

OFFICE OF THE CHIEF JUSTICE

ANNUAL REPORT 2019/20



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA



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VOTE 22

ANNUAL REPORT 2019/20



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PART A: GENERAL INFORMATION



1 DEPARTMENT'S GENERAL INFORMATION

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2 LIST OF ABBREVIATIONS/ACRONYMS

AENE	Adjusted Estimates of National Expenditure	HRM&D	Human Resource Management and Development
AFC	Audit Facilitation Committee	IAA	Internal Audit Activity
AFS	Annual Financial Statements	ICT	Information and Communication Technology
AGSA	Auditor-General South Africa	IJS	Integrated Justice System
APP	Annual Performance Plan	JAC	Judicial Accountability Committee
ARC	Audit and Risk Committee	JCFMC	Judicial Case Flow Management Committee
BBBEE	Broad-based Black Economic Empowerment	JOC	Judicial Oversight Committee
BCM	Business Continuity Management	JSC	Judicial Service Commission
CD	Chief Director	KRA	Key Responsibility Area
CEO	Chief Executive Officer	MSP	Master Systems Plan
CIP	Compulsory Induction Programme	MPSA	Minister of Public Service and Administration
CFO	Chief Financial Officer	MTEF	Medium-Term Expenditure Framework
COIC	Court Order Integrity Committee	MTSF	Medium-Term Strategic Framework
COVID-19	Coronavirus Disease of 2019	NDP	National Development Plan
CSD	Central Supplier Database	NEEC	National Efficiency Enhancement Committee
DCRS	Digital Criminal Recording Systems	NRF	National Revenue Fund
DDG	Deputy Director-General	NT	National Treasury
DOJ&CD	Department of Justice and Constitutional Development	OCJ	Office of the Chief Justice
DTI	Department of Trade and Industry	OFA	Organisational Functionality Assessment
DPCI	Directorate for Priority Crime Investigation	OHS	Occupational Health and Safety
DPME	Department of Planning, Monitoring and Evaluation	OHS&E	Occupational Health, Safety and Environment
DPSA	Department of Public Service and Administration	OSD	Occupation Specific Dispensation
DPWI	Department of Public Works and Infrastructure	PFMA	Public Finance Management Act
EAP	Employee Assistance Programme	PPPFA	Preferential Procurement Policy Framework Act
EFT	Electronic Fund Transfer	PSC	Public Service Commission
EHW	Employee Health and Wellness	PSR	Public Service Regulations
EXCO	Executive Committee	SAJEI	South African Judicial Education Institute
FinCom	Finance Committee	SAPS	South African Police Service
FY	Financial Year	SCM	Supply Chain Management
GPAA	Government Pensions Administration Agency	SCOPA	Standing Committee on Public Accounts
GIZ	Deutsche Gesellschaft Für Internationale Zusammenarbeit (German Development Cooperation)	SDIP	Service Delivery Improvement Plan
HDI	Historically Disadvantaged Individuals	SG	Secretary General
HIV	Human Immune-deficiency Virus	SLA	Service Level Agreement
HIV/AIDS	Human Immune-deficiency Virus/Acquired Immune Deficiency Syndrome	SMS	Senior Management Service
HOA	Homeowners Allowance	SOP	Standard Operating Procedure
HR	Human Resource	STI	Sexually Transmitted Infection
		TB	Tuberculosis
		UIFW	Unauthorised, Irregular, Fruitless and Wasteful
		WSP	Workplace Skills Plan



LIST OF THE SUPERIOR COURTS

- Constitutional Court
- Supreme Court of Appeal
- The High Court of South Africa, consisting of Divisions
- Specialised Courts (Competition Appeal Court, Electoral Court, Labour Court, Labour Appeal Court and Land Claims Court).

LIST OF INSTITUTIONS OF THE JUDICIARY

- Judicial Service Commission (JSC)
- South African Judicial Education Institute (SAJEI)



3 FOREWORD BY THE MINISTER



Mr Ronald Lamola, MP

This year marks 26 years since the advent of our hard-fought constitutional democracy in South Africa; the democracy in terms of which South Africans entrusted us with the mandate of fighting the triple challenges of unemployment, poverty and inequality. It is therefore important that as Government we reflect on the mandate given to us by the people of South Africa, and take stock of the progress made by accounting to Parliament. The stark reality we face, as acknowledged by the President of the Republic in his recent State of the Nation Address is that, despite progress in various areas of South African life, our economy has not grown at any meaningful rate for a decade. We still face challenges such as structural inequality; unemployment and poverty affecting a substantial majority of this great nation's citizens. The President has also reflected on the progress in our fight against the scourge of corruption. Despite these challenges, the Government remains committed to the constitutional vision of establishing a society that is based on democratic values, social justice and fundamental human rights. The South African Judiciary has kept our constitutional democracy flourishing by safeguarding and upholding the constitutional values through judicial authority as conferred on it by the Constitution of the Republic.

The Judiciary is one of the pillars of our constitutional democracy and plays a significant role in ensuring that the rights of South Africans are protected. The Constitution enshrines the rights of all people and affirms the democratic values of human dignity, equality and freedom. These democratic values must be respected, protected and fulfilled by the State and all organs of the State. The Judiciary continues to be instrumental in preserving democracy by ensuring that our laws, including the Constitution, are respected and upheld. The Judiciary, as an independent arm of State, has also been instrumental in the fight against corruption. In light of the critical role played by the Judiciary in our constitutional democracy, it is important that it is given the necessary support it deserves.

Section 165 (4) of the Constitution enjoins organs of State to assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness. The establishment of the Office of the Chief Justice (OCJ) is an indication of our unwavering commitment to ensuring that this constitutional provision is fulfilled. Government remains committed to supporting the Judiciary through the OCJ, which is established 'to provide support to the judicial system to ensure effective and efficient court administration services'.

The objectives of the OCJ during the Medium Term Expenditure Framework (MTEF) are to:

- Ensure that support to the judicial system is effective and efficient court;
- Enhance the institutional, administrative and financial independence of the OCJ; and
- Improve organisational governance and accountability and the effective and efficient use of resources.

The OCJ, like any other department, has been affected by the slow economic growth, which has had a contractionary effect on budgets for all departments. This has affected the implementation of the OCJ's mandate of supporting the Judiciary. Moreover the advent of COVID-19 requires the department to review the manner in which its mandate is fulfilled. Balancing the interests of justice whilst ensuring that pervasive pandemic does not endanger the interest of citizens has become a permanent fixture in the administration of justice.

Increasing access to justice remains one of our priorities. It is because of this reason that we have established a Division of the High Court in all provinces.

During the reporting period, the OCJ continued to contribute to Chapter 14 of the National Development Plan's (NDP) priority of strengthening judicial governance and the rule of law by providing training to the Judiciary through the South African Judicial Education Institute (SAJEI). During the reporting period, SAJEI conducted one hundred and fifteen (115) skills enhancing judicial education courses for Judicial Officers and aspirant Judicial Officers.



The maturing of our democracy has increased the growing need for court services by members of the public. This has necessitated that we find new ways for the public to access the courts in order to augment the traditional access methods. As such, we have increasingly used technology to improve court accessibility and processes. Mindful of the impact this might have on access to justice, plans are underway for automation and digitalisation of court records in order to continue to improve efficiency in information and data management.

In conclusion, government hereby reaffirms its commitment to the people of South Africa and that it will continue to provide support to the Judiciary as a constitutional imperative that is fundamental to the flourishing of our democracy. We will continue to protect the courts in ensuring their independence, dignity, accessibility and effectiveness.

I convey my gratitude to the Head of the Judiciary, the Honourable Chief Justice Mogoeng Mogoeng, for his visionary leadership and guidance. I also express my gratitude to the Heads of Court who continue to assist the Chief Justice with judicial governance and the effective running of the courts. My appreciation also goes to the entire Judiciary for their commitment to providing justice to all, as mandated by

the Constitution. Words of thanks are also extended to the Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, for his support; the Portfolio Committee on Justice and Correctional Services, the Audit and Risk Committee (ARC) of the OCJ; and all other stakeholders for their profound support.

My sincere gratitude goes to the Secretary General of the OCJ, Ms Memme Sejosengwe, including the employees of the OCJ, for their dedication and commitment to the principles of good governance in the public service.



Mr R O Lamola, MP
Minister of Justice and Correctional Services

Date: 30 September 2020



4 REPORT OF THE ACCOUNTING OFFICER



Ms Memme Sejosengwe

During the 2019/20 financial year, the OCJ, in line with its mandate of supporting the Judiciary, continued to prioritise supporting the Chief Justice in ensuring judicial accountability through monitoring of the implementation of the Norms and Standards for the performance of judicial functions, broadening access to justice for all and ensuring an effective and efficient court system. Faced with resource challenges and budget cuts during the period under review, the OCJ reprioritised its baselines to fund its mandate. The OCJ continued to focus strategically on building internal capacity, ensuring good governance in the administration of the department and enhancing the judicial skills of serving and aspiring Judicial Officers.

In executing our mandate of supporting the Judiciary, the OCJ has started implementing the case e-Filing system.

The e-Filing system includes all capabilities for managing, storing, publishing and retrieving case files, case documentation, evidence, court orders, judgments and all other relevant documentation. The system aims to reduce the risks associated with hard copy court records, improving efficiency in case management as well as court processes through the electronic filing of court documents.

As part of improving customer services and experience, the OCJ continued to manage complaints in line with the organisation's established complaints management policy and procedures. The OCJ has also put in place the Fraud Prevention and Anti-Corruption Policy and the Whistle Blowing Policy, which provide a framework for the management of allegations of fraud and corruption.

In an effort to strengthen our internal controls, the OCJ Executive Committee (EXCO) has established a sub-committee on Legislative and Regulatory Compliance to assist management with their oversight over legislative and regulatory compliance, including related risks, which affect the business of the department. This seeks to promote strong governance and ensure that the department complies with applicable legislation and prescripts.

4.1 GENERAL OVERVIEW

The 2019/20 financial year is the fifth year of the OCJ functioning as a public service department with its own budget vote. The OCJ was established as a national department in order to provide administrative support to the Judiciary of the Republic of South Africa as an arm of State, among other objectives.

4.2 OVERVIEW OF THE FINANCIAL RESULTS

DEPARTMENTAL RECEIPTS

REVENUE

	2019/20			2018/19		
	Estimated	Actual collection	(Over)/ under	Estimated	Actual collection	(Over)/ under
	R'000	R'000	R'000	R'000	R'000	R'000
Revenue	2 570	2 895	(325)	1 178	1 495	(317)

The actual revenue collected was R2.895 million, which exceeded the estimated revenue collection of R2.570 million by R325 000 during the 2019/20 financial year.



4.2 OVERVIEW OF THE FINANCIAL RESULTS

PROGRAMME EXPENDITURE

Programme	2019/20			2018/19		
	Final appropriation R'000	Actual expenditure R'000	(Over)/under expenditure R'000	Final appropriation R'000	Actual expenditure R'000	(Over)/under expenditure R'000
Administration	217 432	211 077	6 355	223 805	222 059	1 746
Superior Court Services	898 827	857 691	41 136	824 755	801 547	23 208
Judicial Education and Support	81 433	65 119	16 314	71 187	68 413	2 774
Total	1 197 692	1 133 887	63 805	1 119 747	1 092 019	27 728
Direct charge (Judges' salaries)	1 098 546	1 051 725	46 821	1 022 091	1 022 189	(98)
Total	2 296 238	2 185 612	110 626	2 141 838	2 114 208	27 630

The department's total voted expenditure amounted to R1.134 billion against the final appropriation of R1.198 billion. This excludes the direct charge to the National Revenue Fund for Judges' salaries. This reflects 94.7% spending against the final appropriation, resulting in an underspending of R63.805 million (5.3%), incurred under compensation of employees, goods and services and the purchase of capital assets.

EXPENDITURE PER PROGRAMME

PROGRAMME 1: ADMINISTRATION

The expenditure on this programme was R211.077 million against the final allocation of R217.432 million, which resulted in an underspending of R6.355 million. The underspending is ascribable to not filling funded vacancies due to natural attrition and underspending on payments for capital assets because of computer equipment not being delivered on time as a result of international manufacturing plants closing due to the COVID-19 pandemic.

PROGRAMME 2: SUPERIOR COURT SERVICES

The expenditure on this programme was R857.691 million against the final allocation of R898.827 million, which resulted in an underspending of R41.136 million. The underspending was due to a higher than normal rate of natural attrition and savings from the implementation of the unified telecommunication systems and delayed delivery of ICT hardware due to the closing of international manufacturing plants as a result of the COVID-19 pandemic.

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

The expenditure on this programme was R65.119 million against the final allocation of R81 433 million, which resulted in an underspending of R16.314 million. The underspending relates to natural attrition and delays in filling of funded vacancies, saving realised on travel and substance as a result of the cancellation of the Judicial Service Commission (JSC) sitting due to the COVID-19 pandemic, non-payment of legal costs due to pending court dates as well as the inability to upgrade the telecommunication equipment in the South African Judicial Education Institute (SAJEI) boardroom.

STATUTORY FUND (DIRECT CHARGE): JUDGES' SALARIES

The expenditure on the statutory allocation was R1.051 billion against the final allocation of R1.098 billion which resulted in an underspending of R46.821 million. The saving on the Judges' salaries is due to the non-approval of a salary adjustment for the Judges which was projected for the financial year.



VIREMENTS

The following table provides a breakdown of virements executed:

From			To		
Programme	Item	R'000	Programme	Item	R'000
2: Superior Court Services	Goods and services	8 233	1: Administration	Goods and services	8 233
Total		8 233	Total		8 233

The virement from the Superior Court Services Programme was executed to defray excess expenditure on goods and services of the Administration Programme due to the payment of head office rental. The Office of the Chief Justice (OCJ) and the Department of Justice and Constitutional Development (DoJ&CD) agreed prior to the Adjusted Estimates of National Expenditure (AENE) process, that the OCJ would utilise the office rental budget for day-to-day maintenance of the Superior Courts. Upon request by the DoJ&CD, the OCJ agreed to pay the office rental for the 2019/20 financial year.

LEASE PAYMENTS

An amount of R111.677 million was spent on lease payments during the year under review.

UNAUTHORISED EXPENDITURE

No unauthorised expenditure was incurred during the period under review.

IRREGULAR EXPENDITURE

No irregular expenditure was incurred in the 2019/20 financial year.

In line with the new National Treasury Framework on Irregular Expenditure, the OCJ has submitted its request for condonement of the irregular expenditure incurred in the previous financial years as reported in the 2018/19 Annual Report to National Treasury.

FRUITLESS AND WASTEFUL EXPENDITURE

No fruitless and wasteful expenditure was incurred in the 2019/20 financial year.

FUTURE PLANS OF THE DEPARTMENT

The OCJ continues with the prioritisation of the information and communication technology (ICT) projects, which includes ICT infrastructure refresh, Court Online system, Wi-Fi solution roll-out and the e-Judiciary system. This priority is aimed at improving efficiency at the Superior Courts and administrative functions of the department. Initiatives are underway to develop a digital transformation strategy that is responsive to virtual technologies and the new operating model as a result of the COVID-19 pandemic.

Judicial education and training support remains a high priority for the OCJ. This support is important for the promotion of the independence, dignity, accessibility and effectiveness of the courts. In light of the COVID-19 pandemic, it is envisaged that judicial education and training will be conducted virtually. An online platform where materials will be loaded, will be created.

PUBLIC-PRIVATE PARTNERSHIPS

The OCJ did not enter into any public-private partnerships during the period under review.

DISCONTINUED ACTIVITIES/ACTIVITIES TO BE DISCONTINUED

There are no activities that were or will be discontinued.

NEW OR PROPOSED ACTIVITIES

There are no new or proposed activities.

SUPPLY CHAIN MANAGEMENT

No unsolicited bid proposals were considered or concluded by the department for the year under review.

SUPPLY CHAIN MANAGEMENT PROCESSES AND SYSTEMS TO PREVENT IRREGULAR EXPENDITURE

The OCJ has processes and systems in place to detect and prevent irregular expenditure. These include the following:

- The National Treasury instruction note on the amended Irregular Expenditure Framework as well Fruitless and Wasteful Expenditure Framework were communicated to officials and implemented in the OCJ during the year under review.
- The checklist to ensure compliance with all prescribed Supply Chain Management (SCM) prescripts was re-designed and implemented in all Service Centres. Service Centres refer to all facilities where OCJ render services in the provinces and including national office.
- There was a continuation of the initiative that all SCM practitioners should perform pre-check compliance reviews prior to generating purchase orders. This ensured inter alia that purchase orders were placed with accredited suppliers or service providers registered on the Central Supplier Database (CSD) of the National Treasury.



- The OCJ has appointed Bid Committees and Provincial Control Committees to ensure transparency, fairness and compliance within SCM and tender processes.
- All SCM employees have signed a Code of Conduct and Bid Committee members have signed a Declaration of Interest.
- Contract management and payment registers are maintained to prevent irregular expenditure.

Policy review: No formal policy review was done in the financial year, but all new prescripts and policies issued by National Treasury have been communicated throughout the department and implemented accordingly. These new prescripts will be included in the policy review of the 2020/21 financial year.

Empowerment efforts: To strengthen SCM compliance and understanding of processes, a three (3) day in-house training session was conducted for finance officials of the Superior Courts and provincial centres. A SCM manual was developed and supplied to all relevant financial officials.

ASSET MANAGEMENT

During the year under review, the OCJ maintained its Asset Management Register in compliance with section 38 of the Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA). Handheld scanners were procured to enable verification of assets including library books across various Superior Courts. The Asset Management Unit at national office provided continuous technical support and monitoring to Superior Courts to ensure adherence to the Asset Management Policy directives across the department.

CHALLENGES EXPERIENCED IN SCM AND HOW THEY WERE RESOLVED:

High turnover of staff in SCM remains a challenge. The main challenge remains understaffing at court and provincial levels, as well as skills required relating to SCM. In order to address these challenges, the OCJ trained SCM officials in the broader spectrum of SCM functions to improve multi-skilling and enhance skills levels.

GIFTS AND DONATIONS RECEIVED IN KIND FROM NON-RELATED PARTIES

During the reporting period, the OCJ received donations amounting to R54 436.00. These donations were in relation to library books to the value of R15 966.00, artwork to the value of R500.00, as well as travelling and accommodation sponsorship to the value of R37 970.00.

EXEMPTIONS AND DEVIATIONS RECEIVED FROM NATIONAL TREASURY

There were no exemptions and deviations received from the National Treasury during the period under review.

EVENTS AFTER THE REPORTING DATE

There were no events after the reporting date.

ACKNOWLEDGEMENT AND APPRECIATION/ CONCLUSION

I would like to reaffirm the department's commitment to supporting the Judiciary to ensure effective and efficient court services. The OCJ would not have been able to perform optimally without the support of Chief Justice Mogoeng Mogoeng. We therefore express our heartfelt gratitude to the Chief Justice for his continued leadership and counsel. The OCJ also thanks the Minister of Justice and Correctional Services, Mr Ronald Lamola, and the Deputy Minister of Justice and Constitutional Development, Mr John Jeffery, for their continued support. We also express our gratitude to the chairperson and members of Parliament's Portfolio Committee on Justice and Correctional Services for their oversight of, and inputs into, the work of the OCJ. We are also indebted to the chairperson and members of the ARC of the OCJ for their continued guidance and support. We are also grateful to a wide range of stakeholders who richly contributed to the work of the OCJ.

Finally, I would like to thank all OCJ employees for their concerted effort in ensuring that we deliver services as mandated by the Constitution and the prescripts of the public service.



Ms M Sejosengwe

Accounting Officer: Office of the Chief Justice

Date: 30 September 2020



5 STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY FOR THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

- All information and amounts disclosed throughout the Annual Report are consistent.
- The Annual Report is complete, accurate and is free from any omissions.
- The Annual Report has been prepared in accordance with the Annual Report Guide for National and Provincial Departments as issued by the National Treasury.
- The Annual Financial Statements (Part E) have been prepared in accordance with the modified cash standard and the relevant frameworks and guidelines issued by the National Treasury.
- The Accounting Officer is responsible for the preparation of the Annual Financial Statements and for the judgements made in this information.
- The Accounting Officer is responsible for establishing and implementing a system of internal control that is designed to provide reasonable assurance as to the integrity and reliability of the performance information, the Human Resources information and the Annual Financial Statements.
- The external auditors are engaged to express an independent opinion on the Annual Financial Statements.
- In my opinion, the Annual Report fairly reflects the operations, the performance information, the human resources information and the financial affairs of the department for the financial year ended 31 March 2020.

Yours faithfully,



Ms M Sejosengwe
Accounting Officer: Office of the Chief Justice

Date: 30 September 2020



6 STRATEGIC OVERVIEW



VISION

A single, transformed and independent judicial system that guarantees access to justice for all.



MISSION

To provide support to the judicial system to ensure effective and efficient court administration services.



VALUES

In ensuring accountability of the judicial branch of the State to the people of South Africa, and to foster public confidence in the Judiciary and respect for the rule of law, the OCJ will uphold the following values:

- Respect for and protection of the Constitution
- Honesty and integrity
- Openness and transparency
- Professionalism and excellence



7 LEGISLATIVE AND OTHER MANDATES

The OCJ is guided by the Constitution of the Republic of South Africa, 1996, as well as other legislation and policies that constitute the legal framework for the establishment of the OCJ. The Constitution and these pieces of legislation assist the OCJ in the execution of its mandate.

CONSTITUTIONAL MANDATE

The Constitution provides for the independence of the Judiciary and protects judicial independence by prohibiting any interference with the functioning of the courts. It further imposes a duty on organs of State to assist and protect the courts to ensure, among others, their independence, impartiality and efficiency. The Constitution also expressly provides that the Chief Justice is the Head of the Judiciary and entrusts the Chief Justice with the responsibility for the establishment and monitoring of Norms and Standards for the performance of judicial functions in all courts.

It also designates the Constitutional Court as the highest court in all matters. Furthermore, everyone has a constitutional right to have any legal dispute decided in a fair public hearing before an independent court. The Judicial authority of the Republic is vested in the courts.

In order to advance the transformation imperatives of the Constitution, Item 16 of Schedule 6 to the Constitution provides for the rationalisation of all courts and all relevant legislation with the view to establishing a judicial system suited to the requirements of the Constitution. The Constitution further provides that, after a national election, the Chief Justice is required to convene the first sitting of Parliament and to preside over the election of the President, Speaker of the National Assembly and the Chairperson of the National Council of Provinces. The Chief Justice is also assigned by the Constitution the responsibility of presiding over meetings of the JSC.

LEGISLATIVE MANDATE

The OCJ derives its mandate from several pieces of legislation, including the following:

Legislation	Key Mandates/Responsibilities
Public Service Act, 1994 (Act 103 of 1994)	The OCJ was proclaimed a national department under the Public Service Act, 1994. This Act provides for the organisation and administration of the Public Service.
Public Finance Management Act, 1999 (Act 1 of 1999)	This Act regulates financial management in the national government.
Superior Courts Act, 2013 (Act 10 of 2013)	This Act empowers the Chief Justice to exercise responsibility over the establishment and monitoring of Norms and Standards for the implementation of judicial functions at all courts. The Minister of Justice and Correctional Services has, in terms of this Act, delegated certain powers and functions to the SG for the purposes of providing administrative support functions to the Chief Justice and the Judiciary. This Act also regulates the allocation of financial resources of the OCJ and designates the SG as the Accounting Officer.
Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001)	This Act deals with the remuneration and conditions of employment of Judges.
Judicial Service Commission Act, 1994 (Act 9 of 1994)	The Act deals with the appointment of Judges and support to the JSC.
South African Judicial Education Institute Act, 2008 (Act 14 of 2008)	The Act provides for training of Judicial Officers and aspirant Judges.
Public Service Act, 1994 (Act 103 of 1994)	In March 2015, the Minister of Public Service and Administration, in terms of this Act, determined the functions relating to the administration of the Superior Courts transferred from the Department of Justice and Constitutional Development (DoJ&CD) to the OCJ.



Legislation	Key Mandates/Responsibilities
Judicial Matters Amendment Act, 2015 (Act 24 of 2015)	In terms of the Judicial Matters Amendment Act, 2015, the general administration of the Judges' Remuneration and Conditions of Employment Act, 2001 has been transferred from the Director-General (DG) of the DoJ&CD to the SG of the OCJ with effect from 1 August 2016. This Amendment Act also transfers certain functions and responsibilities of SAJEI that were previously allocated to the DoJ&CD. Furthermore, the SG is responsible for accounting for JSC funds.
Regulations on the Criteria for the Determination of the Judicial Establishment of the Supreme Court of Appeal and Divisions of the High Court of South Africa, 2015	These Regulations, made in terms of section 49(1)(b) of the Superior Courts Act, 2013 (Act 10 of 2013), provide the criteria for the determination of the number of Judges at the Superior Courts.

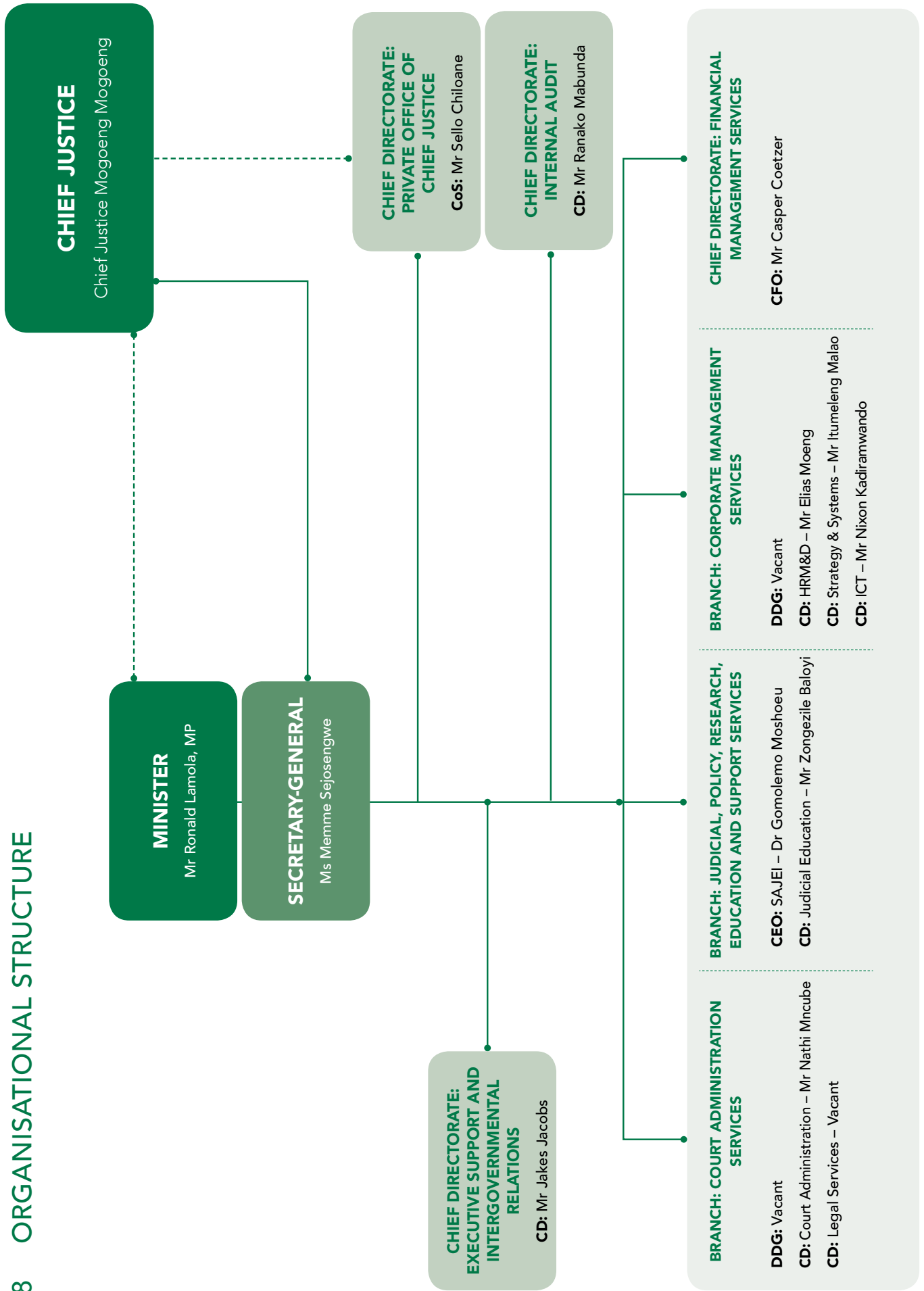
POLICY MANDATES

The OCJ is a relatively newly-established national department proclaimed by the President of the Republic of South Africa in terms of Proclamation 44 of 2010. Subsequent to the Proclamation of the OCJ as a national department, the Minister for Public Service and Administration made a determination regarding the purpose and objectives of the OCJ as follows:

- To ensure that the Chief Justice can properly execute his/her mandate as both the Head of the Constitutional Court and the Head of the Judiciary;
- To enhance the institutional, administrative and financial independence of the OCJ; and
- To improve organisational governance and accountability, and the effective and efficient use of resources.



8 ORGANISATIONAL STRUCTURE



The macro-organisational structure of the department was approved at the end of the 2018/19 financial year.



9 ENTITIES REPORTING TO THE MINISTER

There are no entities that report to the Minister of Justice and Correctional Services which are funded through the OCJ Vote and whose functions support the mandate of the OCJ.



PART B: PERFORMANCE INFORMATION



1 AUDITOR-GENERAL'S REPORT: PRE-DETERMINED OBJECTIVES

The Auditor-General's report on the audit of pre-determined objectives is provided for on page 85 of the report of the Auditor-General, included in Part E: Financial Information.

