

The National Prosecuting Authority *of South Africa*



Annual Performance Plan for 2013/14

Foreword

The National Prosecuting Authority (NPA) Annual Performance Plan 2013/14 is informed by the NPA Strategic Plan 2013-2018, which is aligned to the Refined Justice, Crime Prevention and Security (Refined JCPS) Service Delivery Agreement (July 2012). The Annual Performance Plan (APP) sets out in detail the indicators per strategic objective and the activities that the NPA intends to undertake to deliver in these areas in the short term.

The overall strategic focus of the NPA remains to ensure that Government's objective of creating a safe country for all people living in South Africa, through the implementation of the Refined JCPS Delivery Agreement, is achieved. The JCPS cluster is committed to ensuring that this vision is realised and the NPA will build on the lessons learnt and progress made toward achieving performance targets. For the NPA this refers primarily to integrated and joint planning of key implementation activities, to achieve the performance targets for output 3 "*reduce corruption*" of the Refined JCPS Agreement.

This APP for 2013/14 also takes into consideration the priorities of the Refined JCPS Agreement, with particular reference to the merger of outputs 3 and 5 dealing with corruption. During the previous financial year (2012/13) the organisation facilitated a joint strategic planning process with the Directorate for Priority Crime Investigations, known as the Hawks to ensure that all efforts are steered towards common goals.

The NPA management is committed to focussing resources on the core function of the organisation. Furthermore, the organisation will investigate the use of operations management principles such as lean thinking, to ensure that more is done with less.

However, there is a real concern that the baseline reductions will translate into a decline in performance despite efforts to improve efficiencies. The organisation anticipates that the impact of the constraints will result in the NPA being unable to fulfil its Constitutional mandate at all newly established courts as there is no funds available for additional staff that will be required to be recruited. Subsequently, the NPA has suspended the aspirant prosecutor programme, which is a critical recruitment tool and the strategy of the organisation to contribute towards job creation in the economy.

The NPA also anticipates that its staff will become overburdened and this will start to translate into reduced performance outputs over time. This is a result of vacancies occurring that simply cannot be filled in the next three years. The targets in the JCPS Delivery Agreement are under threat as a result. The end envisaged result is that the people of South Africa will suffer as service delivery to the vulnerable groups is impeded.

Therefore, for this financial year the organisation will closely monitor performance to ensure that actual performance obstacles due to the budget cuts are addressed in the adjusted ENE for 2013.

Despite this challenge, the NPA management is committed to focussing resources on the core function of the NPA, reducing wastage and unnecessary service add-ons.

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 2013-2018 Strategic Plan of the NPA.
- Accurately reflects the performance targets which the NPA will endeavor to achieve given the resources made available in the budget for 2013/14.

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The Annual Performance Plan 2013/14 for the 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.

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The Annual Performance Plan 2013/14 for the NPA is also available at www.npa.gov.za.

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Part A: Strategic Overview

1. Updated Situational Analysis

1.1 Performance Delivery Environment

As part of the strategic review and planning process the organisation annually conducts a comprehensive situational analysis to inform the strategic planning process. There is only one change to the environment which is discussed below:

Cyber crime

Cabinet has approved the National Cybersecurity Policy Framework (NCPF) for South Africa (dated 11 March 2012). This policy framework outlines policy positions that are intended to “a) address national security threats in terms of cyberspace, b) combat cyber warfare, cybercrime and other cyber ills, c) develop, review and update existing substantive and procedural laws to ensure alignment; and d) build confidence and trust in the secure use of Information and Communication Technologies”.

The policy framework advocates for the establishment of a number of structures and institutions for coordinating the work of various security cluster departments that are working on a wide range of issues. Furthermore, the framework identifies specific areas of responsibility by a number of government departments. The State Security Agency (SSA) is tasked, as an integral part of its mandate, with the overall responsibility and accountability for the coordination, development and implementation of cyber security measures in the country.

1.2 Organisational Environment

There is no significant change to the organisational environment.

2. Revision to legislation and other mandates

The NPA Act, No 32 of 1998, is being amended 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 an accounting officer for the NPA. Should the legislation be passed, the NPA will be established as an entity separate from the DoJ&CD. The legal form of the entity will determine the lines of accountability and responsibility.

At the beginning of April 2012, the Minister submitted a draft Bill to the Acting National Director of Public Prosecutions for comment. The NPA has submitted comments on the Bill back to the Minister for further consideration.

The Refined JCPS Delivery Agreement combined outputs 3 and 5 into output 3 “*reduce corruption*”. The indicator description has been adapted to read as follows:

- Successfully convict 100 people by 2014 for corruption where the amount involved is more than R5m.

3. Overview of the 2013/14 budget and MTEF estimates

3.1 Expenditure Estimates

Table 1: National Prosecuting Authority (NPA)

R thousand	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
	Audited Outcomes			Adjusted Appropriation	Medium-term estimates		
National Prosecutions	1,300,193	1,622,904	1,722,710	1,840,810	1,953,237	2,091,523	2,186,052
Specialised Prosecutions	269,158	207,047	229,148	237,881	284,631	309,066	319,049
Office for Witness Protection	120,376	127,977	132,870	154,962	144,125	156,851	152,836
Asset Forfeiture Unit	78,640	156,956	104,507	109,326	112,386	120,671	125,569
Support Services	419,843	380,388	426,180	496,845	555,980	558,103	573,931
TOTAL	2,188,210	2,495,272	2,615,415	2,839,824	3,050,359	3,236,214	3,357,437

NOTE: The budget allocations, per sub-programme, in respect of the outer years as reflected in the table above does not correspond with the published 2013 ENE, due to internal reprioritisations within the NPA. The published budget documents will be amended during the 2013 MTEF and 2013 AENE.

