency

All amounts have been presented in the currency of the South African Rand (R) which is also the functional currency of the department.

1.3 Rounding

Unless otherwise stated all financial figures have been rounded to the nearest one thousand Rand (R'000).

1.4 Comparative figures

Prior period comparative information has been presented in the current year's financial statements. Where necessary figures included in the prior period financial statements have been reclassified to ensure that the format in which the information is presented is consistent with the format of the current year's financial statements.

1.5 Comparative figures - Appropriation Statement

A comparison between actual amounts and final appropriation per major classification of expenditure is included in the Appropriation Statement.

2. Revenue

2.1 Appropriated funds

Appropriated funds comprises of departmental allocations as well as direct charges against revenue fund (i.e. statutory appropriation).

Appropriated funds are recognised in the financial records on the date the appropriation becomes effective. Adjustments made in terms of the adjustments budget process are recognised in the financial records on the date the adjustments become effective.

Unexpended appropriated funds are surrendered to the National Revenue Fund. Any amounts owing to the National Revenue Fund at the end of the financial year are recognised as payable in the statement of financial position.

Any amount due from the National Revenue Fund at the end of the financial year is recognised as a receivable in the statement of financial position.

2.2 Departmental revenue

All departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the National Revenue Fund, unless stated otherwise.

Any amount owing to the National Revenue Fund at the end of the financial year is recognised as a payable in the statement of financial position.

No accrual is made for amounts receivable from the last receipt date to the end of the reporting period. These amounts are however disclosed in the disclosure notes to the annual financial statements.

2.3 Aid assistance

Aids assistance is recognised as revenue when received.

All in-kind aid assistance is disclosed at fair value on the date of receipt in the annexures to the Annual Financial Statements.

The cash payments made during the year relating to aid assistance projects are recognised as expenditure in the statement of financial performance when final authorisation for payments is effected on the accounting system (by no later than 31 March of each year).

The value of the assistance expensed prior to the receipt of funds is recognised as a receivable in the statement of financial position.

Inappropriately expensed amounts using aid assistance and any unutilised amounts are recognised as payables in the statement of financial position.

All CARA funds received must be recorded as revenue when funds are received. The cash payments made during the year relating to CARA earmarked projects are recognised as expenditure in the statement of financial performance when final authorisation for payments effected on the accounting system (by no later than 31 March of each year).

Inappropriately expensed amounts using CARA funds are recognised as payables in the statement of financial position. Any unutilised amounts are transferred to retained funds as they are not surrendered to the revenue fund.



3. Expenditure

3.1 Compensation of employees

3.1.1 Salaries and wages

Salaries and wages are expensed in the statement of financial performance when the final authorisation for payment is effected on the accounting system (by no later than 31 March of each year).

Other employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements at its face value and are not recognised in the statement of financial performance or position.

Employee costs are capitalised to the cost of a capital project when an employee spends more than 50% of his/her time on the project. These payments form part of expenditure for capital assets in the statement of financial performance.

3.1.2 Social contributions

Employer contributions to post employment benefit plans in respect of current employees are expensed in the statement of financial performance when the final authorisation for payment is effected on the accounting system (by no later than 31 March of each year).

No provision is made for retirement benefits in the financial statements of the department. Any potential liabilities are disclosed in the financial statements of the National Revenue Fund and not in the financial statements of the employer department.

Employer contributions made by the department for certain of its ex-employees (such as medical benefits) are classified as transfers to households in the statement of financial performance.

3.2 Goods and services

Payments made during the year for goods and/or services are recognised as an expense in the statement of financial performance when the final authorisation for payment is effected on the accounting system (by no later than 31 March of each year).

The expense is classified as capital if the goods and/or services were acquired for a capital project or if the total purchase price exceeds the capitalisation threshold (currently R5, 000). All other expenditures are classified as current.

Rental paid for the use of buildings or other fixed structures is classified as *goods and services* and not as *rent on land*.

3.3 Interest and rent on land

Interest and rental payments are recognised as an expense in the statement of financial performance when the final authorisation for payment is effected on the accounting system (by no later than 31 March

of each year). This item excludes rental for the use of buildings or other fixed structures. If it is not possible to distinguish between payment for the use of land and the fixed structures on it, the whole amount should be recorded under goods and services.

3.4 Payments for financial assets

Debts are written off when identified as irrecoverable. Debts written-off are limited to the amount of savings and/or under spending of appropriated funds. The write off occurs at year-end or when funds are available. No provision is made for irrecoverable amounts but an estimate is included in the disclosure notes to the financial statements amounts.

All other losses are recognised when authorisation has been granted for the recognition thereof.

3.5 Transfers and subsidies

Transfers and subsidies are recognised as an expense when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

3.6 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recognised as expenditure in the statement of financial performance according to the nature of the payment and not as a separate line item on the face of the statement. If the expenditure is recoverable it is treated as an asset until it is recovered from the responsible person or written off as irrecoverable in the statement of financial performance.

3.7 Irregular expenditure

Irregular expenditure is recognised as expenditure in the statement of financial performance. If the expenditure is not condoned by the relevant authority it is treated as an asset until it is recovered or written off as irrecoverable.

4. Assets

4.1 Cash and cash equivalents

Cash and cash equivalents are carried in the statement of financial position at cost.

Bank overdrafts are shown separately on the face of the statement of financial position.

For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held, other short-term highly liquid investments and bank overdrafts.

4.2 Other financial assets

Other financial assets are carried in the statement of financial position at cost.

4.3 Prepayments and advances

Amounts prepaid or advanced are recognised in the statement of financial position when the payments are made and are derecognised as and when the goods/services are received or the funds are utilised.

Prepayments and advances outstanding at the end of the year are carried in the statement of financial position at cost.



4.4 Receivables

Receivables included in the statement of financial position arise from cash payments made that are recoverable from another party (including departmental employees) and are derecognised upon recovery or write-off.

Receivables outstanding at year-end are carried in the statement of financial position at cost plus any accrued interest. Amounts that are potentially irrecoverable are included in the disclosure notes.

4.5 Inventory

Inventories that qualify for recognition must be initially reflected at cost. Where inventories are acquired at no cost, or for nominal consideration, their cost shall be their fair value at the date of acquisition.

All inventory items at year-end are reflected using the weighted average cost or FIFO cost formula.

4.6 Capital assets

4.6.1 Movable assets

Initial recognition

A capital asset is recorded in the asset register on receipt of the item at cost. Cost of an asset is defined as the total cost of acquisition. Where the cost cannot be determined accurately, the movable capital asset is stated at fair value. Where fair value cannot be determined, the capital asset is included in the asset register at R1.

All assets acquired prior to 1 April 2002 are included in the register R1.

Subsequent recognition

Subsequent expenditure of a capital nature is recorded in the statement of financial performance as “expenditure for capital assets” and is capitalised in the asset register of the department on completion of the project.

Repairs and maintenance is expensed as current “goods and services” in the statement of financial performance.

4.6.2 Immovable assets

Initial recognition

A capital asset is recorded on receipt of the item at cost. Cost of an asset is defined as the total cost of acquisition. Where the cost cannot be determined accurately, the immovable capital asset is stated at R1 unless the fair value for the asset has been reliably estimated.

Subsequent recognition

Work-in-progress of a capital nature is recorded in the statement of financial performance as “expenditure for capital assets”. On completion, the total cost of the project is included in the asset register of the department that is accountable for the asset.

Repairs and maintenance is expensed as current “goods and services” in the statement of financial performance.

5. Liabilities

5.1 Payables

Recognised payables mainly comprise of amounts owing to other governmental entities. These payables are carried at cost in the statement of financial position.

5.2 Contingent liabilities

Contingent liabilities are included in the disclosure notes to the financial statements when it is possible that economic benefits will flow from the department, or when an outflow of economic benefits or service potential is probable but cannot be measured reliably.

5.3 Contingent assets

Contingent assets are included in the disclosure notes to the financial statements when it is probable that an inflow of economic benefits will flow to the entity.

5.4 Commitments

Commitments are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.5 Accruals

Accruals are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.6 Employee benefits

Short-term employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements. These amounts are not recognised in the statement of financial performance or the statement of financial position.

5.7 Lease commitments

Finance lease

Finance leases are not recognised as assets and liabilities in the statement of financial position. Finance lease payments are recognised as an expense in the statement of financial performance and are apportioned between the capital and interest portions. The finance lease liability is disclosed in the disclosure notes to the financial statements.



Operating lease

Operating lease payments are recognised as an expense in the statement of financial performance. The operating lease commitments are disclosed in the disclosure notes to the financial statement.

5.8 Impairment

The department tests for impairment where there is an indication that a receivable, loan or investment may be impaired. An assessment of whether there is an indication of possible impairment is done at each reporting date. An estimate is made for doubtful loans and receivables based on a review of all outstanding amounts at year-end. Impairments on investments are calculated as being the difference between the carrying amount and the present value of the expected future cash flows / service potential flowing from the instrument.

5.9 Provisions

Provisions are disclosed when there is a present legal or constructive obligation to forfeit economic benefits as a result of events in the past and it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation and a reliable estimate of the obligation can be made.

6. Receivables for departmental revenue

Receivables for departmental revenue are disclosed in the disclosure notes to the annual financial statements.

7. Net Assets

7.1 Recoverable revenue

Amounts are recognised as recoverable revenue when a payment made in a previous financial year becomes recoverable from a debtor in the current financial year. Amounts are either transferred to the National/Provincial Revenue Fund when recovered or are transferred to the statement of financial performance when written-off.

8. Related party transactions

Specific information with regards to related party transactions is included in the disclosure notes.

9. Key management personnel

Compensation paid to key management personnel including their family members where relevant, is included in the disclosure notes.

NATIONAL PROSECUTING AUTHORITY - VOTE 24 NOTES TO THE ANNUAL FINANCIAL STATEMENTS for the year ended 31 March 2012

1. Annual Appropriation

1.1 Annual Appropriation

Included are funds appropriated in terms of the Appropriation Act (and the Adjustments Appropriation Act) for National Departments (Voted funds) and Provincial Departments:

	Final Appropriation R'000	2011/12 Actual Funds Received R'000	Funds not requested/ not received R'000	2010/11 Appropriation received R'000
National Prosecuting Authority	2,621,665	2,621,665	-	2,508,534
Total	2,621,665	2,621,665	-	2,508,534
2. Departmental revenue				
		Note	2011/12 R'000	2010/11 R'000
Sales of goods and services other than capital assets		2.1	985	857
Interest, dividends and rent on land		2.2	83	349
Sales of capital assets		2.3	40	-
Transactions in financial assets and liabilities		2.4	7,079	1,551
Departmental revenue collected			8,187	2,757
2.1 Sales of goods and services other than capital assets				
		Note 2	2011/12 R'000	2010/11 R'000
Sales of goods and services produced by the department				
Sales by market establishment			44	49
Other sales			941	808
Total			985	857
2.2 Interest, dividends and rent on land				
		Note 2	2011/12 R'000	2010/11 R'000
Interest			83	349
Total			83	349
2.3 Sale of capital assets				
		Note 2	2011/12 R'000	2010/11 R'000
Tangible assets			40	-
Machinery and equipment			40	-
Total			40	-

2.4 Transactions in financial assets and liabilities

	Note	2011/12	2010/11
	2	R'000	R'000
Other Receipts including Recoverable Revenue		7,079	1,551
Total		7,079	1,551
3. Aid assistance			
3.1 Aid assistance received in cash from other sources			
		2011/12	2010/11
		R'000	R'000
Local			
Opening Balance		-	(609)
Revenue		-	609
Closing Balance		-	-
Foreign			
Opening Balance		691	257
Revenue		2,453	7,849
Expenditure		(1,193)	(6,706)
Current		(1,193)	(6,706)
Surrendered to the donor		(1,869)	(709)
Closing Balance		82	691

