



OFFICE OF THE CHIEF JUSTICE ANNUAL REPORT 2020/2021



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PART A

GENERAL INFORMATION

1. DEPARTMENT'S GENERAL INFORMATION

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2. LIST OF ABBREVIATIONS/ACRONYMS

AFC	Audit Facilitation Committee
AFS	Annual Financial Statements
AGSA	Auditor-General South Africa
APP	Annual Performance Plan
ARC	Audit and Risk Committee
BBBEE	Broad-Based Black Economic Empowerment
BCM	Business Continuity Management
CIP	Compulsory Induction Programme
CoE	Compensation of Employees
COIC	Court Order Integrity Committee
COVID-19	Coronavirus Disease of 2019
CSD	Central Supplier Database
DG	Director-General
DoJ&CD	Department of Justice and Constitutional Development
DTIC	Department of Trade, Industry and Competition
DPSA	Department of Public Service and Administration
DPWI	Department of Public Works and Infrastructure
EAP	Employee Assistance Programme
EFT	Electronic Fund Transfer
EHW	Employee Health and Wellness
EXCO	Executive Committee
FY	Financial Year
HDI	Historically Disadvantaged Individuals
HIV	Human Immunodeficiency Virus
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HOA	Home Owners' Allowance
HR	Human Resources
HRM&D	Human Resource Management and Development
IAS	Internal Audit Services
ICT	Information and Communication Technology
JSC	Judicial Service Commission
KPI	Key Performance Indicator
KRA	Key Responsibility Area
M&E	Monitoring and Evaluation
MSP	Master Systems Plan
MPSA	Minister for Public Service and Administration
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NDP	National Development Plan
NRF	National Revenue Fund
OCJ	Office of the Chief Justice
OHS	Occupational Health and Safety

OHS&E	Occupational Health, Safety and Environment
PFMA	Public Finance Management Act
PI	Performance Information
PPE	Personal Protective Equipment
PPPFA	Preferential Procurement Policy Framework Act
PSC	Public Service Commission
PSR	Public Service Regulations
SAJEI	South African Judicial Education Institute
SCM	Supply Chain Management
SCOPA	Standing Committee on Public Accounts
SDIP	Service Delivery Improvement Plan
SG	Secretary General
SHERQ	Safety, Health, Environment, Risk and Quality
SITA	State Information Technology Agency
SLA	Service Level Agreement
SMS	Senior Management Service
SOP	Standard Operating Procedure
STI	Sexually Transmitted Infection
TB	Tuberculosis
UIFW	Unauthorised, Irregular, Fruitless and Wasteful
WSP	Workplace Skills Plan

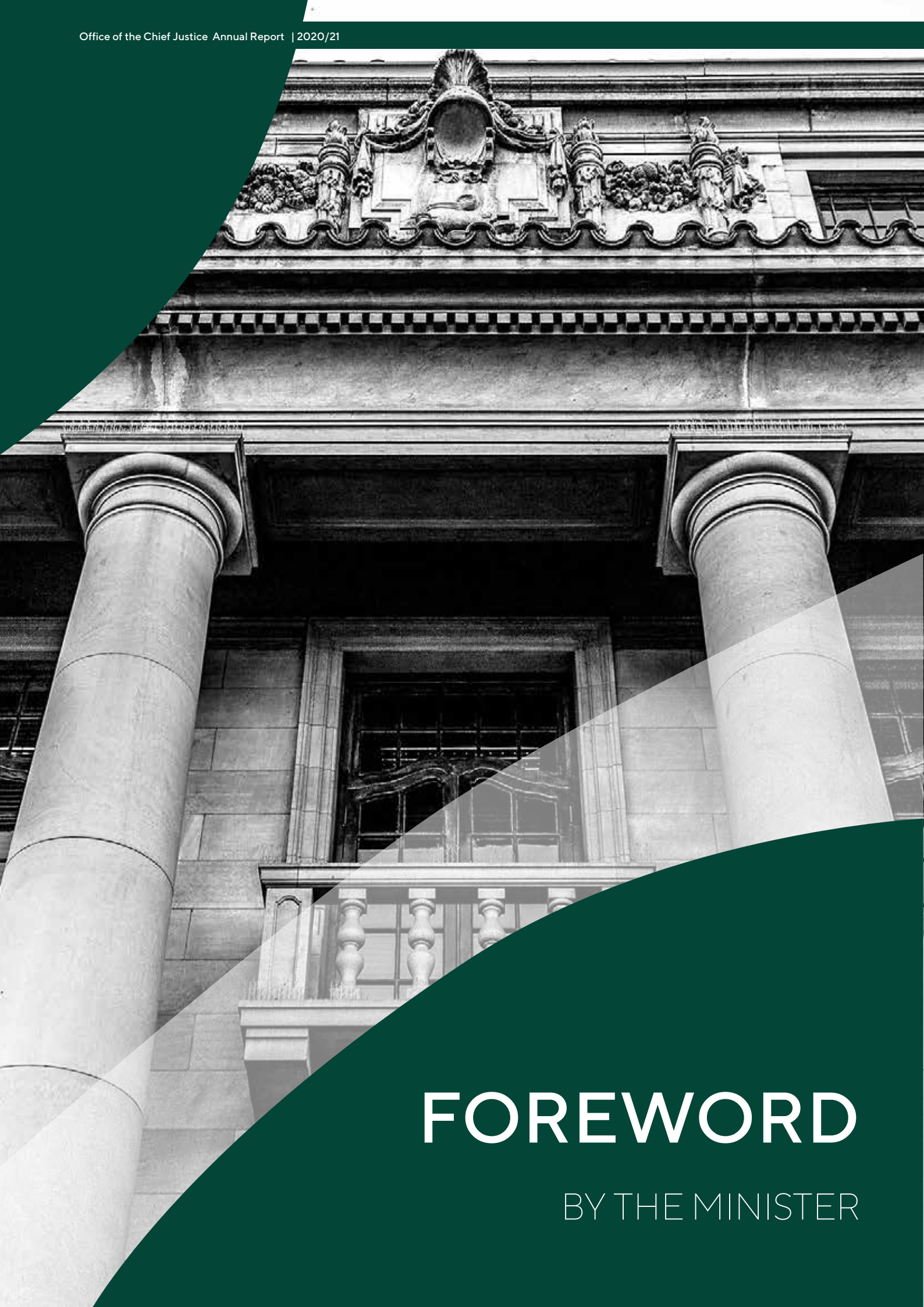
LIST OF THE SUPERIOR COURTS

Superior Courts:

- Constitutional Court;
- Supreme Court of Appeal;
- The High Court of South Africa, consisting of Divisions; and
- 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); and
- South African Judicial Education Institute (SAJEI).



FOREWORD

BY THE MINISTER

3. FOREWORD BY THE MINISTER



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

“The time has come to accept in our hearts and minds that with freedom comes responsibility. It is the responsibility of participation and partnership. The responsibility of each of us for one another.”

These words of wisdom, by President Nelson Rolihlahla Mandela before Parliament in 1995 while delivering his State of the Nation Address, have found renewed relevance as the countries of the world face one of the greatest disasters of our time, the Coronavirus Disease of 2019 (COVID-19) pandemic. The advent of the pandemic, beyond showing us once more how interconnected we are as the human race, has reminded us of the great responsibility we have towards each other. As governments around the world have put measures in place to respond to COVID-19, it has been the responsibility of participation and

partnership among State organs that has averted chaos and ensured that citizens continue to enjoy the freedoms guaranteed to them in spite of the pandemic.

The South African Judiciary, an independent Arm of State, plays an essential role in ensuring that the freedom in South Africa and the rights and obligations outlined in the Constitution, are fulfilled. The Judiciary remains resilient and committed in ensuring that our freedom and constitutional democracy flourishes under these difficult conditions presented by the COVID-19 pandemic.

In line with section 165 (4) of the Constitution, the Office of the Chief Justice (OCJ), as a Government department, continued to provide support to the Judiciary in ensuring effective and efficient court administration services despite the difficult conditions. This has been made possible by the leadership of the Judiciary led by the Chief Justice through his directives, as well as measures introduced by Government, which ensured that the courts through the OCJ remained functional. More than keeping the court doors open, the measures went further to ensure that court users were kept as safe as possible while accessing services in the Superior Courts.

Despite the effects of the COVID-19 pandemic on its operations and budget allocation, the OCJ continued to pursue the objectives of Chapter 14 of the National Development Plan (NDP) to strengthen judicial governance and the rule of law by providing training to the Judges and aspirant Judges through the South African Judicial Education Institute (SAJEI). Although some of the training programmes had to be postponed to comply with the Regulations issued in terms of section 27(2) of the Disaster Management Act, 2002, measures have been put in place to ensure continued training of Judicial Officers. Primary among these was the deployment of an online platform, SAJEI-online, for access to training material by trainees and online training. As a result, 123 judicial education courses for Judicial Officers were conducted during the period under review, attended by 3 297 delegates.

To ensure continued access to justice for all, the OCJ has supported the Judiciary in ensuring that

court hearings are conducted virtually to avoid the risk of physical contact as the pandemic continues unabated. Furthermore, the OCJ in the spirit of the modernisation approach has leveraged digital and virtual opportunities to ensure efficiency and continuity in court services. Moreover, the OCJ has partially implemented the Court Online system in the Gauteng Division of the High Court. CaseLines as a stand-alone solution for evidence management was successfully piloted in these courts. The Court Online system is an advanced cloud-based collaboration that is aimed at providing a platform to law firms and/or litigants to file documents to the courts electronically (e-Filing) over the Internet. The aim is to roll out this electronic platform to other Service Centres during the Medium-Term Strategic Framework (MTSF) period.

The elimination of fraud and corruption continues to be a priority in the Public Service. President Cyril Ramaphosa stated in the State of the Nation Address, 2021, that corruption is one of the most significant impediments to our country's growth and development. The OCJ has, over the years, put in place strong measures to prevent fraud and corruption in the Department in response to Government's priority to build a capable, ethical and developmental State as outlined in the MTSF. The OCJ established an Ethics Forum in an endeavour to promote ethics among its ranks. While exercising public authority, public servants have an obligation to ensure that their conduct does not undermine peoples' trust in the Public Service. The OCJ acknowledges that ethical values are central in the fight against corruption. We hope that the initiatives undertaken by the Ethics Forum will contribute to preventing criminal and corrupt activities within the OCJ.

Government reaffirms its commitment to the people of South Africa that it will continue to provide support

to the Judiciary as a constitutional imperative, which we consider being fundamental to the flourishing of our democracy. We will continue to protect our courts and ensure their independence, dignity, accessibility and effectiveness.

I extend a word of appreciation to the Chief Justice of the Republic of South Africa, Chief Justice Mogoeng Mogoeng, as he retires in October 2021, for his astute leadership of the Judiciary and wish him well for the future.

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.

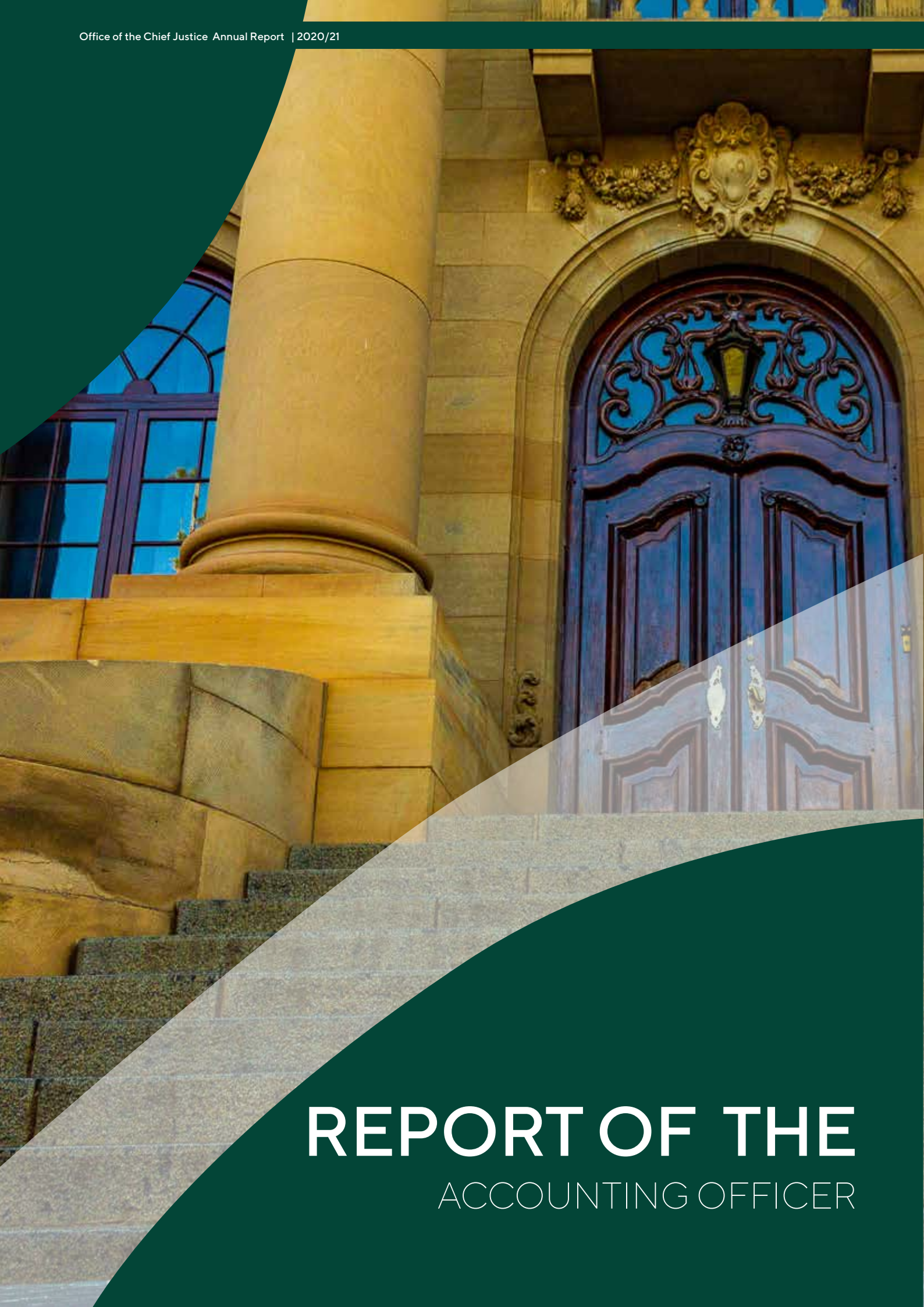
My sincere gratitude goes to the Secretary General of the OCJ, Ms Memme Sejosengwe, including the employees of the OCJ, for their commitment to the principles of good governance in the Public Service.



Mr R O Lamola, MP

Minister of Justice and Correctional Services
Date: 27 August 2021





REPORT OF THE

ACCOUNTING OFFICER

4. REPORT OF THE ACCOUNTING OFFICER



Ms Memme Sejosengwe

Accounting Officer: Office of the Chief Justice

4.1. GENERAL OVERVIEW

The 2020/21 financial year was challenging, owing to the impact of the COVID-19 pandemic. The country's national lockdown in response to the pandemic affected our operations. This required that we reassess how we carry out our mandate of supporting the Judiciary through our three programmes – Administration, Superior Court Services and Judicial Education and Support. This resulted in the OCJ integrating the impact of the COVID-19 pandemic in our planning.

One of the most significant impacts of the COVID-19 pandemic has been on the fiscus as resources

had to be reprioritised in the entire Public Service. The OCJ, like all other government departments, faced the challenge of delivering services that grew incrementally year-on-year with a reduced budget. We had to reprioritise resources to ensure that the delivery of core services is not affected. The COVID-19 pandemic has made it evident that an organisation must have Business Continuity Management (BCM) in place with its processes implemented at all levels of the organisation. I am pleased that we have taken the important step to put in place BCM measures to ensure that the Department is prepared against any eventuality.

Despite the challenges posed by the national lockdown, we have continued to discharge our mandate effectively and efficiently. During the lockdown, the Government introduced measures that ensured that the Public Service was not totally shut down. The OCJ followed this lead and made all the necessary efforts to ensure that our services did not grind to a halt. Critical in ensuring continuous service delivery was the establishment of the OCJ COVID-19 Advisory Committee, a technical committee advising the Secretary General on the most effective measures to keep Judges, officials and court users safe while operating under the conditions of the pandemic. The OCJ COVID-19 Advisory Committee has spearheaded initiatives such as virtual court hearings, which ensured that the courts continue to be accessible. In this regard, the OCJ's Information and Communication Technology (ICT) Unit has been a strategic partner in ensuring an efficient court system; reducing court administration inefficiencies and ensuring access to justice, among other initiatives.

In this Annual Report, the OCJ reflects on its performance measured against indicators and targets set out in the Annual Performance Plan for 2020/2021 and the Strategic Plan 2020/21 – 2024/25 as tabled in Parliament in line with the Revised Framework for Strategic Plans and Annual Performance Plans.

4.2. OVERVIEW OF THE FINANCIAL RESULTS

DEPARTMENTAL RECEIPTS:

REVENUE

Departmental receipts	2020/21			2019/20		
	Estimate	Actual Amount Collected	(Over/Under Collection)	Estimate	Actual Amount Collected	(Over/Under Collection)
	R'000	R'000	R'000	R'000	R'000	R'000
Tax Receipts	-	-	-	-	-	-
• Casino taxes	-	-	-	-	-	-
• Horse racing taxes	-	-	-	-	-	-
• Liquor licences	-	-	-	-	-	-
• Motor vehicle licences	-	-	-	-	-	-
Sale of goods and services other than capital assets	570	588	(18)	527	659	(132)
Transfer received	-	-	-	-	-	-
Fines, penalties and forfeits	-	-	-	9	6	3
Interest, dividends and rent on land	1	-	1	-	1	(1)
Sale of capital assets	-	212	(212)	12	262	(250)
Financial transactions in assets and liabilities	1737	1 898	(161)	1942	1 967	(25)
Total	2 308	2 698	390	2 490	2 895	405

The actual revenue collected was R2.698 million, which exceeded the estimated revenue collection of R2.308 million by R390 000 during the 2020/21 financial year. The revenue received was higher than the estimated amount as a result of more disposals of assets for which cash was received as well as a higher recovery of staff debt than anticipated.

PROGRAMME EXPENDITURE

Programme	2020/21			2019/20		
	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	239 363	239 361	2	217 432	211 077	6 355
Superior Court Services	888 660	806 268	82 392	898 827	857 691	41 136
Judicial Education and Support	60 098	26 243	33 855	81 433	65 119	16 314
Total	1 188 121	1 071 872	116 249	1 197 692	1 133 887	63 805
Direct charge (Judges' salaries)	1 117 931	1 043 602	74 329	1 098 546	1 051 725	46 821
Total	2 306 052	2 115 474	190 578	2 296 238	2 185 612	110 626

The Department's total voted expenditure amounted to R1.072 billion against the final appropriation of R1.188 billion. This excludes the direct charge to the National Revenue Fund (NRF) for the Judges' salaries. This reflects 90.2% spending against the final appropriation, resulting in an underspending of R116.249 million (9.8%) incurred under compensation of employees, goods and services, and the payment for capital assets. The reasons for underspending are provided in the sections below.

EXPENDITURE PER PROGRAMME

PROGRAMME 1: ADMINISTRATION

The expenditure on this Programme was R239.361 million against the final allocation of R239.363 million. The expenditure on this Programme was 100% against the final appropriation.

PROGRAMME 2: SUPERIOR COURT SERVICES

The expenditure on this Programme was R806.268 million against the final allocation of R888.660 million (or 90.7% spending against budget), which resulted in an underspending of R82.392 million (9.3%). The underspending relates to the following:

- a) Compensation of employees – The delays in filling of vacancies due to the COVID-19 lockdown restrictions, as well as the zero percentage salary increase to government employees which was planned for in the annual appropriation;
- b) Goods and services – due to:
 - savings on telephone cost as some Judges and officials were working remotely due to COVID-19 lockdown restrictions;
 - savings on fleet services due to decreased usage of the leased Judges' vehicles as a result of COVID-19 lockdown restrictions;
 - reduction in travelling projected for Judges and officials due to the COVID-19 lockdown restrictions; and
- c) Payment for capital assets – due to leased vehicle contracts which was converted into month-to-month contracts and was therefore paid as operating leases under goods and services.

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

The expenditure on this Programme was R26.243 million against the final allocation of R60.098 million (or 43.7% spending against the final appropriation), which resulted in an underspending of R33.855 million (56.3%). The underspending relates to the following:

- a) Compensation of employees – The delays in filling of vacancies due to the COVID-19 lockdown restrictions as well as the zero percentage salary increase to government employees, which was planned for in the annual appropriation;
- b) Goods and services due to:
 - Judicial training operations which switched from the traditional way of conducting training in hired venues to the virtual way due to COVID-19 lockdown restrictions;
 - The postponement of the JSC sittings scheduled to take place in April and October 2020 due to the COVID-19 lockdown restrictions; and
- c) Payment for capital assets as a result of non-procurement of ICT equipment for the SAJEI due to the COVID-19 lockdown restrictions.

STATUTORY FUND (DIRECT CHARGE): JUDGES' SALARIES

The expenditure on the statutory allocation was R1.044 billion against the final allocation of R1.118 billion (93.4%), which resulted in an underspending of R74.329 million (6.6%). The saving on Judges' salaries is due to the zero percentage salary adjustment implemented for Judges in the previous financial year, which was planned for in the 2020/21 financial year as well as the lower than projected number of gratuities paid to Judges.

VIREMENTS

The following table provides a breakdown of virements executed:

From			To		
Programme	Item	R'000	Programme	Item	R'000
2: Superior Court Services	Compensation of employees	330	1: Administration	Compensation of employees	113
	Goods and services	11 974		Goods and services	11 113
	Payment for capital assets	9 224		Transfers and subsidies	145
				Payment for capital assets	9 224
			Total		20 595
			3: Judicial Education and Support	Compensation of employees	217
				Goods and services	715
				Transfers and subsidies	1
			Total		933
Total		21 528	Total		21 528

The virement from the Superior Court Services programme was executed to address the overspending on the Administration programme due to the increased cost for ICT services, under-projected compensation of employees, more than projected leave gratuities paid under transfers and subsidies and procurement of ICT hardware equipment necessitated by the COVID-19 pandemic.

The virement from the Superior Court Services programme was executed to address the overspending on the Judicial Education programme due to overspending on the legal cost, under-projected compensation of employees, and more than projected leave gratuities paid under transfers and subsidies. The reason why fund shifts were not done from underspending on Programme 3 is that the sub-programme where underspending occurred is an earmarked (ring-fenced) fund and savings on earmarked funds may not be reprioritised.

LEASE PAYMENTS

An amount of R73.753 million was spent on finance lease and R18.886 million on operating leases payments during the year under review.

UNAUTHORISED EXPENDITURE

No unauthorised expenditure was incurred during the period under review.

IRREGULAR EXPENDITURE

In line with the National Treasury Framework on Irregular Expenditure, the OCJ submitted its request for condonation of the irregular expenditure incurred in the previous financial years, as reported in the 2018/19 Annual Report, to National Treasury. An additional amount of R399 000 was identified during the current year relating to the prior year and is disclosed as such in the Annual Financial Statements. The irregular expenditure to the amount of R679 372.60 relating to the prior years was condoned by National Treasury during the 2020/21 financial year whilst the amount of R399 000, discovered in the current year, will be submitted to National Treasury for condonation.

The OCJ incurred irregular expenditure during the 2020/21 financial year as follows:

Supplier	Description / transgression	Reason	Amount
Metrofile: Storage of ICT backup files	Transgression of the SCM prescripts	The contract was erroneously concluded during 2018 for a period of 24 months instead of a period of 12 months without following SCM procedures. The transgressing official has since left the employment of the OCJ and no consequence management could be implemented. Value for money services were however obtained.	R14 352.00
Tirisan Tech Solutions: Provision of extended CaseLines support to the Gauteng Division of the High Court during Levels 5 to 3 of the national lockdown	Transgression of SCM prescripts	<p>Tirisan Tech Solutions rendered CaseLines Support Services, which was outside the scope of the current contract due to COVID-19 lockdown. This was necessary to ensure court operations in the Gauteng Division of the High Court. Value for money services were obtained.</p> <p>The transgressing official is no longer employed by the OCJ. As a result no consequence management could be implemented.</p>	R7 612 981.85

National Treasury was already requested to condone the irregular expenditure as reflected in the table above (R7 627 333.85), and a response is still awaited.

FRUITLESS AND WASTEFUL EXPENDITURE

Fruitless and Wasteful expenditure to an amount of R3 000 was detected for the prior year whilst an amount of R17 000 was incurred in the 2020/21 financial year. These amounts are not material.

THE STRATEGIC FOCUS OVER THE SHORT TO MEDIUM TERM PERIOD

The advent of the COVID-19 pandemic has made it a strategic priority for all government departments, including the OCJ, to implement BCM at all levels of the organisation. During the MTSF period, the Department will therefore ensure that BCM processes are fully operationalised.