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

R thousand	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
	Audited Outcomes			Adjusted Appropriation	Medium-term estimates		
CURRENT PAYMENTS							
Compensation of employees	1,620,171	1,952,222	2,100,960	2,227,294	2,421,253	2,592,369	2,723,790
Goods and services	453,246	465,388	457,270	514,410	541,220	553,470	541,512
Of which:							
Communication	39,134	34,070	33,596	47,402	39,934	35,513	35,255
Computer services	56,683	29,320	38,766	70,788	72,831	75,262	64,476
Consultants	56,308	97,379	93,931	61,894	49,530	48,821	50,412
Agency and support/ outsourced services	15,148	16,866	7,337	6,896	17,448	17,389	18,192
Inventory	20,879	8,382	22,030	29,621	30,909	33,484	30,161
Lease payments (Incl. operating leases, excl. finance leases)	15,729	34,920	15,971	15,354	14,840	15,116	20,553
Property Payments	75,233	68,797	74,635	82,257	97,337	99,426	101,166
Travel and subsistence	85,026	81,009	76,950	80,979	84,273	84,152	73,156
Assets <R5000	11,505	769	1,130	3,677	4,633	4,825	5,027
Operating Payments	47,516	56,679	54,863	67,604	70,427	75,296	77,437
Advertising	4,934	5,211	6,577	7,107	3,194	3,180	3,688
Audit cost: External	4,849	6,238	5,008	7,000	6,998	7,292	10,813
Venues and facilities	6,911	6,086	4,544	4,810	4,977	5,391	5,491
Other	13,391	19,662	21,932	29,021	43,889	48,323	45,685
Interest and rent on land	25,114	10,224	8,893	10,961	7,509	7,884	8,199
Payments for financial assets	418	3,940	323	-	-	-	-
Total current payments	2,098,949	2,431,774	2,567,446	2,752,665	2,969,982	3,153,723	3,273,501
TRANSFERS AND SUBSIDIES TO:	18,934	7,447	7,442	9,334	9,800	10,290	10,702
Departmental agencies and accounts	1,373	1,826	2,031	2,330	2,446	2,568	2,671
Households	17,561	5,621	5,411	7,004	7,354	7,722	8,031
PAYMENTS FOR CAPITAL ASSETS	70,327	56,051	40,527	77,825	70,577	72,201	73,234
Buildings and other fixed structures	21,046	14,723	15,923	16,604	22,434	23,556	24,498
Machinery and equipment	49,281	41,328	24,604	61,221	48,143	48,645	48,736
TOTAL	2,188,210	2,495,272	2,615,415	2,839,824	3,050,359	3,236,214	3,357,437

3.2 Relating expenditure trends to strategic outcome orientated goals

- Over the medium term, between 2012/13 to 2015/16, expenditure is expected to increase at an average annual rate of 6.46% to reach R3.357 billion. The NPA has to finance spending pressures and new priorities within the baseline by shifting funds from low efficiency/priority expenditure towards areas of higher efficiency/priority.
- R39m additional funding was allocated to the NPA during the 2013 ENE process for the higher than anticipated cost of living adjustment. These funds were allocated to the various sub-programmes as a percentage based on their respective budget allocations for compensation of employees. Additional amounts of R25m, R30m and R35m, over the MTEF period, were allocated to Specialised Prosecution for the establishment of new Thuthuzela Care Centres (TCCs).
- National Prosecutions Service (NPS) is responsible for delivering on the key indicators for the NPA and therefore 64.03% of the 2013/14 budget has been allocated to this sub-programme. Spending in this subprogramme is expected to increase from R1.8 billion in 2012/13 to R2.186 billion in 2015/16 at an average annual rate of 6.14%.
- The Asset Forfeiture sub-programme's compensation of employee budget was reduced with R22.2m during the 2012/13 financial year due to reprioritisation of funds within the organisation.
- The baseline reductions by National Treasury (R12, 5 million in 2014/15 and R 45 million in 2015/16) and the carry through shortfall on compensation will have an impact on the performance indicators as set out in the ENE.
- The compensation of employee's budget is currently under severe strain and it is anticipated that the situation will not improve during the MTEF period. The overspending on compensation is as a result of the implementation of the Job Evaluation judgment and the higher than expected carry-through cost of the Occupational Specific Dispensation (OSD). To cover this projected overspending on compensation of employees, costs saving measures were introduced. The purpose of the costs saving measures is to ensure the NPA does not overspend its overall budget to prevent unauthorised expenditure.

Part B: Programme and Sub-programme Plans

4. Programme 4: National Prosecuting Authority

Purpose: Provide a coordinated prosecuting 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.

There are five sub-programmes:

- i. **National Prosecutions Service (NPS)** is primarily responsible for general prosecutions and the appeals that may follow. The NPS is also responsible for the resolution of criminal matters outside of the formal trial process through Alternative Dispute Resolution Mechanisms (ADRM), the setting of admission of guilt for minor offences and consideration of dockets brought by the police where persons have not been charged.
- ii. **Specialised Prosecutions Service (SPS)** refers to specialised prosecution units dealing with priority crimes litigation, sexual offences and community affairs, and specialised commercial crime.
- iii. **Office for Witness Protection (OWP)** provides for the protection, support and related services to vulnerable witnesses and related people in judicial proceedings.
- iv. **Asset Forfeiture (AFU)** seizes assets that are the proceeds of crime or have been part of an offence through a criminal or civil process.
- v. **Support Services (SS)** provides corporate services in terms of the finance, human resources, information communication technology, supply chain, communication, security services, strategy and risk management.

4.1 Strategic Objectives annual targets for 2013/14

NPA Strategic Objective 1: Increased successful prosecution of serious and priority reported crimes							
Strategic Objective	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Number of convictions in the regional courts and high courts	29 661	28 339	29 628	30 220	30 825	31 442	32 070
NPA Strategic Objective 2: Improved collaboration with JCPS partners							
Strategic Objective	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Number of criminal court cases finalised including ADRM	469 541	460 891	448 793	481 638	493 665	503 538	513 609
NPA Strategic Objective 3: Reduced Corruption							
Strategic Objective	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Number of persons convicted of corruption where the amount involved is more than R5m ¹	-	-	-	50	50 (100)	50 (150)	50 (200)
Number of JCPS personnel convicted for offences related to corruption ²	-	-	59	100 (159) ³	128 (287)	130 (417)	133 (550)
NPA Strategic Objective 4: Improved justice services for the victims of crime							
Strategic Objective	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Number of operational TCCs	20	27	30	35	43	50	55

¹ Revised indicator as per the Refined JCPS Service Delivery Agreement (July 2012).