2 OVERVIEW OF DEPARTMENTAL PERFORMANCE

2.1 SERVICE DELIVERY ENVIRONMENT

The OCJ contributes to Chapter 14 of the National Development Plan, which calls for the strengthening of judicial governance and the rule of law by accelerating reforms towards a judiciary led and independent court administration system. In addition, the OCJ during the period under review contributed to outcome 3 (all people in South Africa are and feel safe) of government's 2014 – 2019 Medium-Term Strategic Framework (MTSF). During the 2019/20 financial year, the OCJ continued to improve the quality of Superior Courts services and broaden access to justice. The OCJ implemented measures to ensure efficiency in the administration of the Superior Courts through modernisation of court systems as well as providing judicial education and support.

IMPROVING THE QUALITY OF SUPERIOR COURT SERVICES AND BROADENING ACCESS TO JUSTICE FOR ALL

Improvement in the provision of quality Superior Court services and broadening access to justice for all is imperative for the OCJ as well as for the attainment of the goals of the NDP. The Mpumalanga Division of the High Court was officially opened during the 2019/20 financial year as part of Government's commitment to bringing justice closer to the people. The department ensured that the opened Court was capacitated in order to improve service delivery and court operations. The contribution of the Court to the broader commitment of access to justice for all will be realised in the medium term period.

ENSURING AN EFFICIENT COURT SYSTEM

The modernisation of the Superior Courts is key to ensuring effective and efficient court administration. The modernisation of courts, though the automation of processes takes advantage of advances in high speed telecommunications, developments in information systems, computers and other technologies, which create new opportunities for the courts to operate more effectively and efficiently. The Judiciary, under the leadership of the Honourable Chief Justice Mogoeng Mogoeng resolved that a case management system be developed for the Judiciary which would also include an e-filing and document management component.

The Office of the Chief Justice (OCJ) requested State Information Technology Agency (SITA) to develop an e-Filing Court Solution. The scope of the Court Online system (formerly known as e-Filing solution) is limited to the matters of a civil nature, including criminal appeals and at a high level covers the following:

- Electronic filing of Court processes
- Case Initiation and registration
- Pleadings
- Pre-Trial/Hearing Proceedings
- Trial Proceedings
- Post-Trial/Hearing Proceedings
- Case Management
- Electronic notification
- Knowledge base
- Service Desk (Enquiries and complaints management)

A phased approach to the development and implementation of the Court-Online solution was adopted. Piloting of the solution was planned for the Gauteng Division of the High Court with eventual rollout to all the Divisions.

The Court-Online solution comprises two components: Case management (CRM Dynamics) and Evidence Management (CaseLines). The Case management component allows for the initiation of cases, the exchange of pleadings, allocation of cases to Judges, electronically compiled court rolls and the production of court performance reports. Evidence Management (CaseLines) is an advanced cloud-based collaboration solution that offers digitalization of evidence in the court, which aims to seamlessly manage court evidence for optimised proceedings. It is important to note that the case management component had to be developed to suit the particular requirements of the Judiciary. CaseLines is an off-the-shelf product which did not require further development prior to its implementation.

Due to delays with the development of Casement component (CRM Dynamics) the Judiciary, supported by the OCJ, resolved to pilot the CaseLines component in the Gauteng Division of the High Court during the 2019/20 financial year.



In order to provide immediate support to Caselines, and in preparation for the implementation of Court Online, the OCJ procured laptops and desktops to ensure that current end user equipment in the Courts is compatible in terms of the required processing speed and the ability to connect to Wifi. Industrial scanners (high speed and high volume) were procured in order to assist litigants and the General office to allow for the scanning of summonses.

To distribute the high speed internet at the five courts, where WIFI was already installed, reliable datalines with high speed bandwidth and coverage for the Judges' chambers and Court rooms was improved.

JUDICIAL EDUCATION AND SUPPORT

SAJEI was established with the main aim of promoting the independence, impartiality, dignity, accessibility and effectiveness of the courts by providing judicial education for Judicial Officers. The institute therefore plays an important role in ensuring that the OCJ executes its mandate of supporting the Judiciary. During the period under review, SAJEI conducted one hundred and fifteen (115) judicial education courses for Judicial Officers.

The OCJ continued to provide administrative and technical support to the Judicial Accountability Committee (JAC) established by the Heads of Court, whose responsibilities include working on the modalities of judicial accountability such as the planning, monitoring and reporting on judicial performance information. In the 2019/20 financial year, the OCJ continued to support the Judiciary, through the JAC.



3 SERVICE DELIVERY IMPROVEMENT PLAN

The OCJ continued to implement the Service Delivery Improvement Plan (SDIP) for the 2018 – 2021 cycle. The SDIP was implemented and monitored at 16 Service Centres, while the standards that relate to activities performed by the national office, such as the Customer Service Improvement (CSI) monitoring, are based on all service centres in line with desired arrangements as captured in the approved SDIP. The tables below highlight the activities under the SDIP and achievements thereof for the 2019/20 financial year.

3.1 MAIN SERVICES AND STANDARDS

Main services	Beneficiaries	Current/Actual standard of service (2018/19)	Desired standard of service (2019/20)	Actual achievement (2019/20)	Deviation	Reason for deviation
Improve witness services at the Superior Courts (i.e. Payment of witness fees)	Witnesses (ordinary and experts)	97.3% (5950/6112) ordinary witnesses were paid on the same day they appeared in court.	100% ordinary witnesses paid on the same day they appear in court.	97.1% (5767/5939) ordinary witnesses were paid on the same day they appeared in court.	2.9% (172/5939)	Prosecutors/ Investigation Officers do not always complete the required form on the day witnesses appear in court. This usually happens when the witness has to appear in court for more than one day, then the documents are completed at the end of the week (i.e. on the last day the witness appears). Sometimes, due to unforeseen high volumes of witness fees required, the courts run out of petty cash and witnesses are paid at a later stage.
		70.5% (43/61) wages forfeited were paid within 14 days after the witness appeared in court.	100% of wages forfeited are paid within 14 days after the witness appears in court.	90.5% (19/21) of wages forfeited were paid within 14 days	9.5% (2/21)	The deviation is caused by claims from witnesses who make use of private cars. The claimed amounts are high and alternative payment arrangements have to be made such as making Electronic Funds Transfers (EFT), which sometime takes time. Delays in getting the supporting documents from witnesses.



3.2 BATHO PELE ARRANGEMENTS WITH BENEFICIARIES²

Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Consultation	Customer Service Improvement Tool rolled-out in 19 Superior Courts.	The Customer Service Improvement Tool rolled out in 21 Superior Courts.	The Customer Service Improvement Tool was rolled out at 21 Superior Courts.	N/A	N/A
	Customer service Improvement Tool monitored in 19 Superior Courts.	Customer Service Improvement Tool monitored in 20 Superior Courts.	Customer Service Improvement Tool monitored in 21 Superior Courts.	Exceeded by 1.	Monitoring was conducted at all courts where the Customer Service Improvement Tool was rolled out to ensure recommendations for improvement are implemented.
Access	16 Superior Courts have clear signage indicating the direction and area where the witness fees are accessed.	20 Superior Courts have clear signage indicating the direction and the area where the witness fees are accessed.	14 Superior Courts have clear signage indicating the direction and the area where the witness fees are accessed.	6 Superior Courts (of the targeted courts) did not have clear signage indicating the direction and the area where the witness fees are accessed.	Some courts were undergoing renovations during the financial year and this led to signage being temporarily removed.
Courtesy³	The standard procedure for payment of witness fees has not yet been developed and, as a result, is not available on display in any of the High Courts.	All Superior Courts will display standard procedures on what is required for witnesses to claim wages/ income forfeited.	88% (14/16) of Superior Courts have information displayed on the notice boards about how to claim for wages/ income forfeited.	12% (2/16)	The two courts that did not have the standard procedures on what is required for witnesses to claim wages/ income forfeited displayed (i.e. North West Division and Eastern Cape Local Division, Mthatha) were undergoing renovations, therefore signage was temporarily removed.
	Court officials in 11 Superior Courts capacitated on the implementation of Batho Pele principles.	Court officials in 12 Superior Courts capacitated on the implementation of Batho Pele principles.	Court officials in 14 Superior Courts were capacitated on the implementation of Batho Pele principles.	Exceeded by 2.	The target was overachieved due to increased demand for Batho Pele sessions by Superior Courts.

² The desired arrangements and actual achievements are cumulative in nature; hence they do not only include what was achieved in the 2018/19 financial year. This applies to all standards in this table with the exception of courtesy, time, cost and value for money.

³ The calculation of the standards in this principle are based on the 16 service centres where the SDIP was being monitored (i.e. the High Court). In addition, the reported number of Courts is based on the Courts where all officials wear name tags. The Courts where some officials wear name tags are not included in the number achieved.



Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Courtesy³	Officials in five (5) (35.7%) courts wear corporate name tags.	All (100%) staff in courts wear corporate name tags.	Only three (3) courts had a 100% of officials wearing corporate name tags.	Not all officials in the 13 courts wear corporate name tags.	Some officials have not yet been issued with name tags (i.e. new employees). Name tags are not issued for short-term contract employees. The poor quality of name tags leads to name tags being lost as the magnet becomes weak and ineffective on certain fabrics.
Openness and Transparency	Information relating to the payment of witness fees is on displayed in 11 Superior Courts.	Information relating to the payment for witness fees will be displayed at all Superior Courts (including document needed).	Information relating to the payment of witness fees is displayed at 63% (10/16) of Superior Courts.	37% (6/16) courts have not yet displayed information relating to the payment of witness fees.	Six (6) courts are in the process of procuring the information boards and some were undergoing renovations.
Time	97.3% (5 950/6112) ordinary witnesses were paid on the same day they appeared in court.	100% ordinary witnesses paid on the same day they appear in court.	97.1% (5767/5939) ordinary witnesses were paid on the same day they appeared in court.	2.9% (172/5939)	Prosecutor/Investigation Officers do not always complete the required form on the day the witness appears at court. This usually happens when the witness has to appear in court for more than one day, then the documents are completed at the end of the week (i.e. on the last day the witness appears). Sometimes, due to unforeseen high volumes of witness fees required, the courts run out of petty cash and witnesses are paid at a later stage.
	70.5% (43/61) wages forfeited were paid within 14 days after the witness appears in court.	100% of Wages forfeited are paid within 14 days after the witness appears in court.	90.5% (19/21) of wages forfeited were paid within 14 days.	9.52% (2/21)	The deviation is caused by claims from witnesses who make use of private cars. The claimed amounts are high and alternative payment arrangements have to be made, such as making Electronic Funds Transfers (EFT) which sometime takes time. Delays in getting supporting documents from witnesses contributes to a deviation from the set standard.
Value for money	No increase/improvement on the turnaround time for payment of wages forfeited.	10% rate of increase on the turnaround time for payment of wages forfeited.	20% rate of increase on the turnaround time for payment of wages forfeited.	Exceeded by 10%	Improved controls put in place to increase the payment of wages forfeited within prescribed timeframes.

³ The calculation of the standards in this principle are based on the 16 service centres where the SDIP was being monitored (i.e. the High Court). In addition, the reported number of Courts is based on the Courts where all officials wear name tags. The Courts where some officials wear name tags are not included in the number achieved.



3.2 BATHO PELE ARRANGEMENTS WITH BENEFICIARIES²

Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Cost	R2 489 010.60	The standard is dependent on the number of witnesses paid ⁴	R2,072,779.24	N/A	N/A
Human Resources	Two courts still required to put measures in place to ensure adequate support for their finance components (i.e. Eastern Cape Local Division of the High Court, Mthatha and the Northern Cape Division of the High Court).	Compliment the current finance component at the courts where there is a need.	Four (4) courts still need capacity in their finance sections so that the payment of witness fees can be fast tracked.	Four (4) courts have capacity gaps for the payment of witness fees.	Unfunded posts in the finance sections. Capacity not aligned to the workload.

3.3 SERVICE DELIVERY INFORMATION TOOL

Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Information	Service Delivery Charter inclusive of all service delivery standards is published on the intranet.	Service Delivery Charter inclusive of all service delivery standards is published on the intranet	Service Delivery Charter inclusive of all service delivery standards is published on the intranet.	N/A	N/A
	The OCJ Annual Report for 2017/18 reflecting, among others, the extent to which the department has complied with its service delivery standards and implemented its SDIP, which was published on the internet and intranet.	Publication of the department's Annual Report reflecting, among others the extent to which the department has complied with its service delivery standards and implemented its Service Delivery Improvement Plans.	The OCJ Annual Report for 2018/19 was published on the intranet and internet. The report reflected, among others, the extent to which the department has complied with its service delivery standards and implemented its SDIP.	N/A	N/A

² The desired arrangements and actual achievements are cumulative in nature; hence they do not only include what was achieved in the 2018/19 financial year. This applies to all standards in this table with the exception of courtesy, time, cost and value for money.

⁴ No estimated cost is included in the SDIP/ target since the number of witnesses is determined by other stakeholders.



Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Information	Abridged Service Delivery Charter displayed at 15 Superior Courts.	Abridged Service Delivery Charter displayed at 24 Superior Courts.	The Abridged Service Delivery Charter is displayed in 15 Superior Courts.	9	Service Delivery Charters for Specialised Courts were not finalised during the financial year as planned due to the fact that the consultation processes took longer than anticipated. The SDC has not yet been displayed at the Mpumalanga Division of the High Court, which was officially opened in 2019. The Charter will be displayed once the reviewed SDC is finalised.
	Eight Superior Courts have functioning helpdesks.	Capacitate the courts on helpdesks services through training.	Training provided to helpdesk services at three Superior Courts through the GLZ project on "Capacitating the OCJ".	N/A	N/A

3.4 COMPLAINTS MECHANISM

Batho Pele Principles	Current/Actual arrangements (2018/19)	Desired arrangements (2019/20)	Actual achievements (2019/20)	Deviation	Reason for deviation
Redress	Complaints management mechanism has been established but is not fully implemented.	Complaints and compliments management mechanism for the OCJ implemented and monitored.	Complaints management mechanism has been established but not fully implemented.	Complaints and compliments management mechanism for the OCJ not fully implemented.	The policy on complaints and compliments management policy was still being consulted with Departmental Bargaining Chamber during the period under review. This took longer than anticipated.
	The OCJ's compliments and complaints management policy has not yet been implemented and monitored.	OCJ compliments and complaints management policy implemented and monitored.	The OCJ's compliments and complaints management policy has not yet been implemented and monitored.	The policy has not yet been approved.	The policy on complaints and compliments management was still being consulted with the Departmental Bargaining Chamber during the period under review. This took longer than anticipated.
	The OCJ's compliments and complaints management SOP has been partially implemented and monitored.	OCJ compliments and complaints management SOP implemented and monitored.	OCJ Compliments and Complaints Management SOP partially implemented and monitored.	The SOP has not yet been fully implemented.	The SOP has not yet been fully implemented as the policy was still being consulted with the Departmental Bargaining Chamber during the period under review.
	No complaints were lodged relating to the payment of witness fees.	95% of complaints relating to the payment of witness fees will be acknowledged within five (5) working days and attended to within twenty-five (25) working days.	0% (0/0) complaints relating to the payment for witness fees were lodged and resolved immediately.	N/A No complaints were lodged relating to the payment of witness fees.	N/A



4 ORGANISATIONAL ENVIRONMENT

Effective and adequate human resource capacity is one of the important drivers in the execution of the mandate of the department. Since its establishment, the OCJ has operated without the strategic positions of deputy directors-general and this resulted in challenges in the effective functioning of the department. However, progress was made as the macro-organisational structure of the department was approved at the end of the 2018/19 financial year and subsequently some critical posts were filled during the reporting period.

4.1 ORGANISATIONAL CULTURE

The OCJ has also acknowledged that effective functioning of the organisation requires an established and institutionalised organisational culture. Having operated for the first five years as a stand-alone department, it was necessary for the OCJ to reflect on its successes, challenges and lessons learned. The lack of an institutionalised organisational culture was identified as one of the gaps and management took a decision to pursue a change management initiative with a focus on organisational values, performance culture, employee relationships and leadership empowerment.

The department also implemented its ethics initiatives to ensure that ethics are embraced across the department, with the main aim of ensuring that the OCJ is an ethical organisation. This included the training of fifty (50) officials on ethics. Provincial Heads, Court Managers and Chief Registrars from all Superior Courts were trained. Moreover, the organisation has taken steps to institutionalise the Batho Pele Principles in recognition that “Batho Pele” is the cornerstone of effective and efficient service delivery. To this end, Batho Pele Awareness Sessions were conducted at fourteen (14) Superior Courts during the reporting period, covering topics on organisational change, creating a positive organisational culture and upholding the organisational values, amongst others.

Through the GIZ’s support on the “Capacitating the OCJ” project, officials from the courts in which the project was implemented (i.e. the Western Cape Division of the High Court, Cape Town; the Gauteng Division of the High Court, Pretoria; the North West Division of the High Court, Mahikeng; and the Labour and Labour Appeals Court, Johannesburg) were trained on change management, which focused on ensuring that officials can become change agents in their work places. This training is crucial in ensuring that officials at the OCJ can embrace change, which has a positive effect on service excellence. This training came at the right time as the COVID-19 pandemic forced organisations to start operating in a manner that was never anticipated. The training ensured officials could adapt to the new ways of providing services after the President declared a National State of Disaster, followed by a national lockdown in March 2020.

4.2 BUSINESS CONTINUITY MANAGEMENT

One of the key requirements for a department that is customer-centric and focused on service delivery excellence, is to ensure that services can still be delivered regardless of circumstances. The OCJ recognises that Business Continuity Management (BCM), which is the capability of the organisation to continue delivering the services of the department at acceptable predefined levels following a disruptive incident, is not an option but a key requirement. As a result, the department commenced with putting in place measures to ensure that business continuity is institutionalised. The focus during the 2019/20 financial year was on ensuring that Management understood the concept, the need for BCM, and putting BCM structures in place to ensure that BCM is appreciated at all levels of the department which include, the executive level and operational levels. In addition, all BCM committee members were formally trained on the Business Continuity Implementers training during the period under review. The COVID-19 pandemic made it evident that any organisation must have BCM in place with its processes institutionalised at all levels of the organisation. The department will ensure that the BCM processes are operationalised during the 2020/21 financial year. This will include ensuring that the BCM framework is finalised, approved and implemented.

4.3 KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

There were no key policy or legislative changes during the reporting period.



5 STRATEGIC OUTCOME ORIENTED GOALS

The OCJ has three outcome-oriented goals in the 2015/16 to 2019/20 Strategic Plan as revised in the 2016/17 Annual Performance Plan. The progress made with the implementation of the strategic-oriented goals is discussed below as aligned with the department's contribution to the relevant NDP priorities and MTSF outcomes.

Outcome Oriented Goal 1	Efficient and effective administration of the OCJ
Goal Statement	Ensure an efficient and effective administration of the OCJ that provides optimal support to the Judiciary
NDP Priority	Chapter 13 of the NDP (building a capable State)
MTSF Outcome	Outcome 12 of the MTSF (an efficient, effective and development-oriented Public Service and an empowered, fair and inclusive citizenship)

During the period under review, the OCJ recorded the following progress and achievements with regards to the goal on "Efficient and effective administration of the OCJ", which is also linked to contributions to Chapter 13 of the NDP and Outcome 12 of the MTSF.

- In the effort to secure adequate human resources capacity for the OCJ to enable it to carry out its mandate effectively by attracting and recruiting competent personnel, the OCJ has kept the vacancy rate below the prescribed upper limit of 10%. The vacancy rate was 8.9% at the end of the year under review.
- In ensuring improved management practices, the department continued to conduct Management Performance Assessments through the Management Performance Assessment Tool that assesses the quality of management practices. The assessment was previously conducted by the Department of Planning, Monitoring and Evaluation (DPME) and in this financial year, the OCJ conducted the assessments in-house as DPME no longer conducts the assessments. The OCJ continuously strives to implement improvement plans when the need arises and improve the quality of management practices.
- In line with the Public Service Regulation, 2016, the OCJ reviewed and implemented the Ethics Management Strategy in 24 Superior Courts. The Ethics Management Strategy and the implementation plan sets out the broad approach that the department will take in improving the ethics culture. The OCJ further monitored the implementation of the Ethics Management Strategy to ensure the effectiveness thereof.

- In order to ensure efficient and effective administration, the OCJ provided opportunities for skills and competencies enhancement to employees through a skills development programme advocated by Human Resource Management and Development (HRM&D) Unit. During the year under review, five hundred and nine (509) officials were trained in line with the Workplace Skills Plan (WSP). The merit of upskilling employees potentially enhances optimal support to the Judiciary.

Outcome Oriented Goal 2	Improved administrative and technical support to the Judiciary
Goal Statement	Enable the Judiciary to deliver on its Constitutional mandate by providing administrative and technical support which includes judicial training, administrative and secretariat support to the Judicial Service Commission, administration of Judges' Registrable Interests and administration of Judges' Remuneration
NDP Priority	Chapter 14 of the NDP (promoting accountability and fighting corruption)
MTSF Outcome	Outcome 3 of the MTSF (All people in South Africa are and feel safe)

The OCJ provided effective administrative and technical support to the Judiciary, as well as contributed to Chapter 14 of the NDP and Outcome 3 of the MTSF through:

- Administering of Judges' disclosure of registrable interests in line with the Judicial Service Commission Act 9 of 1994;
- Providing administrative, technical and secretariat support to Judicial governance structures, among others, the JSC, SAJEI, National Efficiency Enhancement Committee (NEEC), Judicial Oversight Committee (JOC), JAC and the Judicial Case Flow Management Committee (JCFMC); and
- Conducting a total of one hundred and fifteen (115) judicial education training courses as provided for in the SAJEI Act, attended by two thousand four hundred and sixteen (2 416) delegates in the period under review. The training conducted included Criminal Court skills; Civil Court skills; Children's Court skills; Family Court skills; Equality Court skills; Economic, Socio and Cultural Rights; Judicial Management and Leadership; Stress Management. Training on judgment writing for members of the Companies Tribunal and Military Judges was also conducted. These training courses are crucial in that they contribute towards efficient and effective court administration.



Outcome Oriented Goal 3	Ensure administration support to the Superior Courts
Goal Statement	Provide administrative and technical support to ensure efficiency and effectiveness of the Superior Courts in the adjudication of cases
NDP Priority	Chapter 14 of the NDP (promoting accountability and fighting corruption)
MTSF Outcome	Outcome 3 of the MTSF (All people in South Africa are and feel safe)

The OCJ ensured administration support to the Superior Courts as well as contributing to Chapter 14 of the NDP and Outcome 3 of the MTSF through:

- The official opening of the Mpumalanga Division of the High Court during the 2019/20 financial year as part of Government's commitment to bringing justice closer to the people and broadening access to justice.
- Verification visits conducted in all Superior Courts in order to implement the 7 Point Plan on performance information which ensures the accuracy of performance information with the main aim of improving performance of pre-determined objectives continued in the year under review;
- Fifteen (15) CSI monitoring visits were conducted at Service Centres with the aim of improving the manner of interaction and relationship between the Service Centres personnel and the public.
- Fifteen (15) Batho Pele awareness sessions were conducted at the Service Centres, covering two hundred and eighty two (282) court officials during the financial year. The officials were capacitated on the implementation of the Batho Pele principles, which are linked to other organisational effectiveness areas such as organisational culture, ethical behaviour and change management.
- The implementation and monitoring of the SDIP and the Service Delivery Charter at 16 Service Centres.



6 PERFORMANCE INFORMATION BY PROGRAMME

PROGRAMME 1: ADMINISTRATION

PURPOSE

Provide strategic leadership, management and support services to the department.

DESCRIPTION

The programme consists of five (5) sub-programmes which are in line with the OCJ revised budget programme structure.

The sub-programmes are:

- Management;
- Corporate Services;
- Financial Administration;
- Internal Audit; and
- Office Accommodation.

The strategic objectives for programme 1 are:

- Capacitate the Office of the Chief Justice; and
- Ensure good governance in the administration of the department.



Strategic Objectives and Annual Performance for 2019/20

Strategic Objective	Objective indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
1.1	Capacitate the OCJ. Percentage of funded vacant posts on PERSAL per year.	7.2% (152 of 2 099)	10%	8.9% (183 of 2 049)	Exceeded by 1.1%	Effective recruitment plans and controls were put in place to expedite the filling of funded vacant posts.
1.2	Ensure good governance in the administration of the department.	Unqualified audit outcome with no material misstatements (clean audit).	Clean audit outcome for the 2018/19 financial year.	Clean audit outcome for the 2018/19 financial year.	None	N/A

Programme Performance Indicators and Annual Performance for 2019/20

Performance indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
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SUB-PROGRAMME: MANAGEMENT

1.3	Annual Performance Plan compliant with the national pre-scripts and tabled within prescribed timelines.	OCJ Annual Performance Plan (2019/20) compliant with the national pre-scripts was not tabled in Parliament within timelines.	OCJ Annual Performance Plan (2020/21) compliant with the national pre-scripts tabled in Parliament as per National Treasury timelines.	OCJ Annual Performance Plan (2020/21) compliant with the national pre-scripts not tabled in Parliament as per National Treasury timelines.	The OCJ Annual Performance Plan (2020/21) was not tabled in Parliament as per National Treasury timelines.	The tabling of the APP was not done before the end of March 2020 due to competing priorities relating to the COVID-19 pandemic.
1.4	Combined Assurance Plan implemented.	Combined Assurance Plan implemented in all 23 Superior Courts	Combined Assurance Plan implemented in 24 Superior Courts.	Combined Assurance Plan implemented in 24 Superior Courts.	None	N/A
1.5	Number of strategic and operational risk registers reviewed/updated.	8	8	8	0	N/A
1.6	OCJ Fraud Prevention Strategy implemented.	Fraud Prevention Strategy implemented.	Fraud Prevention Strategy implemented in 24 Superior Courts.	Fraud Prevention Strategy implemented in 24 Superior Courts.	None	N/A



Programme Performance Indicators and Annual Performance for 2019/20

Performance indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
SUB-PROGRAMME: CORPORATE SERVICES					
1.7 ICT Master Systems Plan implemented over the MTEF.	Prioritised projects (e-Filing project) of the ICT Master Systems Plan not piloted in two (2) High Courts.	Prioritised projects (e-Filing project) of the ICT Master Systems Plan rolled-out in five (5) Superior Courts.	Prioritised projects (e-Filing project) of the ICT Master Systems Plan was not rolled-out in five (5) Superior Courts.	E-Filing project not rolled out in five (5) Superior Courts as planned.	The project was put on hold for a long time due to the challenges experienced by SITA in deploying resources. However, a component of the e-Filing project (CaseLines) was piloted in the Gauteng Division.
SUB-PROGRAMME: INTERNAL AUDIT					
1.8 Percentage of internal audit projects completed in line with the approved Annual Audit Plan.	100% (23 of 23)	100%	97% (30 of 31)	3% (1 of 31)	Compliance audit project was not completed due to COVID-19 lockdown restrictions.
SUB-PROGRAMME: FINANCIAL ADMINISTRATION					
1.9 Number of compliant financial performance reports submitted within the prescribed timelines.	12	12	12	0	N/A
1.10 Number of asset registers produced in line with the prescripts.	2	2	2	0	N/A



STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

The following deliverables in Programme 1 (Administration) were identified as areas of underperformance:

- Annual Performance Plan compliant with the national prescripts and tabled within prescribed timelines;
- ICT Master Systems Plan implemented over the MTEF; and
- Percentage of internal audit projects completed in line with the approved Annual Audit Plan.

The underperformance for the aforementioned deliverables will be addressed as follows:

- Both the SP and APP were scheduled to be tabled in Parliament in April 2020;
- SITA has provided resources to revive the e-filing project; and
- The Compliance Audit project to be rolled over and completed in the 2020/21 financial year.

CHANGES TO PLANNED ANNUAL TARGETS

There were no changes made to the annual targets during the year under review.

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2019/20			2018/19		
	Final appropriation	Actual expenditure	(Over)/ Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Management	36 725	34 900	1 825	31 180	31 162	18
Corporate Services	118 379	114 182	4 197	136 025	134 322	1 703
Financial Administration	30 785	30 471	314	29 260	29 260	–
Internal Audit	18 998	18 979	19	16 833	16 808	25
Office Accommodation	12 545	12 545	–	10 507	10 507	–
Total	217 432	211 077	6 355	223 805	222 059	1 746

The underspending on compensation of employees relates to the higher than normal turnover rate due to natural attrition in salary levels 1 to 12. The underspending on payments for capital assets was because of computer equipment not delivered on time as a result of international manufacturing plants closing down due to COVID-19 pandemic.



PROGRAMME 2: SUPERIOR COURT SERVICES

PURPOSE

Provide court administration services to the Superior Courts.

DESCRIPTION

The programme consists of five (5) sub-programmes which are in line with the OCJ revised budget programme structure.

The sub-programmes are:

- Administration of Superior Courts;
- Constitutional Court;
- Supreme Court of Appeal;
- High Courts; and
- Specialised Courts.

The strategic objective for Programme 2 is:

- Ensure the effective and efficient administration of the Superior Courts.



STRATEGIC OBJECTIVES AND ANNUAL PERFORMANCE FOR 2019/20

Strategic Objective	Objective indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
2.1 Ensure the effective and efficient administration of the Superior Courts.	Percentage achievement of quasijudicial targets.	97% (98 122 of 101 342)	100%	98% (94 323 of 96 018)	2%	Number of applications referred back to litigants due to non-compliance with rules.