ICT remains a strategic enabler and partner to the delivery of the mandate of the Department. As a

result, the modernisation of the courts and digital transformation remains crucial in improving service delivery. The OCJ plans to pilot and roll out the Court Online system to other Superior Courts during the Medium-Term Expenditure Framework (MTEF) period.

The Department will finalise the 5-year ICT Strategic Plan during the first quarter of 2021/22, which outlines the technology roadmap to automate and transform the business of the OCJ in order to achieve its mandate and vision for a single, transformed, and independent judicial system that guarantees access to justice for all.

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 were no activities that were discontinued or to be discontinued during the period under review.

NEW / PROPOSED ACTIVITIES

There were no new/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 Departmental Financial Instructions (DFI) was reviewed and approved to strengthen the accountability and responsibility of OCJ officials. In order to prevent irregular, fruitless and wasteful expenditure, the new Irregular Expenditure Framework as well Fruitless and Wasteful Expenditure Framework as issued by National Treasury were incorporated into the amended DFI. All new and amended NT Instructions on procurement related matters were incorporated;
- The checklist to ensure compliance with all prescribed Supply Chain Management (SCM) prescripts was re-designed and implemented in all OCJ Service Centres;
- 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;

- No unsolicited bid proposals were concluded for the year under review.

The following challenges were experienced in the year under review:

- a) High turnover of staff in SCM;
- b) Understaffing of SCM offices at the Superior Courts and provincial office level; and
- c) Shortage of skills required relating to SCM operations.

To address these challenges, the OCJ trained SCM officials in the broader spectrum of SCM functions to improve multi-skilling and enhance skill levels.

The prescripts issued by National Treasury and audit findings issued by the Auditor-General South Africa have been communicated throughout the year to all finance officials at the National Office, Superior Courts and Provincial Centres to ensure that correct SCM procedures are followed during the procurement process.

In-house training on SCM was provided to selected Superior Court officials.

The SCM policy was reviewed and approved during the financial year.

ASSET MANAGEMENT

During the year under review, the OCJ maintained its Asset Management Register in compliance with section 38 (d) of the Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA). 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.

GIFTS AND DONATIONS RECEIVED IN KIND FROM NON-RELATED PARTIES

During the reporting period, the OCJ received books as donations to the value of R45 840.

EXEMPTIONS AND DEVIATIONS RECEIVED FROM NATIONAL TREASURY

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

EVENTS AFTER THE REPORTING DATE

As on 31 May 2021, when the Annual Financial Statements were submitted for audit, there were outstanding legal fees owed by the Department to the DoJ&CD, which were included in the Contingent Liability disclosure note. Subsequently, after the financial statements were submitted, management settled the confirmed amounts of the outstanding debt and the financial statements were adjusted accordingly.

ACKNOWLEDGEMENT AND APPRECIATION / CONCLUSION

I hereby reaffirm the Department's commitment to its mandate of supporting the Judiciary to ensure effective and efficient court services. The OCJ would like to express gratitude to Chief Justice Mogoeng Mogoeng 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 role over the work of the OCJ. We also thank the chairperson and members of the Audit and Risk Committee (ARC) of the OCJ for their continued guidance and support. Furthermore, our gratitude is extended to a wide range of stakeholders who have richly contributed to the work of the OCJ.

Finally, I thank all OCJ employees for their concerted effort in ensuring that we continue to deliver services in line with the Constitution and the prescripts of the Public Service.



Ms M Sejosengwe

Accounting Officer: Office of the Chief Justice

Date: 27 August 2021

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 2021.

Yours faithfully,



Ms M Sejosengwe

Accounting Officer: Office of the Chief Justice

Date: 27 August 2021

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 the pursuit of its mandate, vision and mission, the OCJ upholds the following values:

- Respect;
- Integrity;
- Transparency;
- Professionalism;
- Accountability; 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 that the judicial authority of the Republic is vested in the courts. It also provides that the Chief Justice is the Head of the Judiciary and entrusts the Chief Justice with the responsibility

to establish and monitor Norms and Standards for the performance of judicial functions in all courts. 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 OCJ was established to support the Judiciary to give effect to section 165 (4) of the Constitution.

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)	<p>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.</p> <p>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.</p>
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)	<p>This Act empowers the Chief Justice to exercise responsibility over the establishment and monitoring of norms and standards for the exercise of the judicial functions of all courts.</p> <p>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.</p>
Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001)	The 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 the training of Judicial Officers and aspirant Judges.

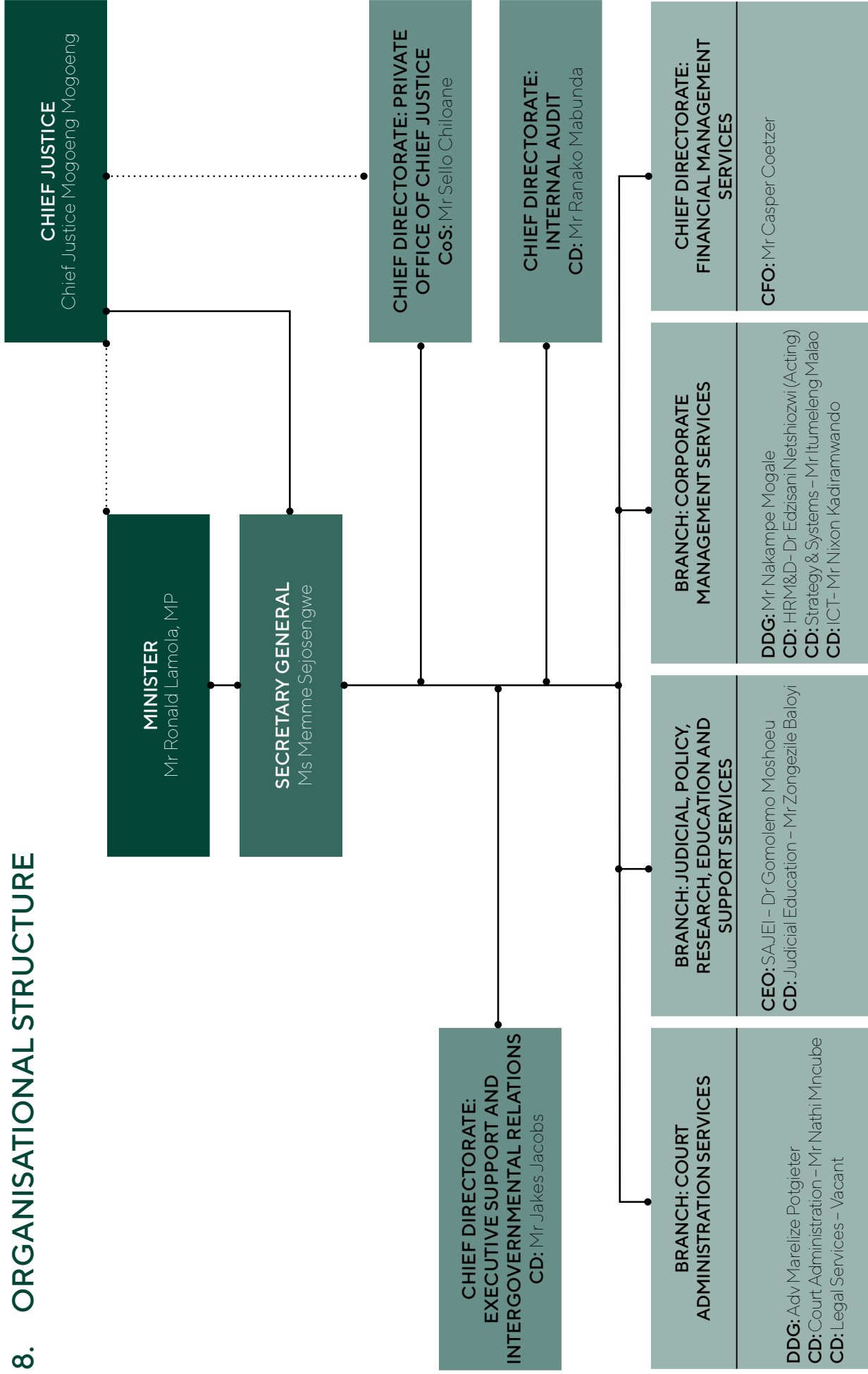
LEGISLATION	KEY MANDATES / RESPONSIBILITIES
Judicial Matters Amendment Act, 2015 (Act 24 of 2015)	In terms of the Judicial Matters Amendment Act, 2015, the general administration of the Judges' Remuneration and Conditions of Employment Act, 2001 has been transferred from the Director-General (DG) of the DoJ&CD to the SG of the OCJ with effect from 01 August 2016. This Amendment Act also transfers to the OCJ certain functions and responsibilities of SAJEI that were previously allocated to the DoJ&CD. Furthermore, the Act determines that 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 (MPSA) 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



9. ENTITIES REPORTING TO THE MINISTER

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



PART B

PERFORMANCE INFORMATION

1. AUDITOR GENERAL'S REPORT: PREDETERMINED OBJECTIVES

The Auditor-General's report on the audit of pre-determined objectives is provided for on page 101 of the Report of the Auditor-General, included in Part E: Financial Information.

2. OVERVIEW OF DEPARTMENTAL PERFORMANCE

2.1 SERVICE DELIVERY ENVIRONMENT

The Office of the Chief Justice provides administrative and technical support to the Judicial Branch of State and ensures that the Superior Courts are administered efficiently. The Department contributes to Chapter 13 of the NDP, which is *"building a capable State"*, and Chapter 14 *"promoting accountability and fighting corruption"*. The OCJ also contributes to the Medium Term Strategic Framework (MTSF 2019/24) Priority 1, *"A capable, ethical and developmental State"*, as well as Priority 6 focusing on *"Social cohesion and safer communities"*. During the period under review, the OCJ continued to focus on supporting the Chief Justice in ensuring judicial accountability, implementation of initiatives that contribute to broadening and improving access to justice and the services of the Superior Courts. Moreover, the Department continued to ensure an efficient court administration system through improved systems and processes as well as implementing measures envisaged to mitigate the effects of COVID-19.

SUPERIOR COURT SERVICES AND ACCESS TO JUSTICE FOR ALL

As the country continues to fight the COVID-19 pandemic, it remains imperative to ensure that access to justice is not compromised and the courts remain operational in line with the directives of the Chief Justice. The Superior Courts have throughout the period under review put in place the necessary measures to continue rendering essential services whilst also promoting the safety of Judges, officials and court users.

ENSURING AN EFFICIENT COURT SYSTEM

In order to improve efficiencies in the court system, the OCJ continued to prioritise ICT as a strategic enabler. Technology plays an important role in

ensuring an efficient court system. As such, the OCJ is taking advantage of the Fourth Industrial Revolution (4IR) with initiatives such as the Court Online system, which aims to provide a platform for filing documents to the courts electronically and helps to minimise the physical movement of people and paper-based court documents within the court environment. This is beneficial to the OCJ for storage, retrieval and management of electronic documents on the filing system.

Modernisation of the courts and digital transformation initiatives remain crucial for improving service delivery. In response to the need to keep Superior Courts operational during the COVID-19 lockdown period, the OCJ provided Judges and officials with ICT solutions to enable the courts to operate virtually. Amongst others, these measures included the provision of end user equipment, increased bandwidth for the internet as well as increased data allowances.

During the period under review, the OCJ had planned to roll out the Court Online system in two service centres. However, due to challenges brought on by the COVID-19 pandemic, as well as system failure caused by an ICT security breach, the full implementation of this project could not be achieved. This project will continue to be implemented in the 2021/22 financial year.

Another project that the Department had envisaged to implement during the period under review was the ICT infrastructure refreshment, which would have enabled the organisation to be ready for digital transformation. The procurement process in this regard was delayed by the non-responsiveness of the market at the stage of sourcing proposals / quotations. This has led to the project being deferred to the next financial year.

JUDICIAL EDUCATION AND SUPPORT

During the period under review, the OCJ, through SAJEI, continued to provide education programmes to Judicial Officers. Judicial education and support contribute to outcome 3 of the OCJ, which is about enhanced judicial performance. The outcome aims to ensure that the Department provides administrative and technical support that enables the Judiciary to deliver on its constitutional mandate through continued judicial education, among others. Judicial

education plays an important role in promoting the effectiveness of the courts. To this end, SAJEI conducted 123 judicial education courses for Judicial Officers during the period under review, attended by 3 297 delegates. Due to the country's lockdown and related regulations, the OCJ had to leverage the new technologies by virtually conducting some of these educational courses as a measure to ensure continued Judicial education.

3. SERVICE DELIVERY IMPROVEMENT PLAN

The OCJ Service Delivery Improvement Plan (SDIP) for the 2018 to 2021 cycle was implemented and monitored at 16 Service Centres. The standards related 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 reflected in the approved SDIP. The tables below highlight the activities under the SDIP and achievements thereof for the 2020/21 financial year.

3.1 MAIN SERVICES AND STANDARDS

Main services	Beneficiaries	Current/Actual standard of service (2019/20)	Desired standard of service (2020/21)	Actual achievement (2020/21)
Improve witness services at the Superior Courts (i.e. Payment of witness fees)	Witnesses (ordinary and experts)	97.1% (5 767 of 5 939) ordinary witnesses were paid on the same day they appeared in court.	100% ordinary witnesses paid on the same day they appear in court.	94% (2 805 of 2 991) ordinary witnesses were paid on the same day they appeared in court.
		90.5% (19 of 21) of wages forfeited were paid within 14 days.	100% of wages forfeited paid within 14 days after the witness appears in court.	92% (23 of 25) of wages forfeited were paid within 14 days after the witness appeared in court.

3.2 BATHO PELE ARRANGEMENTS WITH BENEFICIARIES

Batho Pele Principles	Current/Actual arrangements (2019/20)	Desired arrangements (2020/21)	Actual achievements (2020/21)
Consultation	The Customer Service Improvement Tool was rolled out at 21 Superior Courts, inclusive of Local Divisions of the High Court.	N/A	N/A
	Customer Service Improvement Tool monitored in 21 Superior Courts, inclusive of Local Divisions of the High Court.	Customer Service Improvement monitored in 24 Superior Courts, inclusive of Local Divisions of the High Court.	Customer Service Improvement Tool monitored in 13 Superior Courts, inclusive of Local Divisions of the High Court.

Batho Pele Principles	Current/Actual arrangements (2019/20)	Desired arrangements (2020/21)	Actual achievements (2020/21)
Access	14 Superior Courts, inclusive of Local Divisions of the High Court, have clear signage indicating the direction and the area where the witness fees are accessed.	24 Superior Courts, inclusive of Local Divisions of the High Court, have clear signage indicating the direction and area where the witness fees are accessed.	15 Superior Courts, inclusive of Local Divisions of the High Court have clear signage indicating the direction and the area where the witness fees are accessed.
Courtesy¹	88% (14 of 16) of Superior Courts have information displayed on the notice boards about how to claim for wages/income forfeited.	All (100%) Superior Courts will display a Standard Operating Procedure on what is required for witnesses to claim wages/income forfeited.	94% (15 of 16) of Superior Courts have information displayed on the notice boards about how to claim for wages/income forfeited.
	Court officials in 14 Superior Courts were 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 6 Superior Courts Service Centres were capacitated on the implementation of Batho Pele principles.
	Only three (3) courts had a 100% of officials wearing corporate name tags.	All (100%) staff in all courts wear corporate name tags.	93% (1 230 of 1 323) officials in 16 Superior Courts Service Centres wore corporate name tags.
Openness and Transparency	Information relating to the payment of witness fees is displayed at 63% (10 of 16) of Superior Courts.	Information relating to the payment of witness fees will be displayed at all Superior Courts (including documents needed).	Information relating to the payment of witness fees is displayed at 81% (13 of 16) of Superior Courts Service Centres.
Time	97.1% (5 767 of 5 939) ordinary witnesses were paid on the same day they appeared in court.	100% ordinary witnesses paid on the same day they appear in court.	94% (2 805 of 2 991) ordinary witnesses paid on the same day they appeared in court.
	90.5% (19 of 21) of wages forfeited were paid within 14 days.	100% of wages forfeited are paid within fourteen (14 days) after the witness appears in court.	92% (23 of 25) of wages forfeited paid within 14 days after the witness appeared in court.
Value for money	20% 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.	21% rate of increase on the turnaround time for payment of wages forfeited.
Cost	R2 072 779.24	The standard is dependent on the number of witnesses paid ² .	R1 319 302.32 was paid to witnesses.
Human Resources	Four (4) courts still need capacity in their finance sections so that the payment of witness fees can be fast tracked.	Compliment the current finance component at the courts where there is a need.	Payment of witness fees are administered across the courts by Court Managers. The component of payment of witness fees was complimented by Accounting Clerks; State Accountants and Senior Admin Clerks.

¹ 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).

² No estimated cost is included in the SDIP/ target since the number of witnesses is determined by other stakeholders.

3.3. SERVICE DELIVERY INFORMATION TOOL

Batho Pele Principles	Current/actual arrangements (2019/20)	Desired arrangements (2020/21)	Actual achievements (2020/21)
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.
	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.	The publication of the Department's Annual Report is a reflection, amongst others, of the extent to which the Department has complied with its service delivery standards and implemented its SDIP.	The OCJ Annual Report for 2019/20 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.
	The Abridged Service Delivery Charter is displayed in fifteen (15) Superior Courts.	Abridged Service Delivery Charter displayed at twenty-four (24) Superior Courts, inclusive of Local Divisions of the High Court.	The Abridged Service Delivery Charter is displayed in fifteen (15) Superior Courts Service Centres.
	Training provided to helpdesk services at three (3) Superior Courts through the GIZ project on "Capacitating the OCJ".	Monitor the effectiveness of the helpdesks.	All 16 High Court Service Centres have functional helpdesks which are manned by security and officials.

3.4. COMPLAINTS MECHANISM

Batho Pele Principles	Current/actual arrangements (2019/20)	Desired arrangements (2020/21)	Actual achievements (2020/21)
Redress	Complaints management mechanism has been established but not fully implemented.	Complaints and compliments management mechanism for the OCJ implemented and monitored.	<p>Complaints and compliments management mechanism for the OCJ implemented and monitored.</p> <p>There is visibility of Complaints boxes at the courts' waiting areas, Cash halls and all the floors of the courts'.</p> <p>Furthermore, the names and contact numbers of the Complaints Officers, in most cases the Court Managers, are displayed at the entrance of the courts and on the website.</p> <p>There are also complaints forms and complaints registers.</p>
	The OCJ's compliments and complaints management policy has not yet been implemented.	OCJ Compliments and Complaints Management Policy implemented and monitored.	<p>Approved OCJ Compliments and Complaints Management Policy implemented and monitored.</p> <p>The following instruments can be identified to monitor OCJ's Compliments and Complaints Management Policy:</p> <ul style="list-style-type: none"> • Complaints Form; • List of Complaints Officers; and • Suggestion boxes.
	OCJ Compliments and Complaints Management Standard Operating Procedure (SOP) partially implemented and monitored.	OCJ Compliments and Complaints Management SOP implemented and monitored.	OCJ Compliments and Complaints Management SOP partially implemented and monitored.
	0% (0/0) complaints relating to the payment for witness fees were lodged and resolved immediately.	100% 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.	<p>100% (34 of 34) of complaints relating to the payment of witness fees were acknowledged within five (5) working days.</p> <p>86% (32 of 37) of complaints were attended to within twenty-five (25) working days.</p>

4. ORGANISATIONAL ENVIRONMENT

The 2020/21 financial year was a challenging year on various fronts due to the emergence of COVID-19 and subsequent national lockdown. Notwithstanding COVID-19 related disruptions, the OCJ had to continue delivering on its mandate and providing support to the judicial system by rendering effective and efficient court administration services.

4.1. HUMAN RESOURCE MANAGEMENT

The execution of the Department's mandate relies on adequate human resources at all levels of the organisation. Two (2) Deputy Directors-General were appointed during the reporting period to oversee Court Administration Services and Corporate Management Services, respectively. The filling of these positions was in line with the macro-organisational structure approved in the 2018/19 financial year and has strengthened strategic leadership capacity within the organisation in two critical areas of operation.

The organisation's core business is in supporting the courts. As such, it is important for the OCJ to ensure that the necessary skills are available in the courts to function effectively and efficiently. To this end, during the year under review, the OCJ prioritised capacitating the courts with the required skills, including critical skills. This was successfully achieved as evidenced by the organisation's low vacancy rate of 9.85% in the funded establishment.

4.2. MAINSTREAMING CROSS-CUTTING ISSUES (GENDER, YOUTH & DISABILITY)

During the reporting period, the OCJ prioritised the employment of women, youth and people with disabilities.

Regarding the employment of women, the focus was placed on improving their representation in the Senior Management Service (SMS). As at the end of the 2020/21 financial year, the OCJ had 44% women representation at the SMS level, 6% below the required 50% representation. The Department will continue targeting females for the vacant SMS level posts in pursuit of a 50/50 gender split at this management level.

As at the end of the year under review, the youth (aged 21-35), constituted almost a third (31%) of the organisation's staff compliment. This youth representation exceeds the national target for youth representation by 1%. The Department experienced

challenges with attaining the 2% representation of people with disabilities. In order to overcome this challenge, the OCJ has initiated the disability disclosure process for both new incumbents and current employees.

4.3 HEALTH AND WELLNESS PROGRAMME

For officials to perform optimally, their health and wellness is of utmost importance and should be prioritised. This was evident in the 2020/21 financial year as the Department dealt with both the physical and mental effects of the COVID-19 pandemic. In an effort to ease anxieties and empower officials, the OCJ conducted four COVID-19 educational programmes, three COVID-19 related training sessions for Safety Officers, as well as three COVID-19 Occupational Health & Safety inspections. A total of 18 Employees Health and Wellness programmes were conducted, which included the trauma de-briefing workshops, stress management awareness sessions and psychological First Aid workshops, benefiting 180 employees.

4.4 CAPACITATING EMPLOYEES THROUGH SKILLS DEVELOPMENT PROGRAMMES

There were challenges regarding the training of staff members in line with the Workplace Skills Plan (WSP) due to the COVID-19 pandemic restrictions. During the year under review, 190 out of 1 483 staff members were trained as per the WSP. In an effort to improve the provision of training to staff, the Department collaborated with different stakeholders through the utilisation of virtual platforms.

4.5 FINANCIAL RESOURCES

The Department's financial resources were strained during the period under review. Because of this, the organisation's budget had to be reprioritised in order to focus on delivering on the priorities of Government. Despite the internal reprioritisation effected on the

voted funds to cover the immediate response to the COVID-19 pandemic, a budget reduction of R30 million was implemented on the operational budget during the special COVID-19 adjusted budget. This budget reduction represented 8.8% of the OCJ's Goods and Services allocation. This put more pressure on court operations and necessitated alternative ways to render services within the environment of the pandemic. The OCJ, however, identified areas where savings will be realised due to scaled-down operations during the COVID-19 pandemic. These funds were reprioritised to cover the expenditure needed for the procurement of PPEs as well as enabling courts to operate on virtual platforms.

4.6 THE STATUS OF THE INSTITUTION REGARDING COMPLIANCE WITH THE (BBBEE) ACT

The OCJ, through its Supply Chain processes, continues to comply with the Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003). Compliance with the Act has been achieved through the Department's procurement plan by awarding bids to suppliers with a BBBEE status of level 4 and above. During the year under review, the OCJ awarded four tenders to suppliers with a status of level 4 and above. The bidders were fully compliant in relation to the BBBEE requirements and are the following:

- Bytes systems - a division of Altron TMT (Pty) Ltd;
- Nambiti technologies Pty (Ltd);
- Xon systems (Pty) Ltd; and
- Interface Network Technologies (Pty) Ltd.

4.7 BUSINESS CONTINUITY MANAGEMENT

One of the key priorities in the implementation of the OCJ five-year strategy is ensuring that Business Continuity Management (BCM) processes are operationalised. The OCJ should be prepared, be able to respond and to recover from any disruptions or incidents in order to ensure that critical operations in the OCJ continue without adverse impact on service delivery. During the year under review, the Department commenced with the implementation of BCM as follows:

- a) The BCM policy was approved and implemented.
- b) The BCM committee and the following sub-committees were established and are functional:
 - Safety, Health, Environment, Risk and Quality Management (SHERQ);
 - Business Recovery; and
 - Systems Recovery.
- c) Amongst others, the following key activities were undertaken:
 - The Business Impact Assessments (BIA);
 - The baseline audits regarding the implementation of the Security, Facilities, Infrastructure, Occupational Health and Safety (OHS) measures.

4.8 INFORMATION AND COMMUNICATION TECHNOLOGY

Modernisation of the courts and digital transformation initiatives remain crucial for improving service delivery. During the period under review, the OCJ had planned to roll out the Court Online system in two Service Centres, but due to COVID-19 lockdown restrictions and an ICT security breach that caused major system failure, the full implementation of this project could not be achieved. This project is deferred and will continue to be implemented in the 2021/22 financial year.

Another project that the Department had sought to implement during this period was the ICT Infrastructure Refresh Project, which would focus on the replacement of old hardware infrastructure as well as the addition of hardware to cope with increased service demand. This would also assist with readiness for digital transformation and improved service delivery. The procurement process in this regard was delayed by the non-responsiveness of the market on two occasions at the stage of sourcing bids. This has led to the project being deferred to the 2021/22 financial year. However, the OCJ had to find innovative solutions in response to COVID-19 in order to keep Superior Courts operational during the lockdown period. This was done to enable the courts to function virtually and to support remote operations.

5. KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

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

6. PROGRESS TOWARDS ACHIEVEMENT OF INSTITUTIONAL IMPACT AND OUTCOMES

During the Medium Term Period, the OCJ made a commitment to make an impact through “*quality and accessible justice for all*”. To realise this impact, the OCJ has three outcomes which are articulated in the 2020/21-2024/25 Strategic Plan. The progress made by the Department during the 2020/21 financial year towards the achievement of the five-year targets in relation to the outcome indicators, the 2019-24 Medium Term Strategic Framework (MTSF) and the NDP is discussed below.

Impact Statement	Quality and accessible justice for all
Outcome 1	Effective and efficient administrative support
Outcome Indicator	Percentage of staff trained in line with the Workplace Skills Plan (WSP)
MTSF Priority 1	A capable, Ethical and Developmental State
NDP Priority	Chapter 13 of the NDP (Building a capable state)

In ensuring effective and efficient administrative support and contributing towards the MTSF Priority 1 (A capable, Ethical and Developmental State) and chapter 13 of the NDP (Building a capable state), during the 2020/21 FY, the OCJ trained 12.8% (190) of staff in line with the WSP. In addition, the OCJ had 9.85% vacant posts on the funded establishment as at the end of the FY, which was below the prescribed limit of 10%; implemented 18 Employee Health and Wellness (EHW) programmes; obtained a clean audit outcome for the 2019/20 FY; and awarded 80% of tenders in the Department’s procurement plan to suppliers with a BBBEE status of level 4 and above. Subsequently, 100% of internal audit projects were completed in-line with the approved Annual Audit Plan; 100% of designated employees (SMS members and other categories of employees) submitted their financial disclosures within the prescribed timeframes; and 31% of staff in the Department comprised of youth.

In response to the COVID-19 pandemic, the OCJ conducted 3 COVID-19 OHS inspections; implemented four COVID-19 educational programmes within the OCJ; conducted three COVID-19 related training sessions for Safety Officers; produced three compliance reports on COVID-19 measures; and also produced three COVID-19 pandemic risk mitigation reports during the year under review.

Impact Statement	Quality and accessible justice for all
Outcome 2	Improved court efficiency
Outcome Indicator	Percentage finalisation of quasi-judicial matters within prescribed timeframes
MTSF Priority 6	Social Cohesion and Safer Communities
NDP Priority	Chapter 14 of the NDP (Promoting accountability and fighting corruption)

In ensuring improved court efficiency and contributing towards the MTSF Priority 6 (Social Cohesion and Safer Communities) and Chapter 14 of the NDP (Promoting accountability and fighting corruption) during the 2020/21 FY, the OCJ finalised 91% of quasi-judicial matters within prescribed timeframes. In this regard, 79% of default judgments were finalised by Registrars within 14 days from date of receipt of application; 99% of taxations of legal bills of costs were finalised within 60 days from date of set down; and 100% of warrants of release (J1) were delivered within one day of the release issued. Moreover, the OCJ produced 4 monitoring reports on law reporting project; produced 4 cash flow management performance reports; and also produced 4 reports on the enhancement of court order integrity.

Impact Statement	Quality and accessible justice for all
Outcome 3	Enhanced judicial performance
Outcome Indicator	Increased Judicial education courses
MTSF Priority 6	Social Cohesion and Safer Communities
NDP Priority	Chapter 14 of the NDP (Promoting accountability and fighting corruption)

To ensure enhanced judicial performance and contribution towards MTSF Priority 6 (Increased Judicial education courses) and Chapter 14 of the NDP (Promoting accountability and fighting corruption), the OCJ conducted 123 judicial education courses during the 2020/21 FY. In addition, the OCJ conducted 2 workshops for Aspirant Judges and facilitated 4 courses in support of Foreign Judicial

Institutions. Furthermore, 2 research monographs on judicial education were produced; 4 monitoring reports on litigation were produced and 2 reports on judicial appointments and judicial complaints were produced.

In promoting accountability and fighting corruption during the 2020/21 FY, the OCJ investigated 48% of reported fraud cases within 60 days; conducted 27 awareness sessions on fraud prevention and the Anti-Corruption Strategy; and submitted 200 investigated vetting files to the State Security Agency.

In response to the COVID-19 pandemic as well as ensuring enhanced judicial performance, during the year under review, the OCJ conducted 121% of the planned judicial educational courses through virtual platforms.

7. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

PROGRAMME 1: ADMINISTRATION

PURPOSE

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

DESCRIPTION OF SUB-PROGRAMMES

The programme consists of five sub-programmes that are aligned with the budget programme structure of the Department. The sub-programmes are:

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

The institutional outcome that this programme contributes towards is:

- Effective and efficient administrative support.

OUTCOMES, OUTPUTS, OUTPUT INDICATORS AND ANNUAL TARGETS REVISED IN THE ORIGINALLY TABLED APP

PROGRAMME 1: ADMINISTRATION											
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21 until date of re-tabling	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations	Reasons for revisions to the Outputs/Output indicators/ Annual Targets
1.8	Effective and efficient administrative support	CaseLines System implemented	CaseLines System implemented at Service Centres	-	-	-	CaseLines System piloted at 2 Service Centres	There were no target/s set for quarters 1 and 2. Therefore, there was no actual achievement to report on as at the date of re-tabling.	There were no target/s set for quarters 1 and 2. Therefore, there was no deviation from the planned target/s.	None	The indicator was revised to correctly reflect the comprehensive Court Online Solution, which consist of two modules, the case management module (CRM Dynamics) and evidence management module (CaseLines). Whilst CRM Dynamics was still under development, CaseLines which was readily available was implemented.

The table above depicts that the OCJ revised the Output, Output Indicator and Annual Target for Indicator 1.8 under programme 1 which did not have the 1st and 2nd quarterly targets in the originally tabled APP (2020/21 FY). The originally tabled APP was implemented until 17 July 2020 (the date of re-tabling). This indicates that there was no performance to report on.

OUTCOMES, OUTPUTS, OUTPUT INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS AGAINST RE-TABLED APP

PROGRAMME 1: ADMINISTRATION										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
1.1	Effective and efficient administrative support	Clean Audit outcome for the OCJ	Audit outcome for the OCJ	Unqualified Audit outcome on financial statements for the 2016/17 financial year	Unqualified audit outcome on financial statements for the 2017/18 financial year	Clean audit outcome for the 2018/19 financial year	Clean Audit Outcome for the 2019/20 financial year	Clean Audit Outcome for the 2019/20 financial year	None	N/A
1.2	Effective and efficient administrative support	Tenders awarded to suppliers with level 4 and above BBBEE status	Percentage of tenders in the Department's procurement plan awarded to suppliers with level 4 and above BBBEE status	-	-	-	80%	80% (4 of 5)	0%	N/A
1.3	Effective and efficient administrative support	Financial disclosures submitted	Percentage of designated employees (SMS members & other categories) who submitted financial disclosures within timeframes	-	-	-	100%	100% (41 of 41)	0%	N/A
1.4	Effective and efficient administrative support	Funded vacant posts reduced	Percentage of vacant posts on funded establishment	4.6% (87 of 1 898)	7.2% (152 of 2 099)	8.9% (183 of 2 049)	10% or Lower	9.85% (211 of 2 140)	0%	N/A

PROGRAMME 1: ADMINISTRATION

Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
1.5	Effective and efficient administrative support	Empowered youth	Percentage of staff in the Department comprised of youth	-	-	-	30%	31% (597 of 1929)	1%	Emphasis was put on youth during the recruitment and selection process; with an aim to ensure that the OCJ does not regress to a percentage that is below the National Target.
1.6	Effective and efficient administrative support	Women represented at SMS levels	Percentage of women representation in senior management service (SMS)	-	-	-	50%	44% (19 of 43)	6%	The initiatives put in place by the OCJ to increase representation of women at SMS levels did not yield expected results.
1.7	Effective and efficient administrative support	People with Disabilities representation	Percentage of people with disabilities representation in the Department	-	-	-	2%	1.03% (20 of 1929)	0.97%	The initiatives put in place by the OCJ to increase representation of People with Disabilities in the Department did not yield expected results.

PROGRAMME 1: ADMINISTRATION										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
1.8	Effective and efficient administrative support	Court online system implemented	Court online system implemented at Service Centres	-	-	-	Court online system rolled out at 2 Service Centres	Court online system not rolled out at 2 Service Centres	Court online system not rolled out at 2 Service Centres	Delays due to COVID-19 and the ICT security breach causing system failure.
1.9	Effective and efficient administrative support	Employee Health and Wellness (EHW) programmes implemented	Number of Employee Health and Wellness (EHW) programmes implemented within the OCJ	-	-	-	9	18	9	There was an increase in the number of EHW programmes to be implemented, contributed mostly by the effects of the COVID-19 pandemic. It should be noted that these sessions were not planned, however, due to the need that arose the sessions needed to be conducted to ensure that the employees receive assistance during the recess period.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

The following deliverables in programme 1 (Administration) were identified as areas of under performance:

- Percentage of women representation in the Senior Management Service (SMS);
- Percentage of people with disabilities representation in the Department; and
- Implementation of Court Online system at Service Centres.

The under performance of the aforementioned deliverables will be addressed as follows:

- In ensuring 50% women representation in the SMS in the Department, the OCJ has targeted women for its vacant SMS posts.
- In ensuring 2% representation of people with disabilities in the Department, the OCJ will be creating partnerships with organisations that deal with people with disabilities (PwDs) as well as creating awareness within the Department on the policies, strategies and targets relating to the empowerment of PwDs. The OCJ has also initiated a disability disclosure process to ensure that those who have undisclosed disabilities get an opportunity to disclose.
- To ensure that Court Online system is implemented at Service Centres, the OCJ revised the project targets in conjunction with the State Information Technology Agency (SITA) and Microsoft; as a result, the rollout has been deferred to the 2021/22 FY.

CHANGES TO PLANNED ANNUAL TARGETS

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

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2020/21			2019/20		
	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	34 134	34 132	2	36 725	34 900	1 825
Corporate Services	157 852	157 852	-	118 379	114 182	4 197
Financial Administration	29 792	29 792	-	30 785	30 471	314
Internal Audit	17 585	17 585	-	18 998	18 979	19
Office Accommodation	-	-	-	12 545	12 545	-
Total	239 363	239 361	2	217 432	211 077	6 355

The Programme spent 100% of the final appropriated budget of R239.363 million for the financial year.

PROGRAMME 2: SUPERIOR COURT SERVICES

PURPOSE

Provide court administration services to the Superior Courts.

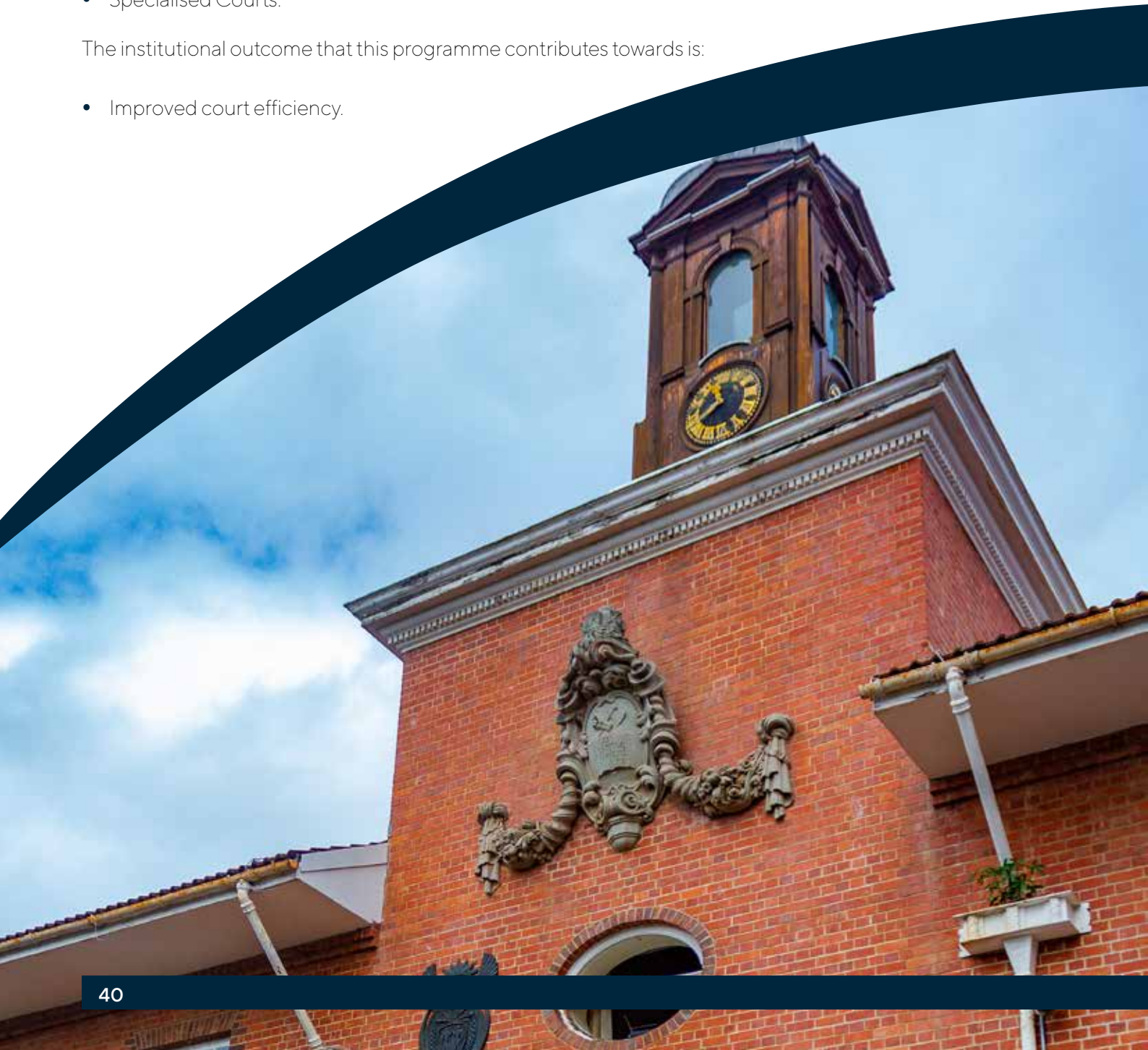
DESCRIPTION OF SUB-PROGRAMMES

The programme consists of five sub-programmes that are in line with the budget programme structure of the OCJ. The sub-programmes are:

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

The institutional outcome that this programme contributes towards is:

- Improved court efficiency.



OUTCOMES, OUTPUTS, OUTPUT INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS

PROGRAMME 2: SUPERIOR COURT SERVICES										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
SUB-PROGRAMME: ADMINISTRATION OF SUPERIOR COURTS										
2.1	Improved court efficiency	Default judgements finalised within 14 days	Percentage of default judgments finalised by Registrars within 14 days from date of receipt of application	-	-	-	70%	79% (15 686 of 19 846)	9%	The effective internal controls and initiatives implemented. These initiatives include overtime work, pre-screening mechanism and stakeholder engagement.
2.2	Improved court efficiency	Bills of costs taxed within 60 days	Percentage of taxation of legal bills of costs finalised within 60 days from date of set down	-	-	-	70%	99% (26 476 of 26 665)	29%	The effective internal controls and initiatives implemented. These initiatives include overtime work, pre-screening mechanism and stakeholder engagement.
2.3	Improved court efficiency	Warrants of release (J1) delivered within one day	Percentage of warrants of release (J1) delivered within one day of the release issued	98% (109 of 111)	98% (79 of 81)	100% (98 of 98)	100%	100% (63 of 63)	0%	N/A

PROGRAMME 2: SUPERIOR COURT SERVICES										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
SUB-PROGRAMME: ADMINISTRATION OF SUPERIOR COURTS										
2.4	Improved court efficiency	Monitoring reports on law reporting project	Number of monitoring reports on law reporting project produced	-	-	-	4	4	0	N/A
2.5	Improved court efficiency	Judicial Case Flow Management Performance reports	Number of Judicial Case Flow Management Performance reports produced	-	-	-	4	4	0	N/A
2.6	Improved court efficiency	Reports on enhancement of court order integrity	Number of reports on enhancement of court order integrity produced	5	4	4	4	4	0	N/A

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

There were no areas of under performance.

CHANGES TO PLANNED ANNUAL TARGETS

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

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2020/21			2019/20		
	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	14 937	10 659	4 268	13 857	10 843	3 014
Constitutional Court	60 841	48 372	12 469	60 262	55 828	4 434
Supreme Court of Appeal	37 250	36 525	725	44 695	42 756	1 939
High Courts	714 678	655 972	58 706	711 239	684 641	26 598
Specialised Courts	60 964	54 740	6 224	68 774	63 623	5 151
Total	888 660	806 268	82 392	898 827	857 691	41 136

The underspending on compensation of employees was as a result of delays in filling of vacancies due to the COVID-19 lockdown restrictions, as well as the zero percentage salary increase to government employees, which was planned for in the annual appropriation.

The saving on goods and services relates to savings on: telephone costs as some Judges and officials were working remotely due to COVID-19 lockdown restrictions; fleet services due to decreased usage of the leased Judges' vehicles as a result of COVID-19 lockdown restrictions; as well as a reduction in travelling projected for Judges and officials due to the COVID-19 lockdown restrictions.

The underspending on payment for capital assets relates to some leased vehicle contracts, which moved into month-to-month contracts and are therefore paid as operating leases under goods and services.

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 Department and the Judiciary, for the optimal administration of justice.

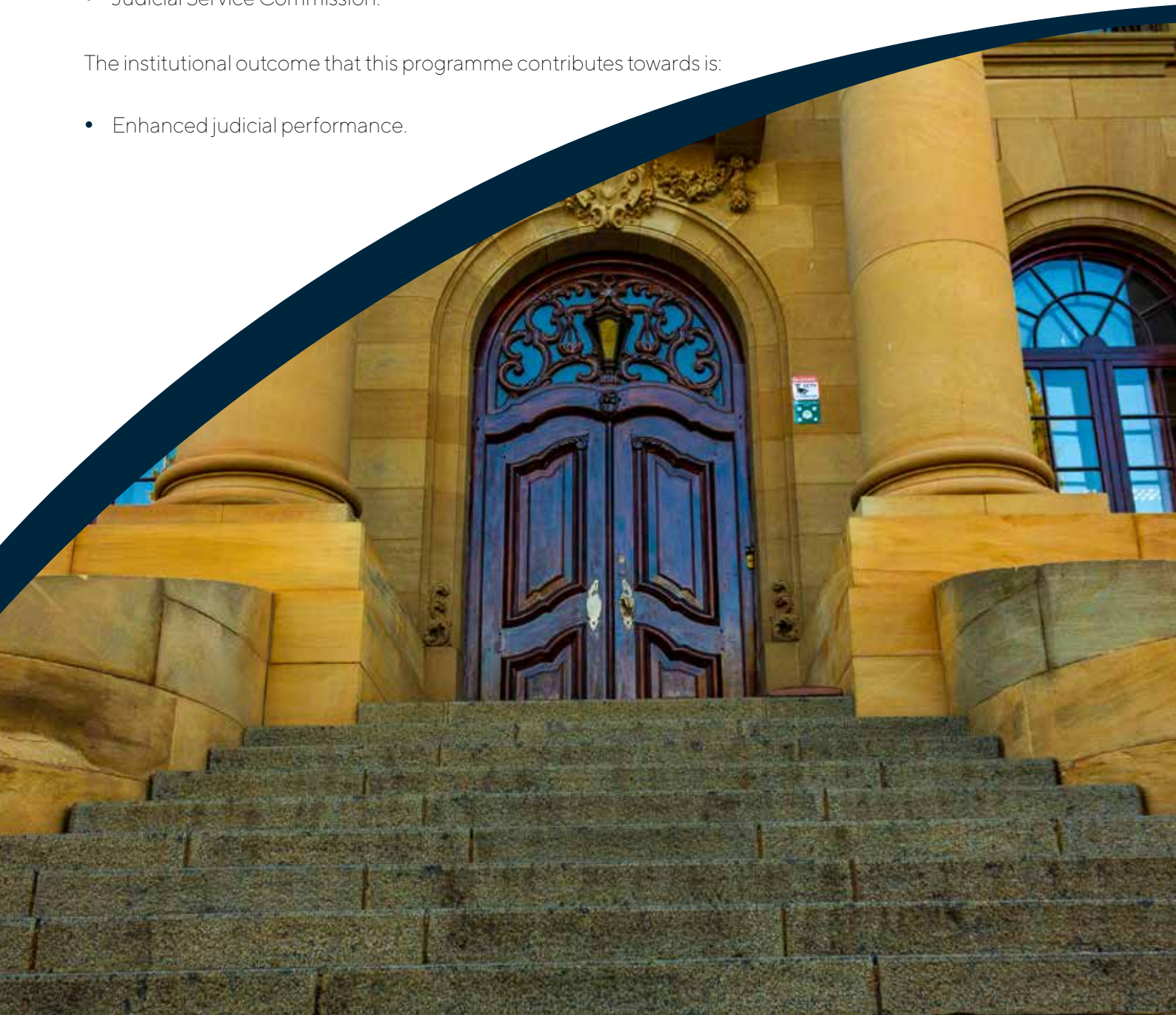
DESCRIPTION OF SUB-PROGRAMMES

The programme has three sub-programmes, which are:

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

The institutional outcome that this programme contributes towards is:

- Enhanced judicial performance.



OUTCOMES, OUTPUTS, OUTPUT INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
3.1	Enhanced judicial performance	Judicial education courses conducted	Number of judicial education courses conducted	91	142	115	100	123	23	Additional adhoc training programmes requested for Judicial Officers.
3.2	Enhanced judicial performance	Monographs on judicial education produced	Number of research monographs on judicial education produced per year	-	2	2	2	2	0	N/A
3.3	Enhanced judicial performance	Monitoring reports on litigation produced	Number of monitoring reports on litigation produced	-	-	-	4	4	0	N/A
3.4	Enhanced judicial performance	Reports on judicial appointments and complaints produced	Number of reports on judicial appointments and judicial complaints produced	3	3	3	2	2	0	N/A

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

There were no areas of under performance.

CHANGES TO PLANNED ANNUAL TARGETS

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

LINKING PERFORMANCE WITH BUDGETS

Sub-programmes	2020/21			2019/20		
	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	40 441	10 327	30 114	49 210	46 989	2 221
Judicial Policy, Research and Support	12 244	11 977	267	24 299	11 454	12 845
Judicial Service Commission	7 413	3 939	3 474	7 924	6 676	1 248
Total	60 098	26 243	33 855	81 433	65 119	16 314

The underspending on the compensation of employees was as a result of delays in filling of vacancies due to the COVID-19 lockdown restrictions, as well as the zero percentage salary increase to government employees which was planned for in the annual appropriation.

The underspending on goods and services relates to judicial training operations, which switched from the traditional way of conducting training at hired venues to the virtual way due to COVID-19 lockdown restrictions, as well as the postponement of the JSC sittings, which were scheduled to take place in April and October 2020, due to the COVID-19 lockdown restrictions.

The underspending on payment for capital assets relates to non-procurement of ICT equipment for SAJEI due to the COVID-19 lockdown restrictions.

REPORTING ON THE INSTITUTIONAL RESPONSE TO COVID-19 PANDEMIC

Budget Programme	Intervention	Geographic Location (Province/District/Local Municipality (where applicable))	Disaggregation of Beneficiaries (where applicable)	Disaggregation of Beneficiaries (where applicable)	Total Budget Allocation Per Intervention R' 000	Budget Spent Per Intervention	Contribution to the Outputs in the APP (where applicable)	Immediate Outcome
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

PROGRAMME 1 COVID-19 RELATED INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS

PROGRAMME 1 COVID-19 RELATED INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
1	Effective and efficient administrative support	COVID-19 OHS related inspections	1:1 Number of COVID-19 OHS inspections conducted at the OCJ	-	-	-	3	3	0	N/A
2	Effective and efficient administrative support	COVID-19 educational programmes	2:1 Number of COVID-19 educational programmes implemented within the OCJ	-	-	-	3	4	1	There was a need to provide more programmes due to the increase in the number of COVID-19 cases in the country.

Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
3	Effective and efficient administrative support	COVID-19 related trainings for safety officers	3.1 Number of COVID-19 related trainings conducted for Safety Officers	-	-	-	3	3	0	N/A
4	Effective and efficient administrative support	Compliance reports on COVID-19 measures	4.1 Number of compliance reports on COVID-19 measures produced	-	-	-	3	3	0	N/A
5	Effective and efficient administrative support	COVID-19 pandemic risk mitigation reports	5.1 Number of COVID-19 pandemic risk mitigation reports produced	-	-	-	3	3	0	N/A

PROGRAMME 3 COVID-19 RELATED INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS

PROGRAMME 3 COVID-19 RELATED INDICATORS, TARGETS AND ACTUAL ACHIEVEMENTS										
Indicator ID	Outcome	Output	Output Indicator	Audited Actual Performance 2017/18	Audited Actual Performance 2018/19	Audited Actual Performance 2019/20	Planned Annual Target 2020/21	Actual Achievement 2020/21	Deviation from planned Target to Actual Achievement 2020/21	Reasons for Deviations
1	Enhanced Judicial performance	Judicial educational courses conducted through virtual platforms	1.1 Percentage of planned judicial educational courses conducted through virtual platforms	-	-	-	75% (75 of 100)	121% (121 of 100)	46%	Additional adhoc training programmes requested for Judicial Officers.