² Revised definition for JCPS Departments.

³ Figures in brackets reflect cumulative number of JCPS persons convicted for offences related to corruption (to date).

4.2 Programme performance indicators and annual targets for 2013/14

NOTE: The number below the conviction percentage represents only the number of convictions.

NPA Strategic Objective 1: Increased successful prosecution of serious and priority reported crimes								
1.1	Strategy	Increase prosecutions of serious crime and priority crime						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
1	Conviction rate in complex commercial crime	93.6% (825) ⁴	92.5% (742)	91.6% (754)	93% (780)	94% (796)	94% (812)	94% (828)
2	Conviction rates in organised crime	n/a	85% (17)	89.1% (171)	85% (174)	90% (178)	90% (181)	90% (185)
3	Conviction rate in trio crimes	n/a	85.6% (535)	84.5% (1 525)	85% (1 556)	86% (1 587)	86% (1 618)	86% (1 650)
4	Conviction rate in sexual offences ⁵	n/a	45% (4 915)	65.1% (4 501)	65% (4 591)	66% (4 683)	66% (4 776)	66% (4 872)
5	Conviction rate in cybercrime prosecutions	n/a	87.5% (189)	74% (153)	74% (156)	74% (159)	74% (162)	74% (166)
	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	Improve operations management				Public Prosecutions (DNDPP)			
5	Ensure that resources are adequately utilised				Public Prosecutions (DNDPP & DPPs)			
6	Provide training in specialised and/or identified priority areas				Public Prosecutions (DNDPP & DPPs)			
NPA Strategic Objective 2: Improved collaboration with JCPS partners								
2.1	Strategies	Deliver a speedy, quality prosecution within the prescripts of the law						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium term targets		
		2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
1	Number of criminal court cases finalised with verdict	350 910	331 045	316 098	344 419	351 308	358 334	365 501
2	Number of criminal court cases finalised through ADRM	118 631	129 846	132 695	137 219	142 357	145 204	148 108
3	Conviction rate in high courts	88% (1 083)	87.8% (954)	84.6% (963)	87% (982)	87% (1 002)	87% (1 022)	88% (1 042)
4	Conviction rate in regional courts	74% (28 578)	73.4% (27 385)	74.3% (28 665)	74% (29 238)	74% (29 823)	74% (30 420)	74% (31 028)

⁴ Figure includes only dedicated courts due to structure change.

⁵ This conviction rate is inclusive of all types of sexual offences and not only rape matters.

5	Conviction rate in district courts	91% (281 290)	90.7% (265 348)	90.8% (251 030)	87% (276 068)	87% (281 589)	87% (287 221)	88% (292 965)
6	Number of case backlogs	38 563	37 034	34 926	34 187	33 504	32 833	32 176
7	Number of witnesses harmed or threatened whilst on the witness protection programme	0	0	0	0	0	0	0
8	% of witnesses that walked off the witness protection programme	28%	5%	1.8%	2%	1.8%	1.5%	1.5%
9	Number of completed forfeiture cases	271	320	300	306	312	318	324
10	Value of completed forfeiture cases	R184m	R211.6m	R163.6m	R167m	R170m	R174m	R177m
11	Number of freezing orders	315	333	330	324	330	337	344
12	Value of freezing orders (Rm)	R491m	R549.2m	R553.4m	R600m	R615m	R630m	R650m
13	Success rate ⁶	92.4% (262)	95.7% (314)	96.1% (295)	94% (306)	94% (312)	94% (318)	94% (324)
	Key Activities				Responsible			
1	Contribute to effective operations management and implement service improvement initiatives (SDIP)				Public Prosecutions (DNDPP & DPPs)			
2	Implement integrated case flow management in all courts and monitor at local, provincial and national case flow forums				Public Prosecutions (DNDPP & DPPs)			
3	Identify priority courts to encourage cooperation between all role players: monitor, evaluate and report progress of these courts (quarterly)				Public Prosecutions (DNDPP & DPPs)			
4	Participate in pre-trial conferences to ensure availability of all role players on trial date				Public Prosecutions (DPPs)			
5	Extend the use of asset forfeiture				AFU (DNDPP)			
6	Ensure allocation of adequate resources for all courts especially backlog courts				Public Prosecutions (DPPs)			
7	Provide witness protection services to threatened witnesses				DNDPP & SDPP: NSSD			
8	Prioritise the finalisation of cases where witnesses are in the witness protection programme				Public Prosecutions (DPPs)			
9	Implement the NPA Human Resource (HR) Plan				Support Services (CEO)			
10	Rollout of the Electronic Case Management System (ECMS)				Support Services (CEO) (with DNDPP & DPPs)			
NPA Strategic Objective 3: Reduced Corruption								
3.1	Strategy	Fast track cases involving corruption						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
1	Number of completed forfeiture cases re JCPS prosecutions for corrupt activities	-	-	-	9	11	14	17

⁶ The number below represents the percentage only the number of cases successfully finalised.