PROGRAMME PERFORMANCE INDICATORS AND ANNUAL PERFORMANCE FOR 2019/20

Performance indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
SUB-PROGRAMME: ADMINISTRATION OF SUPERIOR COURTS					
2.2 Number of monitoring reports on Court Order Integrity Project produced.	4	4	4	0	N/A
2.3 Percentage of default judgments finalised by Registrars per year.	96% (52 508 of 54 872)	100%	98% (47 910 of 49 070)	2%	Number of applications referred back to litigants due to non-compliance with rules.
2.4 Percentage of taxations of legal costs finalised per year.	98% (45 535 of 46 389)	100%	99% (46 315 of 46 850)	1%	Number of applications referred back to litigants due to non-compliance with rules.
2.5 Percentage of warrants of release (J1) delivered within one day of the release issued.	98% (79 of 81)	98%	100% (98 of 98)	Exceeded by 2%	Improved training and monitoring measures implemented to sustain achievements of targets.
2.6 Number of case management workshops conducted for court officials per year.	2	2	2	0	N/A



STRATEGY TO OVERCOME AREAS OF UNDER-PERFORMANCE

The following deliverables in Programme 2 (Superior Court Services) were identified as areas of underperformance:

- Percentage achievement of quasijudicial targets;
- Percentage of default judgments finalised by Registrars per year; and
- Percentage of taxations of legal costs finalised per year.

The underperformance for the aforementioned deliverables will be addressed as follows:

- Chief Registrars to continuously engage the litigants.

CHANGES TO PLANNED ANNUAL TARGETS

There were no changes made to the annual targets during the year under review.

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2019/20			2018/19		
	Final appropriation	Actual expenditure	(Over)/ Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Administration of Superior Courts	13 857	10 843	3 014	11 960	11 150	810
Constitutional Court	60 262	55 828	4 434	57 136	55 780	1 356
Supreme Court of Appeal	44 695	42 756	1 939	34 453	34 191	262
High Courts	711 239	684 641	26 598	664 030	643 250	20 780
Specialised Courts	68 774	63 623	5 151	57 176	57 176	–
Total	898 827	857 691	41 136	824 755	801 547	23 208

The underspending was due to a higher than normal rate of natural attrition, savings from the implementation of the unified telecommunication systems and the delayed delivery of ICT hardware due to the closing of international manufacturing plants as a result of the COVID-19 pandemic.



PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

PURPOSE

Provide education programmes to Judicial Officers, support services to the Judicial Service Commission (JSC) and policy development and research services to the Judiciary and the Department, for the optimal administration of justice.

DESCRIPTION

The Programme consists of three (3) sub-programmes, which are in line with the OCJ revised budget programme structure.

The sub-programmes are:

- South African Judicial Education Institute;
- Judicial Policy, Research and Support; and
- Judicial Service Commission.

The strategic objective for programme 3 is:

- Enhance judicial skills of serving and aspiring judicial officers to perform optimally.



STRATEGIC OBJECTIVES AND ANNUAL PERFORMANCE FOR 2019/20

Strategic Objective	Objective indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
3.1 Enhance judicial skills of serving and aspiring Judicial Officers to perform optimally.	Number of judicial education courses conducted per year.	142	80	115	Exceeded by 35	Request from stakeholders for additional training.

PROGRAMME PERFORMANCE INDICATORS AND ANNUAL PERFORMANCE FOR 2019/20

Performance indicators	Baseline 2018/19	Planned annual target 2019/20	Actual achievement 2019/20	Deviation from planned target to actual achievement for 2019/20	Comments on deviations
SUB-PROGRAMME: SOUTH AFRICAN JUDICIAL EDUCATION INSTITUTE					
3.2 Number of research monographs on judicial education produced per year.	2	2	2	0	N/A
SUB-PROGRAMME: JUDICIAL POLICY, RESEARCH AND SUPPORT					
3.3 Percentage of legal advisory opinions on policy development and research services provided within 15 working days of receipt.	100% (7 of 7)	100%	100% (4 of 4)	0	N/A
SUB-PROGRAMME: JUDICIAL SERVICE COMMISSION					
3.4 Number of reports on judicial appointments and judicial complaints produced.	3	3	3	0	N/A

STRATEGY TO OVERCOME AREAS OF UNDERPERFORMANCE

There were no areas of underperformance.

CHANGES TO PLANNED ANNUAL TARGETS

There were no changes made to the annual targets during the year under review.

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2019/20			2018/19		
	Final appropriation	Actual expenditure	(Over)/ Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
South African Judicial Education Institute	49 210	46 989	2 221	40 499	37 725	2 774
Judicial Policy, Research and Support	24 299	11 454	12 845	23 488	23 488	–
Judicial Service Commission	7 924	6 676	1 248	7 200	7 200	–
Total	81 433	65 119	16 314	71 187	68 413	2 774

The underspending relates to natural attrition and delays in filling of funded vacancies, savings realised on travel and substance as a result of the cancellation of the JSC sitting due to the COVID-19 pandemic, non-payment of legal costs due to pending court dates and the inability to upgrade the telecommunication equipment in the SAJEI Boardroom.



7 TRANSFER PAYMENTS

The OCJ did not have any transfer payments during the period under review.

8 CONDITIONAL GRANTS

The OCJ did not receive any conditional grants during the period under review.

9 DONOR FUNDS

The OCJ received an expert study fund amounting to R4.1 million from the GIZ in order to develop its administrative capacity. The funds were used in a period of two financial years (i.e. 2018/19 and 2019/20 financial years). No funds were transferred to the OCJ as the project was managed and paid for by the GIZ. The table below provides information on the expert study support provided by the GIZ.

Name of donor	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
Full amount of the funding	R4 191 360 through technical assistance/expert studies
Period of the commitment	2018/19 to 2019/20
Purpose of the funding	Developing the administrative capacity of the OCJ to support the South African Judiciary
Expected outputs	<ul style="list-style-type: none"> • As is business processes assessed • New business model developed, and selected improvements piloted • Budgeting tool developed and piloted • Change management initiative implemented
Actual outputs achieved	<ul style="list-style-type: none"> • As is business processes assessed • New business model developed, and selected improvements piloted • Budgeting tool developed and validated • Change management initiative implemented
Amount received in the current period	R2 347 498 was spent during the 2019/20 financial year. No funds were transferred to the OCJ as the GIZ paid the service providers who provided the technical assistance and expert studies directly.
Amount spent by the department	R0 (No funds were transferred to the OCJ)
Reasons for the funds unspent	N/A. All the project funds were spent by the end of the 2019/20 financial year.
Monitoring mechanism by the donor	GIZ was part of the project steering committee which monitors the project implementation and milestones.

10 CAPITAL INVESTMENT

The OCJ did not receive any capital investments during the period under review.



PART C: GOVERNANCE



1 INTRODUCTION

The 2019/20 financial year marked the end of the five (5) year term of the 2015/16 – 2019/20 of the MTSF strategic planning cycle. The OCJ continued to be prudent with State resources whilst also ensuring their effective, efficient and economic deployment under the highest standards of corporate governance. The Executive Management ensured that an ethical culture that promotes OCJ's values pervades in all the organisation's strategic and operational activities.

The various management committees that are in place as well as the invaluable guidance of oversight bodies has assisted the Accounting Officer to ensure that the OCJ operates within governance processes, risk management and internal controls for the efficient utilisation of State resources.

2 RISK MANAGEMENT

The department subscribes to the Public Sector Risk Management Framework and has an approved Risk Management Policy, Strategy and Plan to give effect to the implementation of risk management throughout the organisation.

The quarterly risk management progress mitigation reports were presented to an independent ARC for monitoring and to advise Management on the adequacy and effectiveness of the systems of risk management within the OCJ.

The OCJ conducts strategic and operational risk assessments annually to determine the effectiveness of its risk management strategy as well as identify new and emerging risks that could hinder the achievement of strategic objectives. Appropriate risk mitigation measures were implemented throughout the year to manage and mitigate risks within tolerable and acceptable levels.

The continued integration of risk management processes in the strategy setting and operational planning enabled the OCJ to institutionalise risk management as well as align the Key Responsibility Areas (KRAs) to the respective business units' strategic objectives. The regular updating of the risk registers and identification of emerging risks with mitigation plans has contributed to the achievement of the OCJ strategic objectives.

Progress in addressing the key risks faced by the OCJ is summarised in Table 1 below:

Table 1

No	Strategic Objective	Risk Description	Progress on implementation of risk mitigation measures
1	Strategic Objective 1: Capacitate the OCJ	Inability to fully capacitate the OCJ.	<ul style="list-style-type: none"> The prioritisation of posts done, and critical posts were filled based on the available funds. Request was made to National Treasury to decrease goods and services budget and increase the compensation of employees' budget for the Mpumalanga High Court. The request was granted and the compensation of employees' budget was increased by R7 million.
2	Strategic Objective 2: Ensure good governance in the administration of the department	Possible exposure to Fraud and Corruption.	<ul style="list-style-type: none"> Fraud prevention and anti-corruption strategy was implemented in all the Superior Courts. In addition, fraud awareness sessions were conducted in all Superior Courts during the 2019/20 financial year. Court Order Integrity Committee (COIC) resolutions were implemented to strengthen controls relating to court order integrity, namely: <ol style="list-style-type: none"> Specially designed stamps with improved security features were procured for utilisation by Registrars on court orders; and Access to stamps and allocation thereof was restricted.



No	Strategic Objective	Risk Description	Progress on implementation of risk mitigation measures
	Strategic Objective 2: Ensure good governance in the administration of the department	Possible exposure to Fraud and Corruption.	<ul style="list-style-type: none"> • Management continuously implemented internal controls i.e. delegations of authority and segregation of duties. • Detection, investigations and consequence management undertaken in all reported fraud and corruption incidents.
		Lack of control over security and facilities	<ul style="list-style-type: none"> • Requests to devolve functions allocating more control of security and facilities functions to the OCJ have been made to the DoJ&CD and further discussions on the matter will take place in the 2020/21 financial year. • Funding for the day-to-day maintenance of Service Centers was secured from DoJ&CD for the 2020 MTEF years.
		Inadequate governance (inadequate oversight by governance structures over internal control systems) mechanisms to achieve objectives.	<ul style="list-style-type: none"> • Continuous monitoring on the implementation of internal control processes and procedures. • Compliance framework including identification of key compliance legislation developed; • Compliance risk assessment commenced; and • Internal Management Committees i.e. Audit Facilitation Committee (AFC), Finance Committee (FinCom), Compliance Committee etc. in place and functional ARC.
3	Strategic objective 3: Ensure the efficient and effective administration of the Superior Courts	Lack of and or inadequate Information Technology system to support the effective operations of the Superior Courts, resulting in poor service delivery.	<ul style="list-style-type: none"> • Additional funding was sourced from the Integrated Justice System (IJS) and utilised to procure CaseLines system which provides for electronic presentation of evidence at Gauteng Division of the High Court. • High Court system was migrated from the DoJ&CD to OCJ domain. • The Director: ICT Operations was appointed.
		Inadequate quasijudicial services rendered	<ul style="list-style-type: none"> • Filling of quasijudicial related posts was prioritised. A new Chief Registrar post was created and filled in the Eastern Cape Local Division of the High Court, Mthatha as well as two Registrar posts at the Mpumalanga Division of the High Court. • The training for the newly appointed Registrars was conducted by Justice College. The Chief Registrars in the respective Divisions also conducted the Uniform Rules of Court training for the Registrar



3 FRAUD AND CORRUPTION

As part of its commitment to managing fraud and corruption risks, the OCJ continued to implement and maintain the Fraud Prevention and Anti-Corruption Policy, Strategy and Plan, which are reviewed on an annual basis. In line with the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) and the OCJ Risk Management Framework, a four dimensional strategy to prevent, detect, investigate and resolve fraud incidents, was implemented.

3.1 FRAUD PREVENTION

In the reporting period, the OCJ adopted ethics and integrity management as well as awareness programmes as its primary fraud deterrence strategy. Under the auspices of the Ethics Committee the following ethics and integrity initiatives were implemented:

- i. Awareness sessions focusing on:
 - Fraud prevention and anti-corruption
 - Whistleblowing
 - Code of ethical and professional conduct
 - Conflicts of interest
 - Gifts, donations and sponsorships
 - Financial disclosures
 - Remunerative work outside the public service
 - Security vetting and screening
- ii. Issuing of circulars and articles on integrity and ethics management
- iii. Strengthening of mechanisms to report unethical behaviour as well as incidents of fraud and corruption
- iv. Commemorating International Anti-Corruption day
- v. Court order integrity mechanisms.

3.2 FRAUD DETECTION

In relation to fraud detection, the OCJ implemented a whistleblowing policy that outlines fraud reporting procedures in detail, creating a mechanism for reporting anonymously within the Department and through the National Anti-Corruption Hotline. The Department also continued with the implementation of the complaint's mechanism. A complaints register was maintained to track and follow up for the prompt dispositions of the reported fraud allegations either to provide service delivery feedback to the complainant, referral for further investigation by the Forensic Auditors and/or the instituting of disciplinary action against the implicated OCJ official(s). Other incidents identified as red flags by the Auditor-General South Africa (AGSA) and Internal Auditors during their regularity audits were also investigated.

3.3 FRAUD INVESTIGATION

All the reported incidents of alleged fraud and corruption were investigated, and consequence management instituted where required. During 2019/20, thirty four (34) fraud and corruption cases were reported and twenty nine (29) were finalised. Of the finalised cases, twenty three (23) were completed within the prescribed timeframe as per the applicable policy and six (6) were not. Five (5) outstanding cases were still under investigation.

3.3.1 FRAUD RESOLUTION

Fraud resolution through consequence management and monitoring process is the final step in combating and fighting the prevalence of fraud and corruption in the OCJ. In the period under review, the Forensic Audit Unit finalised six (6) cases of fraud and corruption with the recommendation for departmental loss recovery and the institution of disciplinary processes. A further seventeen (17) cases were referred to the South African Police Service (SAPS) for further investigation. Monthly and quarterly reports were submitted to the Accounting Officer, ARC and Public Service Commission (PSC) to enable them to conduct their oversight role.



4 MINIMISING CONFLICTS OF INTEREST

The department implemented National Treasury Regulations 16A8, 2005, which provides operating guidelines on how to manage conflicts of interest and ensure accurate declarations are made by all supply chain management (SCM) practitioners as well as by other role players involved in procurement processes.

All SCM practitioners disclosed their business interests as at 31 July 2019 and signed the Code of Conduct in accordance with the National Treasury Practice Note 4, section 2 of 2003 and 7 section 16A8.4 of 2009/10. Bid Committee members disclosed their business interests and signed the Code of Conduct in accordance with the National Treasury Practice Note 4 section 6 of 2003 and 7 section 3.3 of 2009/10.

Financial disclosures within the department continued to be managed in accordance with the Public Service Regulations, 2016 (PSR). All senior management service members complied with the submission of their financial disclosures by 30 April 2019. All other designated categories of employees also complied with the submission of their financial disclosures within the prescribed timelines of 30 June 2019 and 31 July 2019 respectively.

5 CODE OF CONDUCT

The OCJ continued to implement the Code of Ethical and Professional Conduct in line with the PSR. The HRM&D Unit conducted awareness workshops at various Superior Courts on the Code of Ethical and Professional Conduct. The Code of Ethical and Professional Conduct is accessible to all the employees through the intranet. Any breaches of the code of conduct were dealt with in terms of the guidelines on labour relations and disciplinary procedures. The reported cases were investigated, and a register of misconduct was maintained to track the resolution of the cases and were reported to the Executive Management and ARC for their monitoring and oversight role.

In the 2019/20 financial year, two hundred and sixty three (263) OCJ employees attended the Compulsory Induction

Programme (CIP). The CIP offers a full module on Code of Ethics and Professional Conduct. All newly appointed employees were provided with a copy of the Code of Ethics and Professional Conduct. Employees' compliance with the Code of Ethics and Professional Conduct is mandatory as it forms part of their conditions of employment with the OCJ. Therefore, all line managers were required to monitor compliance and take appropriate action in the event of non-compliance. Progressive corrective disciplinary action was taken against nine (9) non-serious disciplinary misdemeanours as well as two (2) formal disciplinary enquiries which resulted in two (2) dismissals. Furthermore, additional training on integrity and ethics was conducted for fifty (50) managers by the Ethics Institute.

6 HEALTH, SAFETY AND ENVIRONMENTAL ISSUES

The Occupational Health, Safety and Environment (OHS&E) remains a shared service with the DoJ&CD in the year under review. In order to improve the provision of services and ensure compliance with the OHS&E requirements, the revised terms of reference on the service level agreement entered into between the OCJ and DoJ&CD were proposed for adoption

by the Joint Technical Task Team. Being more than just a compliance exercise, OHS&E issues are pertinent to the health and wellbeing of the employees to identify workplace hazards and conduct risk assessments in order to prevent and contain work related injuries and spread of diseases.



Nature and description of the OHS&E challenges	Impact on the OCJ operations/ services delivery	Measures put in place to address challenges
Inadequate resources and internal capacity to guide and coordinate the OHS&E programmes within OCJ.	<ul style="list-style-type: none"> OHS&E programmes not implemented at the service centers as per the prescripts. Day-to-day operations are interrupted impacting service delivery, health and safety. 	<ul style="list-style-type: none"> The department is putting measures in place to adequately capacitate the OHS&E Unit wherein the post of the OHS&E Administrator was filled on 01 October 2019. Health and Safety monthly workplace audit conducted at all service centers in line with the OHS&E national checklist through one hundred and eighty three (183) OHS&E officials. The Facilities Unit initiated a health and safety audit at all OCJ premises to evaluate the compliance levels of the infrastructure to health and safety standards. Infrastructure non-compliance related to health and safety was reported to the Department of Public Works and Infrastructure (DPWI) and included in repair and maintenance projects during the reporting period.

7 PORTFOLIO COMMITTEES

The Portfolio Committee on Justice and Correctional Services has an oversight responsibility over the performance of the OCJ. The department remains grateful to the Committee for the continuous support, valuable advice and recommendations received. The following engagements were held with the Committee during the 2019/20 financial year:

Date	Committee	Responsible department	Item for discussion	Leader of the delegation
05 July 2019	Portfolio Committee on Justice and Correctional Services	OCJ	2019/20 Annual Performance Plan	Secretary General: OCJ
11 September 2019	Portfolio Committee on Justice and Correctional Services	OCJ	2019/20 Quarter 1 Performance Report	Secretary General: OCJ
10 October 2019	Portfolio Committee on Justice and Correctional Services	OCJ	2018/19 Annual Report	Secretary General: OCJ

Matters raised by the Portfolio Committee	How the department addressed these matters
<p>Having noted that the Judiciary decided to delink judicial functions from the OCJ accountability documents, how will the Portfolio Committee, on behalf of the public, assess performance of the courts in relation to the functions of the Judiciary?</p> <p>The Committee also indicated that a meeting with the Chief Justice and Heads of Court will be requested through the office of the Speaker of the National Assembly where issues of mutual interest will be discussed.</p>	<p>This matter relates to judicial functions and resides in the ambit of the Judiciary. The OCJ only provides administrative support to the Judiciary. A judicial accountability session is convened annually where the Judiciary accounts publicly by presenting an Annual Report on court performance. Relevant stakeholders, including members of the Portfolio Committee, are invited to the event.</p> <p>It is anticipated that the meeting will be convened in the first quarter of the 2020/21 financial year.</p>



Matters raised by the Portfolio Committee	How the department addressed these matters
<p>The Committee raised concern regarding the discontinued provision of tools of trade, such as law reports and library books to Judicial Officers, which may result in the Judicial Officers being unable to perform their judicial functions effectively and efficiently.</p>	<p>Law reports were available online, however, the print subscriptions were affected. The contract for law reports and loose-leaf updates is managed by the DoJ&CD. Upon the cessation of the contract, the DoJ&CD entered into a month-to-month contract until the bid process for a new three-year contract was concluded. The provision of outstanding law reports and loose-leaf updates will form part of the new contract.</p>
<p>The Minister of Public Works and Infrastructure indicated that courts were a disgrace and called for inputs on the state of the courts and challenges experienced.</p> <p>The Committee underscored that the majority of court infrastructure was dilapidated and requested to be provided with a progress report on the matter.</p>	<p>An overall presentation of the state of court facilities and infrastructure was presented by Chief Justice. The Minister of Public Works and Infrastructure noted the concerns raised by the Chief Justice and undertook to support the OCJ with a budget to assist with urgent repairs to court facilities and infrastructure. The Minister further committed to personally attend the National Efficiency Enhancement Committee chaired by the Chief Justice; and senior officials from the DPWI were instructed to attend the Provincial Efficiency Enhancement Committees chaired by Judges President to ensure that court infrastructure issues are dealt with.</p>
<p>It was highlighted that in most instances the ICT system at the High Courts was off-line, and that the system needed to be fixed urgently as the consequences are dire on the delivery of justice.</p>	<p>Most ICT systems in the courts were legacy systems that had outlived their lifespans. Loading new software on old infrastructure would cause serious downtime emanating from incompatibilities. Once the requisite infrastructure is in place, software refresh will be undertaken in the subsequent years.</p>
<p>The department was requested to report on the R114 million allegedly spent on travelling expenses in one financial year.</p>	<p>This is the department's operating expenditure comprising of the total budget for travelling, accommodation and rentals of vehicles, relating to the following:</p> <ul style="list-style-type: none"> • rendering of circuit courts; • all Judges' travel; • JSC Commissioners when there are JSC sittings; • the training for Judges and Magistrates across the country; • SAJEI Council members' travelling expenses; • traveling cost of witnesses; and • traveling costs incurred by administrative support staff.
<p>The Committee commented that the over achievement of training targets was not extraordinary as it could be perceived that there was under-planning in order to over-achieve, and this would also have a consequence on the budget.</p>	<p>The targets are planned in line with the training calendar and the capacity of SAJEI to deliver the training. Provision is also made for training of newly appointed Judicial Officers.</p> <p>Additionally, in supporting the administration of justice, when there are changes in existing statutes, introduction of new legislation and when there are new case laws, training must be conducted to capacitate Judicial Officers to adjudicate over matters in terms of the latest legislative developments.</p>

8 SCOPA RESOLUTIONS

There were no resolutions taken by the Standing Committee on Public Accounts (SCOPA) regarding the department during the period under review.



9 PRIOR MODIFICATIONS TO AUDIT REPORTS

There were no prior modifications to the audit reports.

10 INTERNAL CONTROL

There is no dedicated Internal Control Unit in the department. In the absence of such a unit, managers are delegated the responsibility to develop and review existing policies and standard operating procedures as well as implementing and monitoring controls in their areas of accountability.

In pursuance of a clean audit outcome, the OCJ AFC continued with its role of coordinating, consolidating and monitoring of the management action plans to address the AGSA and internal audit findings. The Finance Unit maintains the Unauthorised, Irregular, Fruitless and Wasteful (UIFW) register,

deviation registers as well as the monthly 30 days' payment analysis report. Any cases of UIFW expenditure, deviations and payments over 30 days, are investigated to determine the root causes and to implement corrective measures to deter recurrence. Monthly and quarterly reports were submitted to the Accounting Officer for monitoring and to the ARC for oversight. Furthermore, the Internal Audit Unit provided assurance to Management on the adequacy and effectiveness of internal controls by conducting risk-based audits in line with their 2019/20 Internal Audit Annual Operational Plan.

11 INTERNAL AUDIT AND AUDIT COMMITTEE

11.1 INTERNAL AUDIT

The Internal Audit Activity (IAA) provides Management with independent, objective assurance and advisory services designed to add value and to continuously improve the operations of the OCJ. Applying the risk-based audit approach, the IAA conducted audit reviews in accordance with an approved Internal Audit Charter and Audit Methodology. Internal audit activities are guided by a fully functional ARC which operates in terms of an approved ARC Charter as prescribed by the National Treasury.

The Internal Audit Unit completed thirty (30) of the thirty-one (31) audit projects identified in the annual audit operational plan. These included follow-up audits aimed at monitoring the implementation of corrective actions by Management to address the audit findings by the Auditor-General South Africa (AGSA) and Internal Audit. Due to the national lockdown, one (1) audit project could not be completed and has since been rolled over for completion in the 2020/2021 financial year.

When conducting the audits, the IAA evaluated the adequacy and effectiveness of controls in responding to risks within the OCJ's governance, operations, and information systems regarding the:

- i. Achievement of the OCJ's strategic objectives;
- ii. Reliability and integrity of financial and operational information;

- iii. Effectiveness and efficiency of operations and programmes;
- iv. Safeguarding of assets; and
- v. Compliance with the laws, regulations, policies, procedures and contracts.

In order to improve the proficiency of the internal audit staff, continuous professional development training was provided under the auspices of the Institute of Internal Auditors (IIA) of South Africa.

11.2 AUDIT AND RISK COMMITTEE

The ARC continued to provide oversight on the system of governance, risk management and internal control within the OCJ. The main role of the ARC is to guide and advise the Accounting Officer and the department in maintaining effective, efficient and transparent systems of financial management, risk management, governance, and internal controls.

The ARC comprises of five (5) independent members who are sufficiently qualified and experienced to fulfil their oversight role. The ARC meets at least four times per year as per the approved Charter.



The table below discloses relevant information on the ARC members.

Table 2:

Name and Designation	Profession/Qualifications	Internal or External	If internal position held in OCJ	Date appointment	End of term	Ordinary meetings attended	Special meetings attended
Adv William Huma (ARC Chairperson)	B. Proc, LLB, LLM, Postgraduate Diploma in Corp. Gov., member IoDSA	External	N/A	01 May 2017	30 Apr 2020	3	5
Dr Charles Motau (ARC Member)	Doctorate Computer Science, MIT, MBL, BCom, HDip Computer Auditing, member of IRMSA, associate member of the BCI	External	N/A	01 May 2017	30 Apr 2020	3	5
Ms Mariaan Roos (ARC Member)	CA (SA), BCom, BCom Honours, HDip: Company law, Masters in Auditing, member – SAICA	External	N/A	01 May 2017	30 Apr 2020	2	4
Mr Tshepo Mofokeng (ARC Member)	B Com Acc, B Acc, CIA, CRMA, CA (SA), member – SAICA IIASA, IoDSA	External	N/A	01 May 2017	30 Apr 2020	4	4
Ms Zanele Nkosi (ARC Member)	CA (SA), B Com Acc, BCom Honours, CTA, member – SAICA, IoDSA	External	N/A	01 Dec 2018	30 Nov 2021	4	5



12 AUDIT AND RISK COMMITTEE REPORT

We are pleased to present our report for the financial year ended 31 March 2020:

12.1 COMMITTEE RESPONSIBILITY

The ARC reports that it has complied with its responsibility arising from Section 38(a) (ii) of the Public Finance Management Act, 1999, (PFMA) and National Treasury Regulation 3.1. The Committee also reports that it has appropriate terms of reference as its ARC Charter, which is reviewed annually, has regulated its affairs in compliance with this Charter and has discharged all its responsibilities as contained therein.

12.2 THE EFFECTIVENESS OF INTERNAL CONTROL

The systems of internal control are designed to provide cost effective assurance in achieving the organisational objectives through ensuring that assets are safeguarded, operations are effective and efficient, financial and performance information is reliable and there is compliance with the laws and regulations.

The ARC provided oversight on the operations and business activities within the OCJ through the quarterly reporting processes by Management as well as the internal audit reviews as prioritised in the approved risk-based Annual Audit Operational Plan. The systems of internal control within the OCJ were not entirely effective for the year under review more especially in the ICT and HRM&D environment. The ARC is of the opinion that if the internal controls are to become more effective, the findings of the AGSA and internal audit should be addressed timely.

12.3 INTERNAL AUDIT

The ARC is satisfied with the activities of the internal audit function including its annual work programme, coordination with the external auditors and the reports of significant investigations and follow-up on management corrective action plans. From the various reports submitted by the OCJ's internal auditors, there are indications that the systems of internal control were adequate in most areas. However, there is still room for improvement in areas where control deficiencies and deviations from prescripts and policies were highlighted.

Matters of concern to the ARC are a number of increased findings which are more than the previous year and specifically the following:

- i. Inadequacies in ICT governance, security and user access management as well as ICT operational inefficiencies.
- ii. Instances of inaccurate recording of assets in the Asset Register and untimely disposal of assets.
- iii. Lack of automated systems to improve the accuracy and completeness of the reported performance information, leave administration and compliance with 30 days' payments.

Regarding the above issues, the Committee has, however, noted the corrective measures instituted by the Accounting Officer and the Exco of the OCJ.

12.4 SUMMARY OF SOME OF THE MAIN ACTIVITIES UNDERTAKEN BY THE ARC DURING THE FINANCIAL YEAR UNDER REVIEW

The ARC reviewed and/or performed oversight over:

- i. All Quarterly Interim Financial Statements and unaudited Annual Financial Statements (AFS) before submission to the AGSA on 31 July 2020;
- ii. Monitoring and implementation of corrective action plans to address AGSA and Internal Audit findings;
- iii. The appropriateness of the accounting policies, practices and the potential changes thereon tabled at the ARC meetings;
- iv. The effectiveness of the system of risk management including fraud prevention and anti-corruption strategies;
- v. The process to ensure compliance with relevant laws and regulations.
- vi. In-year monitoring reports on all the OCJ's operations including the system of IT and HR governance;
- vii. The Quarterly Performance Information Reports and the Annual Report prior to submission to the AGSA and final publication;
- viii. The plans, work and reports of the Internal Audit and the AGSA; and
- ix. The development of the Combined Assurance Framework and the Plan.



12.5 THE QUALITY OF IN-YEAR MONITORING AND QUARTERLY REPORTS SUBMITTED IN TERMS OF LEGISLATION

We reviewed the in-year quarterly reports submitted together with the internal audit comments thereon. The ARC is satisfied with the content and quality of the quarterly reports prepared and issued by the Accounting Officer and Management during the year under review. The department has been reporting monthly and quarterly to the National Treasury as is required by the PFMA. There continues to be notable improvement in the quality of the financial management and performance information reports as well as management's commitment to implementing corrective action plans to address the previous AGSA and Internal Audit findings. Management should however prioritise the timely implementation of the AGSA and internal audit recommendations to address the findings raised on ICT and HRM&D.