3.2 Aid assistance received in cash from CARA Fund

	2011/12 R'000	2010/11 R'000
Opening Balance	4,952	4,980
Revenue	-	-
Expenditure	(243)	(28)
Current	(84)	(28)
Capital	(159)	-
Closing Balance	4,709	4,952

3.3 Total assistance

	2011/12 R'000	2010/11 R'000
Opening Balance	5,643	4,628
Revenue	2,453	8,458
Expenditure	(1,436)	(6,734)
Current	(1,277)	(6,734)
Capital	(159)	-
Surrendered	(1,869)	(709)
Closing Balance	4,791	5,643

The reconciliation of the aid assistance movement for the financial year is R 1,017 (total income received R 2,453 less total expenditure paid R 1,436)

3.4 Analysis of balance

	2011/12 R'000	2010/11 R'000
Aid assistance receivable	-	(311)
Other sources	-	(311)
Aid assistance unutilised	4,791	4,952
Other sources	82	-
CARA Fund	4,709	4,952
Aid assistance repayable	-	1,002
Other sources	-	1,002
Closing balance	4,791	5,643

4. Compensation of employees

4.1 Salaries and Wages

	2011/12 R'000	2010/11 R'000
Basic salary	1,477,605	1,364,627
Performance award	24,778	23,205
Service Based	1,056	806
Compensative/circumstantial	7,226	10,082
Other non-pensionable allowances	347,125	329,152
Total	1,857,790	1,727,872

4.2 Social contributions

	2011/12	2010/11
	R'000	R'000
Employer contributions		
Pension	181,935	169,121
Medical	61,070	55,067
UIF	3	-
Bargaining council	162	162
Total	243,170	224,350
Total compensation of employees	2,100,960	1,952,222
Average number of employees	4,808	4,691

5. Goods and services

	Note	2011/12	2010/11
		R'000	R'000
Administrative fees		1,886	1,772
Advertising		6,577	5,211
Assets less than R5,000	5.1	1,130	769
Bursaries (employees)		1,608	1,829
Catering		2,252	1,507
Communication		33,596	34,070
Computer services	5.2	38,766	29,320
Consultants, contractors and agency/outsourced services	5.3	103,079	116,308
Entertainment		7	20
Audit cost – external	5.4	5,008	6,238
Fleet services		9,897	9,196
Inventory	5.5	22,030	8,382
Operating leases		15,971	34,920
Property payments	5.6	74,635	68,797
Transport provided as part of the departmental activities		33	133
Travel and subsistence	5.7	76,950	81,009
Venues and facilities		4,544	6,086
Training and staff development		4,438	3,142
Other operating expenditure	5.8	54,863	56,679
Total		457,270	465,388

5.1 Assets less than R5,000

	Note	2011/12	2010/11
	5	R'000	R'000
Tangible assets			
Machinery and equipment		1,130	769
Total		1,130	769

Minor assets purchased with Donor funding amounting to R 77,688.49 is not included in the amount above. The amount is accounted for as part of aid assistance current expenditure (note 3).

5.2 Computer services

	Note	2011/12	2010/11
	5	R'000	R'000
SITA computer services		9,182	1,661
External computer service providers		29,584	27,659
Total		38,766	29,320

5.3 Consultants, contractors and agency/outsourced services

	Note	2011/12	2010/11
	5	R'000	R'000
Business and advisory services		21,156	71,959
Infrastructure and planning		923	2,359
Legal costs		71,852	22,963
Contractors		1,811	2,160
Agency and support/outsourced services		7,337	16,867
Total		103,079	116,308

The high expenditure reflected for Business and advisory services in the prior year was as a result of higher than anticipated curator expenditure that was paid. The increase related to Legal costs in the current year is as a result of a legal settlement paid.

5.4 Audit cost – External

	Note	2011/12	2010/11
	5	R'000	R'000
Regularity audits		5,008	6,238
Total		5,008	6,238

5.5 Inventory

	Note	2011/12	2010/11
	5	R'000	R'000
Learning and teaching support material		-	717
Food and food supplies		205	223
Other consumable materials		626	554
Materials and supplies		52	280
Stationery and printing		20,787	6,608
Military Stores		360	-
Total		22,030	8,382

5.6 Property payments

	Note	2011/12	2010/11
	5	R'000	R'000
Municipal services		638	445
Property management fees		43,478	51,761
Other*		30,519	16,591
Total		74,635	68,797

*99% of the payments in this category relate to expenditure for security services provided

5.7 Travel and subsistence

	Note	2011/12	2010/11
	5	R'000	R'000
Local		74,889	79,255
Foreign		2,061	1,754
Total		76,950	81,009

5.8 Other operating expenditure

	Note	2011/12	2010/11
	5	R'000	R'000
Professional bodies, membership and subscription fees		1,116	1,839
Resettlement costs		3,482	5,626
Other*		50,265	49,214
Total		54,863	56,679

*98% of expenditure in this category relates to expenditure for witness protection.

6. Interest and rent on land

	Note	2011/12	2010/11
	7	R'000	R'000
Interest paid		8,893	10,224
Total		8,893	10,224

7. Payment for financial assets

	Note	2011/12	2010/11
		R'000	R'000
debts written off	7.1	323	3,940
Total		323	3,940

7.1 Debts written off

	Note	2011/12	2010/11
	7	R'000	R'000
Nature of debts written off			
Irregular expenditure written off		-	13
Total		-	13
Staff Debt written off		323	701
Debt written off related to Fruitless and Wasteful Expenditure		-	2,617
Over expenditure related to Donor project amount not recovered		-	609

NATIONAL PROSECUTING AUTHORITY – VOTE 24 NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

	2011/12	2010/11
	R'000	R'000
Total	323	3,927
Total debt written off	323	3,940

8. Transfers and subsidies

		2011/12	2010/11
		R'000	R'000
	<i>Note</i>		
Departmental agencies and accounts	<i>Annex 1A</i>	2,031	1,826
Households	<i>Annex 1B</i>	5,411	5,621
Total		7,442	7,447

9. Expenditure for capital assets

		2011/12	2010/11
		R'000	R'000
	<i>Note</i>		
Tangible assets		40,686	56,051
Buildings and other fixed structures	31	15,923	14,723
Machinery and equipment	30.1	24,763	41,328
Total		40,686	56,051

9.1 Analysis of funds utilised to acquire capital assets 2011/12

	Voted funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	40,527	159	40,686
Buildings and other fixed structures	15,923	-	15,923
Machinery and equipment	24,604	159	24,763
Total	40,527	159	40,686

9.2 Analysis of funds utilised to acquire capital assets 2010/11

	Voted funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	56,051	-	56,051
Buildings and other fixed structures	14,723	-	14,723
Machinery and equipment	41,328	-	41,328
Total	56,051	-	56,051

10. Fruitless and wasteful expenditure

Reconciliation of fruitless and wasteful expenditure

	2011/12 R'000	2010/11 R'000
Opening balance	24	2,844
Less: Amounts condoned	(20)	(270)
Current	(20)	(270)
Less: Amounts transferred to receivables for recovery	(4)	(2,550)
Fruitless and wasteful expenditure awaiting condonement	-	24
Analysis of awaiting condonement per economic classification		
Current	-	24
Total	-	24

As from 1 April 2008 National Treasury introduced changes to the accounting policy regarding Fruitless and Wasteful expenditure. All newly identified Fruitless and Wasteful expenditure is reported as part of the Disclosure notes (note 25).

11. Cash and cash equivalents

	2011/12 R'000	2010/11 R'000
Consolidated Paymaster General Account	33,451	194,922
Cash on hand	154	158
Investments (Local)	14	19
Total	33,619	195,099

12. Prepayments and advances

	2011/12 R'000	2010/11 R'000
Travel and subsistence	171	207
Prepayments	1,467	1,170
Total	1,638	1,377

13. Receivables

		2011/12				2010/11
	Note	Less than one year	One to three years	Older than three years	Total	Total
		R'000	R'000	R'000	R'000	R'000
Claims recoverable	13.1 Annex 3	861			861	49
Recoverable expenditure	13.2	-	-	-	-	60
Staff debt	13.3	1,367	2,558	7,066	10,991	12,655
Other debtors	13.4	67	129	128	324	320
Total		2,295	2,687	7,194	12,176	13,084

13.1 Claims recoverable

	Note 13	2011/12	2010/11
		R'000	R'000
National departments		861	49
Total		861	49

13.2 Recoverable expenditure (disallowance accounts)

	Note 13	2011/12	2010/11
		R'000	R'000
Salary: Disallowance Clearing account		-	60
Total		-	60

13.3 Staff debt

	Note 13	2011/12	2010/11
		R'000	R'000
Debt: Clearing account		10,735	12,330
Salary: Tax Debt: Clearing account		5	30
Private telephone suspense account		-	11
Salary: Reversal Control account		249	281
Salary: Medical Aid account		2	3
Total		10,991	12,655

13.4 Other debtors

	Note 13	2011/12	2010/11
		R'000	R'000
VAT Clearing account		324	320
Total		324	320

14. Voted funds to be surrendered to the Revenue Fund

	2011/12	2010/11
	R'000	R'000
Opening balance	13,262	13,147
Transfer from statement of financial performance	6,250	13,262
Paid during the year	(13,262)	(13,147)
Closing balance	6,250	13,262

15. Departmental revenue to be surrendered to the Revenue Fund

	2011/12	2010/11
	R'000	R'000
Opening balance	310	6,980
Transfer from Statement of Financial Performance	8,187	2,757
Paid during the year	(8,080)	(9,427)
Closing balance	417	310

16. Payables – current

Note

	2011/12	2010/11
	R'000	R'000
Clearng accounts	30,325	184,954
Total	30,325	184,954

16.1

16.1 Clearng accounts

Note

	2011/12	2010/11
	R'000	R'000
Description		
Salary: Pension Fund	19	1,644
Salary: Income Tax	215	7,445
Salary: ACB Recalls	91	72
Disallowance Miscellaneous	30,000	175,793
Total	30,325	184,954

16

17. Net cash flow available from operating activities

	2011/12	2010/11
	R'000	R'000
Net surplus as per Statement of Financial Performance	15,454	17,743
(Subtract)/Add back non cash/cash movements not deemed operating activities	(136,523)	109,304
Decrease/(increase) in receivables – current	908	(959)
(Increase) in prepayments and advances	(261)	(1,042)
Decrease in other current assets	24	2,820
(Decrease)/increase in payables – current	(154,629)	75,717
Proceeds from sale of capital assets	(40)	-
Expenditure on capital assets	40,686	56,051
Surrenders to Revenue Fund	(21,342)	(22,574)
Surrenders to RDP Fund/Donor	(1,869)	(709)
Net cash flow (utilised by)/generated by operating activities	(121,069)	127,047

18. Reconciliation of cash and cash equivalents for cash flow purposes	2011/12	2010/11
	R'000	R'000
Consolidated Paymaster General account	33,451	194,922
Cash on hand	154	158
Cash with commercial banks (Local)	14	19
Total	33,619	195,099

NATIONAL PROSECUTING AUTHORITY - VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS for the year ended 31 March 2012

These amounts are not recognised in the Annual Financial Statements and are disclosed to enhance the usefulness of the Annual Financial Statements.

19. Contingent liabilities and contingent assets

19.1 Contingent liabilities

		Note	2011/12 R'000	2010/11 R'000
Liable to	Nature			
Housing loan guarantees	Employees	Annex 2A	2,545	2,755
Claims against the department		Annex 2B	98,158	178,458
Other departments (interdepartmental unconfirmed balances)		Annex 4	478	-
Total			101,181	181,213

The opening balance of the prior year for Contingent liabilities-Housing loan guarantees is restated from R 2,343 m to R 2,755 m as per PERSAL report #7.11.15.