2	Value of freezing orders relating to corruption where the amount involved is more than R5m	R203m (R219m) ⁷	R288m (R507m)	R144m (R651m)	R350m (R1 000m)	R300m (R1 300m)	R200m (R1 500m)	R200m (R1 700m)
	Key Activities				Responsible			
1	Review Implementation Plan for effective and efficient joint cases planning for complex commercial crimes between NPA and Hawks				Special Director of Public Prosecutions (SDPP)			
2	Participate in the Anti-Corruption Task Team (ACTT)				SDPP: SCCU, AFU (DNDPP)			
3	Obtain freezing orders, seizure and forfeiture of assets obtained through illicit means				AFU (DNDPP) & DPPs			
4	Manage and coordinate the information regarding all corruptions cases, in particular serious corruption cases				SDPP: SCCU, AFU (DNDPP) & DPPs			
5	Develop and implement the NPA Fraud and Corruption Plan				Support Services (CEO)			
6	Ensure vetting of all Supply Chain Management officials				Support Services (CEO)			
7	Record and report on time to finalise internal disciplinary cases relating to corruption (average 3 months)				Support Services (CEO)			
NPA Strategic Objective 4: To improve justice services to the victims of crime								
4.1	Strategy	Implement the Victim's Charter						
	Performance Indicator	Audited/Actual Performance			Estimated Performance	Medium Term Targets		
		2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
1	Conviction rates in the prosecution of sexual offences reported at TCCs ⁸	64.5% (701)	63% (1 286)	60.7% (1 323)	63.5% (1 349)	64% (1 376)	64% (1 404)	64% (1 432)
2	Payments to victims of crime in terms of POCA	R52m	R55m	R93.8m	R55m	R56m	R57m	R57m
3	Value of compensation orders obtained	R53m	R15m	R32m	R32m	R35m	R40m	R45m
	Key Activities				Responsible			
1	Facilitate and manage the expansion of TCCs				SDPP & DPPs			
2	Participate in the integrated Cluster Communication Strategy around CJS and Cluster achievements in crime prevention				DNDPP & Support Services (Comms)			

⁷ Figures in brackets reflects cumulative value to date

⁸ This conviction rate is only rape matters

4.3 Quarterly targets for 2013/14

4.3.1 Strategic objectives

Quarterly targets for programme performance indicators for strategic objective 1							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of convictions in the regional courts and high courts	Quarterly	30 825	7 557	7 838	7 670	7 760
Quarterly targets for programme performance indicators for strategic objective 2							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of criminal court cases finalised including ADRM	Quarterly	493 665	123 300	123 550	123 300	123 515
Quarterly targets for programme performance indicators for strategic objective 3							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of persons convicted of corruption where the amount involved is more than R5m ⁹	Quarterly	50 (100)	Progress against achievement – actual achieved at the end of q			50
2	Number of JCPS personnel convicted for offences related to corruption	Quarterly	128 ¹⁰	Progress against achievement – actual achieved at the end of q			128 ¹¹
Quarterly targets for programme performance indicators for strategic objective 4							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of operational TCCs	Quarterly	43	Progress against roll-out plan			43

⁹ Revised indicator as per the Refined JCPS Service Delivery Agreement (July 2012)

¹⁰ Revised definition for JCPS Departments

¹¹ Revised definition for JCPS Departments

4.3.2 Programme performance indicators

Quarterly targets for programme performance indicators for strategic objective 1							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Conviction rate in complex commercial crime	Quarterly	94% (796)	94% (190)	94% (208)	94% (198)	94% (200)
2	Conviction rate in organised crime	Quarterly	90% (178)	90% (44)	90% (45)	90% (44)	90% (45)
3	Conviction rate in trio crimes	Quarterly	86% (1 587)	86% (391)	86% (402)	86% (396)	86% (398)
4	Conviction rate in sexual offences	Quarterly	66% (4 683)	66% (1 100)	66% (1 233)	66% (1 170)	66% (1 180)
5	Conviction rate in cybercrime prosecutions	Quarterly	74% (159)	74% (39)	74% (42)	74% (39)	74% (39)
Quarterly targets for programme performance indicators for strategic objective 2							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of criminal court cases finalised with verdict	Quarterly	351 308	87 800	87 860	87 800	87 848
2	Number of criminal court cases finalised through ADRM	Quarterly	142 357	35 500	35 690	35 500	35 667
3	Conviction rate in high courts	Quarterly	87% (1 002)	87% (207)	87% (285)	87% (250)	87% (260)
4	Conviction rate in regional courts	Quarterly	74% (29 823)	74% (7 350)	74% (7 553)	74% (7 420)	74% (7 500)
5	Conviction rate in district courts	Quarterly	87% (281 589)	87% (70 000)	87% (70 892)	87% (70 300)	87% (70 397)
6	Number of case backlogs	Quarterly	33 504	35 554	34 857	34 174	33 504
7	Number of witnesses harmed or threatened whilst on the witness protection programme	Quarterly	0	0	0	0	0
8	% of witnesses that walked off the witness protection programme	Quarterly	1.8%	Progress against achievement – actual achieved at the end of q			1.8%
9	Number of completed forfeiture cases	Quarterly	312	69	84	83	76
10	Value of completed forfeiture cases	Quarterly	R170m	R38m	R46m	R45m	R41m
11	Number of freezing orders	Quarterly	330	73	89	88	80
12	Value of freezing orders (Rm)	Quarterly	R615m	R136m	R166m	R164m	R149m
13	Success rate	Quarterly	94% (312)	94% (69)	94% (84)	94% (83)	94% (76)

Quarterly targets for programme performance indicators for strategic objective 3							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Number of completed AFU cases re JCPS prosecutions for corrupt activities	Quarterly	11	2	2	3	4
2	Value of freezing orders relating to corruption where the amount involved is more than R5m	Quarterly	R300m (R1.30bn)	R20m (R1.02bn)	R50m (R1.07bn)	R90m (R1.16bn)	R140m (R1.30bn)
Quarterly targets for programme performance indicators for strategic objective 4							
	Programme performance indicators	Reporting period	Annual target 2013/14	Quarterly targets			
				1 st	2 nd	3 rd	4 th
1	Conviction rates in the prosecution of sexual offences reported at TCCs	Quarterly	64% (1 376)	64% (340)	64% (348)	64% (340)	64% (348)
2	Payments to victims of crime in terms of POCA	Quarterly	R56m	R12m	R15m	R15m	R14m
3	Value of compensation orders obtained	Quarterly	R35m	R8m	R10m	R8m	R9m