12.6 RISK MANAGEMENT

The OCJ has a Risk Management function established in accordance with the requirements of the National Treasury Regulations, the King IV Report on Corporate Governance as well as in compliance with the Public Sector Risk Management Framework, which provides for the development and implementation of the Risk Policy, Strategy and Implementation Plan as well as the Fraud Prevention and Anti-Corruption Framework. All risk-owners attend the Audit and Risk Committee meetings and participate in the risk management processes of the department.

During the year under review, a risk assessment was conducted across the OCJ operations culminating in the review and updating of the strategic and operational risk registers. Risks were prioritised based on their likelihood and impact and additional mitigations were adopted to reduce risks to acceptable levels. The identified risks also informed the internal audit priorities. Management reported on risk mitigation action items quarterly to the ARC. The continuous monitoring and reporting of the planned mitigation activities yielded significant positive results. With the advent of COVID-19 and increased remote access of the IT systems the risk management processes in the ICT environment should be heightened.

12.7 FRAUD AND CORRUPTION

The OCJ developed and implemented the Fraud Prevention Policy, Strategy and Plan. The implementation of the Plan was monitored through the quarterly reports submitted at the ARC meetings. The ARC provided oversight on allegations of fraud, corruption and financial misconduct reported to the department and is satisfied with the 77% finalisation rate.

12.8 EVALUATION OF THE FINANCIAL STATEMENTS

The ARC has:

- i. Reviewed the draft AFS and Performance Information Report to be included in the Annual Report;
- ii. Reviewed the AGSA's Management Reports and the Management responses thereto;
- iii. Reviewed significant adjustment resulting from the audit;
- iv. Reviewed any changes in accounting policies and practices; and
- v. Reviewed departmental compliance with applicable regulatory provisions.

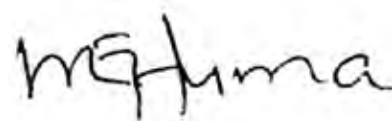
12.9 ANNUAL PERFORMANCE REVIEW

The Committee has considered the performance information reports submitted to the AGSA for review and is satisfied with the measures Management has put in place to manage performance.

12.10 AUDITOR-GENERAL'S REPORT

We have reviewed the department's implementation of the audit findings raised in the AGSA Management Report of the previous year and we are satisfied that the findings have been adequately resolved. The ARC has met with the AGSA throughout the year to ensure that there are no unresolved issues.

The ARC concurs and accepts the conclusions of the Auditor-General on the AFS, performance information and compliance with legislation and is of the opinion that the audited AFS be accepted and read together with the report of the Auditor-General.



Adv W E Huma

Chairperson of the ARC: Office of the Chief Justice

Date: 30 September 2020



13 B-BBEE COMPLIANCE PERFORMANCE INFORMATION

The department is committed to complying with the prescribed BBBEE requirements as required by the BBBEE Act and as determined by the Department of Trade and Industry. During the reporting period, and in maintaining the highest standards of governance, the OCJ implemented the Preferential Procurement Policy Framework Act (PPPFA) and its regulations.

Has the department/public entity applied any relevant Code of Good Practice (B-BBEE Certificate Levels 1 – 8) with regards to the following:

Criteria	Response Yes/No	Discussion
Determine qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	No	Not applicable to OCJ.
Developing and implementing a preferential procurement policy?	Yes	No policy development but strictly implementing the PPPFA and its Regulations.
Determining qualification criteria for the sale of state-owned enterprises?	No	Not applicable to OCJ.
Developing criteria for entering into partnerships with the private sector?	No	Not applicable to OCJ.
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad Based Black Economic Empowerment?	No	Not applicable to OCJ.



PART D: HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT



1 INTRODUCTION

The Human Resources Management and Development (HRM&D) Chief Directorate continued to provide strategic services to the OCJ covering the entire human resources (HR) value chain. During 2019/20, HRM&D implemented HR practices required to attract, develop, reward and manage employees towards attainment of departmental strategic objectives.

HRM&D key strategic priorities for the 2019/20 financial year included:

- Enabling the department to achieve its strategic objectives through its human resources;
- Ensuring correct placement and number of people with appropriate competencies; and
- Deploying and utilising human resources optimally.

As a support function in the Administration Programme, HRM&D ensures continuous synergy with all the stakeholders through the placement of people with appropriate competencies in the relevant jobs. It is through HRM&D that the demand and supply in the workforce is achieved. Employees are developed through training and provision of bursaries so that they can be capacitated to perform their duties efficiently and be optimally utilised.

2 OVERVIEW OF HUMAN RESOURCES

2.1 THE IMPACT OF HUMAN RESOURCE PRIORITIES FOR THE YEAR UNDER REVIEW

The HRM&D unit prioritised the following aspects in the 2019/20 year:

(a) Filling of vacancies

In ensuring that the department is capacitated to achieve its strategic objectives during the year under review, 227 posts were filled out of 297 advertised posts. Delays in the filling of posts in some instances were caused by administrative challenges, including delays in the completion of the compulsory candidate verification process. There were also instances where posts had to be re-advertised because no suitable candidates were found during the selection process, thereby prolonging the recruitment process.

(b) Providing employee wellness programmes

The employee wellness programmes were aligned to the Government agenda in respect of health and wellness issues and the South African National Strategic Plan on HIV, TB and STIs 2017 – 2022.

The department continued to implement employee well-being initiatives through the roll-out of various wellness programmes. The OCJ Employee Health and Wellness Operational Plan (2019/20) was implemented in line with the following four pillars of the DPSA Employee Health and Wellness Strategic Framework:

- HIV/AIDS, STI and TB management;
- Health and productivity management;
- Wellness management; and
- Safety, Health, Environment, Risk and Quality (SHERQ) management.

With regards to HIV/AIDS and TB management, the following initiatives were implemented in line with the OCJ Employee Health and Wellness Operational Plan:

- Thirty-one thousand six hundred (31 600) male condoms were distributed;
- Three thousand four hundred (3 400) female condoms were distributed; and
- Thirty-three (33) electronic awareness information pamphlets (EHW) were disseminated to employees at the national office and Service Centres as a measure to prevent and contain the spread of HIV/AIDS and TB.

As part of promoting employee health and well-being of OCJ employees in the 2019/20 financial year, the following initiatives were implemented:

- Three (3) trauma de-briefing workshops were held;
- Three (3) stress management awareness sessions were conducted;
- Five (5) health risk assessment sessions were conducted; and
- One hundred and forty-two employees (142) employees were screened for non-communicable diseases and no employee has been referred for clinical diagnosis.



2.2 WORKFORCE PLANNING FRAMEWORK AND KEY STRATEGIES TO ATTRACT AND RECRUIT A SKILLED AND CAPABLE WORKFORCE

HUMAN RESOURCES PLAN

The HR Plan is utilised as a tool for ensuring that HR needs, emanating from the Strategic and Operational Plans, are identified and interventions implemented to enable the achievement of the strategic objectives as well as the timeous response to Government priorities.

During the year under review the OCJ reviewed and implemented the HR Plan, which guides the process of attracting, recruiting and developing a skilled and capable workforce through workforce planning.

Workforce planning is about having the right people with the right skills at the appropriate jobs. Through workforce planning, the department is able to identify the gaps between current and future workforce capabilities needed to achieve departmental strategic objectives in an ever changing environment and within the available budget allocation.

During the year under review, posts were prioritised in terms of their importance and urgency, focusing mainly on the core business. Workforce planning in the Courts, National Office and Provincial Centres was guided by the department's HR demands as dictated by the needs of their respective environments.

The Human Resources Plan for 2019/20 was implemented in line with the Directive on the Development and Reporting on Human Resources Plan for the Public Service. The key focus areas of the HR Plan in the year under review were as follows:

- Implementing and monitoring the approved macro-organisational structure to ensure an accurate and reliable PERSAL database;
- Continuous review of job profiles/descriptions and finalise job evaluation processes when received and initiated by stakeholders;
- Continuous alignment of the approved organisational structure with the department's strategic objectives;
- Effective and efficient Human Resources management; and
- Improved turnaround time on the filling of vacancies.

EFFECTIVE RECRUITMENT

The total number of posts on the establishment for 2019/20 financial year was two thousand and forty-nine (2 049) of which one thousand eight hundred and sixty-six (1 866) translating to 91.1% were filled as at the end of the reporting period. The reduction of the number of posts on the establishment during the 2019/20 financial year was due to the PERSAL clean-up strategy being implemented, leading to a reduction of fifty (50) posts on the establishment as at the end of March 2020. As a result of this process, the posts on the establishment were aligned with the organisational structure and duplicate posts were removed from the PERSAL establishment.

In capacitating the OCJ, two hundred and ninety-seven (297) posts were advertised nationwide and two hundred and twenty-seven (227) posts were filled. Two (2) deputy director-

general posts were among the seventy (70) posts that were not filled in the 2019/20 financial year. However, the recruitment process for these two posts are at an advanced stage.

EMPLOYMENT EQUITY

Out of a total of one thousand eight hundred and sixty-six (1 866) employees, forty-two (42) were Senior Management Service (SMS). Of the forty-two (42) SMS employees, eighteen (18) were female and twenty-four (24) were male, translating to a 43%/57% female to male distribution. There are three (3) remaining vacant SMS posts which will be filled in the 2020/21 financial year.

The OCJ will continue to pursue the 50/50 gender representation at SMS level.

PEOPLE WITH DISABILITIES

People with disabilities made up 1.13% (21 of 1 866) of the OCJ's staff establishment in the 2019/20 financial year.

The OCJ will continue to pursue the 2% national target on people with disabilities.

2.3 PROVIDING EMPLOYEES WITH SKILLS AND COMPETENCIES THROUGH SKILLS DEVELOPMENT PROGRAMME

During the reporting period, the department trained five hundred and nine (509) employees as a measure to enhance their performance. Furthermore, various priority training programmes were conducted in line with the Workplace Skills Plan (WSP), including:

- The Compulsory Induction Programme (CIP);
- Basic and Intermediate Excel;
- Job Evaluation;
- Security Management;
- Business Continuity;
- Labour Relations (Investigating and Presiding Officers);
- Monitoring and Evaluation; and
- Emotional Intelligence.

In addition, the department provided study assistance opportunities by issuing bursaries to a total of forty-seven (47) staff members to obtain qualifications and improve their skills and knowledge.

2.4 EMPLOYEE PERFORMANCE MANAGEMENT

During the year under review, performance management and development was undertaken aimed at objectively evaluating the performance of employees as required by the Public Service Regulations, 2016.

The performance information and assessments of officials was handled in accordance with the DPSA Determination and Directive on the Performance Management and Development System of employees of 2018.



2.5 ACHIEVEMENTS

- A total of fifteen (15) Investigating and Presiding Officers were trained on the investigation of grievance and misconduct cases;
- In affording development and experiential learning to the youth, the department placed thirty-five (35) in internship positions within the organisation for the reporting period as its contribution to Government's Internship Programme. Out of the thirty-five (35) interns, three (3) were appointed by the OCJ on permanent positions and five (5) on contract;
- The HR Plan was reviewed and implemented in order to meet the current and future human resource needs of the department; and
- A PERSAL clean-up project was implemented and finalised. This project resulted in posts in the establishment being aligned with the organisational structure and duplicate posts being removed from the PERSAL establishment.

2.6 CHALLENGES

- Lack of capacity in the areas of work study and HR planning remains a challenge. The absence of a Work Study Analyst remained a challenge and as a result some of the Job Profiles could not be finalised due to limited capacity. This had a ripple effect on developing adverts and drawing up of performance agreements. The provision of these resources will reduce the adverse impact in these areas;
- Attracting people with disabilities remains a challenge due to them not applying or those that apply not meeting the requirements of the posts; and
- There was a high turnover rate on salary levels 1-12 and this created instability in the organisation and adversely affected the vacancy rate.

2.7 FUTURE HUMAN RESOURCE PLANS/ GOALS

- Organisations that work in the disability sector will be approached to assist with identifying people with disabilities who could be employed in appropriate positions in the department. This will not only help to improve diversity in the staff establishment of the OCJ, but will also assist the organisation to meet the national targets of employment of people with disabilities;
- HRM&D will develop a retention strategy and plan for the organisation aimed at retaining the existing talent and creating stability by reducing the turnover rate; and
- HRM&D will strengthen the OCJ's focus on preventative strategies to limit the spread of the COVID-19 pandemic in line with the DPSA strategic framework and guided by international trends.



3 HUMAN RESOURCES OVERSIGHT STATISTICS

The human resource oversight expenditure statistical information (personnel related expenditure) presented below contains information from the OCJ Administration and the Judiciary.

Table 3.1.1 Personnel expenditure by programme for the period 1 April 2019 to 31 March 2020

Programme	Total expenditure	Personnel expenditure	Training expenditure	Professional and special services	Personnel expenditure as a % of total expenditure	Average compensation of employees cost per employee or Judge
	R'000	R'000	R'000	R'000	%	R'000
OCJ: Administration	211 076	98 038	4 688	–	46.4	554
OCJ: Superior Court Services	857 691	602 424	–	–	70.2	331
OCJ: Judicial Education and Support	65 119	23 132	–	–	35.5	593
SUB-TOTAL (Voted funds)	1 133 886	723 594	4 688	–	63.8	355
SUB-TOTAL (Direct charge against the NRF)	1 051 725	979 987	–	–	93.2	1 910
GRAND TOTAL (Voted funds and direct charge against the NRF)	2 185 611	1 703 581	4 688	–	77.9	668

Table 3.1.2 Personnel costs by salary band for the period 1 April 2019 to 31 March 2020 (including the Judges)

Salary band	Personnel expenditure	% of total personnel cost	Number of employees (including Judges on the direct charge)	Average compensation cost per employee
	R'000	%	(number)	R'000
Lower skilled (Levels 1-2)	0	0.0	0	0
Skilled (Levels 3-5)	213 263	12.0	987	216
Highly skilled production (Levels 6-8)	253 902	14.2	677	375
Highly skilled supervision (Levels 9-12)	182 302	10.2	329	554
Senior management (Levels 13-16)	74 127	4.2	44*	1 685
Abnormal appointment	0	0.0	0	0
SUB-TOTAL (Voted funds)	723 594	40.6	2 037	355
SUB-TOTAL (Direct charge against the NRF)	979 987	54.9	513	1 901
GRAND TOTAL (Voted funds and direct charge against the NRF)	1 703 581	95.5	2 550	668

* Refers to the number inclusive of officials appointed in terms of the OSD (LP10s and above).



Table 3.1.3 Salaries, Overtime, Homeowners Allowance and Medical Aid by programme for the period 1 April 2019 to 31 March 2020

Programme	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount	Salaries as % of personnel cost	Amount	Overtime as % of personnel cost	Amount	HOA as a % of personnel costs	Amount	Medical aid as a % of personnel costs
	R'000	%	R'000	%	R'000	%	R'000	%
OCJ: Administration	68 454	68.5	1 491	1.5	2 127	2.1	3 302	3.3
OCJ: Superior Court Services	429 889	70	482	0.1	21 672	3.5	38 945	6.3
OCJ: Judicial Education and Support	16 036	79	429	2.1	443	2.2	908	4.5
SUB-TOTAL (Voted funds)	514 379	70.1	2 402	0.3	24 242	3.3	43 155	5.9
SUB-TOTAL (Direct charge against the NRF)	708 213	67.4	0	0.0	0	0	6 885	0.7
GRAND TOTAL (Voted funds and direct charge Against the NRF)	1 222 592	68.5	2 402	0.1	24 242	1.4	50 040	2.8

Table 3.1.4 Salaries, Overtime, Homeowners Allowance and Medical Aid by salary band for the period 1 April 2019 to 31 March 2020

Salary band	Salaries		Overtime		Homeowners allowance (HOA)		Medical Aid	
	Amount	Salaries as % of personnel cost	Amount	Overtime as % of personnel cost	Amount	HOA as a % of personnel costs	Amount	Medical aid as a % of personnel costs
	R'000	%	R'000	%	R'000	%	R'000	%
Skilled (Levels 1-2)	0	0.0	0	0.0	0	0.0	0	0.0
Skilled (Levels 3-5)	167652	70.4	735	0.3	13 055	5.5	22 046	9.3
Highly skilled production (Levels 6-8)	173 441	67.5	897	0.3	7 623	3.0	13 760	5.4
Highly skilled supervision (Levels 9-12)	130 394	70.5	770	0.4	2 816	1.5	4 908	2.7
Senior management (Levels 13-16)	42 892	4.5	0	0.0	748	0.1	2 441	0.3
SUB-TOTAL (Voted Funds)	514 379	70.1	2 402	0.1	24 242	1.5	43 155	2.6
SUB-TOTAL (Direct charge against the NRF)	708 213	67.4	0	0.0	0	0.0	6 885	3.4
GRAND TOTAL (Voted funds and direct charge against the NRF)	1 222 592	68.5	2 402	0.1	24 242	1.4	50 040	2.8



3.2 EMPLOYMENT AND VACANCIES

Table 3.2.1 Employment and vacancies by programme as at 31 March 2020

The tables in this section summarise the OCJ's position with regard to employment and vacancies. The vacancy rate reflects the percentage of funded posts that were not filled. This table excludes information on the Judiciary.

Programme	Number of posts approved on the establishment	Number of posts filled	Vacancy rate	Number of employees additional to the establishment
OCJ: Administration	171	161	5.8	16
OCJ: Superior Court Services	1 839	1 670	9.1	166
OCJ: Judicial Education and Support	39	35	10.3	1
Total	2 049	1 866	8.9	183

Table 3.2.2 Employment and vacancies by salary band as at 31 March 2020

Salary band	Number of posts approved on the establishment	Number of posts filled	Vacancy rate %	Number of employees additional to the establishment
Lower skilled (Levels 1-2)	0	0	0.0	0
Skilled (Levels 3-5)	1 094	952	13.0	44
Highly skilled production (Levels 6-8)	607	593	2.3	101
Highly skilled supervision (Levels 9-12)	301	279	7.3	38
Senior management (Levels 13-16)	47	42	10.6	0
Total	2 049	1 866	8.9	183

Table 3.2.3 Employment and vacancies by critical occupations band as at 31 March 2020

Critical occupations	Number of posts approved on the establishment	Number of posts filled	Vacancy rate in %	Number of employees additional to the establishment
Administrative related	106	95	10.3	3
Attorneys/advocates	4	4	0.0	0
Cleaners in offices workshops hospitals etc.	2	1	50.0	0
Client information clerks (switchboard, reception, information clerks)	11	7	36.4	0
Communication and information related	6	2	66.6	0
Finance and economics related	55	47	14.5	3
Financial and related professionals	31	25	19.4	0
Financial clerks and credit controllers	36	31	13.9	0
Food services aids and waiters	15	12	20.0	2



Critical occupations	Number of posts approved on the establishment	Number of posts filled	Vacancy rate in %	Number of employees additional to the establishment
General legal administration and related professionals	157	139	11.4	26
Human resources, organisational development and related professionals	5	4	20.0	0
Human resources clerks	29	20	31.0	0
Human resources related	25	23	8.0	0
Information technology related	1	1	0.0	0
Language practitioners, interpreters and other communicators	68	59	13.2	0
Legal related	25	21	16.0	0
Librarians and related professionals	19	14	26.3	0
Library mail and related clerks	29	25	13.8	0
Light vehicle drivers	3	2	33.3	0
Logistical support personnel	1	1	0.0	0
Material-recording and transport clerks	16	13	18.8	0
Messengers, porters and deliverers	128	109	14.8	14
Other administration, related clerks and organisers	693	658	5.1	31
Other administrative Policy and related Officers	40	37	7.5	0
Other information technology personnel	8	8	0.0	0
Risk management and security services	2	2	0.0	0
Secretaries and other keyboard operating clerks	372	361	3.0	78
Security guards	2	2	0.0	0
Security officers	52	47	9.6	1
Senior managers	47	42	6.7	1
Statisticians and related professionals	1	1	0.0	0
Translators and air traffic communicators	44	34	22.7	12
Total	2 049	1 866	8.9	183

3.3 FILLING OF SENIOR MANAGEMENT SERVICE POSTS

Table 3.3.1 Senior management service (SMS) posts as at 31 March 2020

Senior Management Service (SMS) level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Secretary General	1	1	100	0	0
Salary level 15	3	1	33	2	67
Salary level 14	9	9	100	0	0
Salary level 13	34	31	91	3	8.8
Total	47	42	89	5	10.6



Table 3.3.2 Senior management service (SMS) posts as at 30 September 2019

Senior Management Service (SMS) level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Secretary General	1	1	100	0	0
Salary level 15	3	1	33	2	67
Salary level 14	9	9	100	0	0
Salary level 13	31	29	94	2	5.1
Total	44	40	91	4	9

Table 3.3.3 Advertising and filling of senior management service (SMS) posts for the period 1 April 2019 to 31 March 2020

Senior Management Service (SMS) level	Advertising	Filling of posts	
	Number of vacancies per level advertised in six months of becoming vacant	Number of vacancies per level filled in six months of becoming vacant	Number of vacancies per level not filled in six months of becoming vacant
Secretary General	0	0	0
Salary level 15	2	0	2
Salary level 14	2	2	0
Salary level 13	8	6	2
Total	12	8	4

Table 3.3.4 Reasons for not having complied with the filling of funded vacant senior management service posts – Advertised within six months and filled within 12 after becoming vacant for the period 1 April 2019 to 31 March 2020

Reasons for vacancies not advertised within six months
N/A
Reasons for vacancies not filled within twelve months
<ul style="list-style-type: none"> • There were also instances where posts had to be re-advertised because no suitable candidates were identified during the selection process, thereby prolonging these recruitment processes. • For other posts, the required skills could not be attracted by means of traditional recruitment processes. The department thus had to follow the head-hunting process, which prolonged the filling of the vacancies.

Table 3.3.5 Disciplinary steps taken for not complying with the prescribed timeframes for filling senior management service (SMS) posts within 12 months for the period 1 April 2019 to 31 March 2020

Reasons for vacancies not advertised within six months
No actions were taken for not filling of the posts, as the required skills could not be attracted by means of traditional recruitment processes.
Reasons for vacancies not filled within twelve months
No actions were taken for not filling of the posts, as the required skills could not be attracted by means of traditional recruitment processes.



3.4 JOB EVALUATION

Table 3.4.1 Job evaluation by salary band for the period 1 April 2019 to 31 March 2020

The information on the number of posts on the establishment excludes the Judiciary as their posts are not subjected to job evaluation.

Salary band	Number of posts approved on the establishment	Number of jobs evaluated	% of Posts evaluated	Number of posts upgraded		Number of posts downgraded	
				Number	% of upgraded posts	Number	% of downgraded posts
Lower skilled (Levels 1-2)	0	0	0.0	0	0.0	0	0.0
Skilled (Levels 3-5)	1 095	0	0.0	0	0.0	0	0.0
Highly skilled production (Levels 6-8)	607	3	0.5	20	3.3	0	0.0
Highly skilled supervision (Levels 9-12)	301	3	1.0	3	100.0	0	0.0
Senior Management Service (Band A)	33	0	0.0	0	0.0	0	0.0
Senior Management Service (Band B)	9	0	0.0	0	0.0	0	0.0
Senior Management Service (Band C)	3	2	67.0	0	0.0	0	0.0
Senior Management Service (Band D)	1	0	0.0	0	0.0	0	0.0
Total	2 049	8	4.0	23	1.1	0	0.0

Table 3.4.2 Profile of employees whose positions were upgraded due to their posts being upgraded for the period 1 April 2019 to 31 March 2020

Gender	African	Asian	Coloured	White	Total
Female	11	0	0	2	13
Male	10	0	0	0	10
Total	21	0	0	2	23
Employees with disability	0	0	0	1	1

Table 3.4.3 Employees whose salary levels are higher than those determined by job evaluation by occupation for the period 1 April 2019 to 31 March 2020

Occupation	Number of employees	Job evaluation level	Remuneration level	Reasons for deviation
Senior managers	1	14	15	The employee was awarded a higher notch in terms of PSR 2012, Part V (C.3) prior to the implementation of PSR 2016.
Total number of employees whose salaries exceeded the level determined by job evaluation				1
Percentage of total employed				0.1



Table 3.4.4 Profile of employees whose salary levels are higher than those determined by job evaluation for the period 1 April 2019 to 31 March 2020

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	1	0	0	0	1
Total	1	0	0	0	1
Employees with disability	0	0	0	0	0
Total number of employees whose salaries exceeded the grades determined by evaluation.					1

3.5 EMPLOYMENT CHANGES

This section provides information on changes in employment over the financial year. It reflects the number of appointments versus terminations. It further translates the terminations into the turnover rate.

Table 3.5.1 Annual turnover rates by salary band for the period 1 April 2019 to 31 March 2020

Salary band	Number of employees at beginning of period (April 2019)	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2)	0	0	0	0.0
Skilled (Levels 3-5), permanent	1 072	151	146	13.6
Highly skilled production (Levels 6-8)	675	45	62	9.2
Highly skilled supervision (Levels 9-12)	311	20	42	13.5
Senior Management Service (Band A 13)	32	9	2	6.3
Senior Management Service (Band B 14)	7	2	0	0.0
Senior Management Service (Band C 15)	1	0	0	0.0
Senior Management Service (Band D 16)	1	0	0	0.0
Total	2 099	227	252	12.0

Table 3.5.2 Annual turnover rates by critical occupation for the period 1 April 2019 to 31 March 2020

Critical occupation	Number of employees at beginning of period (April 2019)	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Administrative related	105	10	13	12.4
Advocates	0	0	0	0.0
Attorneys	1	0	0	0.0
Cleaners in offices, work-shops, hospitals etc.	3	0	1	33.3
Client information clerks (switchboard & reception information clerks)	12	0	0	0.0
Communication and information related	9	0	4	44.4
Finance and economics related	63	9	3	4.8
Financial and related professionals	29	1	2	6.9



Critical occupation	Number of employees at beginning of period (April 2019)	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Financial clerks and credit controllers	34	3	7	20.6
Food services aids and waiters	14	3	0	0.0
General legal administration and related professionals	164	12	8	4.9
Human resources, organisational development and related professionals	4	0	0	0.0
Human resources clerks	36	2	6	16.7
Human resources related	24	5	3	12.5
Language practitioners, interpreters and other communicators	49	8	4	8.2
Legal related	19	4	3	15.8
Librarians and related professionals	16	2	0	0.0
Library mail and related clerks	28	8	12	42.9
Light vehicle drivers	3	0	0	0.0
Logistical support personnel	1	0	0	0.0
Material-recording and transport clerks	16	3	10	62.5
Messengers porters and deliverers	145	13	0	0.0
Other administration, related clerks and organisers	714	96	120	16.8
Other administrative policy and related officers	38	10	6	15.8
Other information technology personnel	8	2	0	0.0
Secretaries and other key-board operating clerks	406	15	44	10.8
Security guards	2	2	0	0.0
Security officers	58	3	2	3.4
Senior managers	41	11	2	4.8
Statisticians and related Profession	1	0	0	0.0
Translators and air traffic communicators	56	4	2	3.6
Total	2 099	227	252	12



Table 3.5.3 Reasons why staff left the department for the period 1 April 2019 to 31 March 2020

Termination type	Number	% of Total resignations
Death	9	3.6
Resignation	44	17.5
Discharged due to ill health	1	0.4
Dismissal – misconduct	3	1.2
Retirement	18	7.1
Transfer	25	9.9
Expiry of a contract	152	60.3
Total	252	100.0
Total number of employees who left as a % of total employment		12.0

Table 3.5.4 Promotion by critical occupation for the period 1 April 2019 to 31 March 2020

Occupation	Number of employees at beginning of period (April 2019)	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level	Notch progression as a % of employees by occupation
Administrative related	105	4	3.8	42	40.0
Attorneys	1	0	0.0	0	0.0
Cleaners in offices workshops hospitals etc.	3	0	0.0	0	0.0
Client inform clerks (switchboard & reception information clerks)	12	1	8.3	5	41.7
Communication and information related	9	1	11.1	4	44.4
Finance and economics related	63	3	4.8	34	54.0
Financial and related professionals	29	3	10.3	16	55.2
Financial clerks and credit controllers	34	1	2.9	21	61.8
Food services aids and waiters	14	0	0.0	9	64.3
General legal administration and related professionals	167	3	2.0	41	24.6
Human resources, organisational development and related professionals	4	1	25.0	1	25.0
Human resources clerks	36	0	0.0	14	38.9
Human resources related	24	1	4.2	10	41.7
Language practitioners, interpreters and other communicators	49	1	2.1	20	40.8
Legal related	19	0	0.0	15	78.9
Librarians and related professionals	16	2	12.5	13	81.3
Library mail and related clerks	28	0	0.0	20	71.4
Light vehicle drivers	3	0	0.0	1	33.3



Occupation	Number of employees at beginning of period (April 2019)	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level	Notch progression as a % of employees by occupation
Logistical support personnel	1	0	0.0	0	0.0
Material-recording and transport clerks	16	0	0.0	8	50.0
Messengers porters and deliverers	145	0	0.0	90	0.0
Other administration & related clerks and organisers	714	3	0.4	410	57.4
Other administrative policy and related officers	38	1	2.6	22	57.9
Other information technology personnel	8	0	0.0	4	50.0
Secretaries and other keyboard operating clerks	406	6	1.5	199	49.0
Security guards	2	0	0.0	2	100.0
Security officers	58	0	0.0	21	36.2
Senior managers	38	3	7.9	0	0.0
Statisticians and related professions	1	0	0.0	0	0.0
Translators and air traffic communicators	56	0	0.0	16	28.6
Total	2 099	41	2.0	1 045	49.8