8. TRANSFER PAYMENTS

The OCJ did not pay or receive any transfer payments during the period under review.

9. CONDITIONAL GRANTS

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

10. DONOR FUNDS

The OCJ did not receive any donor funds during the period under review.

11. CAPITAL INVESTMENT

The OCJ did not receive or pay any capital investment during the period under review.



PART C

GOVERNANCE

1. INTRODUCTION

The 2020-21 financial year-end marked the maiden annual reporting on the five (5) year term of the OCJ 2020/21-2024/25 strategic planning cycle. The OCJ continued to implement good governance practices in the management of the State's resources whilst also ensuring their effective, efficient and economical use. The Executive Management ensured that an ethical culture that promotes the OCJ's values pervades in all the organisation's strategic and operational activities.

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

2. RISK MANAGEMENT

The OCJ continued to implement the Enterprise Risk Management (ERM) in accordance with the National Treasury Public Sector Risk Management Framework (PSRMF). The integration of risk management processes in the strategy setting and operational planning enabled the OCJ to institutionalise risk

management within the Department and to align the Key Responsibility Areas (KRAs) to the respective business units' outcomes and outputs. The approved Risk Management Implementation Plan gave effect to the Risk Management Policy and Strategy, which outlined all risk management activities undertaken in the reporting period.

During the year under review, the OCJ conducted risk assessments at strategic, operational and project levels in order to appraise and update the existing risks and to identify emerging risks. Significant risks relevant to institutional strategic outcomes were assessed in terms of their likelihood and impact, the risk mitigation plans developed and monitored throughout the year. Appropriate risk mitigation measures were implemented throughout the year to manage and retain risks within tolerable and acceptable levels.

Progress status reports were presented to the Executive Committee (EXCO) and the ARC on a quarterly basis. The regular updating of the risk registers and identification of the emerging risks with mitigation plans has contributed to the achievement of the OCJ strategic outcomes and outputs. In order to embed risk management and improve the risk management culture across the organisation, various awareness drives were conducted during the year.

Progress implementation of risk mitigation measures by the OCJ is summarised in Table 1 below:

Table 1: Progress implementation of risk mitigation measures by the OCJ

No	Outcome	Risk per outcome	Summary of progress made
1.	Effective and efficient administrative support	Possible exposure to fraud and corruption	<ul style="list-style-type: none"> • Management continuously implemented and monitored the effectiveness of internal controls i.e. delegations of authority, segregation of duties etc. to ensure clean governance. • Management monitored the procurement of PPE and reports on PPE procurement were compiled and submitted to National Treasury. • Management monitored the implementation of the Fraud Prevention and Anti-corruption Policy and Strategy. Continuous investigation of the cases (in collaboration with Law Enforcement Agencies and other regulatory bodies) of the reported incidents. • The joint OCJ/DoJ&CD Committee implemented the resolutions of the Court Order Integrity Committee (COIC) to strengthen controls relating to Court Orders. • ERM and Ethics Management awareness sessions were conducted at 12 Superior Courts Service Centres and 15 Business Units during 2020/21 financial year. • The OCJ launched the inaugural Ethics Forum during the 2020/21 financial year. • 451 employees completed the Ethics in the Public Service online programme offered by the National School of Government.
		Inadequate ICT infrastructure to support the efficient and effective operations of the Superior Courts	<ul style="list-style-type: none"> • Management procured new network switches as part of the network refresh project to improve the ICT network infrastructure. • The OCJ appointed additional ICT personnel and renewed the service provider's contract with a revised comprehensive scope. • Management started the process to develop a 5-year ICT Strategy.
		Inability to fully capacitate the OCJ	<ul style="list-style-type: none"> • In the midst of National Treasury's budget cuts and ceilings, Management reprioritized the Compensation of Employees (CoE) budget to fund critical posts, which were advertised. Although the lockdown restrictions posed a challenge in the accelerated filling of posts, critical vacancies were filled. • The implementation of the approved organisational structure was managed in line with the budget constraints and the Department of Public Service and Administration (DPSA) requirements.

		Inaccurate performance reports produced	<ul style="list-style-type: none"> • Business units and the Superior Courts collated and reported performance information (PI) against their Key Performance Indicators (KPIs). • Quarterly PI verification and validation by the Monitoring and Evaluation (M&E) and Internal Audit Units. • Audited quarterly and annual PI reports with analysis from M&E were submitted to Management, ARC and Portfolio Committee for their monitoring and oversight.
2	Improved Court efficiency	Inadequate administrative support to provide court efficiency	<ul style="list-style-type: none"> • The Chief Registrars and officials at the Superior Courts continuously: <ul style="list-style-type: none"> – monitored the implementation of the SOPs, Registrar’s Code and Court Rules. – monitored the performance and compliance to legislated court procedures and performance reports were compiled on quarterly basis. • Conducted routine maintenance and regular monitoring of the High Court database system.
3	Enhanced judicial performance	Inadequate resources to conduct judicial education and provide support.	<ul style="list-style-type: none"> • Virtual learning was implemented by SAJEL and the webinars were conducted for Judges, Regional and District Court Magistrates. • The development of the automated administrative system for the management of Judges conditions of service has commenced and is on the testing phase.

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 as well as to deter future recurrence, was implemented. Management submitted progress reports on the implementation of the Fraud Prevention and Anti-corruption Plan to the EXCO and oversight bodies for monitoring and where applicable, consequence management was implemented.

3.1 FRAUD PREVENTION

During the reporting period, the OCJ adopted an ethics and integrity management programme and conducted both physical and virtual awareness workshops as part of the 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;
 - Whistle blowing;
 - Code of Ethical and Professional conduct;
 - Conflict of Interest;
 - Gifts, Donations and Sponsorships;
 - Financial Disclosure;
 - Remunerative work outside the Public Service; and
 - 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; and
- v. Court order integrity mechanisms.

3.2 FRAUD DETECTION

In relation to fraud detection, the OCJ implemented the 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 complaints 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 reported for further investigation.

3.3 FRAUD INVESTIGATION

All the reported incidents of alleged fraud and corruption were investigated and consequence management was instituted where required. During the 2020/21 financial year, 36 fraud and corruption cases were reported and 33 were investigated and finalised. Of the finalised cases, 16 were completed within the prescribed 60 days' turnaround period as per the applicable policy, and 17 were not, due to, amongst others, the complexity of some cases and the COVID-19 restrictions. Three (3) cases were outstanding and under investigation.

3.4 FRAUD RESOLUTION

The 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 12 cases of fraud and corruption with the recommendation for departmental loss recovery and the institution of disciplinary processes. A further 18 cases were referred to the law enforcement agencies and other relevant regulatory bodies for further investigations. Monthly and quarterly reports were submitted to the Accounting Officer, ARC and Public Service Commission (PSC) for their monitoring and oversight role.

4. MINIMISING CONFLICT OF INTERESTS

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

The Department has further put measures in place to ensure that all employees who wish to perform remunerative work outside of the public service are enjoined to obtain prior approval in line with the Public Service Regulations, 2016 (PSR) and the Directive on Other Remunerative Work Outside Public Service. The OCJ continued to implement its policy on none acceptance of gifts by employees.

Financial disclosures within the Department continued to be managed in accordance with the PSR. All SMS members complied with the submission of their financial disclosures by 30 April 2020. All other designated categories of employees also complied with the submission of their financial disclosures within the prescribed timelines of 31 July 2020.

In addition to the SCM practitioners enjoined to disclose their business interests as at 31 July 2020, they were also required to sign the Code of Conduct in accordance with the National Treasury Practice Note 4, section 2 of 2003 and 7 section 16A8 of 2009/10 of the National Treasury Regulations. As well, the 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.

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 reporting to the Executive Management and ARC for their monitoring and oversight role.

During the reporting period four (4) OCJ employees attended the Compulsory Induction Programme (CIP). The CIP offers a complete 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 six (6) employees, which resulted in two (2) dismissals. To ensure the understanding of disciplinary and grievance management procedures, as well as to augment capacity on labour relations, 15 officials were trained on disciplinary and grievance management. More of this training will be conducted during the 2021/22 financial year.

The OCJ launched its Ethics Forum in the 2020/21 financial year. The event was attended by 41 Senior Managers who, with the Secretary General leading by example, took the ethics pledge. Furthermore, 451 employees completed the Ethics in the Public Service online programme offered by the National School of Government.

6. HEALTH, SAFETY AND ENVIRONMENTAL ISSUES

The Occupational Health, Safety and Environment (OHS&E) remained a shared service with the DoJ&CD in the year under review. In order to manage the risks associated with COVID-19 within the organisation, the OCJ COVID-19 Advisory Committee, a technical committee that advises the Secretary General on COVID-19 matters, was established to engage on OHS&E issues specifically designed to manage and curb the spread of the pandemic. These activities were conducted over and above all statutory prescribed OHS&E compliance activities that had been agreed upon in the revised terms of reference on the service

level agreement (SLA) entered into between the OCJ and DoJ&CD. The SLA is managed by a Joint Technical Task Team constituted by officials from the two departments.

More than being just a compliance exercise, OHS&E issues are pertinent to the health and wellbeing of the employees for their ability to identify work-place hazards and facilitate risk assessments in order to prevent and contain work-related injuries and the 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 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 centres as per the prescripts. Day to day operations are interrupted impacting service delivery, health and safety. 	<ul style="list-style-type: none"> In response to the capacity challenges related to OHS&E in the OCJ, Assistant Directors: Security Services in the provinces have been appointed as the Risk Champions and were further tasked with the role of overseeing compliance to OHS&E regulations and legislation. OHS&E representatives have been appointed in all Service Centres, however, due to the COVID-19 pandemic, they were not provided with hands-on training in Fire Fighting and First Aid as in the previous financial years. Monthly OHS&E workplace inspections are conducted in all Service Centres in line with Section 18(g) of the OHS&A. Monthly OHS&E inspection reports are compiled and provided to the Directorate: Facilities and Security Services for maintenance and repairs related matters.
Inadequate office space and storage of files	<ul style="list-style-type: none"> Day to day operations are interrupted impacting service delivery, health and safety. 	<ul style="list-style-type: none"> The OCJ has embarked on the Court online project that will address the problem of storage of files as court online will reduce paper-based court processes. In addition, the Facilities Unit is in an ongoing engagements with stakeholders such as the DoJ&CD Facilities and Department of Public Works and Infrastructure (DPWI) to provide appropriate storage facilities through Capital Works projects.

Nature and Description of the OHS&E challenges	Impact on the OCJ operations / services delivery	Measures put in place to address challenges
Limited knowledge on how to address the recent challenges presented by the outbreak of the COVID-19 pandemic.	<ul style="list-style-type: none"> OHS&E programmes not implemented at the Service Centres as per the prescripts due to lockdown restrictions imposed as a result of the COVID-19 pandemic. 	<ul style="list-style-type: none"> To prevent the spread of the COVID-19 pandemic, the OCJ procured and distributed Personal Protective Equipment (PPE) to all its Service Centres. The OHS&E policy was reviewed to respond to the COVID-19 pandemic. During the 2020/21 financial year, the OCJ provided capacity in the form of training on COVID-19 and OHS matters to Safety Officers. Three (3) COVID-19 related training courses were conducted for Safety Officers. Four (4) awareness and educational programmes on COVID-19 were implemented; and In addition to the monthly OHS&E inspections conducted, three (3) COVID-19 walk through risk assessments were conducted at the Service Centres.

7. PORTFOLIO COMMITTEES

The Portfolio Committee on Justice and Correctional Services has an oversight responsibility for 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 2020/21 financial year:

Date	Committee	Responsible Department	Item for Discussion	Leader of the Delegation
12 May 2020	Portfolio Committee on Justice and Correctional Services	OCJ	Strategic Plan, Annual Performance Plan and Budget for 2020/21 and COVID-19 Impact on the Judiciary	Secretary General: OCJ
15 July 2020	Portfolio Committee on Justice and Correctional Services	OCJ	Special Adjustment Budget	Secretary General: OCJ
13 October 2020	Portfolio Committee on Justice and Correctional Services	OCJ	2019/20 Quarter 4 and 2020/21 Quarter 1 Performance Reports as part of the Budgetary Review and Recommendations (BRRR)	Secretary General: OCJ
17 November 2020	Portfolio Committee on Justice and Correctional Services	OCJ	2019/20 Annual Report	Secretary General: OCJ
24 February 2021	Portfolio Committee on Justice and Correctional Services	OCJ	Quarter 2 and Quarter 3 performance	Secretary General: OCJ

Matters raised in the Portfolio Committee	How the Department addressed these matters
<p>The Committee enquired as to the progress on the outstanding matter regarding the Judiciary-led Court Administration Model.</p> <p>The Committee further requested progress regarding the Lower Courts Bill and the transfer of administrative functions of the Magistracy to the OCJ.</p>	<p>The Judiciary submitted a proposed Court Administration Model which is currently with the Executive. This is a policy decision which lies within the purview of the Executive.</p>
<p>The Committee requested a meeting with the Chief Justice and Heads of Court to be convened. The Committee acknowledged that the Judiciary accounts during the Judiciary Day, however, most of the areas raised by the Committee relate to judicial functions which lie outside the responsibility of the OCJ. This meeting will discuss issues of mutual interest.</p>	<p>The Chief Justice and Heads of Court met with the Portfolio Committee on 26 February 2021 where matters of mutual interest were discussed.</p>
<p>The Committee noted that Court performance targets had been removed from the planning documents of the OCJ.</p>	<p>The OCJ had previously included targets in the planning documents relating to judicial functions. Following engagements between the Chief Justice and the Minister of Justice and Correctional Services, as well as between the ARC, National Treasury and the Auditor-General South Africa, the targets relating to judicial functions were removed from the planning documents of the OCJ as the Department cannot account on behalf of the Judiciary on court performance.</p>
<p>The Committee enquired whether the Courts were operating during the national lockdown to ensure access to justice.</p>	<p>The Chief Justice issued directives related to the continued functioning of the Courts during the national lockdown. Furthermore, the Chief Justice delegated authority to the Heads of Court to issue practice directives to suit the permutations of their respective Divisions or Courts. All Superior Courts were operational during the lockdown period as per the practice directives issued by Heads of Court.</p>
<p>The Committee enquired as to the manner in which the OCJ was supporting the Judiciary during the lockdown period as a result of COVID-19 restrictions.</p> <p>The Committee was also concerned about the delay in moving to the virtual platform as not all Judges had laptops that had compatible hardware and software.</p>	<p>The OCJ complied to COVID-19 national regulations and directions issued by policy departments such as the Department of Health; National Treasury; and the Department of Public Service and Administration. An Advisory Committee on COVID-19 was set up at the National Office to ensure that information is coordinated at the Superior Courts and that the courts are compliant to the directives.</p> <p>Compatible ICT hardware equipment and tools of trade was procured including where there was a need, suitable laptops for the Judges.</p>
<p>The Committee was concerned about security in Courts for the Judges, court officials and members of the public; and the risk of procuring services of private security companies.</p> <p>The Committee further requested information regarding the management of security at the Courts.</p>	<p>The responsibility for the provision of security was retained at the DoJ&CD following the transfer of functions to the OCJ. The security at the Superior Courts is therefore a shared function between the OCJ and DoJ&CD. The security at Lower Courts is the responsibility of the DoJ&CD.</p>

Matters raised in the Portfolio Committee	How the Department addressed these matters
<p>The Department was requested to indicate how it will implement the focus areas of the 50% target of employing women at senior management level; the employment of youth; and people with disabilities.</p>	<p>The status in relation to the employment equity targets was presented to the Portfolio Committee.</p> <p>Additionally, the Department intended to enter into partnerships with organisations that focus in the recruitment of people with disabilities.</p>
<p>The OCJ was requested to indicate measures put in place to assist government in addressing youth unemployment by hiring young graduates.</p>	<p>The OCJ has an internship programme and workplace integrated programme for graduates in a bid to address youth unemployment. In April 2021, the OCJ will have an intake of 85 interns. The workplace-integrated learning programme developed by the Department targets graduates with the aim of providing them with an opportunity to gain relevant experience. The Department is finalising financing for the programme.</p>
<p>In light of the impact and restrictions of the COVID-19 pandemic, the OCJ was asked if it will review and fast track the court modernization project instead of the long term plan it had for implementing the project.</p>	<p>The Department responded that as a result of the impact of the COVID19 pandemic, an opportunity arose to fast track the project. ICT Infrastructure remains the main challenge for the expedited implementation of virtual courts and court modernisation as a whole.</p>
<p>The Committee requested an update regarding the investigation into the ICT security breach and to what extent it exposed the personal information of the OCJ and members of the Judiciary.</p>	<p>Management appealed for indulgence as the matter was under investigation by the security services and law enforcement agencies. The OCJ will await completion of the investigation before a progress report can be given. The breach has been resolved and the systems were once again operating normal. There was no exposure on security of personal information both at the Courts and in the administration.</p>
<p>The Committee enquired about the CaseLines evidence Management Solution and whether CaseLines will be rolled out to the other Superior Courts in the near future,</p>	<p>Court modernization and the automation of court processes remains a priority for the Chief Justice, supported by Heads of Court. SITA assisted the OCJ to develop the Court-Online solution which was previously referred to as e-filing.</p>
<p>The Committee asked whether the court modernization had been benchmarked with other jurisdictions, specifically developing countries or those that share a similar common law background.</p>	<p>The Court-Online project, of which CaseLines is a portion, will be piloted and rolled out at the Superior Courts in the following financial years.</p> <p>The Master Systems Plan provided the guidance for the development of the Court-Online solution. Court-Online consists of 2 components, namely:</p> <ul style="list-style-type: none"> - A Case Management system (CRM Dynamics) which is under development and will be piloted in the next financial year. Litigants and Registrars interact with this component where documents may be filed electronically and service of document effected. - An Evidence Management system (CaseLines) which will mostly be utilized by Judges to manage court documents in preparation for a trial. This component was implemented in Gauteng. However, the solution is not intended to operate alone. In June 2021 the end-to-end solution, Court-Online, is to be piloted.

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

The OCJ does not have a dedicated Internal Control Unit to perform routine internal controls assessments. However, the line managers are delegated with the responsibility to develop and review existing policies and standard operating procedures as well as implementing and monitoring controls in their areas of accountability. Measures were implemented to continuously monitor departmental compliance with key legislation and the reporting requirements.

In pursuance of a clean audit outcome, the OCJ Audit Facilitation Committee (AFC) continued with its role of coordinating and monitoring the implementation of corrective action plans to address the AGSA and Internal Audit findings.

The Finance Unit maintains the Unauthorised, Irregular, Fruitless & 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 Services Unit (IAS) provided assurance to Management on the adequacy and effectiveness of internal controls by conducting risk-based audits in line with their 2020-21 Internal Audit Annual Operational Plan.

11. INTERNAL AUDIT AND AUDIT COMMITTEE

11.1 INTERNAL AUDIT

The IAS 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 IAS conducted audit reviews in accordance with an approved Internal Audit Charter and Audit Methodology. Significant audits included among others the quarterly Interim Financial Statements (IFS) and Performance Information reviews, SCM: Emergency Procurement of the PPE, Occupational Health Safety (OHS) COVID-19 review and the audit on core business deliverables in Taxation, Default Judgement and Warrants of Release. In the ICT space significant audits included Cybersecurity, External Network and Active Directory reviews.

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 IAS completed 32 audit projects identified in the annual internal 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 AGSA and Internal Audit.

During the 2020-21 financial year the IAS integrated the use of the computer assisted audit techniques (CAATs) in their regulatory audits as well as the expanding their coverage scope to include data analytics reviews of the Persal, BAS and JYP systems.

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

- i. Achievement of the OCJ's strategic outcomes;
- 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 on 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 suitably qualified and experienced to fulfil their oversight role. The ARC meets at least four (4) times per year as per the approved Charter. Due to the COVID-19 pandemic that affected the recruitment process of new ARC members, the term of office for four (4) ARC members which was ending on 30 April 2020, was extended for an additional six (6) months for the members and 12 months for the Chairperson.

The table below discloses relevant information on the ARC members.

Table 2:

Name and Designation	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 2014 (1 st Term) 01 May 2017 (2 nd Term)	30 Apr 2017 30 Apr 2021	4/4	5/5
Dr. Charles Motau (ARC Member)	BCom, HDip Computer Audit, MBL, MIT, Doctorate Computer Science, Member of IRMSA, Associate Member of the Business Continuity Institute	External	n/a	01 May 2017 (1 st Term) 01 Nov 2020 (2 nd Term)	31 Oct 2020 31 Oct 2023	3/4	5/5
Mr. Tshepo Mofokeng (ARC member)	BCom Acc, CTA, CIA, CRMA, CA(SA), Member - SAICA, IIASA, IoDSA	External	n/a	01 May 2017 (1 st Term) 01 Nov 2020 (2 nd Term)	31 Oct 2020 31 Oct 2023	4/4	5/5
Ms. Zanele Nkosi (ARC Member)	BCom Acc, CA (SA), CTA, Member - SAICA	External	n/a	01 Dec 2018 (1 st Term)	30 Nov 2021	4/4	5/5
Ms. Zelda Tshabalala (ARC Member)	BCom, Post Grad Diploma in Business Admin, CCSA, Cert in Corp Governance, Cert. in Fin. Mgmt. for Municipal Executives, MBA, Member - IIASA, IoDSA	External	n/a	01 Nov 2020 (1 st Term)	31 Oct 2023	2/4	2/5
Ms. Mariaan Roos (ARC Member)	BCom, BCom Hon, HDip: Company Law, Masters in Auditing, CA (SA) Member - SAICA	External	n/a	01 May 2014 (1 st Term) 01 May 2017 (2 nd Term)	30 Apr 2017 31 Oct 2020	2/4	3/5

12. AUDIT COMMITTEE REPORT

We are pleased to present our report for the financial year ended 31 March 2021:

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.

In line with the Public Finance Management Act, 1999, (PFMA) and the National Treasury Regulations, the ARC provided oversight on the operations and business activities within the OCJ. This was achieved through the quarterly reporting processes by Management as well as the Internal Audit reviews as prioritised in the Risk-Based Annual Audit Operational Plan approved by the ARC. The ARC is of the opinion that the systems of internal control within the OCJ were mostly adequate and effective during the year under review.

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 although the systems of internal control were adequate in most areas, there is still room for improvement in areas where control deficiencies and deviations from prescripts and policies were highlighted.

A matter of concern to the ARC is the increased number of findings compared to the previous year and

specifically relating to the following:

- i. Inadequacies in ICT governance, security and user access management as well as ICT operational inefficiencies; and
- ii. Lack of automated systems to improve the accuracy and completeness of the reported performance information, leave administration and compliance with prescripts regarding 30 days' payment of invoices.

Regarding the above issues, the Committee has, however, noted the corrective measures instituted by the Accounting Officer and the EXCO of the OCJ and is aware of the serious budget constraints preventing management to address some of the concerns.

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 May 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 potential changes;
- 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 systems 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 monitoring of the Combined Assurance Framework and implementation thereof.

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. 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 Auditor-General and Internal Audit findings. The Department has been reporting monthly and quarterly to the National Treasury as is required by the PFMA.

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 ARC meetings and participate in the overall management of the risk management processes in 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.

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 presented at the ARC meetings. The ARC provided oversight over allegations of fraud, corruption and financial misconduct reported to the Department and has noted that the finalisation rate of such cases reduced to 48% during the year under review, compared to a finalisation rate of 96% in the 2019/20 Financial Year, as a result of the negative impact of the COVID-19 pandemic on the operations of the OCJ.

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 any changes in accounting policies and practices;
- iii. Reviewed departmental compliance with applicable regulatory provisions; and
- iv. Reviewed the AGSA's Interim Management Reports and the Management responses thereto.

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 AGSA on the AFS and performance information, and is of the opinion that the audited AFS be accepted and read together with the report of the AGSA.