4.4 Reconciling Performance targets with the Budget and MTEF

Table 3: NPA Expenditure Estimate

R thousand	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
	Audited Outcomes			Adjusted Appropriation	Medium-term estimates		
CURRENT PAYMENTS							
Compensation of employees	1,620,171	1,952,222	2,100,960	2,227,294	2,421,253	2,592,369	2,723,790
Goods and services	453,246	465,388	457,270	514,410	541,220	553,470	541,512
Of which:							
Communication	39,134	34,070	33,596	47,402	39,934	35,513	35,255
Computer services	56,683	29,320	38,766	70,788	72,831	75,262	64,476
Consultants	56,308	97,379	93,931	61,894	49,530	48,821	50,412
Agency and support/ outsourced services	15,148	16,866	7,337	6,896	17,448	17,389	18,192
Inventory	20,879	8,382	22,030	29,621	30,909	33,484	30,161
Lease payments (Incl. operating leases, excl. finance leases)	15,729	34,920	15,971	15,354	14,840	15,116	20,553
Property Payments	75,233	68,797	74,635	82,257	97,337	99,426	101,166
Travel and subsistence	85,026	81,009	76,950	80,979	84,273	84,152	73,156
Assets <R5000	11,505	769	1,130	3,677	4,633	4,825	5,027
Operating Payments	47,516	56,679	54,863	67,604	70,427	75,296	77,437
Advertising	4,934	5,211	6,577	7,107	3,194	3,180	3,688
Audit cost: External	4,849	6,238	5,008	7,000	6,998	7,292	10,813
Venues and facilities	6,911	6,086	4,544	4,810	4,977	5,391	5,491
Other	13,391	19,662	21,932	29,021	43,889	48,323	45,685
Interest and rent on land	25,114	10,224	8,893	10,961	7,509	7,884	8,199
Payments for financial assets	418	3,940	323	-	-	-	-
Total current payments	2,098,949	2,431,774	2,567,446	2,752,665	2,969,982	3,153,723	3,273,501
TRANSFERS AND SUBSIDIES TO:	18,934	7,447	7,442	9,334	9,800	10,290	10,702
Departmental agencies and accounts	1,373	1,826	2,031	2,330	2,446	2,568	2,671
Households	17,561	5,621	5,411	7,004	7,354	7,722	8,031
PAYMENTS FOR CAPITAL ASSETS	70,327	56,051	40,527	77,825	70,577	72,201	73,234
Buildings and other fixed structures	21,046	14,723	15,923	16,604	22,434	23,556	24,498
Machinery and equipment	49,281	41,328	24,604	61,221	48,143	48,645	48,736
TOTAL	2,188,210	2,495,272	2,615,415	2,839,824	3,050,359	3,236,214	3,357,437

4.5 Performance and expenditure trends

Expenditure is projected to increase at an average annual rate of 7.45% between 2009/10 and 2015/16, rising from R2.1 billion to R 3.3 billion in 2015/16. The main contributor to this growth remains the expenditure in the National Prosecutions Service sub-programme, which accounts for an average of 65% of the programme's budget, and increase from R1.3 billion in 2009/10 to R2.2 billion in 2015/16, at an average annual rate of 9.26%.

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.

Ensure that the NPA Transforms

The NPA strives towards achieving an organisation that broadly represents the demographics of the country by promoting equal opportunities and fair treatment in employment through the elimination of all forms of unfair discrimination. Furthermore, to implement positive measures, in the form of affirmative action, to redress the disadvantages in employment experienced by the previously disadvantaged groups, to ensure that they are equally represented in all occupational categories and levels of the workplace.

The NPA seeks to achieve equality in the workplace by identifying existing imbalances in employment, setting targets to create a workforce that reflects the demographics of the country and timeframes within which the targets are to be achieved. Whilst the NPA Employment Equity (EE) measures will be focused on ensuring the national demographics are reflected in employment, regional demographics will also be a consideration in regional employment decisions. The organisation is committed to the following, as articulated within the EE Plan:

- a. Develop and maintain a learning organisation that is free from all forms of discrimination
- b. Ensure that all employees regardless of rank, gender, race, and sexual orientation are treated with respect, dignity and equality
- c. Ensure the effective management of diversity
- d. Gender and disability equity and empowerment

This Plan aims to achieve the following objectives:

- a. *Put measures in place to deal with unfair discrimination, including sexual harassment, in its work practices, procedures, policies and work environment, and to train employees about the retrogressive effects of unfair discrimination.*
- b. *Establish a framework for redressing past imbalances created by apartheid, through the introduction of Affirmative Action Measures in order to affirm and advance Designated Group Members.*
- c. *Create an environment that promotes the effective management of diversity by ensuring managers create an environment that promotes fairness, dignity and mutual respect thereby tapping into the diverse skills that all employees bring into the organisation.*

- d. Ensure the NPA has a dynamic and representative workforce that reflects the demographics of the people of South Africa both at national and at regional levels.*
- e. Ensure that the recruitment and selection process promotes entrance into the NPA of candidates from outside in order to inject new and different thinking into the organisation.*
- f. Set numerical goals and targets in order to monitor the achievement of representativeness in the NPA.*
- g. Eliminate unfair discrimination that may exist in the implementation of policies, practices procedures and the work environment.*

Performance Management

The success of the implementation of the NPA strategy lies in individual and enterprise performance management (EPM). The NPA will ensure that individual performance, reward and recognition are aligned to the NPA strategic objectives. There is a continued strong focus on monitoring performance at all levels in the NPA which will continue. As a result of this commitment the organisation has re-established the Exco Performance Review Committee to ensure close monitoring of organisational performance.

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 a single vision and mission for 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 Section 63A Bail requests, mental health, legal aid cases and forensic services one relating to blood alcohol analysis and another 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
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
ECMS	Electronic Case Management System
EE	Employment Equity
ENE	Estimates of National Expenditure
FCRP	Fraud and Corruption Response Plan
IMU	Integrity Management Unit
JCPS	Justice, Crime Prevention and Security
NCPF	National Cybersecurity Policy Framework
NDPP	National Director of Public Prosecutions
NPA	National Prosecuting Authority
NPC	National Planning Commission
NPS	National Prosecutions Service
OWP	Office for Witness Protection
POCA	Prevention of Organised Crime Act
PCLU	Priority Crimes Litigation Unit
SCCU	Specialised Commercial Crimes Unit
SSA	State Security Agency
TCC	Thuthuzela Care Centre

PART A: KEY CONCEPTS

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 subsequently withdrawn.

Amount involved

The amount involved in a corruption case is the amount that is stated in the charge sheet.