19.2 Contingent assets

	2011/12 R'000	2010/11 R'000
Nature of contingent asset		
Labour court ruling	506	506
Total	506	506

20. Commitments

	2011/12 R'000	2010/11 R'000
Current expenditure		
Approved and contracted	90,729	82,340
Capital expenditure		
Approved and contracted	46	17
Total Commitments	90,775	82,357

21. Accruals

	2011/12			2010/11
Listed by economic classification	30 Days R'000	30+ Days R'000	Total R'000	R'000
Goods and services	50,528	38,156	88,684	16,837
Interest and rent on land	34	4	38	89
Transfers and subsidies	248	-	248	6
Capital assets	719	30	749	31
Other	46	10	56	-
Total	51,575	38,200	89,775	16,963

NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

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NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

23.3 Finance leases expenditure				
	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
2011/12				
Not later than 1 year	28,749	12,718	8,922	50,389
Later than 1 year and not later than 5 years	9,583	44,565	3,720	57,868
Later than five years	-	3,750	-	3,750
Total lease commitments	38,332	61,033	12,642	112,007
LESS: finance costs	2,191	10,303	1,296	13,790
Total present value of lease liabilities	36,141	50,730	11,346	98,217
2010/11	Vehicles	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000
Not later than 1 year	20,816	12,773	8,854	42,443
Later than 1 year and not later than 5 years	27,749	50,402	3,391	81,542
Later than five years	-	10,630	-	10,630
Total lease commitments	48,565	73,805	12,245	134,615
LESS: finance costs	4,607	14,100	875	19,582
Total present value of lease liabilities	43,958	59,705	11,370	115,033
24. Irregular expenditure				
24.1 Reconciliation of irregular expenditure				
	2011/12		2010/11	
	R'000		R'000	
Opening balance	503,055		560,786	
Add: Irregular expenditure – relating to prior year	20,319		15,184	
Add: Irregular expenditure – relating to current year	11,700		61,098	
Less: Amounts condoned	(7,154)		(134,013)	
Irregular expenditure awaiting condonation	527,920		503,055	
Analysis of awaiting condonation per age classification				
Current year	4,546		61,098	
Prior years	523,374		441,957	
Total	527,920		503,055	

NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

24.2 Details of irregular expenditure – current year		
Incident	Disciplinary steps taken/criminal proceedings	2011/12 R'000
Transcription services SCM process not followed	Referred to Labour relations for disciplinary enquiry. Condoned.	441
On-line publication services SCM process not followed	Referred to Labour relations for disciplinary enquiry. Condoned	6,889
Newspaper subscription fees SCM process not followed	Referred to Labour relations for disciplinary enquiry	23
Asset management software purchased without NT approval	Referred to Labour relations for disciplinary enquiry	249
Photocopiers maintenance services without contract	Referred to Labour relations for disciplinary enquiry	9
Telecommunication services used not within contract	Referred to Labour relations for disciplinary enquiry	433
Accommodation leases	Referred for criminal investigation	3,656
Total		11,700
24.3 Details of irregular expenditure condoned		
Incident	Condoned by (condoning authority)	2011/12 R'000
Transcription services SCM process not followed	NPA: Acting Chief Executive Officer	265
On-line publication services SCM process not followed	NPA: Acting Chief Executive Officer	6,889
Total		7,154
24.4 Details of irregular expenditures under investigation		
Incident		2011/12 R'000
News paper subscription fees SCM process not followed		23
Asset management software purchased without NT approval		249
Photocopiers maintenance services without contract		9
Telecommunication services used not within contract		433
Accommodation leases		3,656
Transcription services SCM process not followed		176
Total		4,546

25. Fruitless and wasteful expenditure

25.1 Reconciliation of fruitless and wasteful expenditure

	2011/12 R'000	2010/11 R'000
Opening balance	3,931	1,392
Fruitless and wasteful expenditure – relating to prior year	281	1,969
Fruitless and wasteful expenditure – relating to current year	105	668
Less: Amounts resolved	(1,120)	-
Less: Amounts transferred to receivables for recovery	(634)	(98)
Fruitless and wasteful expenditure awaiting condonement	2,563	3,931

Included in the closing balance of R 2,563m is an amount of R 2,195m that relates to one case. The investigations has been finalised and the NPA is currently in the process of taking further steps based on the recommendations received.

NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

25.2 Analysis of awaiting condonation per economic classification

	2011/12	2010/11
	R'000	R'000
Current	2,563	3,931
Total	2,563	3,931

25.3 Analysis of Current year's fruitless and wasteful expenditure

Incident	Disciplinary steps taken/criminal proceedings	2011/12
		R'000
Loss or damage of state assets	Of the R 52,212.74 identified R40,080.81 was referred for recovery, R 5,216.32 was written off and R 6,915.61 is still under investigation	52
Motor vehicle accident repairs	Of the R 28,969.44 expenditure identified R 18,949.80 is being recovered, R 4,815.04 was written off and R 5,204.60 is still under investigation to determine liability.	29
No shows	Of the R 19,795.73 expenditure identified R 11,667.73 is recovered and R 2,405 was written off and R 5,254 is still under investigation.	20
Traffic fines administration fee	Was recovered from the officials	3
S&T related expenditure	Was recovered from the officials	1
Total		105

26. Related party transactions

Payments made	2011/12	2010/11
	R'000	R'000
Goods and services	6,313	11,014
Total	6,313	11,014

	2011/12	2010/11
	R'000	R'000
Other		
Employee compensation for ex DSO officials seconded to SIU	-	1,812
Official seconded	1,973	1,931
Total	1,973	3,743

Officials whose salaries or part thereof is paid by the NPA and who are seconded to other institutions for the previous year is restated to reflect the expenditure incurred.

The NPA is a programme (Programme 4) on the vote of the Department of Justice and Constitutional Development. The relevant Executive Authority is the Minister for Justice and Constitutional Development. As such the NPA transacts with entities falling under this vote on a regular basis. These transactions are not necessarily conducted at arm's length as most services are rendered on a no-cost or recovery basis. The entities include the Family Advocate, State Attorneys, State Law Advisers, Master of the High Court, Office for the Control of Interception and Monitoring of Communication, South African Human Rights Commission, Commission on Gender Equality, Magistrate's Commission, President's Fund, Board of Sheriffs, Rules Board for the Labour Court, Equality Review Committee, Debt Collectors' Council, Public Protector, Criminal Assets Recovery Committee, Represented Political Parties' Fund, Rules Board for Courts of Law, Judicial Service Commission, South African Law Reform Commission, Special Investigating Unit, Legal Aid Board and the NCPS.

The transfer to the State Attorney is on a reimbursement basis for legal expenditure incurred on behalf of the NPA.

NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

27. Key management personnel

	No. of Individuals	2011/12 R'000	2010/11 R'000
Political office bearers (provide detail below) Officials:			
Level 15 to 16	20	24,587	21,065
Level 14 (incl. CFO if at a lower level)	13	8,134	11,716
Total		32,721	32,781

This expenditure represents the EXCO and MANCO members on salary level 14 or higher. Some of the officials included as key management personnel acted for only a portion of the year.

28. Impairment

	2011/12 R'000	2010/11 R'000
Impairment		
Debtors	6,231	6,827
Total	6,231	6,827

29. Provisions

	2011/12 R'000	2010/11 R'000
Curator expenditure	44,887	21,816
Implementation of job evaluation	140,000	-
Total	184,887	21,816

The information related to impairment and provisions were combined in the previous year's financial statement and are now shown separately.

30. Movable Tangible Capital Assets

MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2012

	Opening balance	Curr Year Adjust-ments to prior year balances	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	93,782	8,566	9,104	(40)	111,412
Transport assets	-	402	-	(40)	362
Computer equipment	69,723	14,193	5,789	-	89,705
Furniture and office equipment	13,569	(3,946)	715	-	10,338
Other machinery and equipment	10,490	(2,083)	2,600	-	11,007
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	93,782	8,566	9,104	(40)	111,412

30.1 Additions

ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2012

	Cash	Non-cash	(Capital Work in Progress current costs and finance lease payments)	Total
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	24,763	7,602	(23,261)	9,104
Transport assets	17,899	-	(17,899)	-
Computer equipment	3,227	5,410	(2,848)	5,789
Furniture and office equipment	3,229	-	(2,514)	715
Other machinery and equipment	408	2,192	-	2,600
TOTAL ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS	24,763	7,602	(23,261)	9,104

30.2 Disposals

DISPOSALS OF MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2012

	Sold for cash R'000	Total disposals	Cash Received Actual
	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	40	40	40
Transport assets	40	40	40
TOTAL DISPOSAL OF MOVABLE TANGIBLE CAPITAL ASSETS	40	40	40

30.3 Movement for 2010/11

MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2011

	Closing balance	Additions	Disposals	closing balance
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	65,336	29,517	(1,071)	93,782
Transport assets	-	-	-	-
Computer equipment	42,735	27,096	(108)	69,723
Furniture and office equipment	12,384	1,238	(53)	13,569
Other machinery and equipment	10,217	1,183	(910)	10,490
TOTAL MOVABLE TANGIBLE ASSETS	65,336	29,517	(1,071)	93,782

30.4 Minor assets

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED AS AT 31 MARCH 2012

	Heritage assets	Machinery and equipment	Total
Opening balance	-	60,922	60,922
Current year adjustments to prior year balances	-	(9,498)	(9,498)
Additions	-	1,494	1,494
TOTAL MINOR ASSETS	-	52,918	52,918

Included in the additions amount of R 1,494,162.89 are assets received in kind to the amount of R 286,447.65.

	Heritage assets	Machinery and equipment	Total
	R'000	R'000	R'000
Number of minor assets at cost	-	53,192	53,192
TOTAL NUMBER OF MINOR ASSETS	-	53,192	53,192

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED AS AT 31 MARCH 2011

	Heritage assets	Machinery and equipment	Total
Opening balance	-	50,536	50,536
Current year adjustments to prior year balances	-	8,324	8,324
Additions	-	4,674	4,674
Disposals	-	(2,612)	(2,612)
TOTAL MINOR ASSETS	-	60,922	60,922

	Heritage assets	Machinery and equipment	Total
Number of minor assets at cost	-	45,286	45,286
TOTAL NUMBER OF MINOR ASSETS	-	45,286	45,286

NATIONAL PROSECUTING AUTHORITY – VOTE 24 DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS For the year ended 31 March 2012

31 Immovable Tangible Capital Assets

Additions

ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2012

	Cash	Capital Work in Progress current costs and finance lease payments)	Total
	R'000	R'000	R'000
BUILDING AND OTHER FIXED STRUCTURES	15,923	(15,923)	-
Other fixed structures	15,923	(15,923)	-
TOTAL ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS	15,923	(15,923)	-

Immovable tangible capital assets expenditure relates to finance lease payments. The NPA does not own any Immovable tangible capital assets.