Adv Mc Caps Motimele SC

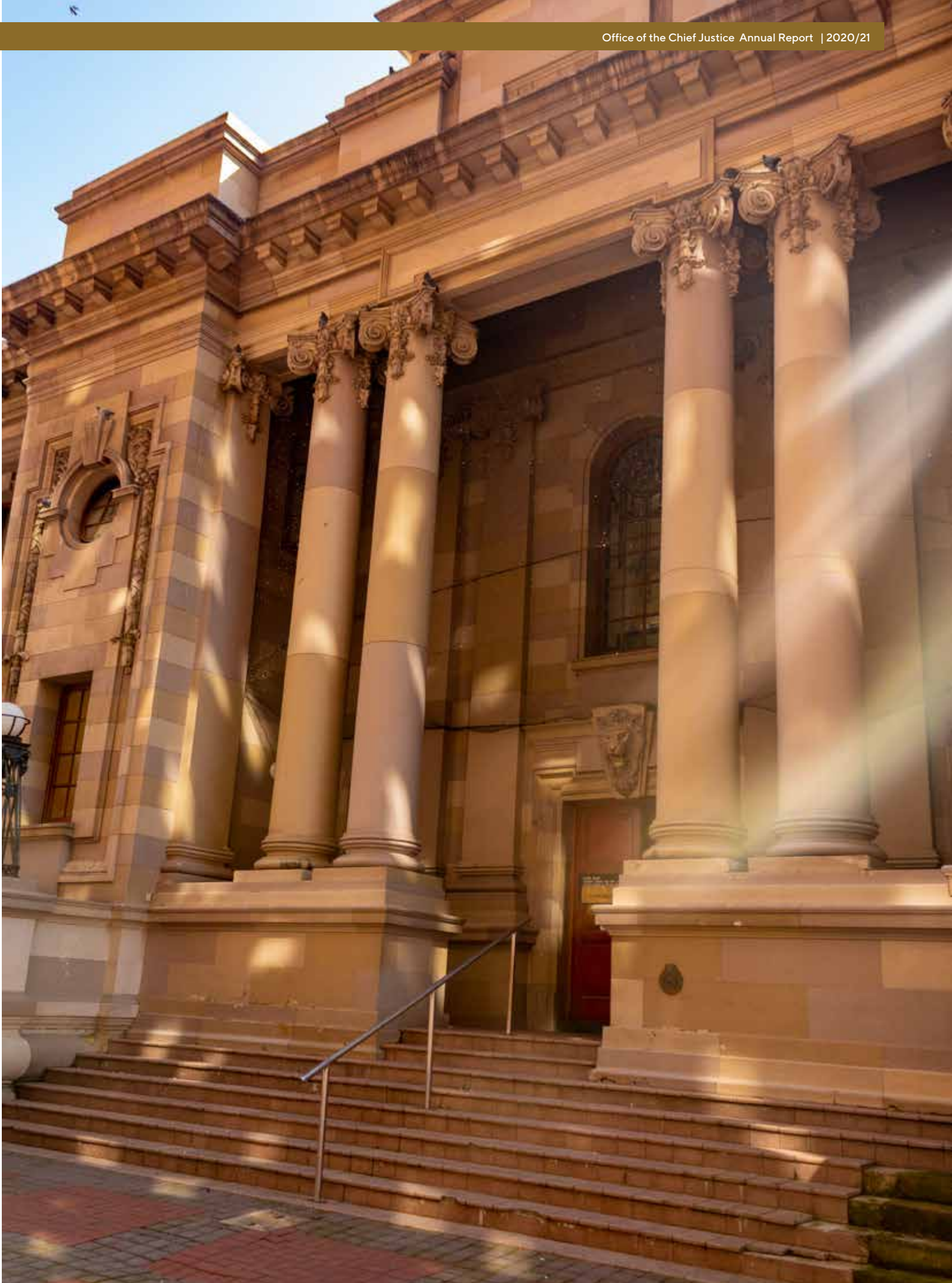
Chairperson of the ARC
Office of the Chief Justice
Date: 26 August 2021

13. BBBEE COMPLIANCE PERFORMANCE INFORMATION

The Department is committed to complying with the prescribed BBBEE requirements as required by the BBBEE Act, 2003 (Act 53 of 2003) and as determined by the Department of Trade, Industry and Competition (DTIC). 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 (BBBEE 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 the OCJ.
Developing and implementing a preferential procurement policy?	Yes	A KPI was included in the APP for awarding tenders to B-BBEE suppliers of level 4 and above. There was an 80% achievement of the KPI in 2020-21 financial year. Furthermore, there was strict adherence to the PPPFA and its Regulations.
Determining qualification criteria for the sale of state-owned enterprises?	No	Not applicable to the OCJ.
Developing criteria for entering into partnerships with the private sector?	No	Not applicable to the OCJ.
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.





PART D

HUMAN RESOURCE
MANAGEMENT AND DEVELOPMENT

1. INTRODUCTION

The Chief Directorate: Human Resource Management and Development comprises of the three directorates, namely, Human Resource Practices and Administration; Capacity and Organisational Development; as well as Employee Relations. It is through these components that the Unit has been able to provide the much needed resources to support the OCJ's pursuit of its Outcomes.

The focus of the HRM&D Unit for the 2020/21 financial year continued to be driven by the following priorities:

- Enabling the Department to achieve its outputs through its Human Resource;
- Ensuring correct placement of people with appropriate competencies; and
- Deploying and utilising human resources optimally.

HRM&D ensured the provision and capacitation of the right talent through recruitment and selection, training and development as well as organisational development. The support provided by Labour Relations and Employee Health & Wellness respectively ensures continuous sound employer-employee relations and employee wellbeing.

2. OVERVIEW OF HUMAN RESOURCES

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

During the 2020/21 financial year, the HRM&D Unit focused on the following main areas:

(a) Filling of vacancies

During the period under review, HRM&D advertised 368 posts and 197 of these were filled. Out of the 368 advertised posts, 215 were permanent posts, 60 were contracts, and 93 were internships. As at the end of the year under review, the vacancy rate was 9.85% (211/2140) against a target of 10% or below. Although within the acceptable range, this vacancy rate increased by 0.95% from the previous financial year, mainly as a result of the COVID-19 pandemic and the restrictions it placed on operations. Out of 197 appointments that were made, 121 (61%) comprised of youth, contributing to the achievement of the national youth employment target of 30%.

(b) Providing Employee Health and Wellness Programmes

The OCJ's EHW programmes were implemented in line with the following four Pillars of the DPISA's Employee Health and Wellness Strategic Framework for the Public Service and focuses on:

- Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS), Sexually Transmitted Infections (STI) and Tuberculosis (TB) management;
- Health and Productivity management;
- Wellness management; and
- Safety, Health, Environment, Risk and Quality (SHERQ) management.

Due to the COVID-19 pandemic, the EHW programmes implementation focused on creating awareness, prevention and mitigating the psychological effects of COVID-19. In line with the four Pillars of the DPISA's Employee Health and Wellness Strategic Framework for the Public Service, the following was implemented:

- Monthly OHS inspections were conducted at all Service Centres, including National Office;
- Quarterly COVID-19 Walk-through Risk Assessments were conducted at all Service centres, including National Office;
- PPE, including hand sanitisers were procured for employees;
- 164 OHS representatives were trained on COVID-19, which included training on COVID-19 Workplace Preparedness; Health, Safety and

Claims Management Course; Health screenings; stress management and trauma de-briefing sessions; training on management of COVID-19; COVID-19 risk assessment; COVID-19 incident investigation and reporting; workplace surveillance; and COVID-19 training for OHS representatives.

During the period under review, the Department implemented 18 EHW programmes, meant to support employees in areas such as stress management as well as dealing with anxiety and depression, which were heightened by the impact of COVID-19. The following psycho-social programmes were conducted:

- Thirteen (13) trauma de-briefing workshops;
- Three (3) stress management awareness sessions; and
- Two (2) psychological First Aid workshops were conducted for HR managers at Service Centres, including National Office.

In the 2021/22 financial year, the Sub Directorate: EHW will continue to provide holistic employee health and wellness in line with the DPSA's Employee Health and Wellness Strategic Framework for the Public Service. This involves strengthening the provision of training to all OCJ staff members on COVID-19.

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

2.2.1 HUMAN RESOURCES PLAN

Workforce planning refers to the process of analysing, forecasting, planning for supply and demand of workforce, assessing workforce gaps, as well as determining the relevant talent management interventions that are meant to ensure that a department has the right people, with the right skills, in the right places at the right time. The workplace planning processes is aimed at ensuring that the Department is enabled in order to fulfil its mandate. The Department has an approved functional structure that is aligned to its mandate.

HRM&D as a strategic partner ensures that a better capacitated and competent workforce assists in increasing productivity and growth of the Department in an ever-changing operational environment. The implementation of the Human Resources Plan 2019-2022 continued to guide the process of attracting, recruiting, developing a skilled and capable workforce. This was achieved as a result of the number of suitably

qualified employees that have been attracted into the organisation.

2.2.2 EFFECTIVE RECRUITMENT

As at 31 March 2021, the total number of funded posts on the Department's establishment was 2 140. Of these positions, 1 929 were filled, 211 were vacant, translating to the 9.85% vacancy rate. Through the PERSAL clean-up project that was undertaken in phases during the financial year, HRM&D managed to align the approved organisational structure to the establishment. The increase in the number of posts in the establishment during the 2020/21 financial year was due to the implementation of the approved macro organisational structure.

In capacitating the OCJ, 368 posts were advertised nationwide and 197 posts were filled. Amongst the 197 filled posts, two were strategic posts at the level of Deputy Director-General.

2.2.3 EMPLOYMENT EQUITY

2.2.3.1 Women at Senior Management Service (SMS) levels

During the year under review, the OCJ had 43 employees at the SMS level. Of these, 19 (44%) were women. The initiatives put in place by the OCJ to increase representation did not yield positive results as the Department could not find suitably qualified females for some of the advertised SMS positions. The organisation will continue pursuing 50% representation of women at the SMS level and, to this end, will target women to fill the vacant SMS posts. The Department will also be embarking on a programme to empower female employees at middle management in order to promote upward mobility.

2.2.3.2 Youth

By the end of March 2021, there were 597 youth employees (ages 21-35) in the OCJ's establishment, translating to 31%. This youth representation exceeds the national target by 1%. The Department will continue to support youth employment initiatives through the implementation of the internship programme during the 2021/22 financial year.

2.2.3.3 People with Disabilities

As at the end of the 2020/21 financial year, the OCJ had 20 officials who fall under the category of People with Disabilities. With a staff compliment of 1929, this means that People with Disabilities make up 1.03%

of the OCJ's staff compliment. This is 0.97% below the required representation of 2% for People with Disabilities. The initiatives put in place by the OCJ to increase the representation of People with Disabilities in the Department did not yield expected results. The Department will focus on creating partnerships with organisations that work with People with Disabilities and creating awareness within the Department on the policies, strategies and targets relating to the empowerment of People with Disabilities. The OCJ has also initiated a disability disclosure process to ensure that those who have undisclosed disabilities get an opportunity to disclose.

2.3 PROVIDING EMPLOYEES WITH SKILLS AND COMPETENCIES THROUGH SKILLS DEVELOPMENT PROGRAMMES

Due to the lockdown restrictions caused by COVID-19, the training of officials in line with the WSP was negatively impacted. Training could not be conducted during the lockdown period, and the Department was only able to start rolling out training from Quarter 3 of the 2020/21 financial year. The cumulative percentage of officials trained as at the end of March 2021 was 12.8% (190 employees trained out of 1 483 targeted) of the WSP target. The Department continued to implement study assistance through bursaries for officials to improve their knowledge, broaden their skills set and obtain new qualifications.

2.4 EMPLOYEE PERFORMANCE MANAGEMENT

In line with the PSR, performance management and development was undertaken for all levels during the year under review. The DPSA Determination and Directive on the Performance Management and Development System of employees other than members of the Senior Management Service, 2018, was utilised as a guiding document for levels 1-12. For SMS members, Chapter 4 of the SMS Handbook was used as a guide.

2.5 ACHIEVEMENTS

Despite the challenges caused by the COVID-19 pandemic and its impact on HRM&D operations during the reporting period, the following successes were recorded:

- The vacancy rate of the Department during the reporting period was kept below the stipulated 10% threshold, namely at 9.85%;
- The youth composition in the Department was at 31%, exceeding the set target by 1%; and

- A total of 18 EHW Programmes were conducted compared with the planned 9, also addressing the impact of COVID-19 on the wellbeing of employees.

2.6 CHALLENGES

- Staff turnover rate increased by 1.5% to 13% compared to the previous Financial Year. A total of 247 employees left the Department. The majority (100 or 40.5%) of the terminations emanated from resignations. The expiry of contracts was responsible for 95 (38.4%) employees leaving the OCJ.
- Due to COVID-19 restrictions, only 190 employees were trained in line with the WSP against 1483 employees targeted for training, which translates to 12.8%. This was a significant decline compared to 509 employees trained during the 2019/20 financial year. Plans have been put in place to improve the training of employees during the 2021/22 financial year, despite COVID-19 still being a concern.
- Women representation at the SMS level was at 44% against the target of 50% as at the end of the reporting period.
- The Department could not achieve the target of 2% representation of People with Disabilities in its staff compliment.
- There was a total of 25 misconduct cases in this reporting period (cumulative number). Only 6 cases were finalised during the period, while 19 disciplinary hearings were in progress, and one (1) court interdict. The conclusion of both disciplinary cases and disputes are largely dependent on the availability of external stakeholders such as Commissioners and external investigators / imitators, and presiding officers.
- The COVID-19 pandemic affected a number of HRM&D processes. Recruitment was affected during the first two quarters of the financial year due to the lockdown and a decision by the DPSA to only advertise essential posts. This negatively affected the vacancy rate as posts could not be filled during the lockdown period. In addition, the Department could not advertise an internship programme for the 2020/21 financial year.

2.7 FUTURE HUMAN RESOURCE PLANS/ GOALS

Taking into consideration the successes, challenges and the need for HRM&D to continue being a

strategic partner and enabler to the Department, the following will be implemented during the medium-term expenditure period:

- Development and approval of Public Administration and Management Delegations (operational delegations relating to Human Resource and Management) to clarify roles and responsibilities of different employees;
- Review of the Human Resource Plan for the 2022 MTEF in order to redefine Employment Equity targets and strategies that will be employed to improve performance on Employment Equity;
- Development of a retention strategy that will give effect to the organisation's retention policy, which is currently in a draft format; and
- The Department is planning to automate some of the HR processes, which include Organisational Development and Leave Management. The automation will be done in phases depending on the extent of the planned projects as outlined in the departmental Information and Communication Technology (ICT) Strategy.



3. HUMAN RESOURCES OVERSIGHT STATISTICS

3.1 PERSONNEL RELATED EXPENDITURE

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 01 April 2020 to 31 March 2021

Programme	Total Expenditure R'000	Personnel Expenditure R'000	Training Expenditure R'000	Professional and Special Services R'000	Personnel Expenditure as a % of Total Expenditure	Average Compensation of Employees Cost per Employee or Judge R'000
OCJ: Administration	239 361	103 082	2 578	-	43.1	621
OCJ: Superior Court Services	806 268	619 918	-	-	76.9	357
OCJ: Judicial Education & Support	26 243	22 275	-	-	84.9	586
SUB-TOTAL (Voted Funds)	1 071 872	745 275	2 578	-	69.5	384
SUB-TOTAL (Direct Charge Against the NRF)	1 043 602	972 933	-	-	93.2	1 970
GRAND TOTAL (Voted Funds and Direct Charge Against the NRF)	2 115 474	1 718 208	2 578	-	81.2	705

Table 3.1.2 Personnel costs by salary band for the period 1 April 2020 to 31 March 2021 (including the Judges)

Salary Band	Personnel Expenditure R'000	% of total personnel cost	Number of Employees (including Judges on the direct charge)	Average Compensation Cost per Employee R'000
Lower Skilled (Levels 1-2)	-	-	-	-
Skilled (Levels 3-5)	241 559	13.5	965	250
Highly skilled production (Levels 6-8)	221 993	12.4	646	344
Highly skilled supervision (Levels 9-12)	184 656	10.3	286	646
Senior management (Levels 13-16)	97 067	5.4	46	2 110
Abnormal Appointment	-	-	-	-
SUB-TOTAL (Voted Funds)	745 275	41.6	1 943	384
SUB-TOTAL (Direct Charge Against the NRF)	972 933	54.3	494	1 970
GRAND TOTAL (Voted Funds and Direct Charge Against the NRF)	1 718 208	95.9	2 437	705

Table 3.1.3 Salaries, Overtime, Home Owners' Allowance and Medical Aid by programme for the period 1 April 2020 to 31 March 2021.

Programme	Salaries		Overtime		Home Owners' Allowance		Medical Aid	
	Amount R'000	Salaries as % of Personnel Cost	Amount R'000	Overtime as % of Personnel Cost	Amount R'000	HOA as a % of personnel costs	Amount R('000)	Medical Aid as a % of personnel costs
OCJ: Administration	90 480	87.8	396	0.4	2 534	2.5	3 830	3.7
OCJ: Superior Court Services	522 885	84.3	1 012	0.2	23 151	3.7	44 415	7.2
OCJ: Judicial Education & Support	19 262	86.5	25	0.1	495	2.2	952	4.3
SUB-TOTAL (Voted Funds)	632 627	84.9	1 433	0.7	26 180	3.5	49 197	6.6
SUB-TOTAL (Direct Charge Against the NRF)	965 696	99.3	-	-	-	-	7 236	0.7
GRAND TOTAL (Voted Funds and Direct Charge Against the NRF)	1 598 323	93	1 433	0.1	26 180	1.5	56 433	3.3

Table 3.1.4 Salaries, Overtime, Home Owners' Allowance and Medical Aid by salary band for the period 1 April 2020 to 31 March 2021.

Salary band	Salaries		Overtime		Home Owners' Allowance		Medical Aid	
	Amount R'000	Salaries as % of Personnel Cost	Amount R'000	Overtime as % of Personnel Cost	Amount R'000	HOA as a % of personnel costs	Amount R('000)	Medical Aid as a % of personnel costs
Lower skilled (Levels 1-2)	-	-	-	-	-	-	-	-
Skilled (Levels 3-5)	185 579	81.1	503	0.9	14 273	6.2	26 225	11.5
Highly skilled production (Levels 6-8)	183 408	78.4	568	0.2	8 362	3.6	16 617	7.1
Highly skilled supervision (Levels 9-12)	166 387	90.5	362	0.2	3 545	1.9	6 257	3.4
Senior management (Levels 13-16)	97 253	98.5	-	-	-	-	98	0.1
SUB-TOTAL (Voted Funds)	632 627	84.9	1 433	0.2	26 180	3.5	49 197	6.6
SUB-TOTAL (Direct Charge Against the NRF)	965 696	99.3	-	-	-	-	7 236	0.7

Salary band	Salaries		Overtime		Home Owners' Allowance		Medical Aid	
	Amount R'000	Salaries as % of Personnel Cost	Amount R'000	Overtime as % of Personnel Cost	Amount R'000	HOA as a % of personnel costs	Amount R('000)	Medical Aid as a % of personnel costs
GRAND TOTAL (Voted Funds and Direct Charge Against the NRF)	1 598 323	93	1 433	0.1	26 180	1.5	56 433	3.3

3.2 EMPLOYMENT AND VACANCIES

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.

Table 3.2.1 Employment and vacancies by programme as at 31 March 2021

Programme	Number of Posts approved on the establishment	Number of Posts Filled	Vacancy Rate	Number of employees additional to the establishment
OCJ: Administration	180	165	15	2
OCJ: Superior Court Services	1 923	1 729	194	19
OCJ: Judicial Education & Support	37	35	2	0
Total	2 140	1 929	211	21

Table 3.2.2 Employment and vacancies by salary band as at 31 March 2021

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
Skilled (Levels 3-5)	1 070	983	8.1	2
Highly skilled production (Levels 6-8)	693	613	11.5	13
Highly skilled supervision (Levels 9-12)	328	290	11.6	5
Senior management (Levels 13-16)	49	43	12.2	1
Total	2 140	1 929	9.85	21

Table 3.2.3 Employment and vacancies by critical occupations band as at 31 March 2021

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	134	134	24	2
Advocates	2	2	0	0
Attorneys	3	3	0	0
Client Inform Clerks (Switchboard Reception Inform Clerks)	11	10	9	0
Communication and Information Related	6	5	17	0
Finance and Economics Related	56	53	5	0
Financial and Related Professionals	30	28	7	0
Financial Clerks and Credit Controllers	37	28	2	0
Food Services Aids and Waiters	17	15	12	0
General Legal Administration & Rel. Professionals	56	136	0.5	0
Human Resources & Organisational Development & Related Professionals	9	20	0.6	0
Human Resources Clerks	31	31	0	0
Human Resources Related	25	23	8	0
Information Technology related	1	0	0	0
Language Practitioners Interpreters & Other Communicators	82	46	44	0
Legal Related	27	24	11	0
Librarians and Related Professionals	21	17	19	0
Library Mail and Related Clerks	31	28	10	0
Light Vehicle Drivers	2	2	0	0
Logistical Support Personnel	1	1	0	0
Material-Recording and Transport Clerks	15	16	0	0
Messengers Porters and Deliverers	127	114	10	0
Other Administration & Related Clerks and Organisers	704	637	10	0
Other Administrative Policy and Related Officers	39	37	5	0
Other Information Technology Personnel.	8	6	25	0
Risk management & security services	2	0	100	0
Secretaries & Other Keyboard Operating Clerks	419	365	13	18

Critical occupations	Number of Posts approved on the establishment	Number of Posts Filled	Vacancy Rate in %	Number of employees additional to the establishment
Security Officers	59	53	10	0
Senior Managers	49	43	12	1
Statisticians and Related Professionals	1	1	0	0
Translators and Air Traffic Communicators	35	51	0	0
Total	2140	1 929	9.85	21

3.3 FILLING OF SMS POSTS

Table 3.3.1 SMS post information as at 31 March 2021

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
Salary level 16	1	1	100	0	0
Salary level 15	3	3	100	0	0
Salary level 14	9	8	88.8	1	11.1
Salary level 13	36	31	86.1	5	13.8
Total	49	43	88	6	12

Table 3.3.2 SMS post information as at 30 September 2020

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
Salary level 16	1	1	100	0	0
Salary level 15	3	1	33	2	67
Salary level 14	9	8	88	1	12
Salary level 13	36	33	92	3	8
Total	49	43	88	6	12

Table 3.3.3 Advertising and filling of SMS posts for the period 1 April 2020 to 31 March 2021

SMS level	Advertising	Filling of posts	
	Number of vacancies per level advertised in 6 months of becoming vacant	Number of vacancies per level filled in 6 months of becoming vacant	Number of vacancies per level not filled in 6 months of becoming vacant
Salary level 16	0	0	0
Salary level 15	0	0	2
Salary level 14	1	0	1
Salary level 13	4	0	2
Total	5	0	5

Table 3.3.4 Reasons for not having complied with the filling of funded vacant SMS posts – Advertised within 6 months and filled within 12 months after becoming vacant for the period 1 April 2020 to 31 March 2021**Reasons for vacancies not advertised within six months**

N/A

Reasons for vacancies not filled within twelve months

- Deputy Director-General positions: The posts were not filled within 12 months due to lengthy recruitment and selection processes involved in filling posts at DDG level.
- One post at level 14 had to be re-advertised because no suitable candidates were identified during the selection process and thereby prolonging this recruitment process.
- Two level 13 posts had to be re-advertised because no suitable candidates were identified during the selection process and thereby prolonging these recruitment processes. As the traditional recruitment and selection processes did not attract required skills and experience, the Department had to follow the head-hunting process which also did not attract required skills and the affected posts were later re-advertised.

Table 3.3.5 Disciplinary steps taken for not complying with the prescribed timeframes for filling SMS posts within 12 months for the period 1 April 2020 to 31 March 2021**Reasons for vacancies not advertised within six months**

All posts were advertised within six months

Reasons for vacancies not filled within twelve months

No disciplinary steps were taken for not filling posts within twelve months as recruitment and selection had been attempted. The delays in filling the posts were beyond the control of the OCJ.

3.4 JOB EVALUATION**Table 3.4.1 Job Evaluation by salary band for the period 1 April 2020 to 31 March 2021**

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
Skilled (Levels 3-5)	1 070	3	0.2	0	0	23	2.1
Highly skilled production (Levels 6-8)	693	2	0.1	0	0	0	0
Highly skilled supervision (Levels 9-12)	328	0	0	0	0	0	0
Senior Management Service Band A	36	0	0	0	0	0	0
Senior Management Service Band B	9	0	0	0	0	0	0

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
Senior Management Service Band C	3	0	0	0	0	0	0
Senior Management Service Band D	1	1	0.1	0	0	0	0
TOTAL	2 140	6	0.3	0	0	23	2.1

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

Table 3.4.2 Profile of employees whose positions were upgraded due to their posts being upgraded for the period 1 April 2020 to 31 March 2021

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	0	0	0	0	0
Total	0	0	0	0	0

Employees with disability	0	0	0	0	0
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Table 3.4.3 Employees whose salary levels are higher than those determined by job evaluation by occupation for the period 1 April 2020 to 31 March 2021.