Case

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

- **Criminal Court Case** - is a matter that has been enrolled in a criminal court of SA 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** - 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.

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.

Commercial crime

Commercial crimes are crimes against property, involving the unlawful conversion of the ownership of property (belonging to one person) to one's own personal use and benefit. Commercial crimes may involve fraud (cheque fraud, credit card fraud, mortgage fraud, medical fraud, corporate fraud, securities fraud (including insider trading), bank fraud, payment (point of sale) fraud, health care fraud); theft; scams or confidence tricks; tax evasion; bribery; embezzlement; identity theft; money laundering; and forgery and counterfeiting, including the production of Counterfeit money and consumer goods. Financial crimes may involve additional criminal acts, such as computer crime. Financial crimes may be carried out by individuals, corporations, or by organized crime groups. Victims may include individuals, corporations, governments, and entire economies.

Corruption

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

Cyber crime

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

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).

Forfeiture

Forfeiture orders means confiscation and forfeiture orders i.t.o s18 and s50 of the Prevention of Organised Crime Act (POCA).

Freezing orders

Freezing orders means restraint and preservation orders i.t.o s26 and s38 of the POCA.

JCPS Officials¹²

- Defence and Military Veterans (DOD)
- Justice and Constitutional Development (including entities such as: Legal Aid South Africa, Judicial Services Commission etc.)
- National Prosecuting Authority (NPA)
- Department of Correctional Services (DCS)
- Department of Home Affairs (DHA)
- Department of Police (including entities such as: South African Police Service (SAPS), Directorate for Priority Crime Investigations (Hawks), Independent Police Investigative Directorate (IPID) and Civilians Secretariat for Police)
- Special Investigating Unit (SIU)
- State Security Agency (SSA)
- South African Revenue Service (including Customs)

¹² As identified in consultation with stakeholders during the NPA National Stakeholders Workshop dated 14th November 2012

Organised crime

Crime as a person, group of persons or syndicate acting in an organised fashion or in a manner which could result in substantial financial gain for the person, group or persons or syndicate involved.

Serious crime

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

Sexual offences

All forms of sexual penetration without consent, irrespective of gender. This simply means that a woman, a man (or a child) can now be raped by another woman or man.

Specialised prosecutor

A specialised prosecutor is a prosecutor with a particular skills 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.

TCC

Thuthuzela¹³ Care Centres are 24 hour one-stop service centres where victims have access to all services that include police, counselling, doctors, court preparation and a prosecutor for a strong therapeutic effect on victims. These centres are aimed at turning victims into survivors. These multi-disciplinary centres have been established to streamline the process of reporting, care –giving, investigation of cases and the subsequent prosecution of the case. The main objectives for these centres are to eliminate secondary victimisation, reduce case cycle time, and to increase convictions.

Trio crimes

Trio crimes refer to robbery at residential premises, robbery at business premises and carjacking.

Witness

Means any person who is or may be required to give evidence, or who has given evidence in any proceedings.

¹³ "Comfort" in Xhosa

Indicators and descriptions

Indicator Title	Number of convictions in the regional courts and high courts
Short definition	Criminal court cases which resulted in a conviction in the regional and high courts
Purpose/importance	Measures whether serious crime is being dealt with
Source/collection of data	NPA Daily Court Return
Method of calculation	Number of cases finalised with a guilty verdict (including Sec 57A) in the regional and high courts (i.e. excluding diversions)
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Monthly
New indicator	Yes
Desired performance ¹⁴	An increase of 2% per annum
Indicator responsibility	DNDPP & DPPs
Indicator Title	Number of convictions
Short definition	Criminal court cases which resulted in a conviction in courts.
Purpose/importance	Measures whether serious crime is being dealt with
Source/collection of data	NPA Daily Court Return
Method of calculation	Number of cases finalised with a guilty verdict (including Sec 57A) (i.e. excluding diversions) in courts.
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Monthly
New indicator	Yes
Desired performance ¹⁵	An increase of 2% per annum. DC: 87% (281 589), Cybercrime: 74% (32), Complex commercial crime: 94% (796), Organised crime: 90% (178), Sexual offences: 66% (4 683), Trio crime: 86% (1 587) and sexual offences reported at the TCCs 64% (1 376) for 2013/14
Indicator responsibility	DNDPP & DPPs
Indicator Title	Conviction rate
Short definition	The percentage of cases finalised with a verdict in which a guilty verdict was obtained
Purpose/importance	Internationally viewed as an indicator of the success of the prosecution and also regarded by South African public as such. Not a correct indicator for the quality of the prosecution though
Source/collection of data	None – combined figure derived from other KPI's
Method of calculation	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). Conviction rate is measured at the date of sentencing or verdict of not-guilty irrespective of the date when the plea was entered
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year

¹⁴ Standard desired performance

¹⁵ Standard desired performance

Reporting cycle	Quarterly
New indicator	No
Desired performance ¹⁶	HC 87%, RC: 74%, DC: 87%, Cybercrime: 74%, Complex commercial crime: 94%, Organised crime: 90%, Sexual offences: 66% and Trio crime: 86% for 2013/14
Indicator responsibility	DNDPP: NPS and NSSD
Indicator Title	Criminal court cases finalised including ADRM
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	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 ¹⁷	493 665 for 2013/14
Indicator responsibility	DNDPP: NPS
Indicator Title	Number of case backlogs
Short definition	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
Purpose/importance	The measure is used to ensure that cases are finalised within acceptable timeframes
Source/collection of data	NPA Daily Court Return which will be verified against the charge sheets
Method of calculation	The number of backlog cases divided by the number of outstanding cases as at the last day of the reporting period
Data limitations	Manual system
Type of indicator	Output indicator
Calculation type	As at a specific day
Reporting cycle	Quarterly
New indicator	No
Desired performance ¹⁸	Desired performance as per the JCPS Delivery Agreement: <ul style="list-style-type: none"> DC: 90% not longer than 6 months on court roll, RC: 75% not longer than 9 months on court roll,

