



# Annual Performance Plan 2012/13



NATIONAL PROSECUTING AUTHORITY  
South Africa

## **Foreword**

The NPA Annual Performance Plan 2012/13 is aligned with the NPA Strategic Plan 2012-2017, which is aligned to the Justice, Crime Prevention and Security (JCPS) Delivery Agreement. The current Annual Performance Plan sets out in more detail the indicators per strategic objective and the activities that the NPA intends to undertake to deliver in these areas in the short term. This Annual Performance Plan follows on the 2011/12 NPA Annual Plan.

The focus for the current year continues to be on implementing joint plans with partners that are aimed at achieving the JCPS targets. The most challenging of these is to identify and successfully prosecute 100 people who have assets of more than R5m that were obtained through illicit means. Although cases are in the pipeline, progress in this regard has been slow and requires coordinated efforts to ensure that the Cluster delivers.

The NPA will continue to focus on building internal capacity in the focus areas of sexual offences, serious violent crime, corruption, cybercrime, organised crime and the use of asset forfeiture as a prosecution tool.

In line with government's focus on eradicating corruption, the NPA will follow a zero tolerance approach to any corrupt or unethical conduct by members of staff.

The NPA will maintain focus on its core business of ensuring prosecutions without fear, favour or prejudice. The main aim is to ensure that all cases presented to the NPA are resolved speedily. To achieve this; prosecutors need to have the required capabilities to determine the best resolution method. Training and mentoring will be emphasised and performance closely monitored. Capacity constraints remain a challenge in terms of dealing with the demand for services. Improved collaboration with CJS partners is critical and stakeholder engagement will form the cornerstone of the NPA's strategy in the coming year.

## Official Sign Off

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the National Prosecuting Authority (NPA) under the guidance of the Minister of Justice and Constitutional Development.
- Was prepared in line with the current Strategic Plan (2012-2017) of the NPA.
- Is supported by the 2012/13 Support Services Plan for the NPA.
- Accurately reflects the performance targets which the NPA will endeavor to achieve given the resources made available in the budget for 2012/20

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**Executive Manager: Finance and Procurement**

**Signature:**



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**Approved by:**

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**Date:**

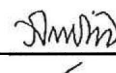
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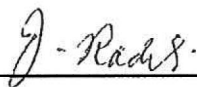
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**Date:**

22/02/2012

The Annual Plan 2012-2013 for the National Prosecuting Authority (NPA) is compiled with the latest available information from business units and other sources. Some of this information is un-audited and subject to revision. This Plan is supported by the 2012-2013 Annual Performance Plan for Support Services within the NPA.

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The Annual Plan 2012-2013 for the NPA is also available at [www.npa.gov.za](http://www.npa.gov.za).

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## **Part A: Strategic Overview**

### **1. Updated Situational Analysis**

#### **1.1 Performance Delivery Environment**

The NPA conducted a comprehensive situation analysis to inform the development of the NPA Strategic Plan 2012/17.

#### **1.2 Organisational Environment**

The NPA has amended and aligned its structure to improve performance and service delivery. This alignment was necessitated by an analysis of the performance of the organisation and the link to the structure. These changes will ensure that the provision of these services is efficient and that the accountability level is enhanced.

### **2. Revision to legislation and other mandates**

The Correctional Matters Amendment Act, 2011 (Act No.5 of 2011) has been passed by parliament and the scheduled implementation date is the 16th of January 2012. This Act places a new obligation on the NPA with regard to remand detainees. Section 49E requires of prosecutors to consider cases where the release of a remand detainee is sought by the head of the remand centre, based on medical grounds.

Section 49G of the above-mentioned Act, provides that the period of a remand detainee must not exceed two years. Where there is a need to exceed such period, the matter should be referred to court for further determination. Both the maximum period of remand detention (Section 49G) as well as the release of remand detainees due to medical conditions (Section 49E), could result in additional court appearances and increased workload if not managed carefully.

### 3. Overview of the 2011/12 budget and MTEF estimates

#### 3.1 Expenditure Estimates

Table 1: National Prosecuting Authority (NPA)

R thousand	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
	Audited Outcomes			Appropriation	Medium-term estimates		
Public Prosecutions	1,427,856	1,582,516	1,861,392	1,933,163	2,017,057	2,123,030	2,252,745
Office for Witness Protection	103,592	120,376	127,977	148,230	158,460	166,962	177,059
Asset Forfeiture Unit	64,513	78,640	156,956	122,555	129,721	136,575	144,902
Support Services	330,942	406,678	348,947	447,717	510,553	537,996	570,464
<b>TOTAL</b>	<b>1,926,902</b>	<b>2,188,210</b>	<b>2,495,272</b>	<b>2,651,665</b>	<b>2,815,791</b>	<b>2,964,563</b>	<b>3,145,170</b>

Table 2: Budget allocation for the NPA per economic classification over the MTEF period

R thousand	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
	Audited Outcomes			Appropriation	Medium-term estimates		
<b>CURRENT PAYMENTS</b>							
Compensation of employees	1,454,005	1,620,171	1,952,222	2,072,237	2,180,186	2,294,338	2,434,731
Goods and services	465,392	453,246	465,388	494,916	537,485	566,991	601,012
<i>Of which:</i>							
Communication	31,050	39,134	34,070	33,055	35,908	37,873	40,361
Computer services	47,693	56,683	29,320	67,130	72,904	76,905	81,505
Consultants	63,466	56,308	97,379	50,233	54,553	57,548	60,988
Agency and support/outsourced services	12,329	15,148	16,866	15,891	17,257	18,205	19,294
Inventory	11,507	20,879	8,382	29,105	32,305	34,342	36,337
Lease payments (Incl. operating leases, excl. finance leases)	103,813	15,729	34,920	53,276	59,858	62,046	64,684
Owned and leasehold property expenditure	33,822	75,233	68,797	42,640	46,306	48,848	52,766
Travel and subsistence	81,525	85,026	81,009	71,803	73,695	76,686	81,301
Assets <R5000	2,546	11,505	769	4,475	4,880	5,126	5,433
Operating expenditure	51,874	47,516	56,679	71,646	78,816	82,079	86,987
Advertising	2,139	4,934	5,211	6,912	7,557	7,919	8,392