Table 3.5.5 Promotion by salary band for the period 1 April 2019 to 31 March 2020

Salary band	Number of employees at beginning of period (April 2019)	Promotions to another salary level	Salary level promotions as a % of employees by salary level	Progressions to another notch within a salary level	Notch progression as a % of employees by salary band
Skilled (Levels 3-5), Permanent	1 072	8	0.7	597	55.7
Highly skilled production (Levels 6-8), permanent	675	15	2.2	273	40.4
Highly skilled supervision (Levels 9-12), permanent	311	13	4.2	130	41.8
Senior management (Levels 13-16), permanent	41	5	12.2	0	0
Total	2 099	41	2.0	1 045	49.8



3.6 EMPLOYMENT EQUITY

Table 3.6.1 Total number of employees (including employees with disability) in each of the following occupational categories as at 31 March 2020

Occupational category	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Senior officials and managers	20	1	1	2	13	1	1	3	42
Professionals	97	9	0	8	109	12	12	32	279
Technicians and associate professions	105	4	1	2	134	19	6	24	295
Clerks	276	36	13	15	542	72	20	87	1 061
Labourers and related workers	56	11	2	4	46	11	2	4	136
Service shop and market sales worker	22	8	0	11	9	1	0	2	53
Plant and machine operators and ass	0	0	0	0	0	0	0	0	0
Total	575	69	17	42	854	116	41	152	1 866
Employees with disability	7	1	0	1	11	0	0	1	21

Table 3.6.2 Total number of employees (including employees with disability) in each of the following occupational bands as at 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top Management, permanent	0	0	0	0	2	0	0	0	2
Senior Management, permanent	20	1	1	2	11	1	1	3	40
Professionally qualified and experienced specialists and mid-management, permanent	97	9	0	8	109	12	12	32	279
Skilled technical and academically qualified workers, junior management, supervisors, foremen, permanent	149	9	3	14	265	54	17	83	594
Semi-skilled and discretionary decision making, permanent	310	50	13	18	466	49	11	34	951
Total	575	69	17	42	854	116	41	152	1 866



Table 3.6.3 Recruitment for the period 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top Management 15-16	0	0	0	0	0	0	0	0	0
Senior Management, permanent (13-14)	1	1	0	0	3	0	0	0	5
Professionally qualified and experienced specialists and mid-management, permanent (9-12)	7	1	0	1	6	1	0	0	16
Skilled technical and academically qualified workers, junior management, supervisors, foremen, permanent 6-8	16	1	1	0	14	0	0	0	32
Semi-skilled and discretionary decision making, permanent 3-5	55	4	0	0	81	6	0	1	147
Unskilled and defined decision making 1-2	0	0	0	0	0	0	0	0	0
Total	79	7	1	1	104	7	0	1	200
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 3.6.4 Promotions for the period 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Senior management, permanent	2	0	0	0	0	0	0	0	2
Professionally qualified and experienced specialists and mid-management, permanent	2	0	0	0	2	0	0	2	6
Skilled technical and academically qualified workers, junior management, supervisors, foremen, permanent	5	0	0	0	5	1	1	0	12
Semi-skilled and discretionary decision making, permanent	4	0	1	0	8	1	0	0	14
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	13	0	1	0	15	2	1	2	34
Employees with disabilities	0	0	0	0	0	0	0	0	0



Table 3.6.5 Terminations for the period 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Senior management, permanent	1	1	0	0	0	0	0	0	2
Professionally qualified and experienced specialists and mid-management, permanent	12	0	0	4	18	1	3	4	42
Skilled technical and academically qualified workers, junior management, supervisors, foremen, permanent	17	0	0	0	31	3	1	7	59
Semi-skilled and discretionary decision making, permanent	61	3	0	3	77	2	0	3	149
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	91	4	0	7	126	6	4	14	252

Table 3.6.6 Disciplinary actions for the period 1 April 2019 to 31 March 2020

Disciplinary action	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Written warnings	3	0	0	0	0	0	0	0	3
Final written warning	0	0	0	0	0	0	0	0	0
Final written warning and 1-month suspension without pay	1	0	0	0	0	0	0	0	1
Final written warning and 3-month suspension without pay	3	0	0	0	0	0	0	0	3
Dismissal	2	0	0	0	0	0	0	0	2
Progressive discipline	1	0	0	0	0	0	0	0	1
Withdrawn	1	0	0	0	0	0	0	0	1
Total	11	0	0	0	0	0	0	0	11



Table 3.6.7 Skills development for the period 1 April 2019 to 31 March 2020

Occupational category	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Legislators, senior officials and managers	19	2	1	2	13	1	1	3	42
Professionals	87	7	1	8	86	14	18	18	246
Technicians and associated professionals	49	4	1	1	61	6	4	9	135
Clerks	357	36	15	15	621	80	20	108	1 252
Service and sales workers	22	8	1	11	9	1	0	2	54
Plant and machine operators	0	0	0	0	0	0	0	0	0
Total	563	68	20	41	836	113	45	151	1 866

3.7 SIGNING OF PERFORMANCE AGREEMENTS BY SMS MEMBERS

Table 3.7.1 Signing of performance agreements by SMS members as at 31 August 2019

SMS level	Total number of funded SMS posts	Total number of SMS members	Total number of signed performance agreements	Signed performance agreements as % of total SMS members
Secretary General/ Head of Department	1	1	1	100.0
Salary level 16	0	0	0	0.0
Salary level 15	1	1	1	100.0
Salary level 14	9	9	8	88.9
Salary level 13	31	29	28	96.6
Total	42	40	38	95.0

Table 3.7.2 Reasons for not having concluded performance agreements for all SMS members as at 31 August 2019

Reason
<ul style="list-style-type: none"> Two senior management service members on levels 14 and 13 respectively, did not conclude performance agreements as on 31 August 2019. Both matters are the subject of dispute which remained pending as at the end of the reporting period.

Table 3.7.3 Disciplinary steps taken against SMS members for not having concluded performance agreements as at 31 August 2019.

Action taken
<ul style="list-style-type: none"> In terms of the senior management service member on level 14, there was no action taken as the issue in dispute was still before the General Public Service Sectorial Bargaining Council; whilst the dispute relating to senior management service member on level 13 was still being dealt with as at the end of the reporting period.



3.8 PERFORMANCE REWARDS

Table 3.8.1 Performance rewards by race, gender and disability for the period 1 April 2018 to 31 March 2019

Race and gender	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Total Cost ('000)	Average cost per employee
AFRICAN					
Male	62	689	9.0	825	13 318
Female	93	740	12.6	1 186	12 755
ASIAN					
Male	5	38	13.2	44	8 810
Female	10	60	16.7	140	14 095
COLOURED					
Male	12	79	15.2	114	9 510
Female	9	126	7.1	95	10 555
WHITE					
Male	4	42	9.5	64.2	16 071
Female	29	152	19.1	355	12 259
Employees with disability	2	21	9.5	15	7 719
Total	226	1 947	9.1	2 841	12 572

Table 3.8.2 Performance rewards by salary band for personnel below Senior Management Service (SMS) for the period 1 April 2018 to 31 March 2019

Salary Band	Beneficiary profile			Cost		Total cost as a % of the total personnel expenditure
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee	
Skilled (Levels 3-5)	111	1 013	11.7	8 098	8 99	0.9
Highly skilled production (Levels 6-8)	78	619	12.6	25 291	1 012	2.5
Highly skilled supervision (Levels 9-12)	37	278	12.9	43 950	930	4.7
Total	226	1 910	11.0	12 572	2 841	0.4



Table 3.8.3 Performance Rewards by critical occupation for the period 1 April 2018 to 31 March 2019

Critical occupation	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee
Administrative related	15	95	15.5	379	25 251
Attorneys	0	1	0.0	0	0
Bus and heavy vehicle drivers	1	2	50.0	6	6 406
Cleaners in offices workshops hospitals etc.	0	6	0.0	0	0
Client information clerks (switchboard, reception information clerks)	1	12	9.1	6	5 947
Communication and information related	0	7	0.0	0	0
Finance and economics related	6	56	11.1	159	26 641
Financial and related professionals	8	27	25.8	131	16 479
Financial clerks and credit controllers	8	31	22.2	70	8 788
Food services aids and waiters	5	14	33.3	31	6 229
General legal administration and related professionals	13	146	8.8	240	18 424
Human resources, organisational development and related professionals	0	5	0.0	0	0
Human resources clerks	10	36	34.5	97	9 744
Human resources related	4	21	16.0	73	18 313
Language practitioners, interpreters and other communicators	4	45	5.9	46	11 616
Legal related	6	17	24.0	144	24 148
Librarians and related professionals	0	16	0.0	0	0
Library mail and related clerks	3	26	10.0	39	7 991
Light vehicle drivers	0	1	0.0	0	0
Logistical support personnel	0	1	0.0	0	0
Material-recording and transport clerks	4	16	25.0	43	10 781
Messengers porters and deliverers	11	135	8.9	69	6 237
Other administrative, related clerks and organisers	76	682	11.0	686	9 023
Other administrative policy and related officers	9	34	21.0	134	14 848
Other information technology personnel	1	5	14.0	20	20 067
Secretaries and other keyboard operating clerks	32	371	8.6	385	12 017
Security guards	0	1	0.0	0	0
Security officers	7	54	13.7	72	10 260
Senior managers	0	35	0.0	0	0



Critical occupation	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee
Statisticians and related professions	0	1	0.0	0	0
Translators and air traffic communicators	0	49	0.0	0	0
Information technology related	0	1	0.0	0	0
Total	226	1 947	9.0	2 841	12 572

Table 3.8.4 Performance related rewards (cash bonus) by salary band for Senior Management Services

Salary Band	Beneficiary profile			Cost		Total cost as a % of the total personnel expenditure
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee	
Band A	0	31	0.0	0	0	0.0
Band B	0	8	0.0	0	0	0.0
Band C	0	2	0.0	0	0	0.0
Band D	0	0	0.0	0	0	0.0
Total	0	41	0.0	0	0	0.0

For SMS performance assessment the moderation process is not finalised.

3.9 FOREIGN WORKERS

Table 3.9.1 Foreign workers by salary band for the period 1 April 2019 to 31 March 2020

Salary Band	1 April 2019		31 March 2020		Change	
	Number	% of total	Number	% of total	Number	% of change
Lower skilled (Levels 3-5)	1	33.3	1	33.3	0	0.0
Highly skilled production (Levels 6-8)	0	0	0	0	0	0.0
Highly skilled supervision (Lev. 9-12)	1	33.3	1	33.3	0	0.0
Senior management (Levels 13-16)	1	33.3	1	33.3	0	0.0
Total	3	100.0	3	100.0	0	0.0



Table 3.9.2 Foreign workers by major occupation for the period 1 April 2019 to 31 March 2020

Major occupation	1 April 2019		31 March 2020		Change	
	Number	% of total	Number	% of total	Number	% of change
Administrative office workers	1	33.3	1	33.3	0	0.0
Professionals and managers	1	33.3	1	33.3	0	0.0
Senior manager	1	33.3	1	33.3	0	0.0
Total	3	100.0	3	100.0	0	0.0

3.10 LEAVE UTILISATION

Table 3.10.1 Sick leave for the period 01 January 2019 to 31 December 2019

Salary band	Total days	% Days with medical certification	Number of employees using leave	% of total employees using sick leave	Average days per employee	Estimated cost (R'000)
Skilled (Levels 3-5)	9 257	79.2	877	51.4	11	8 070
Highly skilled production (Levels 6-8)	4 919	79.6	504	32.2	10	7 110
Highly skilled supervision (Levels 9-12)	2 132	80.4	227	13.9	9	5 258
Senior management (Levels 13-16)	111	75.7	25	1.5	4	464
Total	16 419	78.7	1 633	100.0	11	13 042

Table 3.10.2 Disability leave (temporary and permanent) for the for the period 01 January 2019 to 31 December 2019

Salary band	Total days	% Days with medical certification	Number of employees using leave	% of total employees using sick leave	Average days per employee	Estimated cost (R'000)
Skilled (Levels 3-5)	668	100	13	59.1	51	633
Highly skilled production (Levels 6-8)	501	100	7	31.8	84	748
Highly skilled supervision (Levels 9-12)	24	100	2	9.1	12	66
Senior management (Levels 13-16)	0	0	0	0.0	0	0
Total	1 193	100	22	100.0	54	1 447



Table 3.10.3 Annual leave for the period 01 January 2019 to 31 December 2019

Salary band	Total days taken	Number of employees using annual leave	Average per employee
Skilled (Levels 3-5)	21 628	971	22
Highly skilled production (Levels 6-8)	13 176	566	23
Highly skilled supervision (Levels 9-12)	6 072	253	24
Senior management (Levels 13-16)	726	37	20
Total	41 602	1 827	23

Table 3.10.4 Capped leave for the period 1 January 2019 to 31 December 2019

Salary band	Total days of capped leave	Number of employees using capped leave	Average number of days taken per employee	Average capped leave per employee as on 31 December 2020
Skilled (Levels 3-5)	1	1	1	20
Highly skilled production (Levels 6-8)	100	11	9	44
Highly skilled supervision (Levels 9-12)	19	3	6	48
Senior management (Levels 13-16)	0	0	0	39
Total	120	15	8	37

Table 3.10.5 Leave pay-outs for the period 1 April 2019 and 31 March 2020

Reason	Total amount (R'000)	Number of employees	Average per employee (R)
Leave pay-outs for 2019/20 due to non-utilisation of leave for the previous cycle	0	0	0
Capped leave pay-outs on termination of service for 2019/20	1 619	16	101 188
Current leave pay-outs on termination of service for 2019/20	1 227	48	25 263
Total	2 846	64	44 469

3.11 HIV/AIDS AND HEALTH PROMOTION PROGRAMMES

Table 3.11.1 Steps taken to reduce the risk of occupational exposure

Units/categories of employees identified to be at high risk of contracting HIV and related diseases (if any)	Key steps taken to reduce the risk No employees have been identified as being at a high risk of contracting HIV and related diseases
The number varies based on disclosure and number of staff testing	Awareness sessions and information on prevention will be provided to staff regularly



Table 3.11.2 Details of Health Promotion and HIV/AIDS Programmes

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide her/his name and position.	Yes	0	The Chief Director: Human Resource Management and Development.
2. Does the department have a dedicated unit, or have you designated specific staff members to promote health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	Yes		One (1) staff member has been appointed. A budget of R6 000 000 was allocated for 2019/20 financial year to implement employee well-being initiatives.
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of the programme.	Yes		<ul style="list-style-type: none"> • Counselling services; • Psycho-social services; • Financial management services; • Awareness sessions; • Disease management services; • Absenteeism management services; and • Lifestyle management service.
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	Yes		a. Ms Dorothea Botha (Chairperson from 1 April 2019 to 15 October 2019); b. Mr E Moeng (Interim Chairperson) from 16 October to 31 March 2020; c. Ms Mapula Mpepele: Secretariat; d. Ms Thami Mbalekwa: member; e. Mr Siyabonga Mponzo: member; f. Ms Modiehi Luthuli: member; g. Ms Lalitha Marrie: member; h. Ms Mumtuz Baker-Fortune: member; and i. Ms Shereen Ruthven: member.
5. Has the department reviewed the employment policies and practices of your department to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.		No	N/A
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.	Yes		The department has developed the Policy on HIV/AIDS and TB management to ensure that employees are not stigmatised based on their status.
7. Does the department encourage its employees to undergo voluntary counselling and testing? If so, list the results that you have achieved.	Yes		The OCJ has coordinated quarterly HIV Counselling and Testing (HCT) where employees were encouraged to undergo testing. The total number of 142 employees participated in health risk assessment in the 2019/20 financial year.
8. Has the department developed measures/ indicators to monitor and evaluate the impact of your health promotion programme? If so, list these measures/indicators.	Yes		The OCJ monitors and evaluates the impact of health promotion annually through the Systems Monitoring Tool Report. Utilisation rate of EHW services: Number of employees attending wellness sessions. Number of health-related complaints



3.12 LABOUR RELATIONS

Table 3.12.1 Collective agreements for the period 1 April 2019 and 31 March 2020

Total number of collective agreements	None
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Table 3.12.2 Misconduct and disciplinary hearings finalised for the period 1 April 2019 and 31 March 2020

Outcome of disciplinary hearings	Number	% of total
Written warnings	3	27.3
Final written warning and 1-month suspension without pay	1	9.1
Final written warning and 3-month suspension without pay	3	27.3
Retirement	1	9.1
Progressive discipline	1	9.1
Dismissal	2	18.1
Total number of disciplinary hearings finalised	11	100.0

Table 3.12.3 Types of misconduct addressed at disciplinary hearings for the period 1 April 2019 and 31 March 2020

Type of misconduct	Number	% of total
Insubordination	4	12.1
Misuse of state vehicle	4	12.1
Soliciting a bribe	1	3.1
Fraud and corruption	5	15.2
Authorizing irregular payments	1	3.0
Theft	5	15.2
Gross insubordination	2	6.1
Absenteeism	1	3.1
Gross negligence	1	3.1
Failure to perform duties causing irregular wasteful and fruitless expenditure	1	3.1
Failure to carry out a lawful instruction/gross dereliction of duty	1	3.1
Failure to perform duties	1	3.1
Death threats and insults	1	3.1
Fraudulent claims	1	3.1
Failure to comply with the leave policy/ directive	1	3.1
Insubordination and inappropriate conduct	1	3.1
Intimidation	1	3.1
Abscondment	1	3.1
Total	33	100.0



Table 3.12.4 Grievances lodged for the period 1 April 2019 and 31 March 2020

Grievances	Number	% of total
Number of grievances resolved	12	57.1
Number of grievances not resolved	09	42.9
Total number of grievances lodged	21	100.0

Table 3.12.5 Disputes lodged with Councils for the period 1 April 2019 and 31 March 2020

Disputes	Number	% of total
Number of disputes at Conciliation	1	4.8
Number of disputes at Arbitration	17	81.0
Number of disputes at Labour Court	3	14.2
Total number of disputes lodged	21	100.0

Table 3.12.6 Strike actions for the period 1 April 2019 and 31 March 2020

A nil report was submitted on strike action, for the period under review

Total number of hours lost	0
Total costs working days lost	R0
Amount recovered as a result of no work no pay	R0

Table 3.12.7 Precautionary suspensions for the period 1 April 2019 and 31 March 2020

Number of people suspended	1
Number of people whose suspension exceeded 30 days	1
Precautionary transfer	1
Average number of days suspended	135
Cost of suspension (R'000)	R137

3.13 SKILLS DEVELOPMENT

Table 3.13.1 Training needs identified for the 1 April 2019 to 31 March 2020

Occupational category	Gender	Number of employees as at 1 April 2019	Training needs identified at the start of the reporting period			
			Learner-ships	Skills programmes and other short courses	Other forms of training	Total
Legislators, senior officials and managers	Male	18	N/A	<ul style="list-style-type: none"> Monitoring and Evaluation People Management and empowerment (emotional intelligence) Change management Professional language 	N/A	39
	Female	12				



Occupational category	Gender	Number of employees as at 1 April 2019	Training needs identified at the start of the reporting period			
			Learner-ships	Skills programmes and other short courses	Other forms of training	Total
Professionals, permanent	Male	146	N/A	<ul style="list-style-type: none"> • EMDP, AMDP • Professional language • CIP • Monitoring and evaluation • Conflict management • Assets and supply chain management • Records management • Default judgment and taxation • HRD, HRM programmes • IT programmes • Employee wellness programme 	N/A	245
	Female	202				
Professionals, temporary	Male	0	N/A	N/A	N/A	0
	Female	0				
Technicians and associate professionals	Male	55	N/A	<ul style="list-style-type: none"> • Labour relations • Report writing, minutes taking • SCM Programmes • CIP • Records management • Legal interpreting • OHS • Supervisory programmes • Diversity management 	Learning Programme	120
	Female	83				
Clerks permanent	Male	394	N/A	<ul style="list-style-type: none"> • OHS • Computer programmes • CIP • Records management 	N/A	335
	Female	844				
Clerks temporary	Male	0	N/A	N/A	N/A	0
	Female	0				
Service and sales workers	Male	43	N/A	N/A	N/A	0
	Female	12				
Plant and machine operators and assemblers	Male	4	N/A	N/A	N/A	0
	Female	0				
Craft and related trade workers	Male	70	N/A	N/A	N/A	0
	Female	64				
Sub total	Male	730	N/A	N/A	N/A	739
	Female	1 217				



Table 3.13.2 Training provided for the period 1 April 2019 and 31 March 2020

Occupational category	Gender	Number of employees as at 1 April 2019	Training needs identified at the start of the reporting period			
			Learner-ships	Skills programmes and other short courses	Other forms of training	Total
Legislators, senior officials and managers	Male	18		<ul style="list-style-type: none"> Monitoring and evaluation 	Learning programme	3
	Female	12		<ul style="list-style-type: none"> People empowerment: emotional intelligence 	Learning programme	2
Professionals permanent	Male	146	N/A	<ul style="list-style-type: none"> Compulsory Induction Programme (CIP) 	Learning programme	35
	Female	202	N/A	<ul style="list-style-type: none"> Security management 	Short course	12
				<ul style="list-style-type: none"> Job evaluation: 	Learning programme	32
				<ul style="list-style-type: none"> Monitoring and evaluation 	Short course	9
				<ul style="list-style-type: none"> Labour relations 	Learning programme	12
				<ul style="list-style-type: none"> Employee wellness: emotional intelligence 	Learning programme	23
				<ul style="list-style-type: none"> Coaching and mentoring 	Learning programme	12
				<ul style="list-style-type: none"> Microsoft Excel, Ms Word 	Learning programme	41
Technicians and associated professionals	Male	55	N/A	<ul style="list-style-type: none"> Report writing 	Skills programme	30
	Female	83	N/A	<ul style="list-style-type: none"> Job evaluation 	Skills programme	11
				<ul style="list-style-type: none"> CIP 	Learning programme	103
				<ul style="list-style-type: none"> Employee wellness: emotional intelligence 	Learning programme	32
Professionals temporary	Male	0	N/A	N/A	N/A	N/A
	Female	0	N/A	N/A	N/A	N/A
Clerks permanent	Male	394	N/A	<ul style="list-style-type: none"> Compulsory induction programme 	Learning programme	125
	Female	844	N/A	<ul style="list-style-type: none"> Computer programmes 	Learning programme	27
Plant and machine operators and assemblers	Male	4	N/A	N/A	N/A	N/A
	Female	0	N/A	N/A	N/A	N/A
Clerks temporary	Male	0	N/A	N/A	N/A	N/A
	Female	0	N/A	N/A	N/A	N/A
Service and sales workers, permanent	Male	43	N/A	N/A	N/A	N/A
	Female	12	N/A	N/A	N/A	N/A
Craft and related trade workers	Male	70	N/A	N/A	N/A	N/A
	Female	64	N/A	N/A	N/A	N/A
Sub total	Male	730	0	0	0	509
	Female	1 217	0	0	0	509

* The total number of employees at the beginning of financial year was 1947 and the WSP was planned based on these total.



3.14 INJURY ON DUTY

Table 3.14.1 Injury on duty for the period 1 April 2019 to 31 March 2020

Nature of injury on duty	Total Number of Employees as at 1 April 2019	Total Number of cases reported	% of total
Required basic medical attention only	2 099	0	0
Temporary total disablement	2 099	0	0
Permanent disablement	2 099	0	0
Fatal	2 099	0	0
Total	2 099	0	0

No injury on duty cases were reported for the period under review.

3.15 UTILISATION OF CONSULTANTS

Table 3.15.1 Report on consultant appointments using appropriated funds for the period 1 April 2019 to 31 March 2020

Project title	Total Number of Consultants that worked on project	Duration (workdays)	Total contract value in rand	Total amount spent in the 2019/20 FY
OCJ2017/04: Appointment of a service provider to support and maintain the ICT infrastructure	26	262	R39 335 285.16	R14 336 717.90
OCJ2018/01 Appointment of a service provider to provide the following services: Travel, accommodation and conference facilities to the Office of the Chief Justice for the period of 36 months	3	262	Tariff structure and incident based	R113 228 050.47
OCJ2017/01 Appointment of a service provider to provide the comprehensive employee health and wellness services for a period of 36 months	N/A	262	Tariff structure and incident based.	R574 057.83

Table 3.15.2 Analysis of consultant appointments using appropriated funds in terms of Historically Disadvantaged Individuals (HDIs) for the period 1 April 2019 to 31 March 2020

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that worked on the project
OCJ2017/04: Appointment of a service provider to support and maintain the ICT infrastructure	100	100	26
OCJ2018/01 Appointment of a service provider to provide the following services: Travel, accommodation and conference facilities to the Office of the Chief Justice for the period of 36 months.	100	100	2
OCJ2017/01 Appointment of a service provider to provide the comprehensive employee health and wellness services for a period of 36 months	100	100	N/A



Table 3.15.3 Report on consultant appointments using donor funds for the period 1 April 2019 to 31 March 2020

Project title	Total number of consultants that worked on project	Duration (workdays)	Contract value in Rand
N/A	N/A	N/A	N/A

Total number of projects	Total individual consultants that worked on project	Total duration (workdays)	Contract value in Rand
N/A	N/A	N/A	N/A

Table 3.15.4 Analysis of consultant appointments using donor funds in terms of historically disadvantaged individuals (HDIs) for the period 1 April 2019 to 31 March 2020

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that worked on the project
N/A	N/A	N/A	N/A

3.16 SEVERANCE PACKAGES

Table 3.16.1 Granting of employee-initiated severance packages for the period 1 April 2019 to 31 March 2020

No severance packages were initiated or granted for the period under review.



PART E: FINANCIAL STATEMENTS



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PART E:

FINANCIAL STATEMENTS

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Report of the auditor-general to Parliament on vote no. 22: Office of the Chief Justice

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of the Office of the Chief Justice set out on pages 88 to 155, which comprise the appropriation statement, statement of financial position as at 31 March 2020, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Office of the Chief Justice as at 31 March 2020, and its financial performance and cash flows for the year then ended in accordance with the Modified Cash Standard (MCS) prescribed by National Treasury (NT) and the requirements of the Public Finance Management Act of South Africa, 1999 (Act No. 1 of 1999) (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of this auditor's report.
4. I am independent of the department in accordance with sections 290 and 291 of the *Code of ethics for professional accountants* and parts 1 and 3 of the *International Code of Ethics for Professional Accountants (including International Independence Standards)* of the International Ethics Standards Board for Accountants (IESBA codes) as well as the ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA codes.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other matter

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

Unaudited supplementary schedules

7. The supplementary information set out on pages 156 to 161 does not form part of the financial statements and is presented as additional information. I have not audited these schedules and, accordingly, I do not express an opinion on them.

Responsibilities of the accounting officer for the financial statements

8. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the MCS prescribed by NT and the requirements of the PFMA, and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
9. In preparing the financial statements, the accounting officer is responsible for assessing the department's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the department or to cease operations, or has no realistic alternative but to do so.

Auditor-general's responsibilities for the audit of the financial statements

10. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
11. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

Report on the audit of the annual performance report

Introduction and scope

12. In accordance with the Public Audit Act of South Africa 2004 (Act No. 25 of 2004) (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported performance information against predetermined objectives for selected programme presented in the annual performance report. I performed procedures to identify material findings but not to gather evidence to express assurance.
13. My procedures address the usefulness and reliability of the reported performance information, which must be based on the approved performance planning documents of the department. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the department enabled service delivery. My procedures also do not extend to any disclosures or assertions relating to planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.



14. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected programme presented in the annual performance report of the department for the year ended 31 March 2020:

Programme	Pages in the annual performance report
Programme 2: Superior Court Services	35

15. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.

16. I did not identify any material findings on the usefulness and reliability of the reported performance information for programme 2: Superior Court Services.

Other matter

17. I draw attention to the matter below.

Achievement of planned targets

18. Refer to the annual performance report on pages 30 to 39 for information on the achievement of planned targets for the year and explanations provided for the under or over achievement of a number of targets.

Report on the audit of compliance with legislation

Introduction and scope

19. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the department's compliance with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.

20. I did not identify any material findings on compliance with the specific matters in key legislation set out in the general notice issued in terms of the PAA.

Other information

21. The accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and the selected programme presented in the annual performance report that has been specifically reported in this auditor's report.

22. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion thereon.

23. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected programme presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

24. If based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact. I have nothing to report in this regard.

Internal control deficiencies

25. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. I did not identify any significant deficiencies in internal control.

Auditor-General

Pretoria
30 September 2020



Annexure – Auditor-general’s responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programme and on the department’s compliance with respect to the selected subject matters.

Financial statements

2. In addition to my responsibility for the audit of the financial statements as described in this auditor’s report, I also:
 - identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control
 - obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the department’s internal control
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer
 - conclude on the appropriateness of the accounting officer’s use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the Office of the Chief Justice to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor’s report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor’s report. However, future events or conditions may cause a department to cease operating as a going concern
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

Communication with those charged with governance

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.
4. I also confirm to the accounting officer that I have complied with relevant ethical requirements regarding independence, and communicate all relationships and other matters that may reasonably be thought to have a bearing on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.