Occupation	Number of employees	Job evaluation level	Remuneration level	Reasons for deviation
Senior Managers	0	0	0	N/A
Total number of employees whose salaries exceeded the level determined by job evaluation				0
Percentage of total employed				0

Table 3.4.4 Profile of employees whose salary levels are higher than those determined by job evaluation for the period 01 April 2020 to 31 March 2021

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	0	0	0	0	0
Total	0	0	0	0	0

Employees with disability	0	0	0	0	0
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Total number of employees whose salaries exceeded the grades determined by evaluation.	0
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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 2020 to 31 March 2021

Salary Band	Number of employees at Beginning of period (April 2020)	Appointments and transfers into the Department	Terminations and transfers out of the Department	Turnover Rate
Lower skilled (Levels 1-2)	0	0	0	0
Skilled (Levels 3-5), Permanent	952	56	76	8.0
Highly skilled production (Levels 6-8)	593	99	118	20
Highly skilled supervision (Levels 9-12)	279	34	48	17.2
Senior Management Service Band A (13)	32	3	3	9.4
Senior Management Service Band B (14)	8	0	2	25
Senior Management Service Band C (15)	1	2	0	0
Senior Management Service Band D (16)	1	0	0	0
TOTAL	1 866	194	247	13.2

Table 3.5.2 Annual turnover rates by critical occupation for the period 1 April 2020 to 31 March 2021

Critical occupation	Number of employees at Beginning of period (April 2020)	Appointments and transfers into the Department	Terminations and transfers out of the Department	Turnover Rate
Administrative related	104	9	19	18.3
Advocates	2	0	1	50
Attorneys	2	0	0	0
Client inform clerks (switchboard & reception information clerks)	7	0	0	0
Communication and information related	2	0	0	0
Finance and economics related	47	6	4	8.5
Financial and related professionals	25	6	1	4
Financial clerks and credit controllers	31	10	0	0
Food services aids and waiters	13	2	1	7.7
General legal administration & related professionals	139	28	37	26.6
Human resources & organisational development & relate professionals	4	0	0	0
Human resources clerks	20	6	6	30
Human resources related	23	4	2	8.7
Information Technology related	1	3	2	200

Critical occupation	Number of employees at Beginning of period (April 2020)	Appointments and transfers into the Department	Terminations and transfers out of the Department	Turnover Rate
Language practitioners interpreters & other communicators	59	6	2	3.4
Legal related	21	4	3	14.3
Librarians and related professionals	14	0	0	0
Library mail and related clerks	25	2	2	8
Light vehicle drivers	2	0	1	50
Logistical support personnel	1	0	0	0
Material-recording and transport clerks	13	1	1	7.7
Messengers porters and deliverers	109	5	2	1.8
Other administration & related clerks and organisers	658	34	84	13
Other administrative policy and related officers	37	6	25	67.6
Other information technology personnel	8	2	0	0
Risk Management and Security Services	2	0	0	0
Secretaries & other keyboard operating clerks	371	53	44	11.9
Security officers	49	3	3	6.1
Senior managers	42	3	5	11.9
Statisticians and Related Profession	1	0	0	0
Translators and air traffic communicators	34	1	2	5.9
Total	1 866	194	247	13.2

Table 3.5.3 Reasons why staff left the Department for the period 1 April 2020 to 31 March 2021

Termination Type	Number	% of Total Resignations
Death	16	6.5
Resignation	100	40
Discharged due to ill health	0	0
Expiry of a contract	95	38.5
Transfer Out	15	6
Dismissal – misconduct	0	0
Retirement	21	9
TOTAL	247	100
Total number of employees who left as a % of total employment	13.2	

Table 3.5.4 Promotion by critical occupation for the period 1 April 2020 to 31 March 2021

Occupation	Number of employees at Beginning of period (April 2020)	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	104	2	2	54	52
Attorneys	2	0	0	1	50
Advocates	2	0	0	2	100
Client inform clerks (switchboard & reception information clerks)	7	0	0	8	114
Communication and information related	2	0	0	2	100
Finance and economics related	47	2	4	42	89
Financial and related professionals	25	3	12	21	84
Financial clerks and credit controllers	31	0	0	20	65
Food services aids and waiters	13	0	0	11	85
General legal administration & rel. professionals	139	8	6	45	32
Human resources & organisational development & relate professionals	4	0	0	3	75
Human resources clerks	20	1	5	15	75
Human resources related	23	1	4	13	57
Information Technology related	1	0	0	0	0
Language practitioners interpreters & other communicators	59	1	2	33	56
Legal related	21	0	0	13	62
Librarians and related professionals	14	0	0	15	107
Library mail and related clerks	25	0	0	19	76
Light vehicle drivers	2	0	0	1	50
Logistical support personnel	1	0	0	1	100
Material-recording and transport clerks	13	0	0	9	69

Occupation	Number of employees at Beginning of period (April 2020)	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
Messengers porters and deliverers	109	0	0	103	95
Other administration & related clerks and organisers	658	9	1	476	72
Other administrative policy and related officers	37	0	0	24	65
Other information technology personnel	8	0	0	4	50
Risk management and security services	2	0	0	0	0
Secretaries & other keyboard operating clerks	371	3	1	205	55
Security officers	49	0	0	18	37
Senior managers	42	4	10	11	26
Statisticians and Related Profession	1	0	0	0	0
Translators and air traffic communicators	34	1	3	19	56
Total	1 866	35	1.9	1 188	63.7

Table 3.5.5 Promotion by salary band for the period 01 April 2020 to 31 March 2021

Salary band	Number of employees at Beginning of period (April 2020)	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
Lower skilled (Levels 1-2)	0	0	0	0	0
Skilled (Levels 3-5)	951	8	0.8	597	62.8
Highly skilled production (Levels 6-8),	594	12	2	321	54
Highly skilled supervision (Levels 9-12)	279	11	3.9	259	92.8
Senior management (Levels 13-16)	42	4	9.5	11	26.2
TOTAL	1 866	35	1.9	1 188	63.7

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 2021

Occupational category	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Legislators, Senior officials and managers	18	3	1	2	12	1	1	5	43
Professionals	95	8	1	8	117	13	14	31	287
Technicians and associate profession	85	5	1	1	105	7	8	10	222
Clerks	299	34	12	14	595	85	19	104	1 162
Services and sales workers	2	1	0	0	0	0	0	0	3
Labourers and related workers	29	8	1	11	20	1	0	2	72
Plant and machine operators and assemblers	60	11	1	4	47	11	2	4	140
Elementary occupations	0	0	0	0	0	0	0	0	0
TOTAL	588	70	17	40	896	118	44	156	1 929
Employees with disability	6	2	0	1	10	0	0	1	20

Table 3.6.2 Total number of employees (including employees with disability) in each of the following occupational bands as at 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top Management	1	0	0	0	2	0	0	1	4
Senior Management	17	3	1	2	10	1	1	4	39
Professionally qualified and experienced specialists and mid-management	95	8	1	8	117	13	14	31	287
Skilled technical and academically qualified workers, junior management, supervisors, foremen	167	8	1	13	297	55	18	86	645
Semi-skilled and discretionary decision making	308	51	14	17	470	49	11	34	954
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
TOTAL	588	70	17	40	896	118	44	156	1 929

Table 3.6.3 Recruitment for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top Management 15-16	1	0	0	0	0	0	0	1	2
Senior Management, (13-14)	1	1	0	0	0	0	0	1	3
Professionally qualified and experienced specialists and mid-management, (9-12)	12	1	0	1	13	1	1	5	34
Skilled technical and academically qualified workers, junior management, supervisors, foremen, 6-8	42	1	0	2	37	5	1	11	99
Semi-skilled and discretionary decision making, 3-5	22	1	0	1	34	0	1	0	59
Unskilled and defined decision making 1-2	0	0	0	0	0	0	0	0	0
TOTAL	78	4	0	4	84	6	3	18	197
Employees with disabilities	1	0	0	0	0	0	0	0	1

Table 3.6.4 Promotions for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top management	1	0	0	0	0	0	0	1	2
Senior Management	1	0	0	0	0	0	0	1	2
Professionally qualified and experienced specialists and mid-management	5	0	0	0	3	2	0	1	11
Skilled technical and academically qualified workers, junior management, supervisors, foremen	5	0	0	0	0	6	0	1	12
Semi-skilled and discretionary decision making,	3	0	0	0	5	0	0	0	8
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
TOTAL	15	0	0	0	8	8	0	4	35
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 3.6.5 Terminations for the period 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management,	4	0	0	0	1	0	0	0	5
Professionally qualified and experienced specialists and mid-management	18	3	0	2	14	2	2	7	48
Skilled technical and academically qualified workers, junior management, supervisors, foremen	38	1	2	4	50	7	1	15	118
Semi-skilled and discretionary decision making	23	0	0	1	50		1	1	76
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
TOTAL	83	4	2	7	115	9	4	23	247

Table 3.6.6 Disciplinary actions for the period 1 April 2020 to 31 March 2021

Disciplinary action	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Written Warnings	0	0	0	0	1	0	0	0	1
Final Written Warning	0	0	1	0	0	0	0	0	1
Final Written Warning & 2 month suspension without pay	1	0	0	0	0	0	0	0	1
Final Written Warning & 3 month suspension without pay	1	0	0	0	0	0	0	0	1
Dismissal	1	0	0	0	1	0	0	0	2
Total	3	0	1	0	2	0	0	0	6

Table 3.6.7 Skills development for the period 1 April 2020 to 31 March 2021

Occupational category	Male				Female				Total
	African	Coloured	Asian	White	African	Coloured	Asian	White	
Legislators, Senior officials and managers	18	3	1	2	12	1	1	5	43
Professionals	95	8	1	8	117	13	14	31	287
Technicians and associate profession	85	5	1	1	105	7	8	10	222
Clerks	299	34	12	14	595	85	19	104	1 162
Services and sales workers	2	1	0	0	0	0	0	0	3
Labourers and related workers	29	8	1	11	20	1	0	2	72
Plant and machine operators and assemblers	60	11	1	4	47	11	2	4	140
Elementary occupations	0	0	0	0	0	0	0	0	0
TOTAL	588	70	17	40	896	118	44	156	1 929

3.7 SIGNING OF PERFORMANCE AGREEMENTS BY SMS MEMBERS

Table 3.7.1. Signing of performance agreements by SMS members as at 31 August 2020

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
Salary level 16	0	0	0	0
Salary level 15	3	3	3	100
Salary level 14	9	8	6	75
Salary level 13	34	33	32	96
Total	47	45	42	93

Table 3.7.2 Reasons for not having concluded Performance Agreements for all SMS members as at 31 August 2020

Reason
<ul style="list-style-type: none"> Two SMS member at level 14 did not conclude a performance agreement as of 31 August 2020 due to labour relations matters. One SMS member on level 13 did not submit a performance agreement by 31 August 2020 due to incapacity and subsequent death in service.

Table 3.7.3 Disciplinary steps taken against SMS members for not having concluded Performance Agreements as at 31 August 2020

Action taken
No action was taken against the two level 14 employees as the labour relations matters were still before the bargaining council.
No action was taken for non-submission of the performance agreement by the employee at level 13, as the official was incapacitated due to ill health and subsequently died in service.

3.8 PERFORMANCE REWARDS

Table 3.8.1 Performance Rewards by race, gender and disability for the period 01 April 2019 to 31 March 2020

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	588	9	825	13 318
Female	94	896	12	1 186	12 755
Asian					
Male	5	19	13.2	44	8 810
Female	10	44	16.7	140	14 095
Coloured					
Male	12	70	15.2	114	9 510
Female	9	118	7.1	95	10 555
White					
Male	4	38	9.5	64.2	16 071
Female	29	156	19.1	355.5	12 259
Employees with disability	2	21	9.5	15.4	7 719
Total	227	1 929	11.40	2 841	12 572

Table 3.8.2 Performance Rewards by salary band for personnel below Senior Management Service for the period 01 April 2019 to 31 March 2020

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	
Low Skilled (Levels 1-2)	0	0	0	0	0	0
Skilled (Levels 3-5)	111	954	11	898.87	8 098	0.9
Highly skilled production (Levels 6-8)	79	645	13	999.87	12 819	2.50
Highly skilled supervision (Levels 9-12)	37	287	15	911.6	25 323	4.73
TOTAL	227	1 886	11	2 810	12 572	0.44

Table 3.8.3 Performance Rewards by critical occupation for the period 01 April 2019 to 31 March 2020

Critical occupation	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee
Administrative related	18	134	15.50	378.76	25 251
Attorneys	0	3	0.0	0	0
Client information clerks (switchboard, reception information clerks)	1	10	9.1	5.9	5 947
Communication and information related	0	5	0	0	0
Finance and economics related	6	53	11.10	159	26 641
Financial and related professionals	8	28	25.80	131	16 479
Financial clerks and credit controllers	9	28	22.20	70	8 788
Food services aids and waiters	5	15	33.3	31	6 229
General legal administration & related professionals	13	136	8.8	239.5	18 424
Human resources & organisational development & related professionals	0	20	0	0	0
Human resources clerks	10	31	34.5	97	9 744
Human resources related	4	23	16	73	18 313
Information technology related	0	1	0	0	0
Language practitioners interpreters & other communicators	4	46	5.9	46	11 616
Legal related	6	24	24	144	24 148
Librarians and related professionals	0	17	0	0	0
Library mail and related clerks	3	28	10	23.9	7 991
Light vehicle drivers	0	2	0.0	0	0
Logistical support personnel	0	1	0.0	0	0
Material-recording and transport clerks	4	16	25	43	10 781
Messengers porters and deliverers	11	114	8.9	68.6	6 237
Other administrative & related clerks and organisers	76	637	11	685.7	9 023
Other administrative policy and related officers	9	37	21	133.6	14 848
Other information technology personnel.	1	6	14	20	20 067
Secretaries & other keyboard operating clerks	32	365	8.6	384.5	12 017

Critical occupation	Beneficiary profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost ('000)	Average cost per employee
Security officers	7	53	13.7	71.8	10 260
Senior managers	0	43	0	0	0
Statisticians and Related Profession	0	1	0.0	0	0
Translators and air traffic communicators	0	51	0	0	0
Information Technology Related	0	1	0	0	0
Total	227	1 929	9	2 841	12 572

Table 3.8.4 Performance related rewards (cash bonus) by salary band for Senior Management Service for the period 1 April 2019 to 31 March 2020

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	14	31	45	930	66	24
Band B	1	8	14.3	75	75	8
Band C	0	3	0	0	00	0
Band D	0	1	0	0	00	0
Total	15	43	34.9	1 005	55	1

3.9 FOREIGN WORKERS

Table 3.9.1 Foreign workers by salary band for the period 1 April 2020 to 31 March 2021

Salary band	1 April 2020		31 March 2021		Change	
	Number	% of total	Number	% of total	Number	% of change
Lower Skilled (Levels 3-5)	1	33.3	1	33.3	0	0
Highly skilled production (Levels 6-8)	0	0	0	0	0	0
Highly skilled supervision (Levels 9-12)	1	33.3	1	33.3	0	0
Senior management (Levels 13-16)	1	33.3	1	33.3	0	0
TOTAL	3	100	3	100	0	0

Table 3.9.2 Foreign workers by major occupation for the period 1 April 2020 to 31 March 2021

Major occupation	1 April 2020		31 March 2021		Change	
	Number	% of total	Number	% of total	Number	% of change
Administrative office workers	1	33.3	1	33.3	0	0
Professionals and managers	1	33.3	1	33.3	0	0
Senior Manager	1	33.3	1	33.3	0	0
TOTAL	3	100	3	100	0	0

3.10 LEAVE UTILISATION

Table 3.10.1 Sick leave for the period 01 January 2020 to 31 December 2020

Salary band	Total days	%Days with medical certification	Number of employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost R'000
Lower skilled (Levels 1-2)	0	0	0	0	0	0
Skilled (Levels 3-5)	6 128	80.4	788	50.2	8	5 693
Highly skilled production (Levels 6-8)	3 335	81.9	466	29.7	7	4 971
Highly skilled supervision (Levels 9-12)	1 756	81.2	267	17	7	3 892
Top and Senior management (Levels 13-16)	122	84.4	23	1.5	5	533
TOTAL	11 341	81	1 544	98.4	7	15 089

Table 3.10.2 Disability leave (temporary and permanent) for the period 01 January 2020 to 31 December 2020

Salary band	Total days	%Days with medical certification	Number of employees using disability leave	% of total employees using disability leave	Average days per employee	Estimated Cost R'000
Lower skilled (Levels 1-2)	0	0	0	0	0	0
Skilled (Levels 3-5)	598	100	26	65	23	535
Highly skilled production (Levels 6-8)	654	100	11	27.5	59	1 028
Highly skilled supervision (Levels 9-12)	147	100	3	7.5	49	310
Top and Senior management (Levels 13-16)	0	0	0	0	0	0
TOTAL	1 399	100	40	100	35	1 873

Table 3.10.3 Annual leave for the period 01 January 2020 to 31 December 2020

Salary band	Total days taken	Number of employees using annual leave	Average per employee
Lower skilled (Levels 1-2)	0	0	0
Skilled (Levels 3-5)	20 194	993	20
Highly skilled production (Levels 6-8)	14 652	697	21
Highly skilled supervision (Levels 9-12)	5 732	278	21
Top and Senior management (Levels 13-16)	752	40	19
TOTAL	41 330	2 008	21

Table 3.10.4 Capped leave for the period 1 January 2020 to 31 December 2020

Salary band	Total days of capped leave taken	Number of employees using capped leave	Average number of days taken per employee	Average capped leave per employee as on 31 December 2020
Lower skilled (Levels 1-2)	0	0	0	0
Skilled (Levels 3-5)	0	0	0	21
Highly skilled production (Levels 6-8)	71	5	14	41
Highly skilled supervision (Levels 9-12)	6	2	3	51
Top and Senior management (Levels 13-16)	0	0	0	35
TOTAL	77	7	11	37

Table 3.10.5 Leave pay-outs for the period 1 April 2020 and 31 March 2021

Reason	Total amount R'000	Number of employees	Average per employee (R)
Leave pay-outs for 2020/21 due to non-utilisation of leave for the previous cycle	0	0	0
Capped leave payouts on - gratuity: death/retirement/medical retirement	1 258	12	104 833
Current leave pay-outs on termination of service for 2020/21	1 672	70	23 886
TOTAL	2 930	82	35 732

3.11 HIV/AIDS & 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 & related diseases (if any)	Key steps taken to reduce the risk
Employees with comorbidities	<p>Due to the COVID-19 pandemic, employees with comorbidities have been working remotely from home during the 2020/21 financial year to reduce their risk of contracting both communicable and non-communicable diseases.</p> <p>Awareness sessions and information on prevention of HIV is currently being provided to staff regularly.</p>

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		Director: Employee Relations
2. Does the Department have a dedicated unit or have you designated specific staff members to promote health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	Yes		<p>One (1) staff member has been appointed.</p> <p>A budget of R6 000 000 was allocated for 2020/21 financial year to implement EHW programmes.</p>
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; • Financial 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.		No	
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 Policy on HIV/AIDS and TB Management was developed and is currently being consulted with Organised Labour. The policy is envisaged 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		Due to the COVID-19 pandemic, no Health Risk Assessments were conducted in the 2020/21 financial year.

Question	Yes	No	Details, if yes
8. Has the Department developed measures/ indicators to monitor & evaluate the impact of your health promotion programme? If so, list these measures/indicators.		No	

3.12. LABOUR RELATIONS

Table 3.12.1 Collective agreements for the period 1 April 2020 and 31 March 2021

Total number of collective agreements	None
---------------------------------------	------

Table 3.12.2 Misconduct and disciplinary hearings finalised for the period 01 April 2020 and 31 March 2021

Outcome of disciplinary hearings	Number	% of total
Written warnings	1	17
Final written warning	1	17
Final written warning and 2 months suspensions without pay	1	17
Final written warning and 3 months suspension without pay	1	17
Dismissal	2	33
Total number of disciplinary hearings finalised	6	100

Table 3.12.3 Types of misconduct addressed at disciplinary hearings for the period 1 April 2020 and 31 March 2021

Type of misconduct	Number	% of total
Misuse of State Vehicle	4	16
Fraud and dishonesty	1	4
Authorizing irregular payments	1	4
Gross insubordination	2	8
Corruption	3	12
Failure to perform duties causing irregular wasteful and fruitless expenditure	1	4
Failure to carry out a lawful instruction/ Gross dereliction of duty	1	4
Failure to perform duties	1	4
Fraudulent claims	1	4
Failure to comply with the leave policy/ directive	1	4
Loss of laptops	1	4
Doing business with the State	3	12
Absenteeism	1	4
Tempering with medical certificate	1	4
Misrepresentation	2	8
Wasteful and fruitless expenditure	1	4
Total	25	100

Table 3.12.4 Grievances lodged for the period 1 April 2020 and 31 March 2021

Grievances	Number	% of total
Number of grievances resolved	39	85
Number of grievances not resolved	7	15
Total number of grievances lodged	46	100

Table 3.12.5 Disputes lodged with Councils for the period 1 April 2020 and 31 March 2021

Disputes	Number	% of total
Number of disputes at Conciliation	2	8
Number of disputes at Arbitration	17	71
Number of disputes at Labour Court	5	21
Total number of disputes lodged	24	100

Table 3.12.6 Strike actions for the period 1 April 2020 and 31 March 2021

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 2020 and 31 March 2021

Number of people suspended	1
Number of people whose suspension exceeded 30 days	1
Precautionary Transfer	1
Average number of days suspended	200
Cost of suspension R'000	R963

3.13 SKILLS DEVELOPMENT

Table 3.13.1 Training needs identified for the period 1 April 2020 to 31 March 2021

Occupational category	Gender	Number of employees as at 1 April 2020	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	24	N/A	<ul style="list-style-type: none"> • Management Development programmes • Risk Management • Diversity and Change management • Financial Management • Labour Relation • Employee wellness programme 	N/A	30
	Female	18				
Professionals, permanent	Male	114	N/A	<ul style="list-style-type: none"> • EMDP, AMDP • Time and Time management • CIP • Project Management • Change Management Assets and SCM • Default Judgement and Taxation • Employee wellness programme 	N/A	279
	Female	165				
Professionals, Temporary	Male	0	N/A	N/A	N/A	0
	Female	0				
Technicians and associate professionals	Male	112	N/A	<ul style="list-style-type: none"> • OHS • Business Ethics • Office administration Programme • Assets Management • CIP • Supervisory programmes • Change Management 	Learning Programme	295
	Female	183				

Occupational category	Gender	Number of employees as at 1 April 2020	Training needs identified at the start of the reporting period			
			Learner ships	Skills programmes and other short courses	Other forms of training	Total
Clerks permanent	Male	340	N/A	<ul style="list-style-type: none"> OHS Computer Programmes CIP Service Delivery/ Excellence Employee Wellness programme 	N/A	240
	Female	721				
Clerks temporary	Male	0	N/A	N/A	N/A	0
	Female	0				
Service and sales workers	Male	41	N/A	N/A	N/A	
	Female	12				
Plant and machine operators and assemblers	Male	0	N/A	N/A	N/A	0
	Female	0				
Craft and related trade workers	Male	73	N/A	N/A	N/A	0
	Female	63				
Sub total	Male	703	N/A	N/A	N/A	844
	Female	1 163				

Table 3.13.2 Training provided for the period 1 April 2020 and 31 March 2021

Occupational category	Gender	Number of employees as at 1 April 2020	Training provided within 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"> Knowledge management Risk management training 	Learning Programme	1
	Female	12			Learning Programme	1
Professionals permanent	Male	114	N/A	<ul style="list-style-type: none"> Knowledge Management Compliance Management Finance For Non-Financial Management CIP 	Learning Programme	19
	Female	165		<ul style="list-style-type: none"> OHS SCM 	Learning Programme	11
					Learning Programme	5

Occupational category	Gender	Number of employees as at 1 April 2020	Training provided within the reporting period				
			Learner ships	Skills programmes and other short courses	Other forms of training	Total	
Technicians and associate professionals	Male	112	N/A	• Compliance Management	Learning Programme	1	
	Female	183	N/A	• Finance for non-financial managers	Learning Programme	7	
				• CIP		1	
				• OHS	Learning programme	2	
				• Records Management	Learning Programme	5	
				• Computer Programme	Learning Programme	11	
				• Supervisory Skills	Learning Programme	21	
				• SCM	Learning Programme	6	
				• Risk Management	Learning Programme	14	
Professionals Temporary	Male	0	N/A	N/A	N/A	N/A	
	Female	0					
Clerks permanent	Male	340	N/A	• Finance for non-financial managers	Learning Programme	6	
				• Computer Programme	Learning Programme	40	
					• SCM	Learning Programme	14
					• Records Management	Learning Programme	12
Plant and machine operators and assemblers	Male	0	N/A	N/A	N/A	N/A	
	Female	0					
Clerks temporary	Male	0	N/A	N/A	N/A	N/A	
	Female	0					
Service and sales workers, permanent	Male	41	N/A	N/A	N/A	N/A	
	Female	12					
Craft and Related trade workers	Male	73	N/A	N/A	N/A	N/A	
	Female	63					
Sub total	Male	703	0	0	0	190	
	Female	1 163					

*The total number of employees at the beginning of financial year was 1 866 and the WSP was planned based on these totals.

3.14 INJURY ON DUTY

Table 3.14.1 Injury on duty for the period 1 April 2020 to 31 March 2021

Nature of injury on duty	Number of Employees as at 1 April 2020	% of total
Required basic medical attention only	1 866	0
Temporary Total Disablement	1 866	0
Permanent Disablement	1 866	0
Fatal	1 866	0
Total	1 866	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 01 April 2020 to 31 March 2021

Project title	Total number of consultants that worked on project	Duration (work days)	Total Contract value in Rand
OCJ2017/04:ICT Professional Support and Maintenance Service for a period of 36 months	26	244	R39 335 285.16
OCJ2020/12:ICT Professional Support and Maintenance Service for a period of 36 months	39	18	R99 250 148.39
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
OCJ2017/01 Appointment of a service provider to provide the comprehensive employee health and wellness services for a period of 36 months	N/A	127	Tariff structure and incident based.