R thousand	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
	Audited Outcomes			Appropriation	Medium-term estimates		
Audit cost: External	5,033	4,849	6,238	6,371	6,919	7,299	7,735
Venues and facilities	8,586	6,911	6,086	8,539	9,273	9,781	10,366
Other	10,009	13,391	19,662	33,840	37,254	42,334	44,863
Interest and rent on land	304	25,114	10,224	14,661	24,831	26,120	27,687
Payments for financial assets	19	418	3,940	0	0	0	0
<b>Total current payments</b>	<b>1,919,720</b>	<b>2,098,949</b>	<b>2,431,774</b>	<b>2,581,814</b>	<b>2,742,502</b>	<b>2,887,449</b>	<b>3,063,430</b>
<b>TRANSFERS AND SUBSIDIES TO:</b>	<b>4,863</b>	<b>18,934</b>	<b>7,447</b>	<b>10,447</b>	<b>9,334</b>	<b>9,819</b>	<b>10,400</b>
Departmental agencies and accounts	1,073	1,373	1,826	1,553	1,630	1,714	1,824
Households	3,790	17,561	5,621	8,894	7,704	8,105	8,576
<b>PAYMENTS FOR CAPITAL ASSETS</b>	<b>2,319</b>	<b>70,327</b>	<b>56,051</b>	<b>59,404</b>	<b>63,955</b>	<b>67,295</b>	<b>71,340</b>
Buildings and other fixed structures	0	21,046	14,723	15,793	16,574	17,434	18,480
Machinery and equipment	2,307	49,281	41,328	43,611	47,381	49,861	52,860
Software and other intangible assets	12	-	-	-	-	-	-
<b>TOTAL</b>	<b>1,926,902</b>	<b>2,188,210</b>	<b>2,495,272</b>	<b>2,651,665</b>	<b>2,815,791</b>	<b>2,964,563</b>	<b>3,145,170</b>

### 3.2 Relating expenditure trends to strategic outcome orientated goals

- Over the medium term, between 2011/12 to 2014/15, expenditure is expected to increase at an average annual rate of 6% to reach R3, 1 billion. No additional MTEF allocations were received during the 2012 Budget process and the 6% increase is inflation based.
- Public Prosecution is responsible for delivering on the key indicators for the NPA and therefore 73% of the 2011/12 budget has been allocated to this sub-programme.
- The Asset Forfeiture sub-programme was given an additional allocation during the 2010/11 financial year in order to settle outstanding curator fees.
- Compensation of employees increased in the 2010/11 financial year with 20% due to additional funding received from National Treasury for the implementation of the backdated OSD phase 2. This implementation rolled over into the 2011/12 financial year and will have a negative impact on the projected NPA Compensation of Employees expenditure.



## Part B: Programme and Sub-programme Plans

### 4. Programme 3: National Prosecuting Authority

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

#### 4.1 Strategic Objectives annual targets for 2012

NPA Strategic Objective 1: Increased successful prosecution of serious crime								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
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	7 311	n/a	n/a	n/a	6 889	7 027	7 168	7 311
Convictions in criminal court cases measured against the number of new cases enrolled in the Regional and High courts (serious crime)	45% 27 234	35,9% 30 935	35,7% 29 661	36,8% 20 026	39% 25 663	41% 26 177	43% 26 700	45% 27 234
NPA Strategic Objective 2: Improved collaboration with JCPS partners								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Overall conviction rate	88% 358 344	86,3% 311 825	88,6% 350 910	88,7% 331 045	88% 337 666	88% 344 419	88% 351 308	88% 358 344
Number of criminal court cases finalised including ADRM	504 687	431 601	469 541	460 891	471 148	481 638	493 665	504 687
NPA Strategic Objective 3: Improved prosecution of JCPS officials charged with corruption								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Number of JCPS personnel convicted of corruption	180	n/a	40	32	150	160	170	180

NPA Strategic Objective 4: To improve justice services for the victims of crime								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Number of operational TCCs	45	17	20	27	30	35	40	45
NPA Strategic Objective 5: Increased successful prosecutions of serious corruption								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Number of convictions where there is at least R5m assets restrained	100 (cumulative)	n/a	n/a	0	0	30	35	35
Number of freezing orders with at least R5m assets restrained	110 (cumulative)	n/a	n/a	10	10	20	30	40
NPA Strategic Objective 6: Increased prosecution of cyber crime								
Strategic Objective	Strategic Plan Target	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Number of prosecutors trained in the prosecution cybercrime	253	n/a	n/a	174	191	211	232	253

## 4.2 Programme performance indicators and annual targets for 2012

NPA Strategic Objective 1: Increased successful prosecution of serious crime								
1.1	Strategy	Increase prosecutions of serious crime						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
1	Conviction rate on complex commercial crime	93.70% 1 188	93.6% 960	92.5% 742	92% 757	90% 772	90% 787	90% 803
2	Conviction rates on trio crimes	n/a	n/a	85% 340	85% 1 390	85% 1 418	85% 1 446	85% 1 475
3	Conviction rates of organised crime	n/a	n/a	85% 17	85% 141	85% 144	85% 147	85% 150
4	Conviction rate in sexual offences <sup>1</sup>	n/a	n/a	45% 4 915	65% 9 232	65% 9 416	65% 9 605	65% 9 797
5	Number of backlogs in the Regional and High courts	16 306	16 325	17 242	16 552	15 890	15 255	14 675

<sup>1</sup> The conviction rate previously reported was for the dedicated sexual offences courts. As these courts no longer exist a comparison with previous data is not available. All regional courts that deal with sexual offences will report their data in future.

	Key Activities	Responsible
1	Implement Screening Protocol	Public Prosecutions (DPPs)
2	Provide guidance during investigations	Public Prosecutions (DPPs)
3	Manage bail processes more effectively	Public Prosecutions (DPPs)
4	Provide witness protection services to threatened witnesses	DNDPP & Special Director of Public Prosecutions (SDPP)
5	Provide training in specialised and/or identified priority areas	Public Prosecutions (DNDPP)
6	Improve operations management	Public Prosecutions (DNDPP)
7	Extend the use of asset forfeiture to serious reported crimes	AFU (DNDPP)
8	Allocate senior prosecutors to the screening process in all bigger centres	Public Prosecutions (DPPs)