APPROPRIATION STATEMENT

for the year ended 31 March 2020

APPROPRIATION PER PROGRAMME

Programme	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1. Administration	209 199	-	8 233	217 432	211 077	6 355	97.1%	223 805	222 059
2. Superior Courts Services	907 060	-	(8 233)	898 827	857 691	41 136	95.4%	824 755	801 547
3. Judicial Education and Support	81 433	-	-	81 433	65 119	16 314	80.0%	71 187	68 413
Subtotal	1 197 692	-	-	1 197 692	1 133 887	63 805	94.7%	1 119 747	1 092 019
Statutory Appropriation	1 098 546	-	-	1 098 546	1 051 725	46 821	95.7%	1 022 091	1 022 189
Judges' salaries	1 098 546	-	-	1 098 546	1 051 725	46 821	95.7%	1 022 091	1 022 189
Total	2 296 238	-	-	2 296 238	2 185 612	110 626	95.2%	2 141 838	2 114 208

TOTAL (brought forward)	2019/20		2018/19	
	Final Appropriation	Actual Expenditure	Final Appropriation	Actual Expenditure
Reconciliation with statement of financial performance				
ADD				
Departmental receipts		2 895		1 495
NRF Receipts				
Actual amounts per statement of financial performance (total revenue)		2 299 133		2 143 333
ADD				
Aid assistance				
Prior year unauthorised expenditure approved without funding				
Actual amounts per statement of financial performance (total expenditure)		2 185 612		2 114 208

APPROPRIATION STATEMENT

for the year ended 31 March 2020

APPROPRIATION PER ECONOMIC CLASSIFICATION

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Economic classification									
Current payments	2 094 712	(885)	-	2 093 827	2 015 516	78 311	96.3%	1 913 061	1 885 424
Compensation of employees	1 755 428	-	-	1 755 428	1 703 582	51 846	97.0%	1 644 037	1 619 174
Salaries and wages	1 642 674	-	-	1 642 674	1 593 958	48 716	97.0%	1 544 138	1 522 128
Social contributions	112 754	-	-	112 754	109 624	3 130	97.2%	99 899	97 046
Goods and services	339 284	(885)	-	338 399	311 934	26 465	92.2%	269 024	266 250
Administrative fees	4 374	634	-	5 008	5 008	-	100.0%	3 588	3 588
Advertising	1 400	222	-	1 622	1 622	-	100.0%	1 724	1 724
Minor assets	8 393	(3 088)	(159)	5 146	4 076	1 070	79.2%	4 432	4 432
Audit costs: External	8 290	(2 196)	-	6 094	6 094	-	100.0%	5 872	5 872
Bursaries: Employees	1 705	(1 087)	-	618	618	-	100.0%	989	989
Catering: Departmental activities	2 352	2 693	-	5 045	5 045	-	100.0%	4 516	4 516
Communication	19 277	(236)	-	19 041	11 481	7 560	60.3%	15 291	15 291
Computer services	61 681	1 363	-	63 044	62 994	50	99.9%	32 911	32 911
Consultants: Business and advisory services	11 895	(1 404)	-	10 491	9 794	697	93.4%	7 768	7 768
Infrastructure and planning services	-	-	-	-	-	-	-	-	-
Laboratory services	-	-	-	-	-	-	-	-	-
Scientific and technological services	-	-	-	-	-	-	-	-	-
Legal services	4 782	437	-	5 219	1 171	4 048	22.4%	933	933

APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Contractors	11 409	(3 848)	(6 000)	1 561	1 561	-	100.0%	1 151	1 151
Agency and support/outsourced services	3 156	(1 838)	-	1 318	1 318	-	100.0%	1 331	1 331
Entertainment	250	(239)	-	11	11	-	100.0%	159	159
Fleet services	26 409	(1 434)	-	24 975	22 041	2 934	88.3%	26 527	26 527
Housing	-	-	-	-	-	-	-	-	-
Inventory: Clothing material and supplies	-	-	-	-	-	-	-	-	-
Inventory: Farming supplies	-	-	-	-	-	-	-	-	-
Inventory: Food and food supplies	-	-	-	-	-	-	-	-	-
Inventory: Fuel, oil and gas	-	-	-	-	-	-	-	-	-
Inventory: Learner and teacher support material	-	-	-	-	-	-	-	-	-
Inventory: Materials and supplies	-	-	-	-	-	-	-	-	-
Inventory: Medical supplies	-	-	-	-	-	-	-	-	-
Inventory: Medicine	-	-	-	-	-	-	-	-	-
Medsas Inventory Interface	-	-	-	-	-	-	-	-	-
Inventory: Other supplies	-	-	-	-	-	-	-	-	-
Consumable supplies	4 674	(853)	-	3 821	3 821	-	100.0%	3 429	3 429
Consumable: Stationery, printing and office supplies	13 220	(2 328)	-	10 892	10 055	837	92.3%	10 546	10 546
Operating leases	3 028	14 166	8 233	25 427	25 427	-	100.0%	17 942	17 942
Property payments	3 478	203	-	3 681	3 681	-	100.0%	2 501	2 501

APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Transport provided: Departmental activity	120 905	5 573	(2 074)	124 404	116 937	7 467	94.0%	110 547	107 773
Travel and subsistence	8 132	(2 348)	-	5 784	5 784	-	100.0%	4 420	4 420
Training and development	9 191	(3 661)	-	5 530	5 488	42	99.2%	6 128	6 128
Operating payments	10 990	(1 334)	-	9 656	7 896	1 760	81.8%	6 308	6 308
Venues and facilities	293	(282)	-	11	11	-	100.0%	11	11
Rental and hiring	-	-	-	-	-	-	-	-	-
Interest and rent on land	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-
Rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	96 981	885	-	97 866	75 005	22 861	76.6%	68 306	68 313
Provinces and municipalities	45	10	-	55	55	-	100.0%	-	-
Provinces	-	-	-	-	-	-	-	-	-
Provincial Revenue Funds	-	-	-	-	-	-	-	-	-
Provincial agencies and funds	-	-	-	-	-	-	-	-	-
Municipalities	45	10	-	55	55	-	100.0%	-	-
Municipal bank accounts	45	10	-	55	55	-	100.0%	-	-
Municipal agencies and funds	-	-	-	-	-	-	-	-	-
Departmental agencies and accounts	3	(1)	-	2	2	-	100.0%	-	-
Social security funds	-	-	-	-	-	-	-	-	-
Departmental agencies and accounts	3	(1)	-	2	2	-	100.0%	-	-



APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Higher education institutions	-	-	-	-	-	-	-	-	-
Foreign governments and international organisations	-	-	-	-	-	-	-	-	-
Public corporations and private enterprises	-	-	-	-	-	-	-	-	-
Public corporations	-	-	-	-	-	-	-	-	-
Subsidies on products and production	-	-	-	-	-	-	-	-	-
Other transfers to public corporations	-	-	-	-	-	-	-	-	-
Private enterprises	-	-	-	-	-	-	-	-	-
Subsidies on products and production	-	-	-	-	-	-	-	-	-
Other transfers to private enterprises	-	-	-	-	-	-	-	-	-
Non-profit institutions	-	-	-	-	-	-	-	-	-
Households	96 933	876	-	97 809	74 948	22 861	76.6%	68 306	68 313
Social benefits	96 933	743	-	97 676	74 815	22 861	76.6%	68 306	68 313
Other transfers to households	-	133	-	133	133	-	100.0%	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Payments for capital assets	104 545	-	-	104 545	95 067	9 478	90.9%	160 471	160 471
Buildings and other fixed structures	-	-	-	-	-	-	-	9	9
Buildings	-	-	-	-	-	-	-	-	-
Other fixed structures	-	-	-	-	-	-	-	9	9
Machinery and equipment	104 183	(364)	-	103 819	94 341	9 478	90.9%	123 933	123 933
Transport equipment	83 167	78	-	83 245	83 245	-	100.0%	97 252	97 252
Other machinery and equipment	21 016	(442)	-	20 574	11 096	9 478	53.9%	26 681	26 681
Heritage assets	-	-	-	-	-	-	-	-	-
Specialised military assets	-	-	-	-	-	-	-	-	-
Biological assets	-	-	-	-	-	-	-	-	-
Land and subsoil assets	-	-	-	-	-	-	-	-	-
Software and other intangible assets	362	364	-	726	726	-	100.0%	36 529	36 529
Payments for financial assets	-	-	-	2 296 238	24	(24)	-	-	-
Total	2 296 238	-	-	2 296 238	2 185 612	110 626	95.2%	2 141 838	2 114 208



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Management	39 384	(2 659)	-	36 725	34 900	1 825	95.0%	31 180	31 162
2. Corporate Services	121 029	(2 650)	-	118 379	114 182	4 197	96.5%	136 025	134 322
3. Financial Administration	31 147	(362)	-	30 785	30 471	314	99.0%	29 260	29 260
4. Internal Audit	17 639	1 359	-	18 998	18 979	19	99.9%	16 833	16 808
5. Office Accommodation	-	4 312	8 233	12 545	12 545	-	100.0%	10 507	10 507
Total for sub programmes	209 199		8 233	217 432	211 077	6 355	97.1%	223 805	222 059
Economic classification									
Current payments	199 542	(91)	8 233	207 684	204 832	2 852	98.6%	163 551	161 805
Compensation of employees	100 841	-	-	100 841	98 039	2 802	97.2%	89 523	87 777
Salaries and wages	89 158	-	-	89 158	86 406	2 752	96.9%	79 202	77 736
Social contributions	11 683	-	-	11 683	11 633	50	99.6%	10 321	10 041
Goods and services	98 701	(91)	8 233	106 843	106 793	50	100.0%	74 028	74 028
Administrative fees	1 083	(503)	-	580	580	-	100.0%	545	545
Advertising	1 236	284	-	1 520	1 520	-	100.0%	1 317	1 317
Minor assets	512	39	-	551	551	-	100.0%	816	816
Audit costs: External	5 601	493	-	6 094	6 094	-	100.0%	5 872	5 872
Bursaries: Employees	1 705	(1 087)	-	618	618	-	100.0%	989	989
Catering: Departmental activities	434	93	-	527	527	-	100.0%	332	332
Communication	1 353	(83)	-	1 270	1 270	-	100.0%	4 549	4 549
Computer services	58 909	2 774	-	61 683	61 633	50	99.9%	30 621	30 621

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Consultants: Business and advisory services	936	880	-	1 816	1 816	-	100.0%	1 463	1 463
Legal services	-	-	-	-	-	-	-	16	16
Contractors	4 345	(3 569)	-	776	776	-	100.0%	687	687
Agency and support/outsourced services	235	(235)	-	-	-	-	-	-	-
Entertainment	-	-	-	-	-	-	-	-	-
Fleet services	37	119	-	156	156	-	100.0%	58	58
Inventory: Other supplies	-	-	-	-	-	-	-	-	-
Consumable supplies	1 275	122	-	1 397	1 397	-	100.0%	1 682	1 682
Consumable: Stationery, printing and office supplies	1 068	(38)	-	1 030	1 030	-	100.0%	1 097	1 097
Operating leases	-	4 312	8 233	12 545	12 545	-	100.0%	10 507	10 507
Property payments	620	(237)	-	383	383	-	100.0%	497	497
Transport provided: Departmental activity	-	-	-	-	-	-	-	-	-
Travel and subsistence	9 948	(175)	-	9 773	9 773	-	100.0%	8 386	8 386
Training and development	6 953	(2 265)	-	4 688	4 688	-	100.0%	3 491	3 491
Operating payments	2 216	(927)	-	1 289	1 289	-	100.0%	1 091	1 091
Venues and facilities	235	(88)	-	147	147	-	100.0%	12	12
Rental and hiring	-	-	-	-	-	-	-	-	-
Interest and rent on land	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-
Rent on land	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Transfers and subsidies	11	91	-	102	102	-	100.0%	166	166
Provinces and municipalities	-	8	-	8	8	-	100.0%	-	-
Provinces	-	-	-	-	-	-	-	-	-
Provincial Revenue Funds	-	-	-	-	-	-	-	-	-
Provincial agencies and funds	-	-	-	-	-	-	-	-	-
Municipalities	-	8	-	8	8	-	100.0%	-	-
Municipal bank accounts	-	8	-	8	8	-	100.0%	-	-
Households	11	83	-	94	94	-	100.0%	166	166
Social benefits	11	83	-	94	94	-	100.0%	166	166
Other transfers to households	-	-	-	-	-	-	-	-	-
Payments for capital assets	9 646	-	-	9 646	6 143	3 503	63.7%	60 088	60 088
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Buildings	-	-	-	-	-	-	-	-	-
Other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	9 284	(286)	-	8 998	5 495	3 503	61.1%	23 609	23 609
Transport equipment	-	-	-	-	-	-	-	3 149	3 149
Other machinery and equipment	9 284	(286)	-	8 998	5 495	3 503	61.1%	20 460	20 460
Land and subsoil assets	-	-	-	-	-	-	-	-	-
Software and other intangible assets	362	286	-	648	648	-	100.0%	36 479	36 479
Payments for financial assets	-	-	-	-	-	-	-	-	-
Total	209 199	-	8 233	217 432	211 077	6 355	97.1%	223 805	222 059

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration

1.1 Management

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	39 025	(2 447)	-	36 578	34 795	1 783	95.1%	31 058	31 040
Compensation of employees	33 036	(436)	-	32 600	30 817	1 783	94.5%	28 200	28 182
Goods and services	5 989	(2 011)	-	3 978	3 978	-	100.0%	2 858	2 858
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	11	24	-	35	35	-	100.0%	-	-
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Households	11	24	-	35	35	-	100.0%	-	-
Payments for capital assets	348	(236)	-	112	70	42	62.5%	122	122
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	348	(236)	-	112	70	42	62.5%	108	108
Land and subsoil assets	-	-	-	-	-	-	-	-	-
Software and other intangible assets	-	-	-	-	-	-	-	-	-
Payments for financial assets	-	-	-	-	-	-	-	14	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration 1.2 Corporate Services

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	112 060	(2 948)	-	109 112	108 062	1 050	99.0%	75 946	74 243
Compensation of employees	32 059	45	-	32 104	31 104	1 000	96.9%	28 193	26 490
Goods and services	80 001	(2 993)	-	77 008	76 958	50	99.9%	47 753	47 753
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	-	62	-	62	62	-	100.0%	126	126
Provinces and municipalities	-	8	-	8	8	-	100.0%	-	-
Households	-	54	-	54	54	-	100.0%	126	126
Payments for capital assets	8 969	236	-	9 205	6 058	3 147	65.8%	59 953	59 953
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	8 607	(50)	-	8 557	5 410	3 147	63.2%	23 488	23 488
Land and subsoil assets	-	-	-	-	-	-	-	-	-
Software and other intangible assets	362	286	-	648	648	-	100.0%	36 465	36 465
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration 1.3 Financial Administration

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	30 818	(367)	–	30 451	30 451	–	100.0%	29 207	29 207
Compensation of employees	27 295	402	–	27 697	27 697	–	100.0%	26 095	26 095
Goods and services	3 523	(769)	–	2 754	2 754	–	100.0%	3 112	3 112
Interest and rent on land	–	–	–	–	–	–	–	–	–
Transfers and subsidies	–	5	–	5	5	–	100.0%	40	40
Provinces and municipalities	–	–	–	–	–	–	–	–	–
Households	–	5	–	5	5	–	100.0%	40	40
Payments for capital assets	329	–	–	329	15	314	4.6%	13	13
Buildings and other fixed structures	–	–	–	–	–	–	–	–	–
Machinery and equipment	329	–	–	329	15	314	4.6%	13	13
Payments for financial assets	–	–	–	–	–	–	–	–	–

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration

1.4 Internal Audit

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	17 639	1 359	-	18 998	18 979	19	99.9%	16 833	16 808
Compensation of employees	8 451	(11)	-	8 440	8 421	19	99.8%	7 035	7 010
Goods and services	9 188	1 370	-	10 558	10 558	-	100.0%	9 798	9 798
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies									
Payments for capital assets									
Payments for financial assets									

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 1: Administration 1.5 Office Accommodation

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	-	4 312	8 233	12 545	12 545	-	100.0%	10 507	10 507
Compensation of employees	-	-	-	-	-	-	-	-	-
Goods and services	-	4 312	8 233	12 545	12 545	-	100.0%	10 507	10 507
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies									
Payments for capital assets									
Payments for financial assets									



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Administration of Superior Courts	21 919	(2 062)	(6 000)	13 857	10 843	3 014	78.2%	11 960	11 150
2. Constitutional Court	61 757	738	(2 233)	60 262	55 828	4 434	92.6%	57 136	55 780
3. Supreme Court of Appeal	38 193	6 502	-	44 695	42 756	1 939	95.7%	34 453	34 191
4. High courts	716 150	(4 911)	-	711 239	684 641	26 598	96.3%	664 030	643 250
5. Specialised Courts	69 041	(267)	-	68 774	63 623	5 151	92.5%	57 176	57 176
Total for sub programmes	907 060	-	(8 233)	898 827	857 691	41 136	95.4%	824 755	801 547
Economic classification									
Current payments	810 986	(684)	(8 233)	802 069	766 087	35 982	95.5%	731 123	707 915
Compensation of employees	624 843	-	-	624 843	602 424	22 419	96.4%	575 018	551 810
Salaries and wages	534 064	-	-	534 064	514 246	19 818	96.3%	494 459	473 824
Social contributions	90 779	-	-	90 779	88 178	2 601	97.1%	80 559	77 986
Goods and services	186 143	(684)	(8 233)	177 226	163 663	13 563	92.3%	156 105	156 105
Administrative fees	2 197	(34)	-	2 163	2 163	-	100.0%	1 471	1 471
Advertising	64	(9)	-	55	55	-	100.0%	14	14
Minor assets	7 724	(3 001)	(159)	4 564	3 494	1 070	76.6%	3 509	3 509
Audit costs: External	2 689	(2 689)	-	-	-	-	-	-	-
Bursaries: Employees	-	-	-	-	-	-	-	-	-
Catering: Departmental activities	1 066	1 625	-	2 691	2 691	-	100.0%	2 142	2 142
Communication	17 666	(20)	-	17 646	10 086	7 560	57.2%	10 649	10 649

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Computer services	2 474	(1 226)	-	1 248	1 248	-	100.0%	2 184	2 184
Consultants: Business and advisory services	8 841	(1 642)	-	7 199	7 199	-	100.0%	5 310	5 310
Legal services	33	(18)	-	15	15	-	100.0%	11	11
Contractors	6 932	(155)	(6 000)	777	777	-	100.0%	464	464
Agency and support/ outsourced services	2 921	(1 603)	-	1 318	1 318	-	100.0%	1 331	1 331
Entertainment	250	(239)	-	11	11	-	100.0%	16	16
Fleet services	26 372	(1 553)	-	24 819	21 885	2 934	88.2%	25 668	25 668
Inventory: Other supplies	-	-	-	-	-	-	-	-	-
Consumable supplies	3 314	(909)	-	2 405	2 405	-	100.0%	1 623	1 623
Consumable: Stationery, printing and office supplies	11 341	(2 155)	-	9 186	8 349	837	90.9%	8 916	8 916
Operating leases	3 028	9 854	-	12 882	12 882	-	100.0%	7 087	7 087
Property payments	2 858	440	-	3 298	3 298	-	100.0%	2 004	2 004
Transport provided: Departmental activity	-	-	-	-	-	-	-	-	-
Travel and subsistence	77 862	6 092	(2 074)	81 880	80 760	1 120	98.6%	78 279	78 279
Training and development	-	-	-	-	-	-	-	-	-
Operating payments	5 430	(1 721)	-	3 709	3 667	42	98.9%	4 432	4 432
Venues and facilities	2 892	(1 543)	-	1 349	1 349	-	100.0%	984	984
Rental and hiring	189	(178)	-	11	11	-	100.0%	11	11

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Interest and rent on land	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-
Rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	2 520	684	-	3 204	3 055	149	95.3%	2 132	2 132
Provinces and municipalities	45	2	-	47	47	-	100.0%	-	-
Provinces	-	-	-	-	-	-	-	-	-
Provincial Revenue Funds	-	-	-	-	-	-	-	-	-
Provincial agencies and funds	-	-	-	-	-	-	-	-	-
Municipalities	45	2	-	47	47	-	100.0%	-	-
Municipal bank accounts	45	2	-	47	47	-	100.0%	-	-
Municipal agencies and funds	-	-	-	-	-	-	-	-	-
Departmental agencies and accounts	3	(1)	-	2	2	-	100.0%	-	-
Social security funds	-	-	-	-	-	-	-	-	-
Departmental agencies	3	(1)	-	2	2	-	100.0%	-	-
Higher education institutions	-	-	-	-	-	-	-	-	-
Non-profit institutions	-	-	-	-	-	-	-	-	-
Households	2 472	683	-	3 155	3 006	149	95.3%	2 132	2 132
Social benefits	2 472	550	-	3 022	2 873	149	95.1%	2 132	2 132
Other transfers to households	-	133	-	133	133	-	100.0%	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Payments for capital assets	93 554	-	-	93 554	88 525	5 029	94.6%	91 500	91 500
Buildings and other fixed structures	-	-	-	-	-	-	-	9	9
Buildings	-	-	-	-	-	-	-	-	-
Other fixed structures	-	-	-	-	-	-	-	9	9
Machinery and equipment	93 554	(78)	-	93 476	88 447	5 029	94.6%	91 441	91 441
Transport equipment	83 167	78	-	83 245	83 245	-	100.0%	85 743	85 743
Other machinery and equipment	10 387	(156)	-	10 231	5 202	5 029	50.8%	5 698	5 698
Heritage assets	-	-	-	-	-	-	-	-	-
Specialised military assets	-	-	-	-	-	-	-	-	-
Biological assets	-	-	-	-	-	-	-	-	-
Land and subsoil assets	-	-	-	-	-	-	-	-	-
Intangible assets	-	78	-	78	78	-	100.0%	50	50
Payments for financial assets	-	-	-	-	24	(24)	-	-	-
Total	907 060	-	(8 233)	898 827	857 691	41 136	95.4%	824 755	801 547



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

2.1 Administration of Superior Courts

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	21 876	(2 062)	(6 000)	13 814	10 802	3 012	78.2%	11 912	11 102
Compensation of employees	12 352	(12)	-	12 340	9 328	3 012	75.6%	10 656	9 846
Goods and services	9 524	(2 050)	(6 000)	1 474	1 474	-	100.0%	1 256	1 256
Transfers and subsidies	-	-	-	-	-	-	-	-	-
Payments for capital assets	43	-	-	43	41	2	95.3%	48	48
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	43	-	-	43	41	2	95.3%	48	48
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

2.2 Constitutional Court

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	58 226	(1 931)	(2 233)	54 062	51 099	2 963	94.5%	53 161	51 805
Compensation of employees	31 393	12	-	31 405	31 293	112	99.6%	31 379	30 023
Goods and services	26 833	(1 943)	(2 233)	22 657	19 806	2 851	87.4%	21 782	21 782
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	32	4	-	36	36	-	100.0%	-	-
Provinces and municipalities	-	4	-	4	4	-	100.0%	-	-
Non-profit institutions	-	-	-	-	-	-	-	-	-
Households	32	-	-	32	32	-	100.0%	-	-
Payments for capital assets	3 499	2 665	-	6 164	4 669	1 495	75.7%	3 975	3 975
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	3 499	2 665	-	6 164	4 669	1 495	75.7%	3 975	3 975
Payments for financial assets	-	-	-	-	24	(24)	-	-	-



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

2.3 Supreme Court of Appeal

Economic classification	2019/20					2018/19			
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	31 202	3 988	-	35 190	34 242	948	97.3%	27 570	27 308
Compensation of employees	20 246	-	-	20 246	19 298	948	95.3%	17 717	17 455
Goods and services	10 956	3 988	-	14 944	14 944	-	100.0%	9 853	9 853
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	161	1	-	162	13	149	8.0%	7	7
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Departmental agencies and accounts	-	1	-	1	1	-	100.0%	-	-
Households	161	-	-	161	12	149	7.5%	7	7
Payments for capital assets	6 830	2 513	-	9 343	8 501	842	91.0%	6 876	6 876
Buildings and other fixed structures	-	-	-	-	-	-	-	9	9
Machinery and equipment	6 830	2 435	-	9 265	8 423	842	90.9%	6 817	6 817
Heritage assets	-	-	-	-	-	-	-	-	-
Intangible assets	-	78	-	78	78	-	100.0%	50	50
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

2.4 High Courts

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	636 379	(679)	-	635 700	610 989	24 711	96.1%	585 848	565 068
Compensation of employees	510 614	-	-	510 614	493 956	16 658	96.7%	472 474	451 694
Goods and services	125 765	(679)	-	125 086	117 033	8 053	93.6%	113 374	113 374
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	2 325	679	-	3 004	3 004	-	100.0%	2 114	2 114
Provinces and municipalities	45	(2)	-	43	43	-	100.0%	-	-
Departmental agencies and accounts	3	(2)	-	1	1	-	100.0%	-	-
Non-profit institutions	-	-	-	-	-	-	-	-	-
Households	2 277	683	-	2 960	2 960	-	100.0%	2 114	2 114
Payments for capital assets	77 446	(4 911)	-	72 535	70 648	1 887	97.4%	76 068	76 068
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	77 446	(4 911)	-	72 535	70 648	1 887	97.4%	76 068	76 068
Payments for financial assets	-	-	-	-	-	-	-	-	-



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 2: Superior Court Services

2.5 Specialised Courts

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	63 303	-	-	63 303	58 955	4 348	93.1%	52 632	52 632
Compensation of employees	50 238	-	-	50 238	48 549	1 689	96.6%	42 792	42 792
Goods and services	13 065	-	-	13 065	10 406	2 659	79.6%	9 840	9 840
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	2	-	-	2	2	-	100.0%	11	11
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Households	2	-	-	2	2	-	100.0%	11	11
Payments for capital assets	5 736	(267)	-	5 469	4 666	803	85.3%	4 533	4 533
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	5 736	(267)	-	5 469	4 666	803	85.3%	4 533	4 533
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 3: Judicial Education & Support

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. South African Judicial Education Institute	48 576	634	-	49 210	46 989	2 221	95.5%	40 499	37 725
2. Judicial Policy, Research and Support	24 933	(634)	-	24 299	11 454	12 845	47.1%	23 488	23 488
3. Judicial Service Commission	7 924	-	-	7 924	6 676	1 248	84.3%	7 200	7 200
Total for sub programmes	81 433	-	-	81 433	65 119	16 314	80.0%	71 187	68 413
Economic classification									
Current payments	80 088	(110)	-	79 978	64 610	15 368	80.8%	62 269	59 495
Compensation of employees	25 648	-	-	25 648	23 132	2 516	90.2%	23 378	23 378
Salaries and wages	22 406	-	-	22 406	20 205	2 201	90.2%	20 644	20 644
Social contributions	3 242	-	-	3 242	2 927	315	90.3%	2 734	2 734
Goods and services	54 440	(110)	-	54 330	41 478	12 852	76.3%	38 891	36 117
Administrative fees	1 094	1 171	-	2 265	2 265	-	100.0%	1 572	1 572
Advertising	100	(53)	-	47	47	-	100.0%	393	393
Minor assets	157	(126)	-	31	31	-	100.0%	107	107
Audit costs: External	-	-	-	-	-	-	-	-	-
Bursaries: Employees	-	-	-	-	-	-	-	-	-
Catering: Departmental activities	852	975	-	1 827	1 827	-	100.0%	2 042	2 042
Communication	258	(133)	-	125	125	-	100.0%	93	93
Computer services	298	(185)	-	113	113	-	100.0%	106	106

APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Consultants: Business and advisory services	2 118	(642)	-	1 476	779	697	52.8%	995	995
Legal services	4 749	455	-	5 204	1 156	4 048	22.2%	906	906
Contractors	132	(124)	-	8	8	-	100.0%	-	-
Agency and support/ outsourced services	-	-	-	-	-	-	-	-	-
Entertainment	-	-	-	-	-	-	-	143	143
Fleet services	-	-	-	-	-	-	-	801	801
Inventory: Other supplies	-	-	-	-	-	-	-	-	-
Consumable supplies	85	(66)	-	19	19	-	100.0%	124	124
Consumable: Stationery, printing and office supplies	811	(135)	-	676	676	-	100.0%	533	533
Operating leases	-	-	-	-	-	-	-	348	348
Property payments	-	-	-	-	-	-	-	-	-
Transport provided: Departmental activity	-	-	-	-	-	-	-	-	-
Travel and subsistence	33 095	(344)	-	32 751	26 404	6 347	80.6%	23 882	21 108
Training and development	1 179	(83)	-	1 096	1 096	-	100.0%	929	929
Operating payments	1 545	(1 013)	-	532	532	-	100.0%	605	605
Venues and facilities	7 863	297	-	8 160	6 400	1 760	78.4%	5 312	5 312
Rental and hiring	104	(104)	-	-	-	-	-	-	-
Interest and rent on land	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-
Rent on land	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Transfers and subsidies									
Provinces and municipalities	-	110	-	110	110	-	100.0%	35	35
Provinces	-	-	-	-	-	-	-	-	-
Provincial Revenue Funds	-	-	-	-	-	-	-	-	-
Households	-	110	-	110	110	-	100.0%	35	35
Social benefits	-	110	-	110	110	-	100.0%	35	35
Other transfers to households	-	-	-	-	-	-	-	-	-
Payments for capital assets	1 345	-	-	1 345	399	946	29.7%	8 883	8 883
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Buildings	-	-	-	-	-	-	-	-	-
Other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	1 345	-	-	1 345	399	946	29.7%	8 883	8 883
Transport equipment	-	-	-	-	-	-	-	8 360	8 360
Other machinery and equipment	1 345	-	-	1 345	399	946	29.7%	523	523
Intangible assets	-	-	-	-	-	-	-	-	-
Payments for financial assets	-	-	-	-	-	-	-	-	-
Total	81 433	-	-	81 433	65 119	16 314	80.0%	71 187	68 413



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 3: Judicial Education & Support