Table 3.15.2 Analysis of consultant appointments using appropriated funds in terms of Historically Disadvantaged Individuals (HDIs) for the period 1 April 2020 to 31 March 2021

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:ICT Professional Support and Maintenance Service for a period of 36 months	100	100	26
OCJ2020/12:ICT Professional Support and Maintenance Service for a period of 36 months	100	100	39

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that worked on the project
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 2020 to 31 March 2021

Project title	Total number of consultants that worked on project	Duration (work days)	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 (work days)	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 2020 to 31 March 2021

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 2020 to 31 March 2021

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



PART E

FINANCIAL STATEMENTS

PART E:

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Report of the auditor-general to parliament on vote no. 27: 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 105 to 173, which comprise the appropriation statement, statement of financial position as at 31 March 2021, the statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, as well as 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 2021, and its financial performance and cash flows for the year then ended in accordance with Modified Cash Standard (MCS) prescribed by National Treasury (NT) and the requirements of the Public Finance Management Act 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 my report.
4. I am independent of the department in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other 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 code.
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 174 to 183 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 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 department's approved performance planning documents. 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 do not extend to any disclosures or assertions relating to the extent of achievements in the current year or 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 department's annual performance report for the year ended 31 March 2021:

Programme	Pages in the annual performance report
Programme 2: Superior Court Services	41-42

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.

Programme 2: Superior Court Services

16. I did not identify any material findings on the usefulness and reliability of the reported performance information for this programme:
- 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 41 to 42 for information on the achievement of planned targets for the year and management's explanations provided for the over achievement 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 those selected programme presented in the annual performance report that have 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 on it.
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
27 August 2021



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

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 provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

APPROPRIATION STATEMENT

for the year ended 31 March 2021

Appropriation per programme

	2020/21						2019/20		
	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
Programme									
1. Administration	218 768	-	20 595	239 363	239 361	2	100.0%	217 432	211 077
2. Superior Court Services	910 188	-	(21 528)	888 660	806 268	82 392	90.7%	898 827	857 691
3. Judicial Education and Support	59 165	-	933	60 098	26 243	33 855	43.7%	81 433	65 119
Subtotal	1 188 121	-	-	1 188 121	1 071 872	116 249	90.2%	1 197 692	1 133 887
Statutory Appropriation	1 117 931	-	-	1 117 931	1 043 602	74 329	93.4%	1 098 546	1 051 725
Judges' salaries	1 117 931	-	-	1 117 931	1 043 602	74 329	93.4%	1 098 546	1 051 725
TOTAL	2 306 052	-	-	2 306 052	2 115 474	190 578	91.7%	2 296 238	2 185 612

APPROPRIATION STATEMENT

for the year ended 31 March 2021

	2020/21		2019/20	
	Final Appropriation	Actual Expenditure	Final Appropriation	Actual Expenditure
TOTAL (brought forward)				
Reconciliation with statement of financial performance				
ADD				
Departmental receipts	2 698		2 895	
NRF Receipts	-			
Aid assistance				
Actual amounts per statement of financial performance (total revenue)	2 308 750		2 299 133	
Actual amounts per statement of financial performance (total expenditure)		2 115 474		2 185 612

APPROPRIATION STATEMENT

for the year ended 31 March 2021

Appropriation per economic classification

	2020/21						2019/20		
	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	2 067 716	(1 972)	(146)	2 065 598	1 943 413	122 185	94.1%	2 093 827	2 015 516
Current payments	1 756 783	-	-	1 756 783	1 718 208	38 575	97.8%	1 755 428	1 703 582
Compensation of employees	1 635 858	(174)	-	1 635 684	1 598 323	37 361	97.7%	1 642 674	1 593 958
Salaries and wages	120 925	174	-	121 099	119 885	1 214	99.0%	112 754	109 624
Social contributions	310 933	(1 972)	(146)	308 815	225 205	83 610	72.9%	338 399	311 934
Goods and services	3 479	(739)	(102)	2 638	1 828	810	69.3%	5 008	5 008
Administrative fees	997	(44)	-	953	953	-	100.0%	1 622	1 622
Advertising	6 921	(2 359)	(1 785)	2 777	2 683	94	96.6%	5 146	4 076
Minor assets	6 696	(1 321)	-	5 374	5 374	-	100.0%	6 094	6 094
Audit costs: External	1 733	(873)	-	860	860	-	100.0%	618	618
Bursaries: Employees	2 706	(1 450)	-	1 256	563	693	44.8%	5 045	5 045
Catering: Departmental activities	25 096	(199)	(3 017)	21 880	10 814	11 066	49.4%	19 041	11 481
Communication	72 629	13 035	10 534	96 198	95 958	240	99.8%	63 044	62 994
Computer services	13 583	592	(3 751)	10 424	7 990	2 434	76.7%	10 491	9 794
Consultants: Business and advisory services	436	746	715	1 897	1 897	-	100.0%	5 219	1 171
Legal services	5 220	(3 826)	-	1 394	1 354	40	97.1%	1 561	1 561
Contractors	2 846	(1 907)	-	939	761	178	81.0%	1 318	1 318
Agency and support / outsourced services	277	(258)	-	19	16	3	84.2%	11	11
Entertainment	26 205	(918)	(230)	25 057	13 712	11 345	54.7%	24 975	22 041
Fleet services	7 322	(762)	(783)	5 777	4 679	1 098	81.0%	3 821	3 821
Consumable supplies	12 493	(87)	-	12 406	8 446	3 960	68.1%	10 892	10 055
Consumable: Stationery, printing and office supplies	8 619	10 266	-	18 885	18 885	-	100.0%	25 427	25 427
Operating leases	3 468	(251)	-	3 217	3 005	212	93.4%	3 681	3 681
Property payments	85 344	(3 763)	-	81 581	38 718	42 863	47.5%	124 404	116 937
Travel and subsistence									

APPROPRIATION STATEMENT

for the year ended 31 March 2021

Appropriation per economic classification

	2020/21						2019/20		
	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
Training and development	8 569	(4 770)	-	3 799	2 806	993	73.9%	5 784	5 784
Operating payments	9 123	(1 902)	(1 45)	7 076	3 594	3 482	50.8%	5 530	5 488
Venues and facilities	6 976	(1 184)	(1 582)	4 210	307	3 903	7.3%	9 656	7 896
Rental and hiring	196	2	-	198	2	196	1.0%	11	11
Transfers and subsidies	128 135	1 972	146	130 253	73 975	56 278	56.8%	97 866	75 005
Provinces and municipalities	13	38	11	62	62	-	100.0%	55	55
Municipalities	13	38	11	62	62	-	100.0%	55	55
Municipal bank accounts									
Municipal agencies and funds	13	38	11	62	62	-	100.0%	55	55
Departmental agencies and accounts	4	(3)	-	1	1	-	100.0%	2	2
Social security funds									
Departmental agencies and accounts	4	(3)	-	1	1	-	100.0%	2	2
Households	128 118	1 937	135	130 190	73 912	56 278	56.8%	97 809	74 948
Social benefits	128 118	1 850	135	130 103	73 825	56 278	56.7%	97 676	74 815
Other transfers to households	-	87	-	87	87	-	100.0%	133	133
Payments for capital assets	110 201	-	-	110 201	97 765	12 436	88.7%	104 545	95 067
Buildings and other fixed structures	-	57	-	57	57	-	100.0%	-	-
Other fixed structures	-	57	-	57	57	-	100.0%	-	-
Machinery and equipment	110 201	(129)	(4 935)	105 137	92 701	12 436	88.2%	103 819	94 341
Transport equipment	86 304	538	(4 407)	82 435	71 779	10 656	87.1%	83 245	83 245
Other machinery and equipment	23 897	(667)	(528)	22 702	20 922	1 780	92.2%	20 574	11 096
Software and other Intangible assets	-	72	4 935	5 007	5 007	-	100.0%	726	7 26
Payments for financial assets	-	-	-	-	321	(321)	-	-	24
Total	2 306 052	-	-	2 306 052	2 115 474	190 578	91.7%	2 296 238	2 185 612

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

	2020/21						2019/20		
	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	40 219	(6 085)	-	34 134	34 132	2	100.0%	36 725	34 900
2. Corporate Services	131 746	5 511	20 595	157 852	157 852	-	100.0%	118 379	114 182
3. Financial Administration	29 319	473	-	29 792	29 792	-	100.0%	30 785	30 471
4. Internal Audit	17 484	101	-	17 585	17 585	-	100.0%	18 998	18 979
5. Office Accommodation	-	-	-	-	-	-	-	12 545	12 545
Total for sub programmes	218 768	-	20 595	239 363	239 361	2	100.0%	217 432	211 077
Economic classification									
Current payments	207 561	(409)	11 226	218 378	218 376	2	100.0%	207 684	204 832
Compensation of employees	102 970	-	1 113	103 083	103 082	1	100.0%	100 841	98 039
Salaries and wages	90 708	(227)	-	90 481	90 480	1	100.0%	89 158	86 406
Social contributions	12 262	227	1 113	12 602	12 602	-	100.0%	11 683	11 633
Goods and services	104 591	(409)	1 113	115 295	115 294	1	100.0%	106 843	106 793
Administrative fees	720	(408)	-	312	311	1	99.7%	580	580
Advertising	905	(111)	-	794	794	-	100.0%	1 520	1 520
Minor assets	337	290	-	627	627	-	100.0%	551	551
Audit costs: External	6 695	(1 321)	-	5 374	5 374	-	100.0%	6 094	6 094
Bursaries: Employees	1 733	(873)	-	860	860	-	100.0%	618	618
Catering: Departmental activities	321	(173)	-	148	148	-	100.0%	527	527
Communication	1 258	(210)	-	1 048	1 048	-	100.0%	1 270	1 270
Computer services	70 024	13 322	1 113	94 459	94 459	-	100.0%	61 683	61 633
Consultants: Business and advisory services	1 418	312	-	1 730	1 730	-	100.0%	1 816	1 816
Contractors	2 851	(2 051)	-	800	800	-	100.0%	776	776
Agency and support / outsourced services	215	(215)	-	-	-	-	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

	2020/21						2019/20		
	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
Fleet services	56	18	-	74	74	-	100.0%	156	156
Consumable supplies	1 077	(387)	-	690	690	-	100.0%	1 397	1 397
Consumable: Stationery, printing and office supplies	1 039	(227)	-	812	812	-	100.0%	1 030	1 030
Operating leases	-	-	-	-	-	-	-	12 545	12 545
Property payments	528	(123)	-	405	405	-	100.0%	383	383
Travel and subsistence	5 602	(1 736)	-	3 866	3 866	-	100.0%	9 773	9 773
Training and development	7 245	(4 667)	-	2 578	2 578	-	100.0%	4 688	4 688
Operating payments	2 427	(1 726)	-	701	701	-	100.0%	1 289	1 289
Venues and facilities	140	(123)	-	17	17	-	100.0%	147	147
Transfers and subsidies	-	409	145	554	554	-	100.0%	102	102
Provinces and municipalities	-	-	11	11	11	-	100.0%	8	8
Municipalities	-	-	11	11	11	-	100.0%	8	8
Municipal bank accounts	-	-	-	-	-	-	-	-	-
Municipal agencies and funds	-	-	11	11	11	-	100.0%	8	8
Households	-	409	134	543	543	-	100.0%	94	94
Social benefits	-	322	134	456	456	-	100.0%	94	94
Other transfers to households	-	87	-	87	87	-	100.0%	-	-
Payments for capital assets	11 207	-	9 224	20 431	20 431	-	100.0%	9 646	6 143
Machinery and equipment	11 207	-	4 289	15 496	15 496	-	100.0%	8 998	5 496
Transport equipment	210	(210)	-	-	-	-	-	-	-
Other machinery and equipment	10 997	210	4 289	15 496	15 496	-	100.0%	8 998	5 496
Software and other Intangible assets	-	-	4 935	4 935	4 935	-	100.0%	648	648
Payments for financial assets	-	-	-	-	-	-	-	-	-
Total	218 768	-	20 595	239 363	239 361	2	100.0%	217 432	211 077

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

1.1 Management

Economic classification	2020/21						2019/20		
	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	39 801	(5 998)	-	33 803	33 801	2	100.0%	36 578	34 795
Compensation of employees	34 004	(1 754)	-	32 250	32 249	1	100.0%	32 600	30 817
Goods and services	5 797	(4 244)	-	1 553	1 552	1	99.9%	3 978	3 978
Transfers and subsidies	-	249	-	249	249	-	100.0%	35	35
Households	-	249	-	249	249	-	100.0%	35	35
Payments for capital assets	418	(336)	-	82	82	-	100.0%	112	70
Machinery and equipment	418	(336)	-	82	82	-	100.0%	112	70

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

1.2 Corporate Services

Economic classification	2020/21						2019/20		
	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	120 965	5 195	11 226	137 386	137 386	-	100.0%	109 112	108 062
Compensation of employees	33 044	544	113	33 701	33 701	-	100.0%	32 104	31 104
Goods and services	87 921	4 651	11 113	103 685	103 685	-	100.0%	77 008	76 958
Transfers and subsidies	-	-	145	145	145	-	100.0%	62	62
Provinces and municipalities	-	-	11	11	11	-	100.0%	8	8
Households	-	-	134	134	134	-	100.0%	54	54
Payments for capital assets	10 781	316	9 224	20 321	20 321	-	100.0%	9 205	6 058
Machinery and equipment	10 781	316	4 289	15 386	15 386	-	100.0%	8 557	5 410
Software and other intangible assets	-	-	4 935	4 935	4 935	-	100.0%	648	648

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

1.3 Financial Administration

Economic classification	2020/21					2019/20			
	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	29 311	293	-	29 604	29 604	-	100.0%	30 451	30 451
Compensation of employees	27 243	579	-	27 822	27 822	-	100.0%	27 697	27 697
Goods and services	2 068	(286)	-	1 782	1 782	-	100.0%	2 754	2 754
Transfers and subsidies	-	160	-	160	160	-	100.0%	5	5
Households	-	160	-	160	160	-	100.0%	5	5
Payments for capital assets	8	20	-	28	28	-	100.0%	329	15
Machinery and equipment	8	20	-	28	28	-	100.0%	329	15

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

1.4 Internal Audit

	2020/21							2019/20	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
Economic classification	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	17 484	101	-	17 585	17 585	-	100.0%	18 998	18 979
Compensation of employees	8 679	631	-	9 310	9 310	-	100.0%	8 440	8 421
Goods and services	8 805	(530)	-	8 275	8 275	-	100.0%	10 558	10 558

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 1: ADMINISTRATION

1.5 Office Accommodation

	2020/21						2019/20		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
Economic classification	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	-	-	-	-	-	-	-	12 545	12 545
Compensation of employees	-	-	-	-	-	-	-	-	-
Goods and services	-	-	-	-	-	-	-	12 545	12 545

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

	2020/21						2019/20		
	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	20 400	(781)	(4 692)	14 927	10 659	4 268	71.4%	13 857	10 843
2. Constitutional Court	62 363	859	(2 381)	60 841	48 372	12 469	79.5%	60 262	55 828
3. Supreme Court of Appeal	37 913	(75)	(588)	37 250	36 526	725	98.1%	44 696	42 756
4. High Courts	728 084	(3)	(13 403)	714 678	655 972	58 706	91.8%	711 239	684 641
5. Specialised Courts	61 428	-	(464)	60 964	54 740	6 224	89.8%	68 774	63 623
Total for sub programmes	910 188	-	(21 528)	888 660	806 268	82 392	90.7%	898 827	857 691
Economic classification									
Current payments	811 642	(1 428)	(12 304)	797 910	726 081	71 829	91.0%	802 069	766 087
Compensation of employees	640 169	-	(330)	639 839	619 918	19 921	96.9%	624 843	602 424
Salaries and wages	542 384	-	(122)	542 262	522 886	19 377	96.4%	534 064	514 246
Social contributions	97 785	-	(208)	97 577	97 033	544	99.4%	90 779	88 178
Goods and services	1 71 473	(1 428)	(11 974)	158 071	106 163	51 908	67.2%	177 226	163 663
Administrative fees	1 939	(310)	(102)	1 527	1 492	35	97.7%	2 163	2 163
Advertising	-	7	-	7	7	-	100.0%	55	55
Minor assets	6 426	(2 607)	(1 786)	2 034	2 034	-	100.0%	4 564	3 494
Catering; Departmental activities	1 626	(1 267)	-	359	333	26	92.8%	2 691	2 691
Communication	23 557	181	(3 017)	20 721	9 655	11 066	46.6%	17 646	10 086
Computer services	2 302	(287)	(579)	1 436	1 436	-	100.0%	1 248	1 248
Consultants; Business and advisory services	9 686	280	(3 751)	6 215	6 117	98	98.4%	7 199	7 199
Legal services	55	(41)	-	14	14	-	100.0%	15	15

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

	2020/21						2019/20		
	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	2 261	(1 667)	-	594	554	40	93.3%	777	777
Agency and support / outsourced services	2 631	(1 692)	-	939	761	178	81.0%	1 318	1 318
Entertainment	277	(258)	-	19	16	3	84.2%	11	11
Fleet services	26 149	(936)	(230)	24 983	13 638	11 345	54.6%	24 819	21 885
Consumable supplies	6 180	(317)	(788)	5 080	3 982	1 098	78.4%	2 405	2 405
Consumable: Stationery, printing and office supplies	10 927	132	-	11 059	7 463	3 596	67.5%	9 186	8 349
Operating leases	8 619	10 266	-	18 885	18 885	-	100.0%	12 882	12 882
Property payments	2 940	(128)	-	2 812	2 600	212	92.5%	3 298	3 298
Travel and subsistence	57 694	(1 852)	-	55 842	34 335	21 507	61.5%	81 880	80 760
Training and development	103	(103)	-	-	-	-	-	-	-
Operating payments	5 302	211	(145)	5 368	2 664	2 704	49.6%	3 709	3 667
Venues and facilities	2 799	(1 042)	(1 582)	175	175	-	100.0%	1 349	1 349
Rental and hiring	-	2	-	2	2	-	100.0%	11	11
Transfers and subsidies	1 416	1 428	-	2 844	2 844	-	100.0%	3 204	3 055
Provinces and municipalities	13	38	-	51	51	-	100.0%	47	47
Municipalities	13	38	-	51	51	-	100.0%	47	47
Municipal agencies and funds	13	38	-	51	51	-	100.0%	47	47
Departmental agencies and accounts	4	(3)	-	1	1	-	100.0%	2	2
Departmental agencies	4	(3)	-	1	1	-	100.0%	2	2
Households	1 399	1 393	-	2 792	2 792	-	100.0%	3 155	3 006
Social benefits	1 399	1 393	-	2 792	2 792	-	100.0%	3 022	2 873
Other transfers to households	-	-	-	-	-	-	-	133	133

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

	2020/21						2019/20		
	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	97 130	-	(9 224)	87 906	77 250	10 656	87.9%	93 554	88 525
Buildings and other fixed structures	-	57	-	57	57	-	100.0%	-	-
Other fixed structures	-	57	-	57	57	-	100.0%	-	-
Machinery and equipment	97 130	(129)	(9 224)	87 777	77 121	10 656	87.9%	93 476	88 447
Transport equipment	86 094	748	(4 407)	82 435	71 779	10 656	87.1%	83 245	83 245
Other machinery and equipment	11 036	(877)	(4 817)	5 342	5 342	-	100.0%	10 231	5 202
Software and other Intangible assets	-	72	-	72	72	-	100.0%	78	78
Payments for financial assets	-	-	-	-	93	(93)	-	-	24
Total	910 188	-	(21 528)	888 660	806 268	82 392	90.7%	898 827	857 691

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

2.1 Administration of Superior Courts

Economic classification	2020/21						2019/20		
	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	18 311	(351)	(4 667)	13 293	10 597	2 696	79.7%	13 814	10 802
Compensation of employees	12 222	-	-	12 222	10 124	2 098	82.8%	12 340	9 328
Goods and services	6 089	(351)	(4 667)	1 071	473	598	44.2%	1 474	1 474
Transfers and subsidies	40	(2)	-	38	38	-	100.0%	-	-
Households	40	(2)	-	38	38	-	100.0%	-	-
Payments for capital assets	2 049	(428)	(25)	1 596	24	1 572	1.5%	43	41
Machinery and equipment	2 049	(428)	(25)	1 596	24	1 572	1.5%	43	41

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

2.2 Constitutional Court

Economic classification	2020/21						2019/20		
	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	59 159	(196)	(2 381)	56 582	44 113	12 469	78.0%	54 062	51 099
Compensation of employees	33 535	-	-	33 535	32 724	811	97.6%	31 406	31 293
Goods and services	25 624	(196)	(2 381)	23 047	11 389	11 658	49.4%	22 657	19 806
Transfers and subsidies	172	301	-	473	473	-	100.0%	36	36
Provinces and municipalities	-	4	-	4	4	-	100.0%	4	4
Households	172	297	-	469	469	-	100.0%	32	32
Payments for capital assets	3 032	754	-	3 786	3 786	-	100.0%	6 164	4 669
Machinery and equipment	3 032	754	-	3 786	3 786	-	100.0%	6 164	4 669
Payments for financial assets	-	-	-	-	-	-	-	-	24

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

2.3 Supreme Court of Appeal

Economic classification	2020/21						2019/20		
	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	30 302	351	-	30 653	29 928	725	97.6%	35 190	34 242
Compensation of employees	20 340	-	-	20 340	19 615	725	96.4%	20 246	19 298
Goods and services	9 962	351	-	10 313	10 313	-	100.0%	14 944	14 944
Transfers and subsidies	176	(100)	-	76	76	-	100.0%	162	13
Departmental agencies and accounts	-	-	-	-	-	-	-	1	1
Households	176	(100)	-	76	76	-	100.0%	161	12
Payments for capital assets	7 435	(326)	(588)	6 521	6 521	-	100.0%	9 343	8 501
Machinery and equipment	7 435	(326)	(588)	6 521	6 521	-	100.0%	9 265	8 423
Software and other intangible assets	-	-	-	-	-	-	-	78	78

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

2.4 High Courts

Economic classification	2020/21					2019/20			
	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	646 804	(1 218)	(4 796)	640 790	591 075	49 715	92.2%	635 700	610 989
Compensation of employees	525 387	-	(330)	525 057	509 984	15 073	97.1%	510 614	493 956
Goods and services	121 417	(1 218)	(4 466)	115 733	81 091	34 642	70.1%	125 086	117 033
Transfers and subsidies	1 028	1 215	-	2 243	2 243	-	100.0%	3 004	3 004
Provinces and municipalities	13	29	-	42	42	-	100.0%	43	43
Departmental agencies and accounts	4	(3)	-	1	1	-	100.0%	1	1
Households	1 011	1 189	-	2 200	2 200	-	100.0%	2 960	2 960
Payments for capital assets	80 252	-	(8 607)	71 645	62 561	9 084	87.3%	72 535	70 648
Buildings and other fixed structures	-	57	-	57	57	-	100.0%	-	-
Machinery and equipment	80 252	(129)	(8 607)	71 516	62 432	9 084	87.3%	72 535	70 648
Software and other intangible assets	-	72	-	72	72	-	100.0%	-	-
Payments for financial assets	-	-	-	-	93	(93)	-	-	-

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 2: SUPERIOR COURT SERVICES

2.5 Specialised Courts

Economic classification	2020/21						2019/20		
	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	57 066	(14)	(460)	56 592	50 368	6 224	89.0%	63 303	58 955
Compensation of employees	48 685	-	-	48 685	47 471	1 214	97.5%	50 238	48 549
Goods and services	8 381	(14)	(460)	7 907	2 897	5 010	36.6%	13 065	10 406
Transfers and subsidies	-	14	-	14	14	-	100.0%	2	2
Provinces and municipalities	-	5	-	5	5	-	100.0%	-	-
Households	-	9	-	9	9	-	100.0%	2	2
Payments for capital assets	4 362	-	(4)	4 358	4 358	-	100.0%	5 469	4 666
Machinery and equipment	4 362	-	(4)	4 358	4 358	-	100.0%	5 469	4 666

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

	2020/21						2019/20		
	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	40 441	-	-	40 441	10 327	30 114	25.5%	49 210	46 989
2. Judicial Policy, Research and Support	11 311	-	933	12 244	11 977	267	97.8%	24 299	11 454
3. Judicial Service Commission	7 413	-	-	7 413	3 939	3 474	53.1%	7 924	6 676
Total for sub programmes	59 165	-	933	60 098	26 243	33 855	43.7%	81 433	65 119
Economic Classification									
Current payments	57 301	(135)	932	58 098	26 023	32 075	44.8%	79 978	64 610
Compensation of employees	22 432	-	217	22 649	22 275	374	98.3%	25 648	23 132
Salaries and wages	19 354	53	122	19 529	19 262	267	98.6%	22 406	20 205
Social contributions	3 078	(53)	95	3 120	3 013	107	96.6%	3 242	2 927
Goods and services	34 869	(135)	715	35 449	3 748	31 701	10.6%	54 330	41 478
Administrative fees	820	(21)	-	799	25	774	3.1%	2 265	2 265
Advertising	92	60	-	152	152	-	100.0%	47	47
Minor assets	158	(42)	-	116	22	94	19.0%	31	31
Catering: Departmental activities	759	(10)	-	749	82	667	10.9%	1 827	1 827
Communication	281	(170)	-	111	111	-	100.0%	125	125
Computer services	303	-	-	303	63	240	20.8%	113	113
Consultants: Business and advisory services	2 479	-	-	2 479	143	2 336	5.8%	1 476	779
Legal services	381	787	715	1 883	1 883	-	100.0%	5 204	1 156
Contractors	108	(108)	-	-	-	-	-	8	8
Consumable supplies	65	(58)	-	7	7	-	100.0%	19	19
Consumable: Stationery, printing and office supplies	527	8	-	535	171	364	32.0%	676	676