**NPA Strategic Objective 2: Improved collaboration with JCPS partners**

2.1	Strategy	Deliver a speedy, quality prosecution within the prescripts of the law						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium term targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
1	Number of court cases finalised through ADRM	119 776	118 631	129 846	133 482	137 219	142 357	146 343
2	Number of criminal court cases with verdict	311 825	350 910	331 045	337 666	344 419	351 308	358 344
3	Conviction rate in high courts	86% 1 461	88% 1 083	87.8% 921	87% 939	87% 958	87% 977	87% 997
4	Conviction rate in regional courts	73% 29 335	74% 28 578	73.4% 27 385	74% 27 933	74% 28 491	74% 29 061	74% 29 642
5	Conviction rate in district courts	88% 238 377	91% 281 290	90.7% 265 348	87% 270 655	87% 276 068	87% 281 589	87% 287 221
6	Number of case backlogs	42 495	38 563	37 034	37 035	36 295	35 569	34 858
7	Number of appeals finalised in the high court	n/a	1 156	1 540	1 349	1 376	1 404	1 432
8	Number of appeal backlogs	n/a	n/a	274	270	256	244	231
9	Prosecutions vacancy rate	24.9%	16.5%	14.6%	12%	10%	8%	6%
10	Clearance ratio on decision dockets received	n/a	n/a	85% 11 927	85% 11 688	85% 11 455	85% 11 226	85% 11 001
11	Number of witnesses harmed or threatened while on the witness protection programme	0	0	0	0	0	0	0

12	% of witnesses that walk off the witness protection programme	19.2%	28%	12%	2%	2%	2%	2%
13	Number of completed AFU matters	277	271	320	310	330	350	375
14	Number of new freezing orders	276	315	333	330	350	375	400
15	Value of completed AFU matters (Rm)	R271m	R184m	R200m	R200m	R225m	R250m	R275m
16	Value of new freezing orders (Rm)	R320m	R491m	R549.2m	R500m	R550m	R600m	R650m
17	Success rate overall for AFU cases	86% 196	92.4% 262	95.7% 320	92.5% 310	92.5% 320	92.5% 350	92.5% 380
<b>Key Activities</b>					<b>Responsible</b>			
1	Improve operations management in the courts and implement service improvement initiatives (SDIP)	Public Prosecutions (DPPs)						
2	Participate in Case Flow Management forums	Public Prosecutions (DPPs)						
3	Participate in the Case Backlog project	Public Prosecutions(DPPs)						
4	Participate in the DoJ&CD Accessibility Initiatives	Public Prosecutions (DPPs)						
5	Improve screening of cases	Public Prosecutions (DPPs)						
6	Increase the use of asset forfeiture	AFU (DNDPP) & Public Prosecutions (DPPs)						
7	Provide witness protection services to threatened witnesses	OWP & Public Prosecutions (DPPs)						
8	Prioritise the finalisation of cases where there are witnesses on the Witness Protection programme	Public Prosecutions (DPPs)						
9	Participate in the CJS review	Public Prosecutions (DNDPP)						
10	Participate in the MATD project	Public Prosecutions (DNDPP)						
11	Improve relations with critical partners and stakeholders	Public Prosecutions (DPPs)						
12	Enhance the aspirant prosecutor programme	Public Prosecutions (DNDPP)						
13	Develop prosecutorial skills and build capacity	Public Prosecutions (DPPs)						
14	Conduct specific interventions on long outstanding cases	Public Prosecutions (DPPs)						
15	Regional management to identify priority cases with asset forfeiture potential to be recorded and monitored	Public Prosecutions (DPPs)/ Asset Forfeiture (RH)						
16	Ensure that cases that are provisionally withdrawn re-enter the system within a reasonable time	Public Prosecutions (DPPs)						
<b>NPA Strategic Objective 3: Improved prosecution of JCPS officials charged with Corruption</b>								
3.1	<b>Strategy</b>	<b>Fast track cases involving JCPS personnel charged with corruption</b>						
	<b>Performance Indicator</b>	<b>Audited/Actual Performance</b>			<b>Estimated Performance</b>	<b>Medium Term Targets</b>		
		<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
1	Number of freezing orders for JCPS officials	n/a	n/a	0	0	10	12	15
2	Number of completed AFU cases re JCPS prosecutions for corrupt activities	n/a	n/a	0	2	8	10	12

3	Value of completed cases re JCPS prosecutions for corrupt activities	n/a	n/a	0	R0.5m	R1m	R1.5m	R2m
4	% of SMS members that have security clearance	n/a	n/a	63%	73%	85%	100%	100%
5	% of non-SMS members that have security clearance	n/a	n/a	65%	75%	85%	100%	100%
<b>Key Activities</b>					<b>Responsible</b>			
1	Develop a prosecution strategy with partners to successfully deal with corruption cases	Special Director of Public Prosecutions (SDPP)						
2	Adopt a zero tolerance approach to corrupt activities in the NPA	Public Prosecutions (ONDPP)						
3	Record and monitor all current cases of corruption within the JCPS	Public Prosecution (DNDPP)						
4	Coordinate the prosecution of corruption cases	Special Director of Public Prosecutions (SDPP)						
5	Develop and implement a plan to address the security clearance of SMS members	Support Services (CEO)						
<b>NPA Strategic Objective 4: To improve justice services to the victims of crime</b>								
4.1	<b>Strategy</b>	<b>Implement the Victim's Charter</b>						
	<b>Performance Indicator</b>	<b>Audited/Actual Performance</b>			<b>Estimated Performance</b>	<b>Medium Term Targets</b>		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
1	Conviction rates in the prosecution of sexual offences reported at TCCs	61.2%	64.5%	62%	63%	65%	66%	67%
2	% of cases reported at a TCC that is referred to court for prosecution	n/a	n/a	25%	28%	31%	33%	35%
3	Number of magistrates courts/high courts where CPO services are provided	n/a	n/a	65	68	70	72	74
4	Payments to victims of crime (CARA)	n/a	R52,2m	R45m	R20m	R55m	R60m	R65m
5	Payments to victims of crime (Compensation Orders)	R31m	R53m	R15m	R30m	R32m	R35m	R40m
<b>Key Activities</b>					<b>Responsible</b>			
1	Develop and implement a strategy to address sexual offences	Special Director of Public Prosecutions (SDPP)						
2	Participate in the design and implementation of a JCPS approved independent Annual Victims of Crime Survey	Support Services (CEO)						
3	Participate in the establishment of the JCPS analyses and reporting capacity in respect of Victims of Crime	Public Prosecutions (DNDPP)						
4	Develop and implement a project plan for the roll out of TCCs	Special Director of Public Prosecutions (SDPP) & Public Prosecutions (DPPs)						
5	Participate in the integrated Cluster Communication Strategy around CJS and Cluster achievements in crime prevention	Public Prosecutions (DNDPP) & Support Services (Comms)						
6	Develop and implement project plan for awareness and education sessions for communities	Public Prosecutions (DPPs) & Support Services (Comms)						