SUPPLEMENTARY SCHEDULES: ANNEXURES

NATIONAL PROSECUTING AUTHORITY - VOTE 24 ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS for the year ended 31 March 2012

ANNEXURE 1A

STATEMENT OF TRANSFERS TO DEPARTMENTAL AGENCIES AND ACCOUNTS

DEPARTMENT/ AGENCY/ ACCOUNT	TRANSFER ALLOCATION				TRANSFER		2010/11
	Adjusted Appropriation	Roll Overs	Adjustments	Total Available	Actual Transfer	% of Available funds Transferred	Appropriation Act
	R'000	R'000	R'000	R'000	R'000	%	R'000
Safety and Security SETA	1,553	-	478	2,031	2,031	100	1,827
Total	1,553	-	478	2,031	2,031	100	1,827

ANNEXURE 1B

STATEMENT OF TRANSFERS TO HOUSEHOLDS

HOUSEHOLDS	TRANSFER ALLOCATION				TRANSFER		2010/11
	Adjusted Appropriation Act	Roll Overs	Adjustments	Total Available	Actual Transfer	% of Available funds Transferred	Appropriation Act
	R'000	R'000	R'000	R'000	R'000	%	R'000
Transfers							
Social Benefits	8,894	-	(3,641)	5,253	5,253	100	5,507
Other transfers (claims against the State)	-	-	158	158	158	100	114
Total	8,894	-	(3,483)	5,411	5,411	100	5,621

ANNEXURE 1C

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2011/12	2010/11
		R'000	R'000
Received in kind			
Cape tow bar	Toys and clothing	-	2
Coca Cola	FIFA world cup tickets	-	5
Computerware	Govtech gifts	-	3
Cyber	Ipad	-	5
Harvard Training Institute	4 Notepads	-	11
IJS Project Assets	IJS project	5,287	2,876
Ridge Casino	Video equipment	-	3
USAID	Various items for the Thuthuzela Care Centres	2,315	805
Various	Various donations up to R 1000	7	13
Konica Minolta	Photocopy machine	25	-
Dr M van Lelyveld	Gift voucher	2	-
LexisNexis	Books	9	-
Birchwood hotel	1 Night free accommodation	10	-

NATIONAL PROSECUTING AUTHORITY – VOTE 24 ANNEXURES For the year ended 31 March 2012

Mr Mabhanga	Discount given	3	-
United State's Department of Justice	Sponsor travel and accommodation	23	-
International Consortium on Combating Wildlife Crime (ICCCWC)	Sponsor travel and accommodation	23	-
Government of Indonesia	Sponsor food and accommodation	6	-
International Association of Prosecutors	Sponsor travel and accommodation	56	-
TOTAL		7,766	3,723

ANNEXURE 1D

STATEMENT OF AID ASSISTANCE RECEIVED

NAME OF DONOR	PURPOSE	OPENING BALANCE	REVENUE	EXPENDI- TURE	CLOSING BALANCE
		R'000	R'000	R'000	R'000
Received in cash					
European Union	Assistance to SA Government to prevent and react to human trafficking	(311)	30	-	(281)
Royal Danish Commission (UNICEF)	Support Thuthuzela Care Centres	1,002	2,423	3,063	362
CARA	To assist various projects managed by NPA business units	4,952	-	243	4,709
Subtotal		5,643	2,453	3,306	4,790
Received in kind					
Royal Danish Commission (UNICEF)	Child and woman's protection through prevention and response to violence and HIV/AIDS	30,117	-	28,107	2,010
USAID (US Presidency)	Support to PEPFAR: Thuthuzela Care Centres	6,342	6,421	12,763	-
USAID	Woman Justice and Empowerment initiative	53,299	-	27,641	25,658
Subtotal		89,758	6,421	68,511	27,668
TOTAL		95,401	8,874	71,817	32,458

The closing balance for Royal Danish Commission (UNICEF) received in kind was converted from US \$ at an exchange rate of R 7.76

ANNEXURE 2A

STATEMENT OF FINANCIAL GUARANTEES ISSUED AS AT 31 MARCH 2012 – LOCAL

Guarantor institution	Guarantee in respect of	Opening balance 1 April 2011	Guarantees draw downs during the year	Guarantees repayments/ cancelled/ reduced/ released dur- ing the year	Closing balance 31 March 2012
		R'000	R'000	R'000	R'000
Housing					
ABSA		1,020	334	194	1,160
First National Bank (FNB)		129	-	-	129
First Rand Bank		298	-	238	60
Nedbank		249	-	58	191
Nedbank Limited		263	-	30	233
NP Development Corporation		141	75	-	216
Old Mutual Finance Limited		181	-	133	48
People's Bank		16	-	16	-
Standard Bank		370	82	32	420
Nedcor Investment		60	-	-	60
Unique Finance		15	-	-	15
BOE Bank limited		13	-	-	13
TOTAL		2,755	491	701	2,545

The opening balance of the Finance Guarantee (Housing Guarantee) is restated as per PERSAL reort (7.11.15 - State Guarantee Liability)

ANNEXURE 2B

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2012

Nature of Liability	Opening Balance 1 April 2011	Liabilities incurred during the year	Liabilities paid/ cancelled/reduced during the year	Closing balance 31 March 2012
	R'000	R'000	R'000	R'000
Claims against the department				
Fleet Management	78,529	-	78,529	-
Occupation Specific Dispensation (OSD)	29,617	-	29,617	-
Outstanding law suits (SS, OWP, PCLU)	44,266	6,692	-	50,958
Outstanding law suits: AFU	26,046	31,857	10,703	47,200
TOTAL	178,458	38,549	118,849	98,158

The AFU liabilities incurred during the year reflects a change in calculation methodology. The estimated amount is now based on the actual expenditure per curator.

ANNEXURE 3

CLAIMES RECOVERABLE

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2012	31/03/2011	31/03/2012	31/03/2011	31/03/2012	31/03/2011
	R'000	R'000	R'000	R'000	R'000	R'000
Department						
Department of Agriculture: GP	-	10	-	-	-	10
Department of Education: KZN	-	11	-	-	-	11
Department of Health: GP	-	-	-	22	-	22
Department of Health: Mpumalanga	-	-	-	6	-	6
Department of International Relations and Cooperation	-	-	217	-	217	-
Department of Justice and Constitutional Development	-	-	6	-	6	-
Department of Health	-	-	8	-	8	-
Department of Water Affairs	16	-	-	-	16	-
South African Police Services (SAPS)	-	-	11	-	11	-
Government Communication and Information System	-	-	603	-	603	-
TOTAL	16	21	845	28	861	49

ANNEXURE 4

INTER-GOVERNMENT PAYABLES

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2012	31/03/2011	31/03/2012	31/03/2011	31/03/2012	31/03/2011
	R'000	R'000	R'000	R'000	R'000	R'000
DEPARTMENTS						
Current						
Department of Agriculture: FS	-	43	-	-	-	43
Department of Economic Development: NC	-	17	-	-	-	17
National Treasury	-	6	-	-	-	6
Department of Arts and Culture	-	-	3	-	3	-
Department of Public Works	-	-	29	-	29	-
South African Police Services (SAPS)	-	-	15	-	15	-
Department of Justice and Constitutional Development	-	-	66	-	66	-
Department of Public Service Commission	-	-	12	-	12	-
Public Administration Leadership and Management Academy	-	-	353	-	353	-
TOTAL	-	66	478	-	478	66

ANNEXURE 5

INVENTORY

Inventory	Note	Quantity	2011/12 R'000	Quantity	2010/11 R'000
Opening balance		-	4,825	-	5,338
Add/(Less): Adjustments to prior year balance		-	-	-	-
Add: Additions/Purchases – Cash		-	22,030	-	8,382
Add: Additions - Non-cash		-	-	-	-
(Less): Disposals		-	-	-	-
(Less): Issues		-	-	-	-
Add/(Less): Adjustments		-	(21,485)	-	(8,891)
		-	128	-	(4)
CLOSING BALANCE		-	5,498	-	4,825



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HR OVERSIGHT REPORT

NATIONAL PROSECUTING AUTHORITY - VOTE 24 HR OVERSIGHT REPORT for the year ended 31 March 2012

HUMAN RESOURCES MANAGEMENT

TABLE 1.1 – Main Service for Service Delivery Improvement and Standards

Main Services	Actual Customers	Potential Customers	Standard of Service ³⁵ (2011/12)	Actual Achievement Against Standard
Public Prosecutions	Victims of Crime	Victims of Crime	Number of cases finalised including ADRMs:	
			496 204	448 791
			Number of cases finalised without diversion:	
			365 087	316 098
			Conviction Rate: High Courts - 87%	84.6% (963)
			Regional Courts - 74%	74.3% (28 666)
			District Courts - 87%	90.8% (251 030)
			Sexual Offences – 48%	65.1% (4 501)
			Number of Thuthuzela Care Centres (TCCs): 30	30
			Case backlogs: 37 796 (-2%)	34 926
Public education campaign	Individual and Communities: Vulnerable	Individual and Communities: Vulnerable	Number of individuals reached: 2 500	34 200 000
			Number of awareness and education interventions that manage the perception of crime and the effectiveness of the CJS	630

³⁵ Refers to target within the approved SDIP for 2009/2012

TABLE 1.2 – Consultation Arrangements for Customers

Type of Arrangement	Potential and Actual Customers	Actual Achievements
Public Prosecutions In delivering a prosecution service, prosecutors will treat victims of crime fairly, show respect for their dignity and privacy and act in a sensitive manner. The prosecutor will seek to secure a conviction in cases set down for trial and will seek to resolve other cases through the use of suitable alternatives and the with the co-operation of the victim of crime.	Victims of crime	On average 1 685 High and Lower Courts finalised 316 098 cases with a verdict, achieving a 88.8% conviction rate. The High Courts achieved a conviction rate of 84.6%, the Regional Courts 74.3% and the District Courts 90.8%. The NPA managed to increase the use of alternative dispute mechanisms finalising 132 693 cases through alternative dispute mechanisms.
Court Preparation NPA's Ke Bona Lesedi Court Preparation Programme ensures that Court Preparation Officers (CPOs) prepare state witnesses for court in all matters. The programme contributes towards a reduction of secondary trauma and as such it contributes to the improvement of conviction rates. CPOs administer Victim Impact Statements, which enhance compensation for victims and further assist the court during sentencing.	Victims of crime Witnesses	There are 140 CPOs and they operated at 76 Lower Courts, and at 2 High Courts. During the period under review 81 167 witness sessions were conducted by CPOs, which is an average of 55 witnesses per CPO.
Thuthuzela Care Centres (TCCs) TCCs are one stop facilities established as a critical part of South Africa's anti-rape strategy, aiming to reduce secondary trauma for the victim, improve conviction rates and reduce cycle times for finalising rape cases. TCCs are usually located in hospitals, but all the relevant care givers and criminal justice system role players, including prosecutors, are accessible at this one point, for the convenience of the victim.	Victims of sexual crimes	Thirty (30) TCCs are regarded as fully operational service centres. The number of fully operational TCCs increased from 27 to 30 during this period. In addition there are 52 TCCs that are starting to provide services but do not comply with the blueprint on TCCs as all services are not offered. Matters reported at the TCCs increased from 20 496 to 28 557 (+39%) and the number of cases finalised in court increased from 1 761 to 2 180 (+23.7%). The number of cases received in court where case managers were appointed increased from 9 716 to 10 949 (+12.6%).
Witness Protection Witnesses and members of their families who are threatened or whose lives are in danger may be placed into the Witness Protection Programme in accordance with the provisions of the Witness Protection Act No.112 of 1998. Where a witness is placed on the programme, he / she will be required to enter into an agreement with the Office for Witness Protection (OWP) and must comply with all the rules set out therein. When accepted onto the programme, witnesses are placed in safe houses and may, in appropriate circumstances, be offered a new identity. After testifying, witnesses are served with a notice informing them that they will be removed from the programme within a reasonable period of time	Vulnerable and / or intimidated witnesses	407 witnesses and 462 related persons were handled on the programme with a total of 28 criminal prosecutions finalised. After completing their testimonies, 31 witnesses with 21 dependants were discharged. In 33 cases, witnesses were reintegrated or relocated throughout the year.
National Road Shows	Community members in rural, semi-rural and peri-urban areas where access to media is limited	25 Roadshows were held in all provinces, reaching an estimated 40 000 people. Areas reached include Taung, Qoqodala, Bankara, Katlehong, Lusikisiki, Whittlesea, Mbibane, Jaggersfontein, Bonteheuwel, Chester-ville, Edendale, Kakamas, Robertson, Thaba Nchu, Butterworth. Mother-well, Diepsloot, Khayelitsha, Umzimkhulu, Lady Frere, Dealsville, Gamo-rona, Petrusville, Alice and Umbumbulu.

TABLE 1.2 – Consultation Arrangements for Customers Cont.