3.1 South African Judicial Education Institute

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	47 587	627	-	48 214	46 628	1 586	96.7%	40 084	37 310
Compensation of employees	11 346	-	-	11 346	9 760	1 586	86.0%	9 800	9 800
Goods and services	36 241	627	-	36 868	36 868	-	100.0%	30 284	27 510
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	-	7	-	7	7	-	100.0%	-	-
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Households	-	7	-	7	7	-	100.0%	-	-
Payments for capital assets	989	-	-	989	354	635	35.8%	415	415
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	989	-	-	989	354	635	35.8%	415	415
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 3: Judicial Education and Support

3.2 Judicial Policy, Research and Support

Economic classification	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	24 577	(634)	-	23 943	11 409	12 534	47.7%	14 985	14 985
Compensation of employees	10 688	-	-	10 688	10 309	379	96.5%	9 923	9 923
Goods and services	13 889	(634)	-	13 255	1 100	12 155	8.3%	5 062	5 062
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	-	-	-	-	-	-	-	35	35
Households	-	-	-	-	-	-	-	35	35
Payments for capital assets	356	-	-	356	45	311	12.6%	8 468	8 468
Buildings and other fixed structures	-	-	-	-	-	-	-	-	-
Machinery and equipment	356	-	-	356	45	311	12.6%	8 468	8 468
Payments for financial assets	-	-	-	-	-	-	-	-	-



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Programme 3: Judicial Education & Support

3.3 Judicial Service Commission

Economic classification	2019/20				2018/19				
	Adjusted Appropriation R'000	Shifting of Funds R'000	Virement R'000	Final Appropriation R'000	Actual expenditure R'000	Variance R'000	Expenditure as % of final appropriation %	Final Appropriation R'000	Actual Expenditure R'000
Current payments	7 924	(103)	-	7 821	6 573	1 248	84.0%	7 200	7 200
Compensation of employees	3 614	-	-	3 614	3 063	551	84.8%	3 655	3 655
Goods and services	4 310	(103)	-	4 207	3 510	697	83.4%	3 545	3 545
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	-	103	-	103	103	-	100.0%	-	-
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Households	-	103	-	103	103	-	100.0%	-	-
Payments for capital assets	-	-	-	-	-	-	-	-	-
Intangible assets	-	-	-	-	-	-	-	-	-
Payments for financial assets	-	-	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2020

Direct Charges: Judges' Salaries

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Judges' salaries	1 098 546	-	-	1 098 546	1 051 725	46 821	95.7%	1 022 091	1 022 189
Total for sub programmes	1 098 546	-	-	1 098 546	1 051 725	46 821	95.7%	1 022 091	1 022 189
Economic classification									
Current payments	1 004 096	-	-	1 004 096	979 987	24 109	97.6%	956 118	956 209
Compensation of employees	1 004 096	-	-	1 004 096	979 987	24 109	97.6%	956 118	956 209
Salaries and wages	997 046	-	-	997 046	973 101	23 945	97.6%	949 833	949 924
Social contributions	7 050	-	-	7 050	6 886	164	97.7%	6 285	6 285
Goods and services	-	-	-	-	-	-	-	-	-
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	94 450	-	-	94 450	71 738	22 712	76.0%	65 973	65 980
Private enterprises	-	-	-	-	-	-	-	-	-
Households	94 450	-	-	94 450	71 738	22 712	76.0%	65 973	65 980
Social benefits	94 450	-	-	94 450	71 738	22 712	76.0%	65 973	65 980
Other transfers to households	-	-	-	-	-	-	-	-	-
Payments for financial assets	-	-	-	-	-	-	-	-	-
Total	1 098 546	-	-	1 098 546	1 051 725	46 821	95.7%	1 022 091	1 022 189



APPROPRIATION STATEMENT

for the year ended 31 March 2020

Direct Charges: Judges' Salaries

	2019/20						2018/19		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	1 004 096	-	-	1 004 096	979 987	24 109	97.6%	956 118	956 209
Compensation of employees	1 004 096	-	-	1 004 096	979 987	24 109	97.6%	956 118	956 209
Goods and services	-	-	-	-	-	-	-	-	-
Interest and rent on land	-	-	-	-	-	-	-	-	-
Transfers and subsidies	94 450	-	-	94 450	71 738	22 712	76.0%	65 973	65 980
Households	94 450	-	-	94 450	71 738	22 712	76.0%	65 973	65 980
Payments for financial assets	-	-	-	-	-	-	-	-	-

NOTES TO THE APPROPRIATION STATEMENT

for the year ended 31 March 2020

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

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

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

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

3. Detail on payments for financial assets

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

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

4.1 Per programme

	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation
Administration				
Compensation of Employees	100 841	98 039	2 802	2.8%
Goods and Services	106 843	106 793	50	0.0%

The underspending on compensation of employees relates to a higher than normal rate of natural attrition. The minor underspending on Goods and Services relates to a better rate of exchange when Microsoft licenses were paid which were charged in USD.

	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation
Superior Court Services				
Compensation of Employees	624 843	602 424	22 419	3.6%
Goods and Services	177 226	163 663	13 563	7.7%
Payments for capital assets	93 554	88 525	5 029	5.4%

The underspending on compensation of employees relates to a higher than normal rate of natural attrition. The saving on goods and services relates to the implementation of the unified telecommunication systems (voice over internet protocols) which is a more cost effective option than utilising landline services. The saving on payment of capital assets relates to delayed delivery of ICT hardware due to the closing of international manufacturing plants as a result of the COVID-19 pandemic.

	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation
Judicial Education and Support				
Compensation of employees	25 648	23 132	2 516	9.8%
Goods and services	54 330	41 478	12 852	23.7%
Payment for capital assets	1 345	399	946	70.3%

The underspending on compensation of employees relates to a higher than normal rate of natural attrition. The saving on goods and services relates to the cancellation of the Judicial Service Commission (JSC) sitting due to the Coronavirus which was supposed to be paid in March as well as cost containment measures implemented on travel and subsistence. Another reason for underspending is the non-payment of legal costs due to pending courts dates. The underspending on payment of capital assets relates to the inability to upgrade the telecommunication equipment in the South African Judicial Education Institute (SAJEI) Boardroom as a result of expired SITA transversal contracts.

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

4.1 Per programme

	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation
Judges` salaries				
Compensation of employees	1 004 096	979 987	24 109	2.4%
Transfers and subsidies	94 450	71 738	22 712	24.0%

The underspending on the Judges` salaries is due to a 0% increase on the salary adjustment for the Judiciary whilst an increase was projected for the financial year. The underspending on Transfers and subsidies relates to a smaller than projected number of Judges who opted for the pay out of long service gratuities.

4.2 Per economic classification

	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Variance as a % of Final Appropriation R'000
Current payments				
Compensation of employees	1 755 428	1 703 582	51 846	3.0%
Goods and services	338 399	311 934	26 465	7.8%
Interest and rent on land	–	–	–	–
Transfers and subsidies				
Provinces and municipalities	–	–	–	–
Households	97 809	74 948	22 861	23.4%
Payments for capital assets				
Buildings and other fixed structures	–	–	–	–
Machinery and equipment	103 819	94 341	9 478	9.1%
Intangible assets	–	–	–	–
Payments for financial assets	–	24	(24)	0.0%

The underspending relates to a higher than normal rate of natural attrition, savings realised through the implementation of the unified telecommunication system, cancellation of JSC sitting, delayed delivery of ICT hardware due to the closing of international manufacturing plants as a result of the COVID-19 pandemic, as well as the inability to upgrade the telecommunication equipment in the South African Judicial Education Institute (SAJEI) Boardroom as a result of expired SITA transversal contracts.

STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 31 March 2020

	Notes	2019/20 R'000	2018/19 R'000
REVENUE			
Annual appropriation	1	1 197 692	1 119 747
Statutory appropriation	2	1 098 546	1 022 091
Departmental revenue	3	2 895	1 495
TOTAL REVENUE		2 299 133	2 143 333
EXPENDITURE			
Current expenditure			
Compensation of employees	4	1 703 583	1 619 174
Goods and services	5	311 935	266 250
Total current expenditure		2 015 518	1 885 424
Transfers and subsidies			
Transfers and subsidies	7	75 004	68 313
Total transfers and subsidies		75 004	68 313
Expenditure for capital assets			
Tangible assets	8	94 340	123 941
Intangible assets	8	726	36 530
Total expenditure for capital assets		95 066	160 471
Unauthorised expenditure approved without funding			
Payments for financial assets	6	24	–
TOTAL EXPENDITURE		2 185 612	2 114 208
SURPLUS/(DEFICIT) FOR THE YEAR		113 521	29 125
Reconciliation of Net Surplus/(Deficit) for the year			
Voted funds		110 626	27 630
Annual appropriation		110 626	27 630
Conditional grants		–	–
Departmental revenue and NRF Receipts	13	2 895	1 495
SURPLUS/(DEFICIT) FOR THE YEAR		113 521	29 125



STATEMENT OF FINANCIAL POSITION

as at 31 March 2020

	Notes	2019/20 R'000	2018/19 R'000
ASSETS			
Current assets		112 604	29 464
Cash and cash equivalents	9	110 929	16 571
Other financial assets		–	–
Prepayments and advances	10	–	47
Receivables	11	1 675	12 846
Non-current assets		1 890	3 136
Receivables	11	1 890	3 136
TOTAL ASSETS		114 494	32 600
LIABILITIES			
Current liabilities		112 822	29 306
Voted funds to be surrendered to the Revenue Fund	12	110 626	27 630
Departmental revenue and NRF Receipts to be surrendered to the Revenue Fund	13	521	424
Bank overdraft	14	3	8
Payables	15	1 672	1 244
Non-current liabilities			
Payables	15		
TOTAL LIABILITIES		112 822	29 306
NET ASSETS		1 672	3 294
Represented by:			
Capitalisation reserve		–	–
Recoverable revenue		1 672	3 294
TOTAL		1 672	3 294

STATEMENT OF CHANGES IN NET ASSETS

for the year ended 31 March 2020

	2019/20	2018/19
	R'000	R'000
Recoverable revenue		
Opening balance	3 294	38
Transfers:	(1 622)	3 256
Debts revised	–	–
Debts recovered (included in departmental receipts)	(1 622)	–
Debts raised	–	3 256
Closing balance	1 672	3 294
TOTAL	1 672	3 294



CASH FLOW STATEMENT

for the year ended 31 March 2020

	Notes	2019/20 R'000	2018/19 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		2 298 871	2 143 333
Annual appropriated funds received	1.1	1 197 692	1 119 747
Statutory appropriated funds received	2	1 098 546	1 022 091
Departmental revenue received	3	2 632	1 494
Interest received	3.3	1	1
NRF Receipts		–	–
Aid assistance received	4	–	–
Net (increase)/decrease in working capital		11 646	17 947
Surrendered to Revenue Fund		(30 428)	(23 678)
Surrendered to RDP Fund/Donor		–	–
Current payments		(2 015 518)	(1 885 424)
Interest paid		–	–
Payments for financial assets		(24)	–
Transfers and subsidies paid		(75 004)	(68 313)
Net cash flow available from operating activities	16	189 543	183 865
CASH FLOWS FROM INVESTING ACTIVITIES			
Distribution/dividend received		–	–
Payments for capital assets	8	(95 066)	(160 471)
Proceeds from sale of capital assets	3.4	262	–
(Increase)/decrease in loans		–	–
(Increase)/decrease in investments		–	–
(Increase)/decrease in other financial assets		–	–
(Increase)/decrease in non-current receivables	11	1 246	–
Net cash flows from investing activities		(93 558)	(160 471)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(1 622)	3 256
Increase/(decrease) in non-current payables		–	–
Net cash flows from financing activities		(1 622)	3 256
Net increase/(decrease) in cash and cash equivalents		94 363	26 650
Cash and cash equivalents at beginning of period		16 563	(42 378)
Unrealised gains and losses within cash and cash equivalents		–	32 291
Cash and cash equivalents at end of period	17	110 926	16 563

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

PART A: ACCOUNTING POLICIES

Summary of significant accounting policies

The financial statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. Management has concluded that the financial statements present fairly the department's primary and secondary information.

The historical cost convention has been used, except where otherwise indicated. Management has used assessments and estimates in preparing the annual financial statements. These are based on the best information available at the time of preparation.

Where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the financial statements and to comply with the statutory requirements of the Public Finance Management Act (PFMA), Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the PFMA and the annual Division of Revenue Act.

1. Basis of preparation

The financial statements have been prepared in accordance with the Modified Cash Standard.

2. Going concern

The financial statements have been prepared on a going concern basis.

3. Presentation currency

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

4. Rounding

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

5. Foreign currency translation

Cash flows arising from foreign currency transactions are translated into South African Rands using the spot exchange rates prevailing at the date of payment/receipt.

6. Comparative information

6.1 Prior period comparative information

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

6.2 Current year comparison with budget

A comparison between the approved, final budget and actual amounts for each programme and economic classification is included in the appropriation statement.

7. Revenue

7.1 Appropriated funds

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

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

The net amount of any appropriated funds due to/from the relevant revenue fund at the reporting date is recognised as a payable/receivable in the statement of financial position.

7.2 Departmental revenue

Departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the relevant revenue fund, unless stated otherwise.

Any amount owing to the relevant revenue fund at the reporting date is recognised as a payable in the statement of financial position.



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

7. Revenue

7.3 Accrued departmental revenue

Accruals in respect of departmental revenue (excluding tax revenue) are recorded in the notes to the financial statements when:

- it is probable that the economic benefits or service potential associated with the transaction will flow to the department; and
- the amount of revenue can be measured reliably.

The accrued revenue is measured at the fair value of the consideration receivable.

Accrued tax revenue (and related interest and/penalties) is measured at amounts receivable from collecting agents.

Write-offs are made according to the department's debt write-off policy

8 Expenditure

8.1 Compensation of employees

8.1.1 Salaries and wages

Salaries and wages are recognised in the statement of financial performance on the date of payment.

8.1.2 Social contributions

Social contributions made by the department in respect of current employees are recognised in the statement of financial performance on the date of payment.

Social contributions made by the department in respect of ex-employees are classified as transfers to households in the statement of financial performance on the date of payment.

8.2 Other expenditure

Other expenditure (such as goods and services, transfers and subsidies and payments for capital assets) is recognised in the statement of financial performance on the date of payment. The expense is classified as a capital expense if the total consideration paid is more than the capitalisation threshold.

8.3 Accruals and payables not recognised

Accruals and payables not recognised are recorded in the notes to the financial statements at cost at the reporting date.

8.4 Leases

8.4.1 Operating leases

Operating lease payments made during the reporting period are recognised as current expenditure in the statement of financial performance on the date of payment.

The operating lease commitments are recorded in the notes to the financial statements.

8.4.2 Finance leases

Finance lease payments made during the reporting period are recognised as capital expenditure in the statement of financial performance on the date of payment.

The finance lease commitments are recorded in the notes to the financial statements and are not apportioned between the capital and interest portions.

Finance lease assets acquired at the end of the lease term are recorded and measured at the lower of:

- cost, being the fair value of the asset; or
- the sum of the minimum lease payments made, including any payments made to acquire ownership at the end of the lease term, excluding interest.

9. Aid Assistance

9.1 Aid assistance received

Aid assistance received in cash is recognised in the statement of financial performance when received. In-kind aid assistance is recorded in the notes to the financial statements on the date of receipt and is measured at fair value.

Aid assistance not spent for the intended purpose and any unutilised funds from aid assistance that are required to be refunded to the donor are recognised as a payable in the statement of financial position.

9.2 Aid assistance paid

Aid assistance paid is recognised in the statement of financial performance on the date of payment. Aid assistance payments made prior to the receipt of funds are recognised as a receivable in the statement of financial position.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

10. Cash and cash equivalents

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

Bank overdrafts are shown separately on the face of the statement of financial position as a current liability.

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

11. Prepayments and advances

Prepayments and advances are recognised in the statement of financial position when the department receives or disburses the cash.

Prepayments and advances are initially and subsequently measured at cost.

Prepayments will be expensed when it was budgeted for in the financial year and the contractual obligations require a prepayment.

12. Loans and receivables

Loans and receivables are recognised in the statement of financial position at cost plus accrued interest, where interest is charged, less amounts already settled or written-off. Write-offs are made according to the department's write-off policy.

13. Investments

Investments are recognised in the statement of financial position at cost.

14. Financial assets

14.1 Financial assets (not covered elsewhere)

A financial asset is recognised initially at its cost plus transaction costs that are directly attributable to the acquisition or issue of the financial asset.

At the reporting date, a department shall measure its financial assets at cost, less amounts already settled or written-off, except for recognised loans and receivables, which are measured at cost plus accrued interest, where interest is charged, less amounts already settled or written-off.

14.2 Impairment of financial assets

Where there is an indication of impairment of a financial asset, an estimation of the reduction in the recorded carrying value, to reflect the best estimate of the amount of the future economic benefits expected to be received from that asset, is recorded in the notes to the financial statements.

15. Payables

Payables recognised in the statement of financial position are recognised at cost.

16. Capital Assets

16.1 Immovable capital assets

Immovable assets reflected in the asset register of the department are recorded in the notes to the financial statements at cost or fair value where the cost cannot be determined reliably. Immovable assets acquired in a non-exchange transaction are recorded at fair value at the date of acquisition. Immovable assets are subsequently carried in the asset register at cost and are not currently subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.

Additional information on immovable assets not reflected in the assets register is provided in the notes to financial statements.

16.2 Movable capital assets

Movable capital assets are initially recorded in the notes to the financial statements at cost. Movable capital assets acquired through a non-exchange transaction is measured at fair value as at the date of acquisition.

Where the cost of movable capital assets cannot be determined reliably, the movable capital assets are measured at fair value and where fair value cannot be determined; the movable assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Movable capital assets are subsequently carried at cost and are not subject to depreciation or impairment.

Biological assets are subsequently carried at fair value.

Subsequent expenditure that is of a capital nature forms part of the cost of the existing asset when ready for use.



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

16. Capital Assets

16.3 Intangible assets

Intangible assets are initially recorded in the notes to the financial statements at cost. Intangible assets acquired through a non-exchange transaction are measured at fair value as at the date of acquisition.

Internally generated intangible assets are recorded in the notes to the financial statements when the department commences the development phase of the project.

Where the cost of intangible assets cannot be determined reliably, the intangible capital assets are measured at fair value and where fair value cannot be determined; the intangible assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Intangible assets are subsequently carried at cost and are not subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.

16.4 Project Costs: Work-in-progress

Expenditure of a capital nature is initially recognised in the statement of financial performance at cost when paid.

Amounts paid towards capital projects are separated from the amounts recognised and accumulated in work-in-progress until the underlying asset is ready for use. Once ready for use, the total accumulated payments are recorded in an asset register. Subsequent payments to complete the project are added to the capital asset in the asset register.

Where the department is not the custodian of the completed project asset, the asset is transferred to the custodian subsequent to completion.

17. Provisions and Contingents

17.1 Provisions

Provisions are recorded in the notes to the financial statements when there is a present legal or constructive obligation to forfeit economic benefits as a result of events in the past and it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate of the obligation can be made. The provision is measured as the best estimate of the funds required to settle the present obligation at the reporting date.

17.2 Contingent liabilities

Contingent liabilities are recorded in the notes to the financial statements when there is a possible obligation that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department or when there is a present obligation that is not recognised because it is not probable that an outflow of resources will be required to settle the obligation or the amount of the obligation cannot be measured reliably.

17.3 Contingent assets

Contingent assets are recorded in the notes to the financial statements when a possible asset arises from past events, and whose existence will be confirmed by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department.

17.4 Capital commitments

Capital commitments are recorded at cost in the notes to the financial statements.

18. Unauthorised expenditure

Unauthorised expenditure is recognised in the statement of financial position until such time as the expenditure is either:

- approved by Parliament or the Provincial Legislature with funding and the related funds are received; or
- approved by Parliament or the Provincial Legislature without funding and is written off against the appropriation in the statement of financial performance; or
- transferred to receivables for recovery.

Unauthorised expenditure is measured at the amount of the confirmed unauthorised expenditure.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

19. Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the total value of the fruitless and or wasteful expenditure incurred.

Fruitless and wasteful expenditure is removed from the notes to the financial statements when it is resolved or transferred to receivables or written off.

Fruitless and wasteful expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.

20. Irregular expenditure

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impracticable to determine, in which case reasons therefor are provided in the note.

Irregular expenditure is removed from the note when it is either condoned by the relevant authority, transferred to receivables for recovery, not condoned and removed or written-off.

Irregular expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.

21. Changes in accounting estimates and errors

Changes in accounting estimates are applied prospectively in accordance with MCS requirements.

Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with MCS requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the department shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

22. Events after the reporting date

Events after the reporting date that are classified as adjusting events have been accounted for in the financial statements. The events after the reporting date that are classified as non-adjusting events after the reporting date have been disclosed in the notes to the financial statements.

23. Principal-Agent arrangements

The department is party to a principal-agent arrangement for [include details here]. In terms of the arrangement the department is the [principal/agent] and is responsible for [include details here]. All related revenues, expenditures, assets and liabilities have been recognised or recorded in terms of the relevant policies listed herein. Additional disclosures have been provided in the notes to the financial statements where appropriate.

24. Departures from the MCS requirements

Management has concluded that the financial statements present fairly the department's primary and secondary information; that the department complied with the Standard.

25. Capitalisation reserve

The capitalisation reserve comprises of financial assets and/or liabilities originating in a prior reporting period but which are recognised in the statement of financial position for the first time in the current reporting period. Amounts are recognised in the capitalisation reserves when identified in the current period and are transferred to the National/Provincial Revenue Fund when the underlying asset is disposed and the related funds are received.

26. Recoverable revenue

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



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

27. Related party transactions

Related party transactions within the Minister/MEC's portfolio are recorded in the notes to the financial statements when the transaction is not at arm's length.

The number of individuals and the full compensation of key management personnel is recorded in the notes to the financial statements.

28. Inventories (Effective from date determined in a Treasury Instruction)

At the date of acquisition, inventories are recognised at cost in the statement of financial performance.

Where inventories are acquired as part of a non-exchange transaction, the inventories are measured at fair value as at the date of acquisition.

Inventories are subsequently measured at the lower of cost and net realisable value or where intended for distribution (or consumed in the production of goods for distribution) at no or a nominal charge, the lower of cost and current replacement value.

The cost of inventories is assigned by using the weighted average cost basis.

29. Public-Private Partnerships

Public Private Partnerships are accounted for based on the nature and or the substance of the partnership. The transaction is accounted for in accordance with the relevant accounting policies.

A summary of the significant terms of the PPP agreement, the parties to the agreement, and the date of commencement thereof together with the description and nature of the concession fees received, the unitary fees paid, rights and obligations of the department are recorded in the notes to the financial statements.

30. Employee benefits

The value of each major class of employee benefit obligation (accruals, payables not recognised and provisions) is disclosed in the Employee benefits note.

31. Transfers of functions

Transfers of functions are accounted for by the acquirer by recognising or recording assets acquired and liabilities assumed at their carrying amounts at the date of transfer.

Transfers of functions are accounted for by the transferor by derecognising or removing assets and liabilities at their carrying amounts at the date of transfer.

32. Mergers

Mergers are accounted for by the combined department by recognising or recording assets acquired and liabilities assumed at their carrying amounts at the date of the merger.

Mergers are accounted for by the combining departments by derecognising or removing assets and liabilities at their carrying amounts at the date of the merger.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

PART B: EXPLANATORY NOTES

1. Annual Appropriation

1.1 Annual Appropriation

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

	2019/20			2018/19		
	Final Appropriation	Actual Funds Received	Funds not requested/ not received	Final Appropriation	Appropriation received	Funds not requested/ not received
	R'000	R'000	R'000	R'000	R'000	R'000
Administration	209 199	209 199	–	201 380	201 380	–
Superior Courts Services	907 060	907 060	–	845 252	845 252	–
Judicial Education and Support	81 433	81 433	–	73 115	73 115	–
Total	1 197 692	1 197 692	–	1 119 747	1 119 747	–

2. Statutory Appropriation

	2019/20	2018/19
	R'000	R'000
Judges salaries	1 098 546	1 022 091
Total	1 098 546	1 022 091
Actual Statutory Appropriation received	1 098 546	1 022 091

3. Departmental revenue

	Note	2019/20	2018/19
		R'000	R'000
Tax revenue			
Sales of goods and services other than capital assets	3.1	659	674
Fines, penalties and forfeits	3.2	6	40
Interest, dividends and rent on land	3.3	1	1
Sales of capital assets	3.4	262	–
Transactions in financial assets and liabilities	3.5	1 967	780
Transfer received	3.6	–	–
Total revenue collected		2 895	1 495
Less: Own revenue included in appropriation	13	–	–
Departmental revenue collected		2 895	1 495



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

3. Departmental revenue

3.1 Sales of goods and services other than capital assets

	Note	2019/20	2018/19
	3	R'000	R'000
Sales of goods and services produced by the department		655	664
Sales by market establishment		43	51
Administrative fees		–	–
Other sales		612	613
Sales of scrap, waste and other used current goods		4	10
Total		659	674

3.2 Fines, penalties and forfeits

	Note	2019/20	2018/19
	3	R'000	R'000
Fines		6	–
Penalties		–	40
Total		6	40

3.3 Interest, dividends and rent on land

	Note	2019/20	2018/19
	3	R'000	R'000
Interest		1	1
Total		1	1

3.4 Sale of capital assets

	Note	2019/20	2018/19
	3	R'000	R'000
Tangible assets		262	–
Buildings and other fixed structures		–	–
Machinery and equipment	27	262	–
Total		262	–

3.5 Transactions in financial assets and liabilities

	Note	2019/20	2018/19
	3	R'000	R'000
Loans and advances		–	–
Receivables		1 967	780
Total		1 967	780

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

4. Compensation of employees

4.1 Salaries and Wages

	2019/20	2018/19
	R'000	R'000
Basic salary	1 222 591	1 165 359
Performance award	3 187	6 378
Service Based	898	509
Compensative/circumstantial	11 807	3 223
Periodic payments	809	825
Other non-pensionable allowances	354 666	345 833
Total	1 593 958	1 522 127

4.2 Social contributions

	2019/20	2018/19
	R'000	R'000
Employer contributions		
Pension	59 394	52 907
Medical	50 040	43 962
UIF	1	1
Bargaining council	190	177
Official unions and associations	–	–
Insurance	–	–
Total	109 625	97 047
Total compensation of employees	1 703 583	1 619 174
Average number of employees	1 827	1 947

The expenditure under Direct Charge relating to Judge's salaries is included in the figure above. The average number of employees however excludes Judges.



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

5. Goods and services

	Note	2019/20	2018/19
		R'000	R'000
Administrative fees		5 011	3 590
Advertising		1 622	1 723
Minor assets	5.1	4 078	4 431
Bursaries (employees)		618	989
Catering		5 046	4 515
Communication		11 480	15 290
Computer services	5.2	62 994	32 910
Consultants: Business and advisory services		9 792	7 769
Legal services		1 171	933
Contractors		1 559	1 151
Agency and support/outsourced services		1 318	1 331
Entertainment		11	159
Audit cost – external	5.3	6 094	5 872
Fleet services		22 040	26 530
Inventory	5.4	–	–
Consumables	5.5	13 875	13 976
Housing		–	–
Operating leases		25 427	17 942
Property payments	5.6	3 681	2 501
Travel and subsistence	5.7	116 937	107 771
Venues and facilities		7 897	6 307
Training and development		5 784	4 420
Other operating expenditure	5.8	5 500	6 140
Total		311 935	266 250

The increased expenditure year on year on Computer services is for licence payments and external computer service providers.

5.1 Minor assets

	Note	2019/20	2018/19
	5	R'000	R'000
Tangible assets		4 078	4 397
Buildings and other fixed structures		–	–
Machinery and equipment		4 078	4 397
Intangible assets		–	34
Software		–	34
Services and operating rights		–	–
Total		4 078	4 431

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

5. Goods and services

5.2 Computer services

	Note	2019/20	2018/19
	5	R'000	R'000
SITA computer services		10 850	9 559
External computer service providers		52 144	23 351
Total		62 994	32 910

5.3 Audit cost – External

	Note	2019/20	2018/19
	5	R'000	R'000
Regularity audits		6 094	5 872
Total		6 094	5 872

5.4 Consumables

	Note	2019/20	2018/19
	5	R'000	R'000
Consumable supplies		3 837	3 475
Uniform and clothing		269	97
Household supplies		1 029	783
Building material and supplies		21	54
Communication accessories		91	2
IT consumables		1 497	1 035
Other consumables		930	1 504
Stationery, printing and office supplies		10 038	10 501
Total		13 875	13 976

5.5 Property payments

	Note	2019/20	2018/19
	5	R'000	R'000
Property maintenance and repairs		2 602	1 695
Other		1 079	806
Total		3 681	2 501

5.6 Travel and subsistence

	Note	2019/20	2018/19
	5	R'000	R'000
Local		110 924	100 334
Foreign		6 013	7 437
Total		116 937	107 771



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

5. Goods and services

5.7 Other operating expenditure

	Note	2019/20	2018/19
	5	R'000	R'000
Professional bodies, membership and subscription fees		288	218
Resettlement costs		247	155
Other		4 965	5 767
Total		5 500	6 140

6. Payments for financial assets

	Note	2019/20	2018/19
		R'000	R'000
Other material losses written off	6.1	24	–
Total		24	–

6.1 Other material losses written off

	Note	2019/20	2018/19
	6	R'000	R'000
Nature of losses			
Excess payment for damaged Vehicle		24	–
Total		24	–

Payments to cover repair costs for damaged vehicle.