NPA Strategic Objective 5: Increased successful prosecutions of serious corruption								
5.1	Strategy	Develop prosecution strategies with partners to identify and prosecute serious corruption cases						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
1	Number of prosecutions instituted for corruption where there are assets of at least R5m frozen/to be frozen	n/a	n/a	0	0	50	50	65
2	Number of freezing orders obtained	n/a	n/a	15	5	30	50	50
Key Activities				Responsible				
1	Manage and coordinate the information regarding serious corruption cases			Special Director of Public Prosecutions (SDPP: SCCU), AFU (DNDPP) & DPPs				
2	Participate in the Anti-Corruption Task Team (ACTT)			Special Director of Public Prosecutions (SDPP: SCCU), AFU (DNDPP)				
3	Specialised prosecutors to deal with serious corruption			Special Director of Public Prosecutions (SDPP: SCCU), AFU (DNDPP) & DPPs				
NPA Strategic Objective 6: Increased prosecution of cyber crime								
6.1	Strategy	Recruit and develop prosecutors to successfully deal with cybercrime						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
1	Number of cybercrime prosecutions finalised	n/a	n/a	n/a	150	153	156	159
2	Conviction rate in cybercrime prosecutions	n/a	n/a	n/a	74%	74%	74%	74%
3	Number of prosecutors trained in cybercrime prosecutions	n/a	n/a	174	191	211	232	253
Key Activities				Responsible				
1	Develop and implement a strategy for the prosecution of cybercrime cases			Public Prosecutions (DNDPP)				
2	Create awareness on cyber crime			Public Prosecutions (DPPs)				
3	Develop and implement the cybercrime training plan			Public Prosecutions (DNDPP & DPPs)				
4	Develop and maintain a database on cybercrime training			Public Prosecutions (DNDPP)				

### 4.3 Quarterly targets for 2012/13

Quarterly targets for programme performance indicators for strategic objective 1							
	Programme performance indicators	Reporting period	Annual target 2012/13	Quarterly targets			
				1st	2nd	3rd	4th
1	Conviction rate on complex commercial crime	Quarterly	90% 772	90% 140	90% 246	90% 173	90% 213
2	Conviction rates on trio crimes	Quarterly	85% 1 418	85% 355	85% 369	85% 325	85% 369
3	Conviction rate of organised crime	Quarterly	85% 144	85% 36	85% 38	85% 33	85% 37
4	Conviction rate in sexual offences <sup>2</sup>	Quarterly	65%	65%	65%	65%	65%
5	Number of backlogs in the Regional and High courts	Quarterly	15 890	3 800	4 500	3 390	4 200
Quarterly targets for programme performance indicators for strategic objective 2							
	Programme performance indicators	Reporting period	Annual target 2012/13	Quarterly targets			
				1 <sup>st</sup>	2nd	3rd	4th
1	Number of cases finalised through ADRM	Quarterly	137 219	32 809	36 100	32 810	35 500
2	Number of criminal court cases with verdict	Quarterly	344 419	76 657	105 000	76 657	86 105
3	Conviction rate in high courts	Quarterly	87% 958	87% 213	87% 196	87% 222	87% 327
4	Conviction rate in regional courts	Quarterly	74% 28 491	74% 6 825	74% 7 684	74% 6 398	74% 7 584
5	Conviction rate in district courts	Quarterly	87% 276 068	87% 69 017	87% 71 116	87% 64 819	87% 71 116
6	Number of case backlogs	Quarterly	36 295	37 883	35 058	37 112	36 295
7	Number of appeals finalised in the High Court	Quarterly	1 376	342	360	314	360
8	Number of appeal backlogs	Quarterly	256	270	256	264	256
9	Prosecutions vacancy rate	Quarterly	10%	12%	12%	11%	10%
10	Clearance ratio on decision dockets received	Quarterly	85% 11 455	85%	85%	85%	85%
11	Number of witnesses harmed or threatened while on the witness protection programme	Quarterly	0	0	0	0	0

<sup>2</sup> The conviction rate previously reported was for the dedicated sexual offences courts. As these courts no longer exist a comparison with previous data is not available. All regional courts that deal with sexual offences will report their data in future.

**Quarterly targets for programme performance indicators for strategic objective 1**

	Programme performance indicators	Reporting period	Annual target 2012/13	Quarterly targets			
				1st	2nd	3rd	4th
12	% of witnesses that walk off the witness protection programme	Quarterly	2%	2%	2%	2%	2%
13	Number of completed AFU matters	Quarterly	330	82	170	268	330
14	Number of new freezing orders	Quarterly	350	92	180	280	350
15	Value of completed AFU matters (Rm)	Quarterly	R225m	R52m	R125m	R180m	R250m
16	Value of new freezing orders (Rm)	Quarterly	R550m	R 550m	R 550m	R 550m	R 550m
17	Success rate overall for AFU cases	Quarterly	92.5% 320	92.5% 320	92.5% 320	92.5% 320	92.5% 320

**Quarterly targets for programme performance indicators for strategic objective 3**

	Programme performance indicators	Reporting period	Annual target 2012	Quarterly targets			
				1st	2nd	3rd	4th
1	Number of freezing orders for JCPS officials	Quarterly	10	3	3	3	3
2	Number of completed AFU cases re JCPS prosecutions for corrupt activities	Quarterly	8	0	2	3	5
3	Value of completed cases re JCPS prosecutions for corrupt activities	Quarterly	R1m	R0m	R0.5m	R0.75m	R1m

**Quarterly targets for programme performance indicators for strategic objective 4**

	Programme performance indicators	Reporting period	Annual target 2012	Quarterly targets			
				1st	2nd	3rd	4th
1	Conviction rates in the prosecution of sexual offences reported at TCCs	Quarterly	65%	61%	61%	65%	65%
2	% of cases reported at a TCC that is referred to court for prosecution	Quarterly	31%	28%	29%	30%	31%
3	Number of magistrates courts/high courts where CPO services are provided	Quarterly	70	67	68	69	70
4	Payments to victims of crime (CARA)	Quarterly	R55m	R16m	R27m	R43m	R55m
5	Payments to victims of crime (Compensation Orders)	Quarterly	R32m	R8m	R8.32m	R7.36m	R8.32m



**Quarterly targets for programme performance indicators for strategic objective 5**

	Programme performance indicators	Reporting period	Annual target 2012	Quarterly targets			
				1st	2nd	3rd	4th
1	Number of prosecutions instituted for corruption where there are assets of at least R5m frozen/to be frozen	Quarterly	50	20	30	40	50
2	Number of freezing orders obtained	Quarterly	30	15	20	25	30