Type of Arrangement	Potential and Actual Customers	Actual Achievements
Public Radio Campaign	General public	The NPA participated in a public education campaign in partnership with SABC Education. The campaign ran through 15 SABC radio stations, recording a cumulative listenership figure of over 30 million listeners across the country. The campaign, called NPA Legal Features covered key topics including bail and bail conditions, maintenance, prosecution of rape, understanding the criminal justice system, domestic violence and asset forfeiture.
Public Exhibitions	General public	<p>The NPA participated in the Rand Show, Royal Show, Grahamstown Arts Festival, Macufe, Pretoria Show. The NPA was awarded a gold medal at the Royal Show, for the third consecutive year and a bronze medal at the Rand Show for professional exhibitions and the quality of information made available. Information about the work of the NPA and the criminal justice system, in the form of booklets and pamphlets was distributed. Prosecutors and other members of the NPA were on hand in all instances to provide more information and address enquiries from the public.</p> <p>The NDPP also presented two public lectures in August 2011 - at the University of KZN and the University of Zululand. These lectures focused on the role of the prosecutor in the criminal justice system and career opportunities for law students.</p>
Crime and Criminal Justice Survey (CCJS)	General public	<p>The latest Victims of Crime Survey (2011)³⁶ conducted by Statistics South Africa highlights the following key findings with some reference to the courts:</p> <ul style="list-style-type: none"> According to 41.8% of households the levels of violent crimes have decreased³⁷ during 2010. 64.7% of households nationally indicated that they were satisfied with the way courts are doing their work, of which 51.8% reported that courts passed appropriate sentences (especially in North West and Northern Cape); 29.8% said courts achieved a good conviction rate (especially in Gauteng and Western Cape) and 17.9% "praised" courts because they were not corrupt. However, 34.6% of the households indicated that the sentencing of perpetrators was too lenient (especially in the Western Cape [51.2%]³⁸. Furthermore, 25.8% reported that "cases dragged on for too long" due to postponements and a mere 4.4% indicated that "no proper notice of the hearings was served by the courts".

36 Survey conducted from January to March 2011.

37 Statistics South Africa. 2011. Victims of Crime Survey. Statistical Release P0341. Page 6

38 Ibid. Page 25.

TABLE 1.3 - Service Delivery Access Strategy

Access Strategy	Actual Achievements
Providing basic information about the NPA through the website	Basic information on the website included: <ul style="list-style-type: none"> * Organisational structure * Leadership profiles * Media statements * Aspirant Prosecutors Programme * Educational material * Photographic presentations of community outreach events NPA job adverts
Performance Information on the website	Quarterly performance reports and archive of annual reports published on the website
Facilitating easy access to the NPA	<ul style="list-style-type: none"> * Contact details of NPA main office, map and directions posted * Thuthuzela Care Centres contact details listed * Dedicated media email address (media@npa.gov.za) provided for all media enquiries: media enquiries referred to the relevant offices and responded to immediately or within 48 hours, depending on complexity of the enquiry * Communication email address (communication@npa.gov.za) serves as an online call centre for all enquiries and representations: enquiries responded to or channelled to the relevant offices and general information provided to enhance understanding of the work of the NPA
Participation at Thusong Service Centres	The NPA established presence at 19 Thusong Service Centres across all provinces. Prosecutors and communication officials delivered presentations to visitors, addressed specific enquiries and distributed information material printed in all languages
NPA website	NPA website can be accessed at www.npa.gov.za

TABLE 1.4 - Information Tools

Type of Information Tool	Actual Achievements
National Road Shows	25 Roadshows were held in all provinces, reaching an estimated 40 000 people. Areas reached include Taung, Qoqodala, Bankara, Katlehong, Lusikisiki, Whittlesea, Mbibane, Jagersfontein, Bonteheuwel, Chesterville, Edendale, Kakamas, Robertson, Thaba Nchu, Butterworth, Motherwell, Diepsloot, Khayelitsha, Umzimkhulu, Lady Frere, Dealsville, Gamorona, Petrusville, Alice and Umbumbulu.
Public Radio Campaign	The NPA participated in a public education campaign in partnership with SABC Education. The campaign ran through 15 SABC radio stations, recording a cumulative listenership figure of over 30 million listeners across the country. The campaign, called NPA Legal Features covered key topics including bail and bail conditions, maintenance, prosecution of rape, understanding the criminal justice system, domestic violence and asset forfeiture.
Public Exhibitions	The NPA participated in the Rand Show, Royal Show, Grahamstown Arts Festival, Macufe, Pretoria Show. The NPA was awarded a gold medal at the Royal Show, for the third consecutive year and a bronze medal at the Rand Show for professional exhibitions and the quality of information made available. Information about the work of the NPA and the criminal justice system, in the form of booklets and pamphlets was distributed. Prosecutors and other members of the NPA were on hand in all instances to provide more information and address enquiries from the public.
Public Lectures	The NDPP presented two public lectures in August 2011 - at the University of KZN and the University of Zululand. These lectures focused on the role of the prosecutor in the criminal justice system and career opportunities for law students.
Printed information products and promotional material	Pamphlets and brochures on Thuthuzela Care Centres (TCCs), Domestic Violence, Maintenance, Understanding the Criminal Justice System and Speak Out booklets for children were distributed at all events and exhibitions in all provinces, and some are also available on the NPA website.
NPA website	Updated on a weekly or monthly basis – as necessary.
NPA Newsletter (Khasho)	An internal newsletter printed monthly, but also distributed to external audiences and posted on the website. Information includes commentary by prosecutors on their cases.
Media engagement (court interviews)	NPA spokespersons attended court cases and provided media commentary on court processes and outcomes on many important cases.

TABLE 1.5 - Complaint Mechanism

Complaint Mechanism	Actual Achievements
<p>Representations</p> <p>Complaints or queries about a lower court matter should be addressed in writing to the Senior Public Prosecutor (SPP) of that court. Should the representer be dissatisfied with the result or if the complaint concerns the SPP, the representer may take the matter up with the Chief Public Prosecutor (CPP) of that area (contact details are available at the magistrate's court). Should the representer still be dissatisfied with the response, he / she may approach the Director of Public Prosecutions (DPP) for that region. Complaints or queries about High Court matters should be addressed to the relevant DPP.</p> <p>Should the representer be unhappy with the response of the Director (DPP), he / she may approach the Deputy National Director (NPS).</p> <p>Alternatively, representers can send their representations to the following email address: communication@npa.gov.za for correct routing to the relevant office.</p> <p>address: communication@npa.gov.za for correct routing to the relevant office.</p> <p>Ethics Hotline</p> <p>If a member of the public is dissatisfied with the treatment received from a prosecutor, please report the matter to the NPA Hotline number: 0800 212 580. Important details required include the prosecutor's name and which office or court he or she is stationed. Alternatively, send this information to the following email address: communication@npa.gov.za</p>	<p>All representations submitted to the communication@npa.gov.za email address were referred to the relevant office. All representations submitted through this forum were responded to or resolved within 30 days of receipt. Platform was referred either to the relevant DPP office or to the NDPP through the Legal Affairs Division in the Office of the NDPP.</p> <p>The hotline for reporting unethical conduct by prosecutors and other NPA employees was only operational during the last quarter of the financial year, due to delayed engagement processes with the service provider.</p> <p>Three matters were reported during the period, of which two were finalised. One case is currently still under investigation.</p>

TABLE 2.1 - Personnel costs by programme, 2011/2012

Programme	Total Expenditure	Personnel Expenditure	Training Expenditure	Professional and Special Services	Personnel cost as a per cent of total	Average personnel cost per employee
	R'000	R'000	R'000	R'000	expenditure	R'000
SP1: Public Prosecutions	1,951,858	1,843,373	6	930	94.44%	425
SP2: Office of Witness Protection	132,870	56,531	200	0	42.55%	369
SP3: Asset Forfeiture Unit	104,507	76,936	2	17,166	73.62%	583
SP4: Support Services	426,180	124,120	4,230	3,983	29.12%	337
TOTAL	2,615,415	2,100,960	4,438	22,079	80.33%	421

TABLE 2.2 - Personnel costs by salary bands, 2011/2012

Salary Bands	Personnel expenditure	% of total personnel cost	Average personnel cost per employee
	R'000		R'000
Lower skilled (Levels 1-2)	1,126	0.1	102,364
Skilled (Levels 3-5)	37,372	1.8	139,970
Highly skilled production (Levels 6-8)	196,090	9.4	204,901
Highly skilled supervision (Levels 9-12)	1,210,407	57.8	489,845
Senior management (Levels 13-16)	546,262	26.1	765,073
Contract (Levels 1-2)	664	0	110,667
Contract (Levels 3-5)	19,950	0.9	65,842
Contract (Levels 6-8)	31,442	1.5	181,746
Contract (Levels 9-12)	50,200	2.4	460,550
Contract (Levels 13-16)	2,450	0.1	2,450,000
TOTAL	2,095,963	100	418,189

* The information provided in this table is based on PERSAL/ Vulindlela information for transactions captured on PERSAL during the reporting period.

TABLE 2.3 - Salaries, Overtime, Home Owners Allowance and Medical Assistance by programme, 2011/2012

Programme	Salaries		Overtime		Home Owners Allowance		Medical Assistance	
	Amount	Salaries as a % of personnel cost	Amount	Overtime as a % of personnel cost	Amount	HOA as a % of personnel cost	Amount	Medical assistance as a % of personnel cost
	R'000		R'000		R'000	R'000	R'000	
National Prosecuting Authority	1,702,141	80	3,539	0.2	18,526	0.9	60,184	2.8
TOTAL	1,702,141	80	3,539	0.2	18,526	0.9	60,184	2.8

Total personnel cost also include amongst other: performance rewards, service bonus, leave discounting, periodical payments and pension contribution. These are not included in the table above.

The purpose of this table is to indicate the percentage of specific identified conditions of service.

TABLE 2.4 - Salaries, Overtime, Home Owners Allowance and Medical Assistance by salary bands, 2011/2012

Salary bands	Salaries		Overtime		Home Owners Allowance		Medical Assistance	
	Amount	Salaries as a % of personnel cost	Amount	Overtime as a % of personnel cost	Amount	HOA as a % of personnel cost	Amount	Medical assistance as a % of personnel cost
	R'000		R'000		R'000	R'000	R'000	
Lower skilled (Levels 1-2)	712	63.2	0	0	66	5.9	173	15.4
Skilled (Levels 3-5)	25,143	67.1	59	0.2	2,086	5.6	3,969	10.6
Highly skilled production (Levels 6-8)	143,951	73.2	917	0.5	5,866	3	12,522	6.4
Highly skilled supervision (Levels 9-12)	969,433	78.9	2,521	0.2	9,290	0.8	35,171	2.9
Senior management (Levels 13-16)	458,273	81.8	17	0	1,219	0.2	8,349	1.5
Contract (Levels 1-2)	659	98.2	4	0.6	0	0	0	0
Contract (Levels 3-5)	19,927	99.7	15	0.1	0	0	0	0
Contract (Levels 6-8)	31,405	99.5	5	0	0	0	0	0
Contract (Levels 9-12)	50,188	99.5	0	0	0	0	0	0
Contract (Levels 13-16)	2,450	99.7	0	0	0	0	0	0
TOTAL	1,702,141	80	3,538	0.2	18,527	0.9	60,184	2.8

Total personnel cost also include amongst other: performance rewards, service bonus, leave discounting, periodical payments and pension contribution. These are not included in the table above. The purpose of this table is to indicate the percentage of specific identified conditions of service.