7. Transfers and subsidies

	Note	2019/20	2018/19
		R'000	R'000
Households	Annexure 1G	75 004	68 313
Total		75 004	68 313

8. Expenditure for capital assets

	Note	2019/20	2018/19
		R'000	R'000
Tangible assets		94 340	123 941
Buildings and other fixed structures	29	–	9
Machinery and equipment	27	94 340	123 932
Intangible assets		726	36 530
Software	28	726	36 530
Total		95 066	160 471

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

8. Expenditure for capital assets

8.1 Analysis of funds utilised to acquire capital assets – 2019/20

	Voted funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	94 340	–	94 340
Machinery and equipment	94 340	–	94 340
Intangible assets	726	–	726
Software	726	–	726
Total	95 066	–	95 066

8.2 Analysis of funds utilised to acquire capital assets – 2018/19

	Voted funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	123 941	–	123 941
Buildings and other fixed structures	9	–	9
Machinery and equipment	123 932	–	123 932
Intangible assets	36 530	–	36 530
Software	36 530	–	36 530
Total	160 471	–	160 471

8.3 Finance lease expenditure included in Expenditure for capital assets

	2019/20	2018/19
	R'000	R'000
Tangible assets		
Machinery and equipment	86 251	90 246
Total	86 251	90 246

9. Cash and cash equivalents

	2019/20	2018/19
	R'000	R'000
Consolidated Paymaster General Account	110 638	16 299
Cash receipts	–	–
Disbursements	–	–
Cash on hand	291	272
Investments (Domestic)	–	–
Total	110 929	16 571



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

10. Prepayments and advances

	2019/20	2018/19
	R'000	R'000
Staff advances	–	–
Travel and subsistence	–	47
Total	–	47

10.1 Prepayments (Expensed)

	Note	Amount as at 1 April 2019	Less: Amount received in current year	Add or Less: Other	Add: Current Year prepayments	Amount as at 31 March 2020
	10	R'000	R'000	R'000	R'000	R'000
Capital assets		–	–	–	15 557	15 557
Other		–	–	–	–	–
Total		–	–	–	15 557	15 557

10.2 Prepayments (Expensed)

	Note	Balance as at 1 April 2018	Less: Amount expensed in current year	Add or Less: Other	Add: Current Year prepayments	Balance as at 31 March 2019
	10	R'000	R'000	R'000	R'000	R'000
Capital assets		–	–	–	4 700	4 700
Other		–	–	–	–	–
Total		–	–	–	4 700	4 700

11. Receivables

	Note	2019/20			2018/19		
		Current	Non-current	Total	Current	Non-current	Total
		R'000	R'000	R'000	R'000	R'000	R'000
Claims recoverable	11.1	423	–	423	11 201	–	11 201
Trade receivables		–	–	–	–	–	–
Recoverable expenditure	11.2	136	–	136	72	–	72
Staff debt	11.3	208	1 890	2 098	714	3 136	3 850
Fruitless and wasteful expenditure	11.5	–	–	–	–	–	–
Other receivables	11.4	908	–	908	859	–	859
Total		1 675	1 890	3 565	12 846	3 136	15 982

11.1 Claims recoverable

	Note	2019/20	2018/19
	11 and Annex 4	R'000	R'000
National departments		423	11 201
Total		423	11 201

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

11. Receivables

11.2 Recoverable expenditure (disallowance accounts)

	Note	2019/20	2018/19
	11	R'000	R'000
Disallowance accounts		136	72
Total		136	72

11.3 Staff debt

	Note	2019/20	2018/19
	11	R'000	R'000
Staff debts		2 098	3 850
Total		2 098	3 850

11.4 Other receivables

	Note	2019/20	2018/19
	11	R'000	R'000
Officials & Judges Tax debts		908	859
Total		908	859

11.5 Fruitless and wasteful expenditure

	Note	2019/20	2018/19
	11	R'000	R'000
Opening balance		–	10
Less amounts recovered		–	(10)
Total		–	–

12. Voted funds to be surrendered to the Revenue Fund

	Note	2019/20	2018/19
		R'000	R'000
Opening balance		27 630	21 745
Prior period error	12.2	–	–
As restated		27 630	21 745
Transfer from statement of financial performance (as restated)		110 626	27 630
Paid during the year		(27 630)	(21 745)
Closing balance		110 626	27 630



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

13. Departmental revenue and NRF Receipts to be surrendered to the Revenue Fund

	Note	2019/20	2018/19
		R'000	R'000
Opening balance		424	862
Prior period error	13.1	–	–
As restated		424	862
Transfer from Statement of Financial Performance (as restated)		2 895	1 495
Paid during the year		(2 798)	(1 933)
Closing balance		521	424

14. Bank Overdraft

	2019/20	2018/19
	R'000	R'000
Overdraft with commercial banks (Local)	3	8
Overdraft with commercial banks (Foreign)	–	–
Total	3	8

Overdraft (local) reflects the commercial bank balances as at 31 March 2020.

15. Payables – current

	Note	2019/20	2018/19
		R'000	R'000
Clearing accounts	15.1	1 672	1 244
Other payables		–	–
Total		1 672	1 244

15.1 Clearing accounts

	Note	2019/20	2018/19
	15	R'000	R'000
Description		–	–
PAYE		1 672	1 244
Total		1 672	1 244

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

16. Net cash flow available from operating activities

	2019/20	2018/19
	R'000	R'000
Net surplus/(deficit) as per Statement of Financial Performance	113 521	29 125
Add back non cash/cash movements not deemed operating activities	76 022	154 740
(Increase)/decrease in receivables	11 171	17 214
(Increase)/decrease in prepayments and advances	47	47
(Increase)/decrease in other current assets	–	–
Increase/(decrease) in payables – current	428	686
Proceeds from sale of capital assets	(262)	–
Proceeds from sale of investments	–	–
(Increase)/decrease in other financial assets	–	–
Expenditure on capital assets	95 066	160 471
Surrenders to Revenue Fund	(30 428)	(23 678)
Net cash flow generated by operating activities	189 543	183 865

17. Reconciliation of cash and cash equivalents for cash flow purposes

	2019/20	2018/19
	R'000	R'000
Consolidated Paymaster General account	110 638	16 299
Cash on hand	291	272
Cash with commercial banks (Local)	(3)	(8)
Cash with commercial banks (Foreign)	–	–
Total	110 926	16 563



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

18. Contingent liabilities and contingent assets

18.1 Contingent liabilities

	Note	2019/20	2018/19
		R'000	R'000
Liable to			
	Nature		
Claims against the department	Annex 3B	2 829	3 096
Total		2 829	3 096

Contingent liabilities consist of cases relating to the Judicial Service Commission where the OCJ will be expected to carry the litigation costs, of which the outcomes and timing are still uncertain.

19. Capital commitments

	2019/20	2018/19
	R'000	R'000
Software Systems	4 747	–
Computer Equipment	7 117	–
Finance Leases	302	–
Audio Visuals	543	–
Electric Wire and power distribution	54	–
Furniture equipment	–	219
Total	12 763	219

There has been a change in the accounting policy on stating of commitments. In the prior years all commitments (current and capital) were stated, but in terms of the new policy, only capital commitments are stated. For this reason, the prior year amount is re-stated and reduced from R56 706 million to R219 thousand to only reflect the capital portion of the commitments.

The bulk of commitments relate to:

- Software development for the e-Judiciary System.
- ICT hardware ordered but not delivered due to COVID-19 closure of manufacturing plants worldwide.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

20. Accruals and payables not recognised

20.1 Accruals

	30 Days	30+ Days	2019/20	2018/19
			R'000	R'000
			Total	Total
Listed by economic classification				
Goods and services	7 893	3 772	11 665	9 749
Capital assets	4 063	160	4 223	1 136
Other	–	–	–	–
Total	11 956	3 932	15 888	10 885

	2019/20	2018/19
	R'000	R'000
Listed by programme level		
Administration	8 015	2 240
Superior Courts	7 609	6 735
Judicial Education and Support	264	1 910
Total	15 888	10 885

21. Employee benefits

	2019/20	2018/19
	R'000	R'000
Leave entitlement	23 195	20 328
Service bonus	19 386	17 149
Performance awards	5 635	10 166
Capped leave	13 010	14 304
Long service awards	805	1 016
Total	62 031	62 963

Included in the leave entitlement is an amount of R1 313 091.14 representing negative leave which is due to the over-grant of leave commitments as employees are given full leave credits in January of each year while the information in the Financial Statement is based on the leave accruals as at March 2020. The 2018/19 Leave entitlement has been reduced with R1 713 531.10 which was overstated in the prior year figures. Judges' social benefits for leave are excluded from the amount above as they are on a different leave dispensation.



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

22. Lease commitments

22.1 Operating leases

	2019/20				
	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000	R'000
Not later than 1 year	–	–	11 232	1 624	12 856
Later than 1 year and not later than 5 years	–	–	1 872	–	1 872
Total lease commitments	–	–	13 104	1 624	14 728

	2018/19				
	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000	R'000
Not later than 1 year	–	–	10 596	1 001	11 597
Later than 1 year and not later than 5 years	–	–	13 103	–	13 103
Total lease commitments	–	–	23 699	1 001	24 700

The operating leases are for Judges' vehicles leased on a month basis to month basis as well as for the rental of National Office accommodation cost.

22. Lease commitments

22.2 Finance leases**

	2019/20				
	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000	R'000
Not later than 1 year	–	–	–	65 427	65 427
Later than 1 year and not later than 5 years	–	–	–	89 393	89 393
Later than five years	–	–	–	–	–
Total lease commitments	–	–	–	154 820	154 820

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

22. Lease commitments

22.2 Finance leases**

	2018/19				
	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
	R'000	R'000	R'000	R'000	R'000
Not later than 1 year	–	–	–	68 634	68 634
Later than 1 year and not later than 5 years	–	–	–	82 655	82 655
Later than five years	–	–	–	–	–
Total lease commitments	–	–	–	151 289	151 289

** This note excludes leases relating to public private partnership.

The main portion of the finance lease amount relates to the leasing of Judges' vehicles in terms of their legislated benefits.

23. Irregular expenditure

23.1 Reconciliation of irregular expenditure

	2019/20	2018/19
	R'000	R'000
Opening balance	679	–
Prior period error	–	–
As restated	679	–
Add: Irregular expenditure – relating to prior year	–	502
Add: Irregular expenditure – relating to current year	–	412
Less: Prior year amounts condoned	–	(235)
Closing balance	679	679
Analysis of awaiting condonation per age classification		
Current year	–	412
Prior years	679	267
Total	679	679



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

23.2 Details of irregular expenditures under assessment

		2019/20
Incident		R'000
Deviation from procurement prescripts	Submitted to relevant authority for condonation	679
Total		679

Irregular expenditure relating to prior years was submitted to National Treasury for condonation in line with the new framework on reporting of irregular expenditure; the response is still awaited.

24. Fruitless and wasteful expenditure

24.1 Reconciliation of fruitless and wasteful expenditure

	2019/20	2018/19
	R'000	R'000
Opening balance	–	26
Prior period error	–	–
As restated	–	26
Less: Amounts resolved	–	(26)
Closing balance	–	–

25. Related party transactions

List related party relationships and the nature thereof

- The Department has a related party relationship with all the public sector entities falling within the portfolio of the Minister of Justice and Correctional Services, which includes the following:
- Department of Justice and Constitutional Development
- Department of Correctional Services
- Guardian's Fund
- Legal Aid SA
- President's Fund
- Special Investigation Unit
- Third Party fund
- The Human Rights Commission
- Criminal Asset Recovery Account
- The Public Protector
- The Information regulator

It should be noted that in terms of retained functions in the DOJ&CD as well as shared services, the DOJ&CD carries the cost on behalf of the OCJ in relation to the following:

- Infrastructure related costs
- Provision of security services
- Virtual Library

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

26. Key management personnel

	No. of Individuals	2019/20	2018/19
		R'000	R'000
Political office bearers (provide detail below)	2		
Officials:			
Level 15 to 16	3	6 019	5 054
Level 14 (incl. CFO if at a lower level)	8	9 646	6 942
Family members of key management personnel		–	–
Total		15 665	11 996

The Department of Justice and Constitutional Development carries the cost for the two political bearers: Minister and Deputy Minister

27. Movable Tangible Capital Assets

Movement in movable tangible capital assets per asset register for the year ended 31 March 2020

	Opening balance	Value adjustments	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
Heritage assets					
Heritage assets	–	–	–	–	–
Machinery and equipment	180 624	–	10 882	(8 893)	182 613
Transport assets	17 687	–	–	(1 824)	15 863
Computer equipment	61 196	–	3 940	(2 066)	63 070
Furniture and office equipment	42 066	–	3 011	(881)	44 196
Other machinery and equipment	59 675	–	3 931	(4 122)	59 484
Total movable tangible capital assets	180 624	–	10 882	(8 893)	182 613

27.1 Additions

Additions to movable tangible capital assets per asset register for the year ended 31 March 2020

	Cash*	Non-cash**	(Capital Work in Progress current costs and finance lease payments)	Received current, not paid (Paid current year, received prior year)	Total
	R'000	R'000	R'000	R'000	R'000
Heritage assets					
Heritage assets	–	–	–	–	–
Machinery and equipment	94 341	3 440	(86 251)	(648)	10 882
Transport assets	83 245	–	(82 982)	(263)	–
Computer equipment	4 305	–	–	(365)	3 940
Furniture and office equipment	2 277	754	–	(20)	3 011
Other machinery and equipment	4 514	2 686	(3 269)	–	3 931
Total additions to movable tangible capital assets	94 341	3 440	(86 251)	(648)	10 882

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

27. Movable Tangible Capital Assets

27.2 Disposals

Disposals of movable tangible capital assets per asset register for the year ended 31 March 2020

	Sold for cash	Non-cash disposal	Total disposals	Cash Received Actual
	R'000	R'000	R'000	R'000
Heritage assets				
Heritage assets	–	–	–	–
Machinery and equipment	(2 820)	(6 073)	(8 893)	(261)
Transport assets	(1 292)	(532)	(1 824)	(244)
Computer equipment	(628)	(1 438)	(2 066)	(17)
Furniture and office equipment	(222)	(659)	(881)	–
Other machinery and equipment	(678)	(3 444)	(4 122)	–
Total disposal of movable tangible capital assets	(2 820)	(6 073)	(8 893)	(261)

27.3 Movement for 2018/19

Movement in tangible capital assets per asset register for the year ended 31 March 2019

	Opening balance	Prior period error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
Machinery and equipment	141 294	4 464	37 056	(2 190)	180 624
Transport assets	7 313	263	10 327	(216)	17 687
Computer equipment	41 497	733	19 719	(753)	61 196
Furniture and office equipment	39 034	1 827	1 590	(385)	42 066
Other machinery and equipment	53 450	1 641	5 420	(836)	59 675
Total movable tangible capital assets	141 294	4 464	37 056	(2 190)	180 624

27.3.1 Prior period error

	Note	2018/19
	28	R'000
Nature of prior period error		
Relating to 2018/19 [affecting the opening balance]		4 464
Transport Assets		263
Computer Equipment		733
Other Machinery		1 641
Furniture and Office Equipment		1 827
Total prior period errors		4 464

The 2018/19 closing balance has increased by R4 464 due to assets transferred by the DoJ&CD in terms of section 42 of the PFMA to operationalise the new Mpumalanga High Court as well as assets (library books) acquired through the DoJ&CD arranged contract.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

27. Movable Tangible Capital Assets

27.4 Minor assets

Movement in minor assets per the asset register for the year ended as at 31 March 2020

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Opening balance	–	39	321	138 487	–	138 847
Additions	–	–	–	8 363	–	8 363
Disposals	–	–	–	(2 454)	–	(2 454)
Total minor assets	–	39	321	144 396	–	144 756

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of R1 minor assets	–	–	4 937	305 759	–	310 696
Number of minor assets at cost	–	9	485	179 406	–	179 900
Total number of minor assets	–	9	5 422	485 165	–	490 596

Movement in minor assets per the asset register for the year ended as at 31 March 2019

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Opening balance	–	5	321	129 477	–	129 803
Prior period error	–	–	–	1 839	–	1 839
Additions	–	34	–	8 328	–	8 362
Disposals	–	–	–	(1 157)	–	(1 157)
Total minor assets	–	39	321	138 487	–	138 847

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of R1 minor assets	–	–	4 944	304 591	–	309 535
Number of minor assets at cost	–	9	485	174 958	–	175 452
Total number of minor assets	–	9	5 429	479 549	–	484 987



NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

27. Movable Tangible Capital Assets

27.4 Minor assets

27.4.1 Prior period error

	2018/19 R'000
Nature of prior period error	
Relating to 2018/19 [affecting the opening balance]	1 839
Minor assets received in terms of Sec 42 PFMA & Library books acquired through the DoJ&CD contract	1 839
Total prior period errors	1 839

The 2018/19 closing balance has increased by R1 839 due to assets transferred by the DoJ&CD in terms of section 42 of the PFMA to operationalise the new Mpumalanga High Court as well as assets (library books) acquired through the DoJ&CD arranged contract.

27.5 S42 Movable capital assets

Major assets to be transferred in terms of S42 of the pfma – 31 March 2020

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
No. of Assets	–	–	–	267	–	267
Value of the assets (R'000)	–	–	–	3 380	–	3 380

Minor assets to be transferred in terms of s42 of the pfma – 31 March 2020

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
No. of Assets	–	–	–	1 822	–	1 822
Value of the assets (R'000)	–	–	–	3 000	–	3 000

Assets transferred from the DOJ&CD in terms of section 42 of the PFMA to operationalize the Mpumalanga Local Division of the High Court.

28. Intangible Capital Assets

Movement in intangible capital assets per asset register for the year ended 31 March 2020

	Opening balance R'000	Value adjustments R'000	Additions R'000	Disposals R'000	Closing Balance R'000
Software	38 125	–	128	–	38 253
Total intangible capital assets	38 125	–	128	–	38 253

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

28. Intangible Capital Assets

28.1 Additions

Additions to intangible capital assets per asset register for the year ended 31 March 2020

	Cash	Non-Cash	(Development work in progress – current costs)	Received current year, not paid (Paid current year, received prior year)	Total
	R'000	R'000	R'000	R'000	R'000
Software	726	–	(255)	(343)	128
Total additions to intangible capital assets	726	–	(255)	(343)	128

28.2 Movement for 2018/19

Movement in intangible capital assets per asset register for the year ended 31 March 2019

	Opening balance	Prior period error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
Software	852	400	36 873	–	38 125
Total intangible capital assets	852	400	36 873	–	38 125

28.2.1 Prior period error

	2018/19 R'000
Nature of prior period error	
Relating to 2018/19 [affecting the opening balance]	400
Intangible Assets acquired 2018/19 not recorded	500
Assets acquired 2018/19 incorrectly classified as Intangible assets	(100)
Relating to 2018/19	–
Total prior period errors	400

Assets acquired prior year not accounted for (Teammate & Cura software) and licences previously classified incorrectly as intangible assets in 2018/19 Assets register (Turnitin Software).

29. Immovable Tangible Capital Assets

Movement in immovable tangible capital assets per asset register for the year ended 31 March 2020

	Opening balance	Value adjustments	Additions	Disposals	Closing Balance
	R'000		R'000	R'000	R'000
Buildings and other fixed structures	9	–	–	–	9
Other fixed structures	9	–	–	–	9
Total immovable tangible capital assets	9	–	–	–	9

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

29. Immovable Tangible Capital Assets

29.1 Movement for 2018/19

Movement in immovable tangible capital assets per asset register for the year ended 31 March 2019

	Opening balance	Prior period error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
Buildings and other fixed structures	–	–	9	–	9
Dwellings	–	–	–	–	–
Non-residential buildings	–	–	–	–	–
Other fixed structures	–	–	9	–	9
Heritage assets					
Heritage assets	–	–	–	–	–
Land and subsoil assets					
Land	–	–	–	–	–
Mineral and similar non-regenerative resources	–	–	–	–	–
Total immovable tangible capital assets	–	–	9	–	9

29.2 Capital Work-in-progress

Capital work-in-progress as at 31 March 2020

Note	Opening balance 1 April 2019	Current Year WIP	Ready for use (Assets to the AR)/ Contracts terminated	Closing balance 31 March 2020
Annexure 7	R'000	R'000	R'000	R'000
Intangible assets	36 681	255	–	36 936
Total	36 681	255	–	36 936

Age analysis on ongoing projects

	Number of projects		2019/20
	Planned, Construction not started	Planned, Construction started	Total R'000
0 to 1 Year	–	1	1
1 to 3 Years	–	1	1
3 to 5 Years	–	–	–
Longer than 5 Years	–	–	–
Total	–	2	2

Capital Work in progress to the value of R36 681 million relates to the e-Filing Software for the Superior Courts developed by SITA and paid by the IJS fund in the budget of the DOJ&CD. This project will be piloted in the 2020/21 financial year and rolled out in the 2021/22 financial year due to delays by the SITA development team. The R255 thousand relates to the development of the E-Judiciary system.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

29. Immovable Tangible Capital Assets

29.2 Capital Work-in-progress

Capital work-in-progress as at 31 March 2019

Note	Opening balance 1 April 2018	Prior period error	Current Year WIP	Ready for use (Assets to the AR)/ Contracts terminated	Closing balance 31 March 2019
Annexure 7	R'000	R'000	R'000	R'000	R'000
Intangible assets	27 000	(447)	10 128	–	36 681
Total	27 000	(447)	10 128	–	36 681

Age analysis on ongoing projects

	Number of projects		2018/19
	Planned, Construction not started	Planned, Construction started	Total R'000
0 to 1 Year	1	1	2
1 to 3 Years	1	1	2
3 to 5 Years	–	–	–
Longer than 5 Years	–	–	–
Total	2	2	4

30. Prior period errors

30.1 Correction of prior period errors

	Amount before error correction	Prior period error	Restated Amount
	2018/19	2018/19	2018/19
	R'000	R'000	R'000
Assets: (E.g. Receivables, Investments, Accrued departmental revenue, Movable tangible capital assets, etc.)			
Transport assets	17 424	263	17 687
Computer equipment	60 463	733	61 196
Furniture and Office equipment	40 239	1 827	42 066
Other machinery and equipment	58 034	1 641	59 675
Intangible Capital Assets			
Software	37 725	400	38 125
Net effect	213 885	4 864	218 749

Assets transferred by the DoJ&CD in terms of section 42 of the PFMA to operationalise the new Mpumalanga High Court as well as assets (library books) acquired through the DoJ&CD arranged contract.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

30. Prior period errors

30.1 Correction of prior period errors

	Amount before error correction	Prior period error	Restated Amount
	2018/19	2018/19	2018/19
	R'000	R'000	R'000
Minor Assets:			
Minor Assets	137 008	1 839	138 847
Net effect	137 008	1 839	138 847

Assets transferred by the DoJ&CD in terms of section 42 of the PFMA to operationalise the new Mpumalanga High Court as well as assets (library books) acquired through the DoJ&CD arranged contract.

31. Transfer of functions

31.1 Transfer of functions

Provide a brief description of the functions transferred or acquired and the reason for undertaking the transaction or event.

31.1.1 Notes

	Balance before transfer date	Functions (transferred)/ received	Functions (transferred)/ received	Functions (transferred)/ received	Balance after transfer date
		Dept name (Specify)	Dept name (Specify)	Dept name (Specify)	
	R'000	R'000	R'000	R'000	R'000
Movable tangible capital assets	–	3 380	–	–	3 380
Minor capital assets	–	3 000	–	–	3 000
Intangible capital assets	–	–	–	–	–

Provide a reference to the proclamation or declaration giving effect to the transfer of functions

Proclamation No.44 of 2010 by the President of the Republic of South Africa.

Determination by the Minister of Public Service and Administration on 31 March 2015.

Assets transferred from the DOJ&CD to operationalize the Mpumalanga Local Division of the High Court.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

32. Broad based black economic empowerment performance

Information on compliance with the B-BBEE Act is included in the annual report under the section titled B-BBEE Compliance Performance Information.

Broad-based black economic empowerment commission

FORM: B-BBEE 1A

Compliance report by sphere of government, public entity or organ of state (in terms of Section 13G (1) of the Act)

Name of Sphere of Government/Public Entity/Organ of State:	Office of the Chief Justice
Registration Number (If Applicable):	N/A
Physical Address:	188, 14th Road, Noordwyk, Midrand
Type of Sphere of Government/Public Entity/Organ of State:	National Department
Organisation Industry/Sector	Justice

The following table must be completed in full by the Sphere of Government/Public Entity/Organ of State:

Has the Sphere of Government/Public Entity/Organ of State applied any relevant Code of Good Practice (B-BBEE Certificate Levels 1 – 8) with regards to the following:		
Determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law	No: Not applicable to the OCJ	N/A
Developing and implementing a preferential procurement policy	No	The OCJ SCM policy is in line with the PPPFA and its regulations on preferential procurement
Determining qualification criteria for the sale of state-owned enterprises	No: Not applicable to the OCJ	N/A
Developing criteria for entering into partnerships with the private sector	No: Not applicable to the OCJ	N/A
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad Based Black Economic Empowerment	No: Not applicable to the OCJ	N/A



ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 1G

Statement of transfers to households

HOUSEHOLDS	TRANSFER ALLOCATION			EXPENDITURE		2018/19 Final Appropriation R'000	
	Adjusted Appropriation Act R'000	Roll Overs R'000	Adjustments R'000	Total Available R'000	Actual Transfer R'000		% of Available funds Transferred %
Transfers							
Judges' social benefits	94 450	-	-	94 450	71 738	76%	
Employees social benefits	2 531	-	-	2 531	3 266	129%	
	96 981	-	-	96 981	75 004		
Total	96 981	-	-	96 981	75 004	68 313 68 313	

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 1H

Statement of gifts, donations and sponsorships received

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2019/20	2018/19
		R'000	R'000
Received in kind			
Juta books	South African and International Law Books	15	26
United Nation Environment	Flight Ticket to present work related matters	–	4
United Nation Environment	Travel Costs for Official trip to present work related matters	–	11
Supreme Court of Beijing's, China	Wooden frame with Beijing Supreme Court logo	–	9
Stellenbosch University	Financial market insider information	–	3
Lexis Nexis	Index of South African criminal cases 1910-2018.Vol 1	–	1
SA Institute: Management Services	Travel costs to Mpumalanga: Operations management framework	–	1
Botswana Judiciary	Flights Ticket, Accommodation, art work for work related matters	22	–
Oxford Book Suppliers	Law Books	1	–
UNDP	Sponsor for Workshop and Judicial training	16	–
Subtotal		54	55
TOTAL		54	55



ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 1I

Statement of aid assistance received

Name of donor	Purpose	Opening Balance	Revenue	Expenditure	Paid back On/by 31 March	Closing Balance
		R'000	R'000	R'000	R'000	R'000
Received in kind						
German Development Corporation	Developing administrative capacity for Office of the Chief Justice	2 999	-	(2 347)		652
Subtotal		2 999	-	(2 347)	-	652
TOTAL		2 999	-	(2 347)	-	652

The Donor funding by the German Development Corporation is for a project on business process on business re-engineering in the High Courts. No funds were transferred to the OCJ as the project was managed and paid for by the GIZ.

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 3B

Statement of contingent liabilities as at 31 March 2020

Nature of Liability	Opening Balance 1 April 2019	Liabilities incurred during the year	Liabilities paid/ cancelled/reduced during the year	Liabilities recoverable (Provide details hereunder)	Closing Balance 31 March 2020
	R'000	R'000	R'000	R'000	R'000
Claims against the department					
Cases against the Judiciary where the OCJ will be expected to carry litigation costs	3 096	–	(267)	–	2 829
Subtotal	3 096	–	(267)	–	2 829
Total	3 096	–	(267)	–	2 829
Helen Suzman Foundation vs Judicial Service Commission Limpopo Legal solutions vs Judicial Service Commission & 2 Others Snail vs Judicial Service Commission and Others Limpopo Legal solutions vs Judicial Service Commission & 2 Others Montshiwa vs The President of South Africa and Others					



ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 4

Claims recoverable

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total		Cash in transit at year end 2019/20*	
	31/03/2020	31/03/2019	31/03/2020	31/03/2019	31/03/2020	31/03/2019	Receipt date up to six (6) working days after year end	Amount
	R'000	R'000	R'000	R'000	R'000	R'000		R'000
Department								
Department of Justice and Constitutional Development	423	11 200	-	-	423	11 200	-	-
	423	11 200	-	-	423	11 200	-	-
Total	423	11 200	-	-	423	11 200	-	-

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2020

Annexure 7

Movement in capital work in progress

Movement in capital work in progress for the year ended 31 March 2020

	Opening balance	Current Year Capital WIP	Ready for use (Asset register)/ Contract terminated	Closing balance
	R'000	R'000	R'000	R'000
Software	36 681	255	-	36 936
Software	36 681	255	-	36 936
Total	36 681	255	-	36 936

Capital Work in progress to the value of R36 681 million relates to the e-Filing Software for the Superior Courts developed by SITA and paid by the IJS fund in the budget of the DOJ&CD. This project will be piloted in the 2020/21 financial year and rolled out in the 2021/22 financial year due to delays by the SITA development team. The R255 thousand relates to the development of the E-Judiciary system.

Movement in capital work in progress for the year ended 31 March 2019

	Opening balance	Prior period error	Current Year Capital WIP	Ready for use (Asset register)/ Contract terminated	Closing balance
	R'000	R'000	R'000	R'000	R'000
Software	27 000	(447)	10 128	-	36 681
Software	27 000	(447)	10 128	-	36 681
Total	27 000	(447)	10 128	-	36 681

Capital Work in progress to the value of R36 681 million relates to the e-Filing Software for the Superior Courts developed by SITA and paid by the IJS fund in the budget of the DOJ&CD. This project will now be piloted in the 2019/20 financial year and rolled out in the 2020/21 financial year due to delays by SITA.



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