**Quarterly targets for programme performance indicators for strategic objective 6**

	Programme performance indicators	Reporting period	Annual target 2012	Quarterly targets			
				1st	2nd	3rd	4th
1	Number of cybercrime prosecutions finalised	Quarterly	153	38	40	35	40
2	Conviction rate in cybercrime prosecutions	Quarterly	74%	74%	74%	74%	74%
3	Number of prosecutors trained in cybercrime prosecution	Quarterly	211	53	53	53	52

#### 4.4 Reconciling Performance targets with the Budget and MTEF

Table 3: NPA Expenditure Estimate

R thousand	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
	Audited Outcomes			Appropriation	Medium-term estimates		
<b>CURRENT PAYMENTS</b>							
Compensation of employees	1,454,005	1,620,171	1,952,222	2,072,237	2,180,186	2,294,338	2,434,731
Goods and services	465,392	453,246	465,388	494,916	537,485	566,991	601,012
<i>Of which:</i>							
<i>Communication</i>	31,050	39,134	34,070	33,055	35,908	37,873	40,361
<i>Computer services</i>	47,693	56,683	29,320	67,130	72,904	76,905	81,505
<i>Consultants</i>	63,466	56,308	97,379	50,233	54,553	57,548	60,988
<i>Agency and support / outsourced services</i>	12,329	15,148	16,866	15,891	17,257	18,205	19,294
<i>Inventory</i>	11,507	20,879	8,382	29,105	32,305	34,342	36,337
<i>Lease payments (Incl. operating leases, excl. finance leases)</i>	103,813	15,729	34,920	53,276	59,858	62,046	64,684
<i>Owned and leasehold property expenditure</i>	33,822	75,233	68,797	42,640	46,306	48,848	52,766
<i>Travel and subsistence</i>	81,525	85,026	81,009	71,803	73,695	76,686	81,301
<i>Assets &lt;R5000</i>	2,546	11,505	769	4,475	4,880	5,126	5,433
<i>Operating expenditure</i>	51,874	47,516	56,679	71,646	78,816	82,079	86,987
<i>Advertising</i>	2,139	4,934	5,211	6,912	7,557	7,919	8,392
<i>Audit cost: External</i>	5,033	4,849	6,238	6,371	6,919	7,299	7,735
<i>Venues and facilities</i>	8,586	6,911	6,086	8,539	9,273	9,781	10,366
<i>Other</i>	10,009	13,391	19,662	33,840	37,254	42,334	44,863
Interest and rent on land	304	25,114	10,224	14,661	24,831	26,120	27,687
Payments for financial assets	19	418	3,940	0	0	0	0
<b>Total current payments</b>	<b>1,919,720</b>	<b>2,098,949</b>	<b>2,431,774</b>	<b>2,581,814</b>	<b>2,742,502</b>	<b>2,887,449</b>	<b>3,063,430</b>
<b>TRANSFERS AND SUBSIDIES TO:</b>	<b>4,863</b>	<b>18,934</b>	<b>7,447</b>	<b>10,447</b>	<b>9,334</b>	<b>9,819</b>	<b>10,400</b>
Departmental agencies and accounts	1,073	1,373	1,826	1,553	1,630	1,714	1,824
Households	3,790	17,561	5,621	8,894	7,704	8,105	8,576
<b>PAYMENTS FOR CAPITAL ASSETS</b>	<b>2,319</b>	<b>70,327</b>	<b>56,051</b>	<b>59,404</b>	<b>63,955</b>	<b>67,295</b>	<b>71,340</b>
Buildings and other fixed structures	0	21,046	14,723	15,793	16,574	17,434	18,480
Machinery and equipment	2,307	49,281	41,328	43,611	47,381	49,861	52,860
Software and other intangible assets	12	-	-	-	-	-	-
<b>TOTAL</b>	<b>1,926,902</b>	<b>2,188,210</b>	<b>2,495,272</b>	<b>2,651,665</b>	<b>2,815,791</b>	<b>2,964,563</b>	<b>3,145,170</b>

#### **4.5 Performance and expenditure trends**

Expenditure is projected to increase at an average annual rate of 9% between 2008/09 and 2014/15, rising from R1.9 billion to R3, 1 billion in 2014/15. The main contributor to this growth is the expenditure in the Public Prosecutions sub-programme, which accounts for an average of 73% of the programme's budget, and increases from R1.4 billion in 2008/09 to R2.2 billion in 2014/15, at an average annual rate of 8%.

### **Part C: Links to other plans**

#### **5. Links to the long-term infrastructure and other capital plans**

The DoJ&CD is responsible for the development of the long-term infrastructure and capital plans.

#### **6. Conditional Grants**

Not applicable to the NPA.

#### **7. Public entities**

Not applicable to the NPA.

#### **8. Public-private partnerships**

Not applicable to the NPA.

## Annexures

### Annexure A

#### a. Vision

**The vision of the NPA is to achieve:**

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

#### b. Mission

**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.

#### c. Values

**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

The values are contextualised in the NPA Code of Ethics.

## **Annexure B            Organisational Information and Institutional Environment**

### **Ensure that the NPA Transforms**

The implementation of the Transformation Strategy of the NPA will require a transformed workforce at all levels. To transform the organisation to meet the needs of the people of South Africa, the NPA needs to change the manner in which things are done as well as its approach. Not only do aspects relating to employment equity and diversity need to be addressed specifically at the management levels (level 12 upwards), but transformation in the organisational culture is required. The transformation required is how the NPA executes its functions at a process and system level.

The NPA strives to comply with the Code of Good Practice of the Integration of Employment Equity into Human Resource and Practices Policies issued in terms of the Employment Equity Act, 1998 (Act No. 55 of 1998).

The NPA, in line with the President's call for dedicated and committed public servants that understand the needs of the public that it serves, will build a culture of service excellence. A transformation strategy is being developed and its implementation over the next five years will be closely monitored. The NPA will identify its responsibility at both a national and international level to report on transformation issues such as racism, gender discrimination etc. and prepare reports timely.

### **Performance Management**

The success of the implementation of the NPA strategy lies in individual and enterprise performance management. The NPA will ensure that individual performance is aligned to the NPA strategic objectives as well as reward and recognition. There is a strong focus on monitoring performance at all levels in the NPA which will continue.

### **CJS Review**

The CJS Review 7 point plan adopted by Cabinet, aimed at establishing a new, modernised, efficient and transformed CJS has been acknowledged as key in the achievement of the objectives of the NPA. The Delivery Agreement for the cluster largely embodies the single vision and mission of the cluster, as well as the primary objectives and priorities. This has also resulted in a more streamlined management of and reporting on these priorities.