TABLE 3.1 - Employment and vacancies by programme, 31 March 2012

Programme	Number of posts	Number of posts filled	Vacancy Rate	Number of posts filled additional to the establishment
National Prosecuting Authority	5811	5012	13.7	593
TOTAL	5811	5012	13.7	593

TABLE 3.2 - Employment and vacancies by salary bands, 31 March 2012

Programme	Number of posts	Number of posts filled	Vacancy Rate	Number of posts filled additional to the establishment
Lower skilled (Levels 1-2), Permanent	15	15	0	2
Skilled (Levels 3-5), Permanent	361	267	26	0
Highly skilled production (Levels 6-8), Permanent	1100	954	13.3	0
Highly skilled supervision (Levels 9-12), Permanent	3479	2962	14.9	0
Senior management (Levels 13-16), Permanent	264	222	15.9	0
Contract (Levels 1-2)	6	6	0	6
Contract (Levels 3-5)	303	303	0	303
Contract (Levels 6-8)	173	173	0	173
Contract (Levels 9-12)	109	109	0	108
Contract (Levels 13-16)	1	1	0	1
TOTAL	5811	5012	13.7	593

TABLE 3.3 - Employment and vacancies by critical occupation, 31 March 2012

Critical occupations	Number of posts	Number of posts filled	Vacancy Rate	Number of posts filled additional to the establishment
Administrative related	1087	895	17.7	74
Advocates	524	448	14.5	15
Attorneys	4	4	0	0
Cleaners in offices workshops hospitals etc.	10	10	0	1
Client inform clerks(switchb receipt inform clerks)	20	14	30	0
Communication and information related	7	2	71.4	0
Custodian personnel	1	1	0	0
Custodian personnel	1	1	0	0
Engineering sciences related	1	1	0	0
Finance and economics related	5	5	0	0
Financial and related professionals	13	13	0	1
Financial clerks and credit controllers	7	7	0	0
General and special investigations	82	57	30.5	2
General legal administration & rel. professionals	77	77	0	0
Head of department/chief executive officer	2	1	50	0
Human resources & organisat developm & relate prof	4	4	0	0
Human resources clerks	7	7	0	0
Human resources related	7	7	0	0
Information technology related	1	1	0	0
Language practitioners interpreters & other commun	1	1	0	0
Library mail and related clerks	16	12	25	0
Logistical support personnel	2	2	0	0
Magistrates	2	2	0	0
Material-recording and transport clerks	1	1	0	0

TABLE 3.3 - Employment and vacancies by critical occupation, 31 March 2012 Cont.

Critical occupations	Number of posts	Number of posts filled	Vacancy Rate	Number of posts filled additional to the establishment
Messengers porters and deliverers	34	27	20.6	0
Military personnel	1	1	0	0
Other administrat & related clerks and organisers	22	22	0	0
Other administrative policy and related officers	9	9	0	0
Other occupations	16	16	0	0
Prosecutor	3421	3012	12	498
Protection services	99	96	3	0
Risk management and security services	6	2	66.7	0
Saps	6	6	0	0
Secretaries & other keyboard operating clerks	114	90	21.1	1
Security officers	1	1	0	0
Senior managers	195	152	22.1	1
Social work and related professionals	4	4	0	0
Trade/industry advisers & other related profession	1	1	0	0
TOTAL	5811	5012	13.7	593

TABLE 4.1 - Job Evaluation

Salary Band	Number of posts	Number of jobs evaluated	% of posts evaluated by salary bands	Posts upgraded		Posts downgraded	
				Number	% of posts evaluated	Number	% of posts evaluated
Lower skilled (Levels 1-2)	15	0	0	0	0	0	0
Contract (Levels 1-2)	6	0	0	0	0	0	0
Contract (Levels 3-5)	303	0	0	0	0	0	0
Contract (Levels 6-8)	173	0	0	0	0	0	0
Contract (Levels 9-12)	109	0	0	0	0	0	0
Contract (Band A)	1	0	0	0	0	0	0
Skilled (Levels 3-5)	361	0	0	0	0	0	0
Highly skilled production (Levels 6-8)	1100	0	0	0	0	0	0
Highly skilled supervision (Levels 9-12)	3015	1	0.03	11	10.1	0	0
Senior Management Service Band A (Level 13)	581	1	0.2	0	0	0	0
Senior Management Service Band B (Level 14)	126	0	0	0	0	0	0
Senior Management Service Band C (Level 15)	3	1	33.3	0	0	1	100
Senior Management Service Band D (Level 16)	18	1	5.6	0	0	1	100
TOTAL	5811	4	0.1	11	275	2	50

TABLE 4.2 - Profile of employees whose positions were upgraded due to their posts being upgraded, 1 April 2011 to 31 March 2012

Beneficiaries	African	Asian	Coloured	White	Total
Female	1	0	0	0	1
Male	9	0	1	0	10
TOTAL	10	0	1	0	11
Employees with a Disability	0	0	0	0	0

TABLE 4.3 - Profile of employees whose salary level exceed the grade determined by job evaluation, 1 April 2011 to 31 March 2012 [in terms of PSR 1.V.C.3]

Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
Corporate Manager (Director: Administration)	11	11	13	Responsibilities and decision making attached to the position required a senior management position
Total	11	11	13	
Total number of employees whose salaries exceeded the level determined by job evaluation in 2011/2012	11			
Percentage of Total Employment	0.2			

TABLE 4.4 - Profile of employees whose salary level exceeded the grade determined by job evaluation, 1 April 2011 to 31 March 2012 [in terms of PSR 1.V.C.3]

Beneficiaries	African	Asian	Coloured	White	Total
Female	1	0	0	0	1
Male	9	0	1	0	10
Total	10	0	1	0	11
Employees with a Disability	0	0	0	0	0

TABLE 5.1 - Annual turnover rates by salary band for the period 1 April 2011 to 31 March 2012

Salary Band	Number of employees per band as on 1 April 2011	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2), Permanent	11	0	0	0
Skilled (Levels 3-5), Permanent	243	21	3	1.2
Highly skilled production (Levels 6-8), Permanent	818	11	26	3.2
Highly skilled supervision (Levels 9-12), Permanent	2756	14	87	3.2
Senior Management Service Band A, Permanent	346	3	18	5.2
Senior Management Service Band B, Permanent	115	1	4	3.5
Senior Management Service Band C, Permanent	2	0	0	0
Senior Management Service Band D, Permanent	15	1	0	0
Contract (Levels 1-2)	13	6	16	123.1
Contract (Levels 3-5)	91	289	29	31.9
Contract (Levels 6-8)	232	18	32	13.8
Contract (Levels 9-12)	64	15	99	154.7
Contract (Band A) (Level 13)	2	0	2	100
Contract (Band B) (Level 14)	0	0	1	0
TOTAL	4708	379	317	6.7

TABLE 5.2 - Annual turnover rates by critical occupation for the period 1 April 2011 to 31 March 2012

Occupation	Number of employees per band as on 1 April 2011	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Administrative related	841	56	79	9.4
Advocates	460	2	21	4.6
Attorneys	4	0	0	0
Cleaners in offices workshops hospitals etc.	10	0	0	0
Client inform clerks(switchboard receipt inform clerks)	15	2	2	13.3
Communication and information related	3	0	0	0
Custodian personnel	1	0	0	0
Custodian personnel	1	0	0	0
Engineering sciences related	1	0	0	0
Finance and economics related	5	0	0	0
Financial and related professionals	12	1	1	8.3
Financial clerks and credit controllers	7	0	0	0
General and special investigations	66	0	8	12.1
General legal administration & rel. Professionals	79	0	1	1.3
Head of department/chief executive officer	1	0	0	0
Human resources & organisational development & related professions	4	0	0	0
Human resources clerks	6	0	0	0
Human resources related	8	0	1	12.5
Information technology related	1	0	0	0
Language practitioners interpreters & other communication	2	0	0	0
Library mail and related clerks	11	1	1	9.1
Life sciences related	1	0	0	0
Logistical support personnel	2	0	0	0
Magistrates	2	0	0	0
Material-recording and transport clerks	1	0	0	0
Messengers porters and deliverers	25	2	1	4
Military personnel	1	0	0	0
Other administrative & related clerks and organisers	24	0	1	4.2
Other administrative policy and related officers	9	0	0	0
Other occupations	17	0	1	5.9
Prosecutor	2745	305	180	6.6
Protection services	98	1	2	2
Risk management and security services	1	0	0	0
Saps	8	0	2	25
Secretaries & other keyboard operating clerks	81	3	5	6.2
Senior managers	153	5	11	7.2
Social work and related professionals	0	1	0	0
Trade/industry advisers & other related professions	1	0	0	0
Translators and air traffic communicators	1	0	0	0
TOTAL	4708	379	317	6.7

TABLE 5.3 - Reasons why staff are leaving the department

Termination Type	Number	% of total
Death	12	3.8
Resignation	114	36
Expiry of contract	159	50.2
Transfers	1	0.3
Discharged due to ill health	1	0.3
Dismissal-misconduct	15	4.7
Retirement	15	4.7
TOTAL	317	100

Total number of employees who left as a % of the total employment

6.7

TABLE 5.4 - Promotions by critical occupation

Occupation	Employees as at 1 April 2011	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level	Notch progressions as a % of employees by occupation
Administrative related	841	70	8.3	625	74.3
Advocates	460	9	2	388	84.3
Attorneys	4	0	0	2	50
Cleaners in offices workshops hospitals etc.	10	0	0	7	70
Client inform clerks(switchb receipt inform clerks)	15	0	0	12	80
Communication and information related	3	0	0	1	33.3
Custodian personnel	1	0	0	1	100
Custodian personnel:	1	0	0	1	100
Engineering sciences related	1	0	0	1	100
Finance and economics related	5	0	0	5	100
Financial and related professionals	12	1	8.3	11	91.7
Financial clerks and credit controllers	7	0	0	4	57.1
General and special investigations	66	0	0	41	62.1
General legal administration & rel. professionals	79	0	0	70	88.6
Head of department/chief executive officer	1	0	0	0	0
Human resources & organisat developm & relate prof	4	1	25	3	75
Human resources clerks	6	1	16.7	6	100
Human resources related	8	0	0	7	87.5
Information technology related	1	0	0	1	100
Language practitioners interpreters & other commun	2	0	0	0	0
Library mail and related clerks	11	0	0	9	81.8
Life sciences related	1	0	0	0	0
Logistical support personnel	2	1	50	1	50
Magistrates	2	0	0	2	100
Material-recording and transport clerks	1	0	0	1	100
Messengers porters and deliverers	25	0	0	23	92
Military personnel	1	0	0	1	100
Other administrat & related clerks and organisers	24	0	0	12	50
Other administrative policy and related officers	9	0	0	3	33.3
Other occupations	17	1	5.9	12	70.6

TABLE 5.4 - Promotions by critical occupation Cont.