¹⁶ Standard desired performance

¹⁷ Standard desired performance

¹⁸ Standard desired performance

	<ul style="list-style-type: none"> HC: 75% not longer than 12 months on court roll NPA Desired Performance: 32 176 (2015/16)
Indicator responsibility	DNDPP: NPS
Indicator Title	Number of persons convicted of corruption where the amount involved is more than R5 million
Short definition	To have successfully convicted 100 persons by 2014 for the offence of corruption and/or offences relating to corruption where the amount involved (loss, actual prejudice or benefit) exceeds R5 million per case
Purpose/importance	To measure whether serious corruption is being successfully dealt with by the JCPS
Source/collection of data	Register
Method of calculation	Number of persons convicted for corruption in the reporting period, where the amount involved exceeds R5million per case
Data limitations	Information is provided manually
Type of indicator	Outcome
Calculation type	Cumulative
Reporting cycle	Quarterly
New indicator	Yes
Desired performance ¹⁹	Desired performance as per the JCPS Delivery Agreement: conviction of 100 persons by 2014 where more than R5 million is involved
Indicator responsibility	SDPP: SCCU & DNDPP: AFU
Indicator Title	Number of JCPS personnel convicted for offences related to corruption
Short definition	To have successfully convicted 170 persons employed, or formerly employed, by the JCPS Departments for offences relating to corruption (not just the specific offence, but how members of the public understand corruption)
Purpose/importance	To ensure that the JCPS cluster is dealing criminally with corrupt officials
Source/collection of data	Register
Method of calculation	The total number of JCPS personnel (or former personnel) convicted of offences related to corruption in the reporting period.
Data limitations	Manual provision of information
Type of indicator	Outcome
Calculation type	Cumulative
Reporting cycle	Quarterly
New indicator	Yes
Desired performance ²⁰	Desired performance as per the JCPS Delivery Agreement: to have convicted 170 persons by 2014
Indicator responsibility	SDPP: SCCU & DNDPP: AFU
Indicator Title	Number of operational TCCs
Short definition	The number of one stop centres for rape care in which 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
Purpose/importance	To measure the availability of these services

¹⁹ Standard desired performance

²⁰ Standard desired performance

Source/collection of data	TCC returns
Method of calculation	The total number of TCC in which 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 measured at the last day of the reporting period.
Data limitations	Manual system and operational measure
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²¹	Desired performance as per the JCPS Delivery Agreement: <ul style="list-style-type: none"> To increase the number of fully operational TCCs to 35 by 2014 NPA Desired Performance for 2013/14: 43
Indicator responsibility	SDPP: SOCA
Indicator Title	Criminal court cases finalised with verdict
Short definition	Number of criminal court cases finalised by verdict in the reporting period (irrespective of the date of enrolment)
Purpose/importance	Measures the ability to deal with the demand for trial cases
Source/collection of data	NPA Daily Court Return
Method of calculation	Criminal court 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.
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²²	351 308 for 2013/14
Indicator responsibility	DNDPP: NPS
Indicator Title	Number of criminal court cases finalised through ADRM
Short definition	Number of cases finalised in the reporting period through the use of alternatives such as diversion and 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	NPA Daily Court Return
Method of calculation	The case is measured as finalised on the date on which the case is withdrawn from the criminal court roll or the matter is removed from child justice court roll (whichever applicable). In the case of a diversion this is done after the certificate for the successful completion of the diversion programme is received and in the case of an informal mediation after the case was successfully mediated

²¹ Standard desired performance

²² Standard desired performance

Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²³	142 357 for 2013/14
Indicator responsibility	DNDPP: NPS
Indicator Title	Number of witnesses harmed or threatened while on the witness protection programme
Short definition	Witnesses harmed or threatened while on the witness protection programme
Purpose/importance	Measures the effectiveness of the Witness Protection Programme
Source/collection of data	Electronic datasheet
Method of calculation	The total 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 NPA witness protection programme
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the reporting period
Reporting cycle	Quarterly
New indicator	No
Desired performance ²⁴	No witnesses must be harmed or threatened
Indicator responsibility	DNDPP: NSSD
Indicator Title	Number of completed forfeiture cases
Short definition	Number of cases in which a final order has been obtained or the court refused to make an order
Purpose/importance	It measures the number of cases in which the AFU acted and provides an indication of the impact made by the AFU, i.e. in how many cases it has been seen to be acting
Source/collection of data	The data is submitted by an AFU advocate on a case report form and is captured on the ECMS and a central data sheet
Method of calculation	The total number of 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
Data limitations	None
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²⁵	To increase the target in 2013/14 to 350
Indicator responsibility	DNDPP: AFU
Indicator Title	Number of freezing orders
Short definition	Number of cases enrolled in which freezing orders were obtained in the reporting period

²³ Standard desired performance

²⁴ Standard desired performance

²⁵ Standard desired performance

Purpose/importance	It measures the number of cases in which the AFU acted and provides an indication of the impact made by the AFU, i.e. in how many cases it has been seen to be acting
Source/collection of data	The data is submitted by an AFU advocate on a case report form and is captured on the ECMS and a central data sheet
Method of calculation	The total number of cases in which freezing orders were obtained in the reporting period irrespective of when they were enrolled. 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
Data limitations	None
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance²⁶	To increase the target in 2013/14 to 375
Indicator responsibility	DNDPP: AFU
Indicator Title	Value of completed forfeiture cases (Rm)
Short definition	Value of assets ordered by court to be forfeited or agreements in completed confiscation or forfeiture
Purpose/importance	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.
Source/collection of data	The data is submitted by an AFU advocate on a case report form and is captured on the ECMS and a central data sheet
Method of calculation	The total 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.
Data limitations	None
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance²⁷	To increase the target in 2013/14 to R250m
Indicator responsibility	DNDPP: AFU
Indicator Title	Value of freezing orders (Rm)
Short definition	Value of cases enrolled in which freezing orders were obtained in the reporting period
Purpose/importance	It measures the number of cases in which the AFU acted and provides an indication of the impact made by the AFU, i.e. in how many cases it has been seen to be acting
Source/collection of data	The data is submitted by an AFU advocate on a case report form and is captured on the ECMS and a central data sheet