The NPA has contributed significantly in defining the 28KPI for the dashboard indicating the performance of the CJS, which should soon be finalised by the IJS Programme.

The NPA has also participated in the development of protocols, such as those relating to 63A Bail requests, mental health, legal aid cases and forensic services, one relating to blood alcohol analysis as well as one relating to toxicology reports. The NPA has, in particular, proceeded with the implementation of the unsigned Screening Protocol, in the face of the challenges experienced by other Departments who have raised capacity and accommodation challenges as inhibitors.

## **Annexure C**

## **Glossary**

ADRM	Alternative Dispute Resolution Mechanism
AFU	Asset Forfeiture Unit
CARA	Criminal Assets Recovery Account
CJS	Criminal Justice System
CPO	Court Preparation Officer
DDPP	Deputy Director of Public Prosecutions
DNDPP	Deputy National Director of Public Prosecutions
DoJ&CD	Department of Justice and Constitutional Development
DPP	Director of Public Prosecutions
ENE	Estimates of National Expenditure
JCPS	Justice, Crime Prevention and Security
MATD	Management of Awaiting Trial Detainees
MISS	Management Information Security Standards
MPSS	Management Personnel Security Standards
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
NDPP	National Director of Public Prosecutions
NICOC	National Intelligence Coordinating Committee
NPA	National Prosecuting Authority
NPS	National Prosecutions Service
OWP	Office for Witness Protection
POCA	Prevention of Organised Crime Act
PCLU	Priority Crimes Litigation Unit
SAPS	South African Police Service
SCCU	Specialised Commercial Crimes Unit
SMS	Senior Management Service
TCC	Thuthuzela Care Centre

**PART A: KEY CONCEPTS****Case**

In the NPA a case includes a criminal court cases and a 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 not contained in a police docket, domestic violence matters as far as they do not form part of a police docket, 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.

**Alternative Dispute Resolution Methods (ADRM)**

Alternative dispute resolution encompasses the following methods for the resolution of disputes between the parties. Within the NPA this includes Diversion and Informal Mediation:

**Diversion** - is one of the alternative ways of delivering justice. It is the process of electing, in suitable and deserving criminal court cases, a manner of disposing of a criminal court case other than through normal court proceedings. (It usually includes the withdrawal of the charges against the accused person, after the accused person has participated 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 cooperated 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 (persons younger than 18 years) and adult diversions.



**Informal mediation** - it 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 offender, resolves the conflict which resulted in the criminal court case or addresses the harm caused in a manner that does not require formal justice but seeks to deliver justice. The matter is withdrawn.

### **JCPS Officials**

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

- Arts and Culture
- Basic Education (DBE)
- Department of Correctional Services
- Defence and Military Veterans (DOD)
- Finance
- Government Communication and Information Service
- Department of Health
- Home Affairs
- Human Settlements (DHS)
- International Relations and Co-operation (DIRCO)
- Justice and Constitutional Development (including such entities such as: Legal Aid South Africa, Judicial Services Commission etc.)
- National Intelligence Agency
- National Prosecuting Authority
- Department of Social Development
- National Treasury
- Office of the Public Service Commission
- Provincial and Local Government
- Public Enterprises
- Public Service and Administration
- NICOC
- Safety and Security
- South African Police Service
- South African Revenue Service (including Customs)
- Special Investigating Unit

- State Security (SSA)
- Statistics South Africa (STATS SA)

### **Corruption**

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

### **Specialised prosecutor**

A specialised prosecutor is a prosecutor with a particular skill set and experience that has been assigned to deal primarily with the prosecution of certain crime types.

### **Successful prosecution**

A successful prosecution of a corruption matter for purposes of outputs 3 and 5 is a prosecution that has resulted in a conviction.

### **Cyber crime**

Cyber Crime means illegal acts, the commission of which involves the use of information and communication technologies.

### **Complex commercial crime case**

Complex commercial crime matters are those commercial crime matters which require specialised prosecution due to their intricate nature, or have a high impact on the community.

### **Complex tax prosecutions**

Complex tax prosecutions are those tax matters which require specialised prosecution due to their intricate nature, or have a high impact on the community particularly those matters linked to the commission of organised crime.

## Decision dockets

In the NPA decision cases include all criminal matters presented to the NPA to consider the institution of a prosecution recording in a decision register. These exclude dockets recorded in the Inquest Register and matters directly enrolled. It also includes all matters referred to the AFU to consider whether to initiate civil litigation (regardless of whether the matter has been enrolled for a criminal trial or not).

## Indicators and descriptions

Indicator Title	<b>Criminal court cases finalised including ADRM</b>
Short definition	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
Purpose/importance	Tracks the ability of the NPA to deal with the demand for services for the purpose of measuring productivity
Source/collection of data	Lower courts: NPA Daily Court Return High courts: NPA Daily Court Return
Method of calculation	The criminal court case is measured as finalised on the date on which the verdict of not guilty given (including stopping of prosecution in terms of section 6(b) of Act 51 of 1977) is given 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
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance <sup>3</sup>	DC: 3 cases per court per day; RC: 0.7 cases per court per day; HC: 0.2 cases per court per day
Indicator responsibility	DNDPP: Strategy and Operations Management
Indicator Title	<b>Criminal court cases finalised with verdict</b>
Short definition	Number of criminal court cases finalised in the reporting period irrespective of the date of enrolment, by verdict
Purpose/importance	Measures the ability to deal with the demand for trial cases
Source/collection of data	Lower courts: NPA Daily Court Return High courts: NPA Daily Court Return

<sup>3</sup> Standard desired performance

<b>Method of calculation</b>	Cases finalised with a verdict 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 of the case against all accused
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>4</sup></b>	DC: 1.5 cases per court per day; RC: 0.7 cases per court per day; HC: 0.2 cases per court per day
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management
<b>Indicator Title</b>	<b>Conviction rate</b>
<b>Short definition</b>	Percentage of cases finalised with a guilty verdict (including Sec 57A) divided by the number of cases finalised with a verdict (i.e. excluding diversions)
<b>Purpose/importance</b>	Internationally viewed as an indicator of the success of the prosecution. Also regarded by South African public as such. Not a correct indicator for the quality of the prosecution though
<b>Source/collection of data</b>	None – combined figure derived from other KPI's
<b>Method of calculation</b>	Conviction rate is measured at the date of sentencing or verdict of not-guilty irrespective of the date when the plea was entered
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>5</sup></b>	HC 87%, RC: 74%, DC: 87%
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management
<b>Indicator Title</b>	<b>Backlog case</b>
<b>Short definition</b>	Number of 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 case, 9 months in a Regional Court case and 12 months in a High Court case
<b>Purpose/importance</b>	The measure is used to ensure that cases are finalised within acceptable timeframes
<b>Source/collection of data</b>	Lower courts: NPA Daily Court Return High courts: NPA Daily Court Return