Occupation	Employees as at 1 April 2011	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level	Notch progressions as a % of employees by occupation
Prosecutor	2745	49	1.8	1735	63.2
Protection services	98	1	1	69	70.4
Risk management and security services	1	1	100	1	100
Saps	8	0	0	8	100
Secretaries & other keyboard operating clerks	81	7	8.6	61	75.3
Security officers	0	1	0	0	0
Senior managers	153	11	7.2	45	29.4
Social work and related professionals	0	1	0	0	0
Trade/industry advisers & other related profession	1	0	0	1	100
Translators and air traffic communicators	1	0	0	0	0
TOTAL	4708	155	3.3	3170	67.3

TABLE 5.5 - Promotions by salary band

Salary Band	Employees as at 1 April 2011	Promotions to another salary level	Salary bands promotions as a % of employees by salary level	Progressions to another notch within a salary level	Notch progressions as a % of employees by salary band
Lower skilled (Levels 1-2), Permanent	11	0	0	5	45.5
Skilled (Levels 3-5), Permanent	243	8	3.3	203	83.5
Highly skilled production (Levels 6-8), Permanent	818	48	5.9	594	72.6
Highly skilled supervision (Levels 9-12), Permanent	2756	81	2.9	1688	61.2
Senior management (Levels 13-16), Permanent	478	18	3.8	668	139.7
Contract (Levels 1-2)	13	0	0	0	0
Contract (Levels 3-5)	91	0	0	0	0
Contract (Levels 6-8)	232	0	0	9	3.9
Contract (Levels 9-12)	64	0	0	3	4.7
Contract (Levels 13-16)	2	0	0	0	0
TOTAL	4708	155	3.3	3170	67.3

TABLE 6.1 - Total number of employees (including employees with disabilities) in each of the following occupational categories as on 31 March 2012

Occupational categories (SASCO)	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	41	8	5	55	18	2	8	16	153
Professionals	1392	159	69	351	797	187	146	480	3581
Technicians and associate professionals	239	27	8	21	457	69	21	62	904
Clerks	17	0	0	1	82	28	5	21	154
Service and sales workers	49	13	5	42	31	2	4	17	163
Elementary occupations	20	3	0	5	19	2	2	2	53
Other	2	0	0	0	2	0	0	0	4
TOTAL	1760	210	87	475	1406	290	186	598	5012

Employees with disabilities	1	0	0	2	1	1	0	1	6
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TABLE 6.2 - Total number of employees (including employees with disabilities) in each of the following occupational bands as on 31 March 2012

Occupational Bands	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management, Permanent	8	2	0	4	6	0	1	0	21
Senior Management, Permanent	179	30	24	190	75	20	39	136	693
Professionally qualified and experienced specialists and mid-management, Permanent	981	118	39	229	543	124	98	338	2470
Skilled technical and academically qualified workers, junior management, supervisors, foremen, Permanent	294	28	7	21	432	80	23	69	954
Semi-skilled and discretionary decision making, Permanent	73	6	1	2	141	28	7	9	267
Unskilled and defined decision making, Permanent	2	0	0	0	13	0	0	0	15
Contract (Senior Management)	1	0	0	0	0	0	0	0	1
Contract (Professionally qualified)	43	7	5	9	16	8	8	13	109
Contract (Skilled technical)	52	5	4	5	80	13	4	10	173
Contract (Semi-skilled)	123	14	7	15	98	17	6	23	303
Contract (Unskilled)	4	0	0	0	2	0	0	0	6
TOTAL	1760	210	87	475	1406	290	186	598	5012

TABLE 6.3 - Recruitment for the period 1 April 2011 to 31 March 2012

Occupational Bands	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management, Permanent	1	0	0	0	0	0	0	0	1
Senior Management, Permanent	2	0	0	0	2	0	0	0	4
Professionally qualified and experienced specialists and mid-management, Permanent	5	2	0	0	4	2	0	1	14
Skilled technical and academically qualified workers, junior management, supervisors, foremen, Permanent	5	2	0	0	4	0	0	0	11
Semi-skilled and discretionary decision making, Permanent	6	0	0	0	13	1	0	1	21
Contract (Professionally qualified)	7	1	1	2	3	0	1	0	15
Contract (Skilled technical)	4	1	0	0	12	1	0	0	18
Contract (Semi-skilled)	119	14	8	15	90	16	6	21	289
Contract (Unskilled)	4	0	0	0	2	0	0	0	6
TOTAL	153	20	9	17	130	20	7	23	379

Employees with disabilities	0	0	0	0	0	0	0	0	0
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TABLE 6.4 - Promotions for the period 1 April 2011 to 31 March 2012

Occupational Bands	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management, Permanent	2	0	0	0	2	0	0	0	4
Senior Management, Permanent	180	27	22	170	77	21	39	146	682
Professionally qualified and experienced specialists and mid-management, Permanent	681	84	22	182	392	96	65	247	1769
Skilled technical and academically qualified workers, junior management, supervisors, foremen, Permanent	174	20	5	9	320	59	15	40	642
Semi-skilled and discretionary decision making, Permanent	54	6	0	3	110	22	6	10	211
Unskilled and defined decision making, Permanent	0	0	0	0	5	0	0	0	5
Contract (Professionally qualified)	0	0	1	0	1	0	0	1	3
Contract (Skilled technical)	3	2	0	0	3	0	1	0	9
TOTAL	1094	139	50	364	910	198	126	444	3325

Employees with disabilities	1	0	0	1	1	1	0	0	4
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TABLE 6.5 - Terminations for the period 1 April 2011 to 31 March 2012

Occupational Bands	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Senior Management, Permanent	2	0	0	6	5	1	3	5	22
Professionally qualified and experienced specialists and mid-management, Permanent	37	4	4	8	19	2	3	10	87
Skilled technical and academically qualified workers, junior management, supervisors, foremen, Permanent	9	0	0	2	10	1	1	3	26
Semi-skilled and discretionary decision making, Permanent	1	0	0	0	1	0	0	1	3
Contract (Senior Management)	0	0	0	0	3	0	0	0	3
Contract (Professionally qualified)	42	5	6	9	14	9	6	8	99
Contract (Skilled technical)	9	1	1	1	13	3	1	3	32
Contract (Semi-skilled)	8	0	2	0	10	4	1	4	29
Contract (Unskilled)	9	0	0	0	7	0	0	0	16
TOTAL	117	10	13	26	82	20	15	34	317

Employees with disabilities	0	0	0	0	0	0	0	0	0
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TABLE 6.6 - Disciplinary action for the period 1 April 2011 to 31 March 2012

Disciplinary action	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
TOTAL	68	6	7	27	38	8	5	10	169

TABLE 6.7 - Skills development for the period 1 April 2011 to 31 March 2012

Occupational Categories	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, Senior Officials and Managers	19	0	0	6	35	3	0	5	68
Professionals	1457	197	69	342	939	196	132	252	3584
Technicians and Associate Professionals	196	24	1	17	238	37	24	38	575
Clerks	6	3	1	0	44	15	5	18	92
Service and Sales Workers	30	21	0	9	24	2	1	7	94
Skilled Agriculture and Fishery Workers	0	0	0	0	0	0	0	0	0
Craft and related Trades Workers	0	0	0	0	0	0	0	0	0
Plant and Machine Operators and Assemblers	0	0	0	0	0	0	0	0	0
Elementary Occupations	18	0	0	0	4	0	0	0	22
TOTAL	1726	245	71	374	1284	253	162	320	4435

TABLE 7.1 - Performance Rewards by race, gender and disability, 1 April 2011 to 31 March 2012

Gender & Race	Beneficiary profile			Cost	
	Number of beneficiaries	Total number of employees in group	Percentage of total within group	Cost (R'000)	Average cost per employee
African					
Male	188	1759	10.7	5,323	28,314
Female	191	1405	13.6	4,082	21,373
Asian					
Male	13	87	14.9	609	46,825
Female	39	186	21	1,290	33,084
Coloured					
Male	35	210	16.7	1,106	31,601
Female	63	289	21.8	1,498	23,783
White					
Male	107	473	22.6	4,601	43,000
Female	151	597	25.3	5,642	37,367
Employees with a disability	1	6	16.7	66	65,594
TOTAL	788	5012	15.7	24,218	30,733

TABLE 7.2 - Performance rewards by salary bands for personnel below Senior Management Service, 1 April 2011 to 31 March 2012

Salary Bands	Beneficiary profile			Cost		
	Number of beneficiaries	Number of employees	% of total within salary bands	Total Cost (R'000)	Average cost per employee	Total cost as a % of the total personnel expenditure
Lower skilled (Levels 1-2)	2	11	18.2	22	11,000	0.001
Skilled (Levels 3-5)	63	267	23.6	621	9,857	0.03
Highly skilled production (Levels 6-8)	189	957	19.7	2,762	14,614	0.1
Highly skilled supervision (Levels 9-12)	374	2471	15.1	11,972	32,011	0.6
Contract (Levels 1-2)	0	6	0	0	0	0
Contract (Levels 3-5)	0	303	0	0	0	0
Contract (Levels 6-8)	0	173	0	0	0	0
Contract (Levels 9-12)	0	109	0	0	0	0
TOTAL	628	4297	14.6	15,377	24,486	0.7

TABLE 7.3 - Performance rewards by critical occupations, 1 April 2011 to 31 March 2012

Critical Occupations	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within occupation	Total Cost (R'000)	Average cost per employee
Administrative related	209	893	23.4	3,460	16,555
Advocates	91	448	20.3	4,630	50,879
Attorneys	1	4	25	42	42,000
Cleaners in offices workshops hospitals etc.	2	10	20	22	11,000
Client inform clerks(switchb receipt inform clerks)	4	14	28.6	36	9,000
Communication and information related	1	2	50	21	21,000
Custodian personnel	1	1	100	31	31,000
Custodian personnel:	1	1	100	41	41,000
Engineering sciences related	0	1	0	0	0
Finance and economics related	0	5	0	0	0
Financial and related professionals	4	13	30.8	83	20,750
Financial clerks and credit controllers	3	7	42.9	45	15,000
General and special investigations	8	57	14	320	40,000
General legal administration & rel. professionals	20	77	26	1,078	53,900
Head of department/chief executive officer	0	1	0	0	0
Human resources & organisat developm & relate prof	0	4	0	0	0
Human resources clerks	4	7	57.1	85	21,250
Human resources related	2	7	28.6	106	53,000

Performance rewards by critical occupations, 1 April 2011 to 31 March 2012 Cont.

Critical Occupations	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within occupation	Total Cost (R'000)	Average cost per employee
Information technology related	0	1	0	0	0
Language practitioners interpreters & other commun	0	1	0	0	0
Library mail and related clerks	4	12	33.3	53	13,250
Logistical support personnel	0	2	0	0	0
Magistrates	1	2	50	42	42,000
Material-recording and transport clerks	0	1	0	0	0
Messengers porters and deliverers	8	27	29.6	70	8,750
Military personnel	0	1	0	0	0
Other administrat & related clerks and organisers	4	22	18.2	54	13,500
Other administrative policy and related officers	4	9	44.4	110	27,500
Other occupations	4	16	25	214	53,500
Prosecutor	347	3011	11.5	11,816	34,052
Protection services	11	96	11.5	328	29,818
Rank: Unknown	0	4	0	0	0
Risk management and security services	1	2	50	18	18,000
Saps	1	6	16.7	27	27,000
Secretaries & other keyboard operating clerks	34	89	38.2	549	16,147
Security officers	0	1	0	0	0
Senior managers	18	152	11.8	937	52,056
Social work and related professionals	0	4	0	0	0
Trade/industry advisers & other related profession	0	1	0	0	0
TOTAL	788	5012	15.7	24,218	30,734

TABLE 7.4 - Performance Related Rewards (Cash Bonus) by Salary Band for Senior Management Service

Salary Band	Beneficiary profile			Cost		
	Number of beneficiaries	Number of employees	% of total within band	Total Cost (R'000)	Average cost per employee	Total cost as a % of the total personnel expenditure
Band A (Level 13)	18	568	3.2	808	44,889	0.04
Band B (Level 14)	16	126	12.7	949	59,313	0.05
Band C (Level 15)	0	3	0	0	0	0
Band D (Level 16)	0	18	0	0	0	0
TOTAL	34	715	4.8	1,757	51,677	0.08

TABLE 8.1 - Foreign Workers, 1 April 2011 to 31 March 2012, by salary band

Salary Band	01 April 2011		31 March 2012		Change	
	Number	% of total	Number	% of total	Number	% change
Skilled (Levels 3-5)	1	20	1	11.1	0	0
Highly skilled production (Levels 6-8)	1	20	1	11.1	0	0
Contract (Levels 3-5)	1	20	3	33.3	2	50
Contract (Levels 6-8)	1	20	3	33.3	2	50
Contract (Levels 9-12)	1	20	1	11.1	0	0
TOTAL	5	100	9	100	4	100

TABLE 8.2 - Foreign Workers, 1 April 2011 to 31 March 2012, by major occupation

Major Occupation	01 April 2011		31 March 2012		Change	
	Number	% of total	Number	% of total	Number	% change
Professionals and managers	5	100	9	100	4	100
TOTAL	5	100	9	100	4	100