²⁶ Standard desired performance

²⁷ Standard desired performance

Method of calculation	The total value 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
Data limitations	None
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²⁸	To increase the target in 2013/14 to R600m
Indicator responsibility	DNDPP: AFU
Indicator Title	Success rate
Short definition	The percentage of cases litigated by the AFU in which they were ultimately successful
Purpose/importance	It provides an overall indication of the ability of the AFU and its CJS partners to deal with and litigate AFU matters successfully
Source/collection of data	The information is based on a manual list of all cases finally won or lost prepared for CARA audit purposes
Method of calculation	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
Data limitations	The data may occasionally be received late when there is a delay in receiving a judgement after the judgement is made
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ²⁹	94% success rate
Indicator responsibility	DNDPP: AFU
Indicator Title	Number of successes
Short definition	The number of cases litigated by the AFU in which they won the case
Purpose/importance	It provides an overall indication of the ability of the AFU and its CJS partners to deal with and litigate AFU matters successfully
Source/collection of data	The information is based on a manual list of all cases finally won prepared for CARA audit purposes
Method of calculation	The total number of cases won by AFU. Cases are finally won when a final order is obtained in favour of the AFU, i.e. after all appeal processes have been finalised. It is measured at the date when the case was finally won irrespective of the date when the matter was enrolled

²⁸ Standard desired performance

²⁹ Standard desired performance

Data limitations	The data may occasionally be received late when there is a delay in receiving a judgement after a judgement has been made
Type of indicator	Output
Calculation type	As at a specific time; at the date when the case was finally won irrespective of the date when the matter was enrolled
Reporting cycle	Quarterly
New indicator	Yes
Desired performance ³⁰	Success rate 94% (312)
Indicator responsibility	DNDPP: AFU
Indicator Title	Number of completed forfeiture cases re JCPS prosecutions for corrupt activities
Short definition	Number of forfeiture cases in which a final order has been obtained or the court refused to make an order for JCPS officials
Purpose/importance	It measures the number of cases in which the AFU acted and provides an indication of the impact made by the AFU, i.e. in how many cases it has been seen to be acting.
Source/collection of data	The data is submitted by an AFU advocate on a case report form and is captured on the ECMS and a central data sheet
Method of calculation	The total number of 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 for JCPS officials.
Data limitations	None
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Quarterly
New indicator	No
Desired performance ³¹	To increase the target in 2013/14 to 11
Indicator responsibility	DNDPP: AFU
Indicator Title	Value of freezing orders for corruption where the amount involved is more than R5m
Short definition	Value of cases in which the NPA has successfully frozen the assets of persons relating to the offence of corruption and/or offences relating to corruption where the amount involved exceeds R5m per case.
Purpose/importance	To measure whether serious corruption is being successfully dealt with by the JCPS.
Source/collection of data	Register
Method of calculation	The total value of cases in which the NPA has successfully frozen the assets of persons relating to the offence of corruption and/or offences relating to corruption where the amount involved (loss, actual prejudice or benefit) exceeds R5m per case.
Data limitations	Information is provided manually
Type of indicator	Outcome
Calculation type	Cumulative
Reporting cycle	Quarterly
New indicator	Yes
Desired performance ³²	Ensure that there are a 100 persons by 2014 where freezing orders have been obtained in respect of

³⁰ Standard desired performance

³¹ Standard desired performance

³² Standard desired performance

	corruption where more than R5 million is involved
Indicator responsibility	DNDPP: AFU
Indicator Title	Conviction rates in the prosecution of sexual offences reported at the TCCs
Short definition	Percentage of sexual offences cases finalised with a guilty verdict at the TCCs
Purpose/importance	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.
Source/collection of data	Monthly TCC spreadsheet as compiled by TTC Case Managers submitted to SOCA Head Office.
Method of calculation	Percentage of cases finalised with a guilty verdict divided by the number of cases finalised with a verdict (excluding diversions).
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the year
Reporting cycle	Monthly
New indicator	No
Desired performance ³³	64% for 2013/14
Indicator responsibility	Special Director: SOCA and DNDPP: NSSD
Indicator Title	Payment to victims of crime in terms of the Prevention of Organised Crime Act (POCA)
Short definition	The amount paid to the victims of crime in terms of the provisions 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 central data sheet of AFU
Method of calculation	The total amount paid to the victims of crime during the reporting period resulting from orders or agreements obtained stated, in Rand. This refers to 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)
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 ³⁴	To increase the target in 2013/14 to R94m
Indicator responsibility	DNDPP: AFU
Indicator Title	Value of compensation orders obtained
Short definition	Compensation orders in terms of sections 300 and 297 of the Criminal Procedure Act where a person has suffered damage to or loss of property or injury as a result of an offence
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 NPA source is the daily court return which will be verified against the chargesheet/court record

³³ Standard desired performance

³⁴ Standard desired performance

Method of calculation	The total value of compensation orders obtained in terms of sections 300 and/or 297 of the Criminal Procedure Act in criminal court cases finalised in the reporting period
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 performance³⁵	To increase the target in 2013/14 to R35m
Indicator responsibility	DNDPP: all DPPs
Indicator Title	% of witnesses that walked off the witness protection programme ³⁶
Short definition	Percentage of witnesses that walked off the programme against the average number of witnesses on the programme
Purpose/importance	Measures the ability of the programme to ensure that witnesses are available to testify in court proceedings where applicable
Source/collection of data	Electronic Datasheet
Method of calculation	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. Measured daily and consolidated for the reporting period
Data limitations	Manual system
Type of indicator	Output
Calculation type	Cumulative for the reporting period
Reporting cycle	Monthly
New indicator	No
Desired performance³⁷	1.8% for 2013/14
Indicator responsibility	DNDPP: NSSD

³⁵ Standard desired performance

³⁶ Definition (2010/11) and calculation method (2008/09) has been revised over the last two years. The percentage is calculated at the end of the financial year using the total number of witnesses that remain on the programme plus those that walked off as the denominator (Annual Report 2008/09). The definition of walk-off was amended

³⁷ Standard desired performance