<sup>4</sup> Standard desired performance

<sup>5</sup> Standard desired performance

<b>Method of calculation</b>	The number of backlog cases divided by the number of outstanding cases as at the last day of the reporting period
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output indicator
<b>Calculation type</b>	As at a specific day
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>6</sup></b>	DC: 90% not longer than 6 months on court roll RC: 75% not longer than 9 months on court roll HC: 75% not longer than 12 months on court roll
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management
<b>Indicator Title</b>	<b>Clearance ratio<sup>7</sup> on decision dockets received</b>
<b>Short definition</b>	Number of decision cases received and dealt with in the reporting period
<b>Purpose/importance</b>	Measures the ability of the NPA to make speedy decisions
<b>Source/collection of data</b>	Decision docket register for lower courts Docket register in High Courts
<b>Method of calculation</b>	Number of decision dockets dealt with divided by the number of new decision dockets plus the number of decision dockets on hand at the beginning of the reporting period.
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output indicator
<b>Calculation type</b>	Measured as at the last day of the reporting period
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>8</sup></b>	85%
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management
<b>Indicator Title</b>	<b>Value of assets frozen (restrained or preserved)</b>
<b>Short definition</b>	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
<b>Purpose/importance</b>	It provides the first indication of the actual value of property that was seized (the court order refers to what the AFU is entitled to seize). It measures the amount of proceeds removed from the control of criminals and provides an indication of the depth of the impact made by the AFU, i.e. in dealing with those who have accumulated significant wealth from crime.
<b>Source/collection of data</b>	The information is based on an estimate from the financial investigation done by

<sup>6</sup> Standard desired performance

<sup>7</sup> Reflects the turnaround time on decision dockets; planning -2%

<sup>8</sup> Standard desired performance

	the AFU financial investigator and advocate submitted on a case report form and is captured on the ECMS and a central data sheet
<b>Method of calculation</b>	The sum of the value of assets frozen as defined above. This does not refer to the value of the freezing order obtained, but to the estimated value of the actual assets frozen The values of orders that are refused are not counted Where an order was initially granted and later reversed, it is not counted as a negative value for the reporting period in which it was reversed
<b>Data limitations</b>	The data reflects an estimate and may not be accurate
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>9</sup></b>	To increase the target in 2012/13 to R550 million
<b>Indicator responsibility</b>	DNDPP: AFU
<b>Indicator Title</b>	<b>Overall AFU success rate</b>
<b>Short definition</b>	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 AFU, 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
<b>Purpose/importance</b>	It provides an overall indication of the ability of the AFU and its CJS partners to deal with and litigate AFU matters successfully
<b>Source/collection of data</b>	The information is based on a manual list of all cases finally won or lost prepared for CARA audit purposes
<b>Method of calculation</b>	Divide all cases finally won by the total number of cases finally won or lost
<b>Data limitations</b>	The data may occasionally be received late when there is a delay in receiving a judgement after it is made
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>10</sup></b>	90% success rate
<b>Indicator responsibility</b>	DNDPP: AFU

<sup>9</sup> Standard desired performance

<sup>10</sup> Standard desired performance

Indicator Title	Payment to victims of crime (CARA)
Short definition	Amount paid or ordered to be paid to the victims of crime during the reporting period resulting from orders or agreements obtained by the NPA, stated in Rand. This includes compensation orders in terms of sec 300 of the Criminal Procedure Act or orders in terms of POCA where a person has suffered damage to or loss of property or injury as a result of an offence or related criminal activity (sec 30 of POCA) or the exclusion of property from a forfeiture order to pay a victim (sec 52 of POCA). It also includes agreements facilitated by the NPA to repay money to a victim and also includes formal court orders in terms of section 300 and section 297 of the Criminal Procedure Act
Purpose/importance	It provides an indication of the ability of the NPA to assist victims who have suffered financial loss due to crime
Source/collection of data	The information is based on NPA daily court returns and the ECMS and central data sheet of AFU
Method of calculation	The sum of the amounts paid or ordered to be paid
Data limitations	Manual system. The data reflects the amount of the court orders and these amounts may not be paid by the accused
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance <sup>11</sup>	To increase the target in 2012/13 to R55 million
Indicator responsibility	DNDPP: AFU and all DPPs
Indicator Title	Payment to victims of crime (Compensation Orders)
Short definition	Compensation orders in terms of sec 300 of the Criminal Procedure Act or orders in terms of POCA where a person has suffered damage to or loss of property or injury as a result of an offence or related criminal activity (sec 30 of POCA) or the exclusion of property from a forfeiture order to pay a victim (sec 52 of POCA).
Purpose/importance	It provides an indication of the ability of the NPA to assist victims who have suffered financial loss due to crime
Source/collection of data	The information is based on NPA daily court returns and the ECMS and central data sheet of AFU
Method of calculation	The sum of the amounts paid or ordered to be paid
Data limitations	Manual system. The data reflects the amount of the court orders and these amounts may not be paid by the accused
Type of indicator	Output
Calculation type	Cumulative for the year

<sup>11</sup> Standard desired performance

<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>12</sup></b>	To increase the target in 2012/13 to R 32 million
<b>Indicator responsibility</b>	DNDPP: AFU and all DPPs
<b>Indicator Title</b>	<b>Number of operational TCCs</b>
<b>Short definition</b>	The number of one stop centres for rape care in which all steps all steps to the project plan relating to the establishment of the centre has been completed and all role-players are represented at the centre. The launch of the centre does not imply that the centre is fully operational.
<b>Purpose/importance</b>	To measure the availability of these services
<b>Source/collection of data</b>	TCC returns
<b>Method of calculation</b>	The total TCC as at the end of the reporting period
<b>Data limitations</b>	Manual system and operational measure
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>13</sup></b>	To increase the number of fully operational TCCs in 2012/13 to 35
<b>Indicator responsibility</b>	SDPP: SOCA
<b>Indicator Title</b>	<b>Number of prosecutors trained in cyber crime prosecution</b>
<b>Short definition</b>	Number of prosecutors that have successfully undergone training in the prosecution of cyber crime offences or offences in which cyber crime was used as a method to perpetrate the crime
<b>Purpose/importance</b>	To ensure that there is sufficient expertise in the NPA to deal with the demand for these services
<b>Source/collection of data</b>	Training attendance and pass records
<b>Method of calculation</b>	Adding up the numbers as reported
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>14</sup></b>	To increase the number of trained prosecutors to 211 in 2012/13
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management