TABLE 9.1 - Sick Leave, 1 January 2011 to 31 December 2011

Salary Band	Total days	% days with medical certification	Number of employees using sick Leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	94	97.9	9	0.3	10	22
Skilled (Levels 3-5)	1683	86.2	212	6	8	608
Highly skilled production (Levels 6-8)	6076	87.8	785	22.2	8	3,512
Highly skilled supervision (Levels 9-12)	14246	90.8	1854	52.4	8	19,738
Senior management (Levels 13-16)	3102	85.4	465	13.1	7	8,916
Contract (Levels 1-2)	27	55.6	10	0.3	3	5
Contract (Levels 3-5)	125	80	35	1	4	47
Contract (Levels 6-8)	382	90.6	77	2.2	5	180
Contract (Levels 9-12)	509	90.2	88	2.5	6	540
Contract (Levels 13-16)	10	100	2	0.1	5	30
TOTAL	26254	89.1	3537	100	7	33,598

TABLE 9.2 - Disability leave (temporary and permanent), 1 January 2011 to 31 December 2011

Salary Band	Total days	% days with medical certification	Number of employees using disability Leave	% of total employees using disability leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	2	100	1	0.9	2	0
Skilled (Levels 3-5)	173	100	9	8	19	57
Highly skilled production (Levels 6-8)	449	100	22	19.6	20	252
Highly skilled supervision (Levels 9-12)	1525	100	59	52.7	26	2,105
Senior management (Levels 13-16)	433	100	18	16.1	24	1,286
Contract (Levels 6-8)	35	100	2	1.8	18	15
Contract (Levels 9-12)	16	100	1	0.9	16	14
TOTAL	2633	100	112	100	24	3,729

TABLE 9.3 - Annual leave, 1 January 2011 to 31 December 2011

Salary Band	Total days taken	Average per employee
Lower skilled (Levels 1-2)	218	20
Skilled (Levels 3-5)	4779.84	20
Highly skilled production (Levels 6-8)	17288.52	18
Highly skilled supervision (Levels 9-12)	49909.84	20
Senior management (Levels 13-16)	16235.76	22
Contract (Levels 1-2)	173	9
Contract (Levels 3-5)	325	6
Contract (Levels 6-8)	1298	8
Contract (Levels 9-12)	1272	10
Contract (Levels 13-16)	67	17
TOTAL	91566.96	19

TABLE 9.4 - Capped Leave, 1 January 2011 to 31 December 2011

Salary Band	Total days of capped leave taken	Average number of days taken per employee	Average capped leave per employee as at 31 December 2011
Highly skilled production (Levels 6-8)	15	4	36
Highly skilled supervision (Levels 9-12)	297	4	43
Senior management (Levels 13-16)	331	7	52
TOTAL	643	5	45

TABLE 9.5 - Leave Payouts

Reason	Total Amount (R'000)	Number of Employees	Average Payment per Employee (R)
Leave payout for 2011/2012 due to non-utilisation of leave for the previous cycle	0	0	0
Capped leave payouts on termination of service for 2011/12	1,056	60	17,600
Current leave payout on termination of service for 2011/12	4,194	102	41,118
TOTAL	5,250	162	32,407

TABLE 10.1 - Steps taken to reduce the risk of occupational exposure

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
Female employees and employees between 20 to 45 of age as drawn from the national prevalence rate.	Prevention programme that includes HIV&AIDS awareness, Education and Condom Distribution

TABLE 10.2 - Details of Health Promotion and HIV and AIDS Programmes

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide her/his name and position.	x		Ronnie Pather: Senior Manager Employee Relations.
2. Does the department have a dedicated unit or have you designated specific staff members to promote health and well being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	x		Three (3) internal staff and outsourced service providers. R1.3 Million was allocated for health and wellness services.
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of the programme.	x		Counselling and support services, physical wellness, HIV&AIDS and TB management, workplace health promotion and absentee management programme.

Details of Health Promotion and HIV and AIDS Programmes [tick the applicable boxes and provide the required information] Cont.

Question	Yes	No	Details, if yes
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	x		However, the committees were mainly operating as task teams involved in the planning of health and wellness services at office and regional level. There is a need to review the committee and appoint members in terms of the quoted regulation. Moipone Khaeane-NPS, Phuthi Semanya-EWP (HRM&D), Mmathapelo Molefe-EWP, Mncedisi Sineke-HRM&D.
5. Has the department reviewed the employment policies and practices of your department to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	x		Employee Wellness Policy and HIV&AIDS Policy. The policies will be reviewed during the 2012/2013 financial year to align it to the new strategic plan on HIV&AIDS, STI and TB that was launched in December 2011.
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.	x		Labour relations processes are in place to address discrimination and unfair practices of any form, including those related to HIV&AIDS. Information sessions by people living with HIV and awareness initiatives are given to address stigma and misconception around HIV&AIDS.
7. Does the department encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results that you have achieved.	x		Eight hundred and twenty three (823) employees tested for HIV&AIDS. Two hundred and thirty eight employees were screened for TB during the HCT on site services.
8. Has the department developed measures/indicators to monitor & evaluate the impact of your health promotion programme? If so, list these measures/indicators.		x	The NPA currently looks at the outcome measure of the health and wellness promotion initiative, monitoring the number of employees receiving the services and immediate feedback provided by the employees on received services.

TABLE 11.1 - Collective agreements, 1 April 2011 to 31 March 2012

Total collective agreements	None
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TABLE 11.2 - Misconduct and disciplinary hearings finalised, 1 April 2011 to 31 March 2012

Outcomes of disciplinary hearings	Number	% of total
Correctional counselling	8	4.6
Verbal warning	12	6.9
Written warning	52	29.7
Final written warning	32	18.3
Suspended without pay	6	3.4
Fine	0	0
Demotion	0	0
Dismissal	15	8.6
Not guilty	8	4.6
Case withdrawn	42	24
TOTAL	175	100

TABLE 11.3 - Types of misconduct addressed and disciplinary hearings

Type of misconduct	Number	% of total
Corruption	4	2.3
Dishonest conduct	3	1.7
Irregular expenditure	26	14.9
Failure to submit financial disclosure	50	28.6
Absenteeism	9	5.1
Insubordination	7	4
Attending to and fixing after hours bail application without authority	1	0.6
Bringing the organisation into disrepute	6	3.4
Performance of remunerative work without permission	20	11.4
Distribution of pornography	2	1.1
insolence	1	0.6
Incapacity/ ill health	1	0.6
Poor performance and time-keeping	1	0.6
Theft	1	0.6
Non-submission of asset verification forms	12	6.9
Gross negligence	1	0.6
Sexual harassment	2	1.1
Financial misconduct	4	2.3
Failure to comply with circular	5	2.9
Negligence	1	0.6
Alcohol abuse	1	0.6
Exceeding speed limit	1	0.6
Abuse of state vehicle	2	1.1
Misrepresentation	2	1.1
Fraud	3	1.7
Assault	2	1.1
Dereliction of duty	1	0.6
Unacceptable conduct	1	0.6
Using abusive language	1	0.6
Threatening to assault fellow employee	2	1.1
Operation of the law (Absconsion)	1	0.6
Impossibility of performance (arrest)	1	0.6
TOTAL	175	100

TABLE 11.4 - Grievances lodged for the period 1 April 2011 to 31 March 2012

Number of grievances addressed	Number	% of total
Number of grievances resolved	130	63.4
Number of grievances not resolved	75	36.6
Total number of grievances lodged	205	100

TABLE 11.5 - Disputes lodged with councils for the period 1 April 2011 to 31 March 2012

Number of disputes addressed	Number	% of total
Number of disputes upheld	3	4.1
Number of disputes dismissed	55	74.3
Total number of disputes lodged	74	

Disputes upheld in favour of the applicant (employee)

Disputes dismissed in favour of the NPA

TABLE 11.6 - Strike actions for the period 1 April 2011 to 31 March 2012

Strike action	
Total number of person working days lost	0
Total cost(R'000) of working days lost	0
Amount (R'000) recovered as a result of no work no pay	0

TABLE 11.7 - Precautionary suspensions for the period 1 April 2011 to 31 March 2012

Precautionary suspension	
Number of people suspended	14
Number of people whose suspension exceeded 30 days	14
Average number of days suspended	168
Cost (R'000) of suspensions	2,738,940

TABLE 12.1 - Training needs identified 1 April 2011 to 31 March 2012

Occupational Categories	Gender	Number of employees as at 1 April 2011	Training needs identified at start of reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	47	0	21	6	27
	Male	108	0	31	5	36
Professionals	Female	1508	0	50	2630	2680
	Male	1842	0	27	2738	2765
Technicians and associate professionals	Female	594	10	298	43	351
	Male	260	7	81	96	184
Clerks	Female	103	3	135	1	139
	Male	16	0	30	2	32
Service and sales workers	Female	57	0	126	0	126
	Male	118	2	48	0	50
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0

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Training needs identified 1 April 2011 to 31 March 2012 Cont.

Occupational Categories	Gender	Number of employees as at 1 April 2011	Training needs identified at start of reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Plant and machine operators and assemblers	Male	0	0	0	0	0
	Female	0	0	0	0	0
Elementary occupations	Male	0	0	6	0	6
	Female	25	0	8	0	8
Other	Male	27	0	0	0	0
	Female	0	0	0	0	0
Gender sub totals	Male	3	0	0	0	0
	Female	2334	13	638	2680	3331
TOTAL	Male	2374	9	223	2841	3073
		4708	22	861	5521	6404

TABLE 12.2 - Training provided 1 April 2011 to 31 March 2012

Occupational Categories	Gender	Number of employees as at 1 April 2011	Training needs identified at start of reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	47	0	6	20	26
	Male	108	0	8	34	42
Professionals	Female	1508	0	487	1028	1515
	Male	1842	0	367	1702	2069
Technicians and associate professionals	Female	594	10	276	54	340
	Male	260	7	117	111	235
Clerks	Female	103	3	76	1	80
	Male	16	0	10	2	12
Service and sales workers	Female	57	0	38	6	44
	Male	118	2	46	2	50
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	25	0	4	0	4
	Male	27	0	16	2	18
Other	Female	0	0	0	0	0
	Male	3	0	0	0	0
Gender sub totals	Female	2334	13	887	1109	2009
	Male	2374	9	564	1853	2426
TOTAL		4708	22	1451	2962	4435

TABLE 13.1 - Injury on duty, 1 April 2011 to 31 March 2012

Nature of injury on duty	Number	% of total
Required basic medical attention only	13	86.7
Temporary Total Disablement	2	13.3
Permanent Disablement	0	0
Fatal	0	0
Total	15	

TABLE 14.1 - Report on consultant appointments using appropriated funds

Project Title	Total number of consultants that worked on the project	Duration: Work days	Contract value in Rand
Asset Management	2	241	720,000
IT Management	1	100	367,000

Total number of projects	Total individual consultants	Total duration: Work days	Total contract value in Rand
2	3	See above	1,087,000

TABLE 14.2 - Analysis of consultant appointments using appropriated funds, in terms of Historically Disadvantaged Individuals (HDIs)

Project Title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of Consultants from HDI groups that work on the project
IT Management	100%	100%	1

TABLE 14.3 - Report on consultant appointments using Donor funds

Project Title	Total number of consultants that worked on the project	Duration: Work days	Donor and Contract value in Rand
Accelerating child protection through prevention and response to sexual violence and HIV/AIDS in South Africa	5	13 December 2007 to 31 March 2012	50,000,000
Women Justice and Empowerment Initiative	1	22 September 2008 to 31 March 2012	11,700,000

Total number of projects	Total individual consultants	Total duration: Work days	Total contract value in Rand
2	6	As above	61,700,000

TABLE 14.4 - Analysis of consultant appointments using Donor funds, in terms of Historically Disadvantaged Individuals (HDIs)

Project Title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of Consultants from HDI groups that work on the project
Accelerating child protection through prevention and response to sexual violence and HIV/AIDS in South Africa	NGO	UNICEF	5
Women Justice and Empowerment Initiative	NGO	USAID	1





Annual Report 2011/12



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