<sup>12</sup> Standard desired performance

<sup>13</sup> Standard desired performance

<sup>14</sup> Standard desired performance



<b>Indicator Title</b>	<b>New freezing orders</b>
<b>Short definition</b>	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.
<b>Purpose/importance</b>	It measures the number of cases in which the AFU acted and provides an indication of the width of the impact made by the AFU, i.e. in how many cases it has been seen to be acting.
<b>Source/collection of data</b>	The data is submitted by and AFU advocate on a case report form and is captured on the ECMS and a central data sheet
<b>Method of calculation</b>	The sum of all freezing orders as defined above
<b>Data limitations</b>	None
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>15</sup></b>	To increase the target in 2012/13 to 330
<b>Indicator responsibility</b>	DNDPP: AFU
<b>Indicator Title</b>	<b>Value of assets in completed cases</b>
<b>Short definition</b>	Value of assets ordered by court to be forfeited or agreements in completed confiscation or forfeiture cases in the reporting period. It excludes cases where the order was refused. It is reported in Rand and estimated on the best available evidence on the date when the order is obtained.
<b>Purpose/importance</b>	It measures the amount of proceeds finally removed from the possession of criminals and provides an indication of the depth of the impact made by the AFU, i.e. in dealing with those who have accumulated significant wealth from crime.
<b>Source/collection of data</b>	The data is submitted by and AFU advocate on a case report form and is captured on the ECMS and a central data sheet
<b>Method of calculation</b>	The sum of the value of assets as defined above
<b>Data limitations</b>	None
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>16</sup></b>	To increase the target in 2012/13 to R 225 million

<sup>15</sup> Standard desired performance

<sup>16</sup> Standard desired performance

<b>Indicator responsibility</b>	DNDPP: AFU
<b>Indicator Title</b>	<b>Completed forfeiture cases</b>
<b>Short definition</b>	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.
<b>Purpose/importance</b>	It measures the number of cases in which the AFU acted and provides an indication of the width of the impact made by the AFU, i.e. in how many cases it has been seen to be acting.
<b>Source/collection of data</b>	The data is submitted by and AFU advocate on a case report form and is captured on the ECMS and a central data sheet
<b>Method of calculation</b>	The sum of all cases as defined above
<b>Data limitations</b>	None
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>17</sup></b>	To increase the target in 2012/13 to 330
<b>Indicator responsibility</b>	DNDPP: AFU
<b>Indicator Title</b>	<b>Appeals finalised</b>
<b>Short definition</b>	Number of appeals finalised through a judgment by a court of appeal or withdrawal of an appeal by the Appellant or any other reason that entitles the file to be closed.
<b>Purpose/importance</b>	Measures the ability of the NPA to speedily resolve appeals
<b>Source/collection of data</b>	Appeal register
<b>Method of calculation</b>	Number of cases in which either of the parties appeals the order/judgment and or sentence measured at the time that the record is received by the Registrar and or Director of Public Prosecutions.
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>18</sup></b>	80% of all appeals received must be finalised within 12 months of receipt by the High Court.
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management

<sup>17</sup> Standard desired performance

<sup>18</sup> Standard desired performance

<b>Indicator Title</b>	<b>Number of centres where court preparation services are offered</b>
<b>Short definition</b>	The number of magistrate's courts or high court centres where the NPA provides court preparation services through court preparation officers employed by the NPA.
<b>Purpose/importance</b>	Measures whether the service offering is being provided at more centres in line with the strategic decision to provide these services.
<b>Source/collection of data</b>	Daily court returns
<b>Method of calculation</b>	The number of court centres where the services are provided is added up.
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the year
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>19</sup></b>	All court centres should have these services available to witnesses.
<b>Indicator responsibility</b>	DNDPP: Strategy and Operations Management
<b>Indicator Title</b>	<b>Witnesses harmed or threatened</b>
<b>Short definition</b>	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.
<b>Purpose/importance</b>	Measures the effectiveness of the Witness Protection Programme
<b>Source/collection of data</b>	Electronic datasheet
<b>Method of calculation</b>	The number of persons harmed or threatened is counted. It is not expressed as a percentage it is expressed as a number.
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the reporting period
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>20</sup></b>	No witnesses must be harmed or threatened
<b>Indicator responsibility</b>	DNDPP: NSSD
<b>Indicator Title</b>	<b>Percentage walk-offs</b>
<b>Short definition</b>	Percentage of witnesses that walked off the programme against the average number of witnesses on the programme.
<b>Purpose/importance</b>	Measures the ability of the programme to ensure that witnesses are available to testify in court proceedings where applicable.
<b>Source/collection of data</b>	Electronic Datasheet.

<sup>19</sup> Standard desired performance

<sup>20</sup> Standard desired performance

<b>Method of calculation</b>	Measured daily and consolidated for 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.
<b>Data limitations</b>	Manual system
<b>Type of indicator</b>	Output
<b>Calculation type</b>	Cumulative for the reporting period
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance<sup>21</sup></b>	5%
<b>Indicator responsibility</b>	DNDPP: NSSD
<b>Indicator Title</b>	<b>Prosecutions vacancy rate</b>
<b>Short definition</b>	Number of funded prosecutor posts that are not filled measured as a percentage of the total number of posts on the approved establishment.
<b>Purpose/importance</b>	Tracks the number of posts vacant in the NPA
<b>Source/collection of data</b>	PERSAL, Approved establishment
<b>Method of calculation</b>	The number of funded vacant posts for prosecutors in the NPA measured on the date of reporting divided by the number of approved funded posts on the establishments inclusive of the number of contract employees.
<b>Data limitations</b>	That PERSAL might not be updated correctly.
<b>Type of indicator</b>	Output
<b>Calculation type</b>	As at a specific moment in time
<b>Reporting cycle</b>	Monthly
<b>New indicator</b>	No
<b>Desired performance<sup>22</sup></b>	8% vacancy rate
<b>Indicator responsibility</b>	<b>Support Services (CEO)</b>

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<sup>21</sup> Standard desired performance

<sup>22</sup> Standard desired performance

# Annual Performance Plan 2012/13



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