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

	2020/21						2019/20		
	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
Travel and subsistence	22 048	(175)	-	21 873	517	21 356	2.4%	32 751	26 404
Training and development	1 221	-	-	1 221	228	993	18.7%	1 096	1 096
Operating payments	1 394	(387)	-	1 007	229	778	22.7%	532	532
Venues and facilities	4 037	(19)	-	4 018	115	3 903	2.9%	8 160	6 400
Rental and hiring	196	-	-	196	-	196	-	-	-
Transfers and subsidies	-	135	1	136	136	-	100.0%	110	110
Provinces and municipalities	-	-	-	-	-	-	-	-	-
Households	-	135	1	136	136	-	100.0%	110	110
Social benefits	-	135	1	136	136	-	100.0%	110	110
Other transfers to households	-	-	-	-	-	-	-	-	-
Payments for capital assets	1 864	-	-	1 864	84	1 780	4.5%	1 345	399
Machinery and equipment	1 864	-	-	1 864	84	1 780	4.5%	1 345	399
Transport equipment	-	-	-	-	-	-	-	-	-
Other machinery and equipment	1 864	-	-	1 864	84	1 780	4.5%	1 345	399
Payments for financial assets	-	-	-	-	-	-	-	-	-
Total	59 165	-	933	60 098	26 243	33 855	43.7%	81 433	65 119

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

3.1 South African Judicial Education Institute

Economic classification	2020/21						2019/20		
	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	38 844	(135)	-	38 709	10 108	28 601	26.1%	48 214	46 628
Compensation of employees	9 177	-	-	9 177	9 176	1	100.0%	11 346	9 760
Goods and services	29 667	(135)	-	29 532	932	28 600	3.2%	36 868	36 868
Transfers and subsidies	-	135	-	135	135	-	100.0%	7	7
Households	-	135	-	135	135	-	100.0%	7	7
Payments for capital assets	1 597	-	-	1 597	84	1 513	5.3%	989	354
Machinery and equipment	1 597	-	-	1 597	84	1 513	5.3%	989	354

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

3.2 Judicial Policy, Research and Support

Economic classification	2020/21						2019/20		
	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	11 044	-	932	11 976	11 976	-	100.0%	23 943	11 409
Compensation of employees	10 120	-	217	10 337	10 337	-	100.0%	10 688	10 309
Goods and services	924	-	715	1 639	1 639	-	100.0%	13 255	1 100
Transfers and subsidies	-	-	1	1	1	-	100.0%	-	-
Households	-	-	1	1	1	-	100.0%	-	-
Payments for capital assets	267	-	-	267	-	267	-	356	45
Machinery and equipment	267	-	-	267	-	267	-	356	45

APPROPRIATION STATEMENT

for the year ended 31 March 2021

PROGRAMME 3: JUDICIAL EDUCATION AND SUPPORT

3.3 Judicial Service Commission

Economic classification	2020/21							2019/20	
	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	7 413	-	-	7 413	3 939	3 474	53.1%	7 821	6 573
Compensation of employees	3 135	-	-	3 135	2 762	373	88.1%	3 614	3 063
Goods and services	4 278	-	-	4 278	1 177	3 101	27.5%	4 207	3 510
Transfers and subsidies	-	-	-	-	-	-	-	103	103
Households	-	-	-	-	-	-	-	103	103

APPROPRIATION STATEMENT

for the year ended 31 March 2021

Statutory Appropriation per Economic classification :Judges` Salaries

	2020/21					2019/20			
	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	1 117 931	-	-	1 117 931	1 043 602	74 329	93.4%	1 098 546	1 051 725
Total for sub programmes	1 117 931	-	-	1 117 931	1 043 602	74 329	93.4%	1 098 546	1 051 725
Economic classification									
Current payments	991 212	-	-	991 212	972 933	18 279	98.2%	1 004 096	979 987
Compensation of employees	991 212	-	-	991 212	972 933	18 279	98.2%	1 004 096	979 987
Salaries and wages	983 412	-	-	983 412	965 696	17 716	98.2%	997 046	973 101
Social contributions	7 800	-	-	7 800	7 237	563	92.8%	7 050	6 886
Transfers and subsidies	126 719	-	-	126 719	70 441	56 278	55.6%	94 450	71 738
Households	126 719	-	-	126 719	70 441	56 278	55.6%	94 450	71 738
Social benefits	126 719	-	-	126 719	70 441	56 278	55.6%	94 450	71 738
Other transfers to households	-	-	-	-	-	-	-	-	-
Payments for financial assets	-	-	-	-	228	(228)	-	-	-
Total	1 117 931	-	-	1 117 931	1 043 602	74 329	93.4%	1 098 546	1 051 725

APPROPRIATION STATEMENT

for the year ended 31 March 2021

Statutory Appropriation : Judges' Salaries

Economic classification	2020/21						2019/20		
	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	991 212	-	-	991 212	972 933	18 279	98.2%	1 004 096	979 987
Compensation of employees	991 212	-	-	991 212	972 933	18 279	98.2%	1 004 096	979 987
Transfers and subsidies	126 719	-	-	126 719	70 441	56 278	55.6%	94 450	71 738
Households	126 719	-	-	126 719	70 441	56 278	55.6%	94 450	71 738
Payments for financial assets	-	-	-	-	228	(228)	-	-	-

NOTES TO THE APPROPRIATION STATEMENT for the year ended 31 March 2021

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	Variance as a % of Final Appropriation
	R'000	R'000	R'000	%
Superior Court Services				
Compensation of employees	639 839	619 918	19 921	3.1%
Goods and Services	158 071	106 163	51 908	32.8%
Payments for Capital Assets	87 906	77 250	10 656	12.1%

The underspending on compensation of employees was a result of delays in filling of vacancies due to the COVID-19 lockdown restrictions as well as the zero percentage salary increase to government employees which was planned for in the annual appropriation. The savings on goods and services relates to savings on telephone costs as some Judges and officials were working remotely due to COVID-19 lockdown restrictions, fleet services due to decrease usage of the leased Judges' vehicles as a result of COVID-19 lockdown restrictions; reduction in travelling projected for Judges and officials due to COVID-19 lockdown restrictions. The underspending on payment for capital assets relates to some leased vehicle contracts which moved into month-to-month contracts and are therefore paid as operating leases under goods and services.

Judicial Education and Support				
Compensation of employees	22 649	22 275	374	1.7%
Goods and Services	35 449	3 748	31 701	89.4%
Payments for Capital Assets	1 864	84	1 780	95.5%

The underspending on compensation of employees was a result of delays in filling of vacancies due to the COVID-19 lockdown restrictions as well as the zero percentage salary increase to government employees which was planned for in the annual appropriation. The underspending on goods and services relates to Judicial training operations which switched from the traditional way of conducting training at hired venues to virtual training due to COVID-19 lockdown restrictions, as well as the postponement of the Judicial Service Commission sittings scheduled to take place in April and October 2020 due COVID-19 lockdown restrictions. The underspending on payment for capital assets relates to non-procurement of ICT equipment for the South African Judicial Education Institute due to the COVID-19 lockdown restrictions.

NOTES TO THE APPROPRIATION STATEMENT

for the year ended 31 March 2021

Direct Charges: Judges' Salaries

Compensation of employees	991 212	972 933	18 279	1.8%
Households	126 719	70 441	56 278	44.4%

The underspending on compensation of employees relates to the zero percentage salary adjustments implemented for Judges' in the previous year, which was planned for in the 2020/21 budget. The underspending on households is due to lower than projected number of gratuities paid to Judges.

4.2 Per economic classification	Final Appropriation	Actual Expenditure	Variance	Variance as a % of Final Appropriation
	R'000	R'000	R'000	R'000
Current payments				
Compensation of employees	1 756 783	1 718 208	38 575	2.2%
Goods and services	308 815	225 205	83 610	27.0%
Transfers and subsidies				
Households	130 190	73 912	56 278	43.2%
Payments for capital assets				
Machinery and equipment	105 137	92 701	12 436	11.8%

The underspending on compensation of employees was a result of delays in filling of vacancies due to the COVID-19 lockdown restrictions as well as the zero percentage salary increase to government employees which was planned for in the annual appropriation. The savings on goods and services relates to reduced usage of the leased Judges' vehicle; limited travelling by Judges' and officials; reduced telephone costs and Judicial training which switched from hiring of venues to virtual training due to the COVID-19 lockdown restrictions. The underspending on households is due to a lower than projected number of gratuities paid to Judges. The underspending on payment for capital assets relates to some leased vehicle contracts which moved to a month to month contracts basis and are therefore paid as operating leases under goods and services as well as the non-procurement of ICT equipment for the South African Judicial Education Institute due to the COVID-19 lockdown restrictions.

STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 31 March 2021

	<i>Note</i>	2020/21 R'000	2019/20 R'000
REVENUE			
Annual appropriation	1	1 188 121	1 197 692
Statutory appropriation	2	1 117 931	1 098 546
Departmental revenue	3	2 698	2 895
TOTAL REVENUE		2 308 750	2 299 133
EXPENDITURE			
Current expenditure			
Compensation of employees	5	1 718 207	1 703 583
Goods and services	6	225 208	311 935
Total current expenditure		1 943 415	2 015 518
Transfers and subsidies			
Transfers and subsidies	8	73 974	75 004
Total transfers and subsidies		73 974	75 004
Expenditure for capital assets			
Tangible assets	9	92 757	94 340
Intangible assets	9	5 007	726
Total expenditure for capital assets		97 764	95 066
Payments for financial assets	Z	321	24
TOTAL EXPENDITURE		2 115 474	2 185 612
SURPLUS/(DEFICIT) FOR THE YEAR		193 276	113 521

Reconciliation of Net Surplus/(Deficit) for the year

Voted funds		190 578	110 626
Annual appropriation		190 578	110 626
Conditional grants			
Departmental revenue and NRF Receipts	14	2 698	2 895
SURPLUS/(DEFICIT) FOR THE YEAR		193 276	113 521

STATEMENT OF FINANCIAL POSITION

for the year ended 31 March 2021

	<i>Note</i>	2020/21 R'000	2019/20 R'000
ASSETS			
Current assets		193 224	112 604
Cash and cash equivalents	<i>10</i>	191 677	110 929
Receivables	<i>12</i>	1 547	1 675
Non-current assets		1 676	1 890
Receivables	<i>12</i>	1 676	1 890
TOTAL ASSETS		194 900	114 494
LIABILITIES			
Current liabilities		193 400	112 822
Voted funds to be surrendered to the Revenue Fund	<i>13</i>	190 578	110 626
Departmental revenue and NRF Receipts to be surrendered to the Revenue Fund	<i>14</i>	980	521
Bank overdraft	<i>15</i>	-	3
Payables	<i>16</i>	1 842	1 672
TOTAL LIABILITIES		193 400	112 822
NET ASSETS		1 500	1 672
Represented by:			
Recoverable revenue		1 500	1 672
TOTAL		1 500	1 672

STATEMENTS OF CHANGES IN NET ASSETS

for the year ended 31 March 2021

	<i>Note</i>	2020/21 R'000	2019/20 R'000
Recoverable revenue			
Opening balance		1 672	3 294
Transfers:		(172)	(1 622)
Debts recovered (included in departmental receipts)		(172)	(1 622)
Debts raised		-	-
Closing balance		1 500	1 672
TOTAL		1 500	1 672

CASH FLOW STATEMENT

for the year ended 31 March 2021

	<i>Note</i>	2020/21	2019/20
		R'000	R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		2 308 538	2 298 871
Annual appropriated funds received	<i>11</i>	1 188 121	1 197 692
Statutory appropriated funds received	<i>2</i>	1 117 931	1 098 546
Departmental revenue received	<i>3</i>	2 486	2 632
Interest received	<i>3.3</i>	-	1
Net (increase)/decrease in working capital		298	11 646
Surrendered to Revenue Fund		(112 865)	(30 428)
Current payments		(1 943 415)	(2 015 518)
Payments for financial assets		(321)	(24)
Transfers and subsidies paid		(73 974)	(75 004)
Net cash flow available from operating activities	<i>17</i>	178 261	189 543
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	<i>2</i>	(97 764)	(95 066)
Proceeds from sale of capital assets	<i>3.4</i>	212	262
(Increase)/decrease in non-current receivables	<i>12</i>	214	1 246
Net cash flows from investing activities		(97 338)	(93 558)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(172)	(1 622)
Increase/(decrease) in non-current payables		-	-
Net cash flows from financing activities		(172)	(1 622)
Net increase/(decrease) in cash and cash equivalents		80 751	94 363
Cash and cash equivalents at beginning of period		110 926	16 563
Unrealised gains and losses within cash and cash equivalents		-	-
Cash and cash equivalents at end of period	<i>18</i>	191 677	110 926

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

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.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

7	Revenue
7.1	<p>Appropriated funds</p> <p>Appropriated funds comprise of departmental allocations as well as direct charges against the revenue fund (i.e. statutory appropriation).</p> <p>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.</p> <p>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.</p>
7.2	<p>Departmental revenue</p> <p>Departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the relevant revenue fund, unless stated otherwise.</p> <p>Any amount owing to the relevant revenue fund at the reporting date is recognised as a payable in the statement of financial position.</p>
7.3	<p>Accrued departmental revenue</p> <p>Accruals in respect of departmental revenue (excluding tax revenue) are recorded in the notes to the financial statements when:</p> <ul style="list-style-type: none"> • 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. <p>The accrued revenue is measured at the fair value of the consideration receivable.</p> <p>Accrued tax revenue (and related interest and / penalties) is measured at amounts receivable from collecting agents.</p> <p>Write-offs are made according to the department's debt write-off policy</p>
8	Expenditure
8.1	Compensation of employees
8.1.1	<p>Salaries and wages</p> <p>Salaries and wages are recognised in the statement of financial performance on the date of payment.</p>
8.1.2	<p>Social contributions</p> <p>Social contributions made by the department in respect of current employees are recognised in the statement of financial performance on the date of payment.</p> <p>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.</p>
8.2	<p>Other expenditure</p> <p>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.</p>

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

8.3	<p>Accruals and payables not recognised</p> <p>Accruals and payables not recognised are recorded in the notes to the financial statements at cost at the reporting date.</p>
8.4	<p>Leases</p>
8.4.1	<p>Operating leases</p> <p>Operating lease payments made during the reporting period are recognised as current expenditure in the statement of financial performance on the date of payment. Operating lease payments received are recognised as departmental revenue.</p> <p>The operating lease commitments are recorded in the notes to the financial statements.</p> <p>Operating lease payments received are recognised as departmental revenue.</p>
8.4.2	<p>Finance leases</p> <p>Finance lease payments made during the reporting period are recognised as capital expenditure in the statement of financial performance on the date of payment. Finance lease payments received are recognised as departmental revenue.</p> <p>The finance lease commitments are recorded in the notes to the financial statements and are not apportioned between the capital and interest portions.</p> <p>Finance lease assets acquired at the end of the lease term are recorded and measured at the lower of:</p> <ul style="list-style-type: none"> • 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. <p>Finance lease payments received are recognised as departmental revenue.</p>
9	<p>Aid Assistance</p>
9.1	<p>Aid assistance received</p> <p>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.</p> <p>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.</p>
9.2	<p>Aid assistance paid</p> <p>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.</p>
10	<p>Cash and cash equivalents</p> <p>Cash and cash equivalents are stated at cost in the statement of financial position.</p> <p>Bank overdrafts are shown separately on the face of the statement of financial position as a current liability.</p> <p>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.</p>

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

11	<p>Prepayments and advances</p> <p>Prepayments and advances are recognised in the statement of financial position when the department receives or disburses the cash.</p> <p>Prepayments and advances are initially and subsequently measured at cost.</p> <p>Prepayments and advances will be expensed if the amounts were budgeted for and the expenditure was made in the year in which it was budgeted for.</p>
12	<p>Loans and receivables</p> <p>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.</p>
13	<p>Investments</p> <p>Investments are recognised in the statement of financial position at cost.</p>
14	<p>Financial assets</p>
14.1	<p>Financial assets (not covered elsewhere)</p> <p>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.</p> <p>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.</p>
14.2	<p>Impairment of financial assets</p> <p>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.</p>
15	<p>Payables</p> <p>Payables recognised in the statement of financial position are recognised at cost.</p>
16	<p>Capital Assets</p>
16.1	<p>Immovable capital assets</p> <p>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.</p>

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

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

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. Where the department is the custodian of the project asset, the asset will reflect in the asset register when ready for use.

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.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

17.3	<p>Contingent assets</p> <p>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.</p>
17.4	<p>Capital commitments</p> <p>Capital commitments are recorded at cost in the notes to the financial statements.</p>
18	<p>Unauthorised expenditure</p> <p>Unauthorised expenditure is recognised in the statement of financial position until such time as the expenditure is either:</p> <ul style="list-style-type: none"> • 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. <p>Unauthorised expenditure is measured at the amount of the confirmed unauthorised expenditure.</p>
19	<p>Fruitless and wasteful expenditure</p> <p>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.</p>
20	<p>Irregular expenditure</p> <p>Irregular expenditure is recorded in the notes to the financial statements when confirmed after its assessment. 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.</p> <p>Irregular expenditure is reduced from the note when it is either condoned by the relevant authority, transferred to receivables for recovery, not condoned and removed or written-off.</p> <p>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.</p>
21	<p>Changes in accounting estimates and errors</p> <p>Changes in accounting estimates are applied prospectively in accordance with MCS requirements.</p> <p>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.</p>
22	<p>Events after the reporting date</p> <p>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.</p>

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

23	<p>Principal-Agent arrangements</p> <p>The department is not a party to a principal-agent arrangement.</p>
24	<p>Departures from the MCS requirements</p> <p>Management has concluded that the financial statements present fairly the department's primary and secondary information and that the department complied with the Standard.</p>
25	<p>Capitalisation reserve</p> <p>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.</p>
26	<p>Recoverable revenue</p> <p>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.</p>
27	<p>Related party transactions</p> <p>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.</p> <p>The number of individuals and the full compensation of key management personnel is recorded in the notes to the financial statements.</p>
28	<p>Inventories (<i>Effective from date determined in a Treasury Instruction</i>)</p> <p>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.</p> <p>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.</p> <p>The cost of inventories is assigned by using the weighted average cost basis.</p>
29	<p>Public-Private Partnerships</p> <p>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.</p> <p>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.</p>

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

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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.

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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.

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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 2021

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:

	2020/21			2019/20		
	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	
Administration	239 363	218 768	20 595	209 199	209 199	-
Superior Courts Services	888 660	910 188	(21 528)	907 060	907 060	-
Judicial Education and Support	60 098	59 165	933	81 433	81 433	-
Total	1 188 121	1 188 121	-	1 197 692	1 197 692	-

The actual funds received reflect the actual cash flow received for the 2020/21 financial year and the amounts disclosed in the funds not requested/not received depict the virements applied in terms of Section 43(1) of the PFMA.

The difference between the Appropriation Statement and this disclosure note relating to the appropriated amount for the 2019/20 financial year relates to virements approved after year end to the amount of R8,233 million. Note 1.1 therefore reflects the same disclosure amount as in the previous year's AFS whilst the Appropriation Statement reflects the amounts after virements.

2. Statutory Appropriation

	2020/21	2019/20
	R'000	R'000
Judges salaries	1 117 931	1 098 546
Total	1 117 931	1 098 546
Actual Statutory Appropriation received	1 117 931	1 098 546

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

3. Departmental revenue

	Note	2020/21	2019/20
		R'000	R'000
Sales of goods and services other than capital assets	3.1	588	659
Fines, penalties and forfeits	3.2	-	6
Interest, dividends and rent on land	3.3	-	1
Sales of capital assets	3.4	212	262
Transactions in financial assets and liabilities	3.5	1 898	1 967
Transfer received	3.6	-	-
Total revenue collected		2 698	2 895
Less: Own revenue included in appropriation	14	-	-
Departmental revenue collected		2 698	2 895

3.1 Sales of goods and services other than capital assets

	Note	2020/21	2019/20
	3	R'000	R'000
Sales of goods and services produced by the department		579	655
Sales by market establishment		42	43
Other sales		537	612
Sales of scrap, waste and other used current goods		9	4
Total		588	659

3.2 Fines, penalties and forfeits

	Note	2020/21	2019/20
	3	R'000	R'000
Fines		-	6
Total		-	6

3.3 Interest, dividends and rent on land

	Note	2020/21	2019/20
	3	R'000	R'000
Interest		-	1
Total		-	1

3.4 Sale of capital assets

	Note	2020/21	2019/20
	3	R'000	R'000
Tangible assets		212	262
Machinery and equipment	28	212	262
Total		212	262

The figure above is for the sale of capital assets disposed through cash sales

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

3.5 Transactions in financial assets and liabilities

	Note	2020/21	2019/20
	3	R'000	R'000
Receivables		1 898	1 967
Total		1 898	1 967

4. Aid assistance

4.1 Donations received in kind (not included in the main note)

(Treasury Regulations 21.2.4)

	Note	2020/21	2019/20
		R'000	R'000
<i>List in kind donations received</i>			
Juta Books Suppliers	Law Books	36	15
Justice Cameron (retired Judge)	Law Books	9	-
Oxford Books Suppliers	Law Books	-	1
Total		45	16

Donations of Law Books received in kind as per Treasury Regulations 21.2.4 and had no effect on expenditure

5. Compensation of employees

5.1 Salaries and Wages

	Note	2020/21	2019/20
		R'000	R'000
Basic salary		1 231 561	1 222 591
Performance award		4 267	3 187
Service Based		555	898
Compensative/circumstantial		3 087	11 807
Periodic payments		586	809
Other non-pensionable allowances		358 265	354 666
Total		1 598 321	1 593 958

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

5.2 Social contributions

	Note	2020/21 R'000	2019/20 R'000
Employer contributions			
Pension		63 245	59 394
Medical		56 434	50 040
UIF		1	1
Bargaining council		206	190
Total		119 886	109 625
Total compensation of employees		1 718 207	1 703 583
Average number of employees		1 929	1 827

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

6. Goods and services

	Note	2020/21 R'000	2019/20 R'000
Administrative fees		1 827	5 011
Advertising		953	1 622
Minor assets	6.1	2 683	4 078
Bursaries (employees)		860	618
Catering		563	5 046
Communication		10 813	11 480
Computer services	6.2	95 958	62 994
Consultants: Business and advisory services		7 991	9 792
Legal services		1 897	1 171
Contractors		1 354	1 559
Agency and support / outsourced services		762	1 318
Entertainment		15	11
Audit cost - external	6.3	5 374	6 094
Fleet services		13 714	22 040
Consumables	6.5	13 127	13 875
Operating leases		18 886	25 427
Property payments	6.6	3 005	3 681
Rental and hiring		2	-
Travel and subsistence	6.7	38 719	116 937
Venues and facilities		307	7 897
Training and development		2 807	5 784
Other operating expenditure	6.8	3 591	5 500
Total		225 208	311 935

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

6.1 Minor assets

	Note	2020/21	2019/20
	6	R'000	R'000
Tangible assets		2 683	4 078
Machinery and equipment		2 683	4 078
Total		2 683	4 078

The decrease in Minor Assets purchased is due to employees working remotely due to COVID-19 lockdown restrictions.

6.2 Computer services

	Note	2020/21	2019/20
	6	R'000	R'000
SITA computer services		10 465	10 850
External computer service providers		85 493	52 144
Total		95 958	62 994

The increased expenditure year on year on Computer Services is for additional licenses required for virtual operations as well as additional external computer services needed to assist operations during lockdown.

6.3 Audit cost – External

	Note	2020/21	2019/20
	6	R'000	R'000
Regularity audits		5 374	6 094
Total		5 374	6 094

6.4 Consumables

	Note	2020/21	2019/20
	6	R'000	R'000
Consumable supplies		4 692	3 837
Uniform and clothing		204	269
Household supplies		2 040	1 029
Building material and supplies		73	21
Communication accessories		-	91
IT consumables		307	1 497
Other consumables		2 068	930
Stationery, printing and office supplies		8 435	10 038
Total		13 127	13 875

The increased expenditure on Household Supplies is due to COVID-19 PPE materials including the sanitising of offices when COVID-19 cases were identified.

Other Consumables consist of expenditure for medical kit, hardware, security materials and electrical spares mainly due to COVID-19.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

6.5 Property payments

	Note	2020/21	2019/20
	6	R'000	R'000
Property maintenance and repairs		1 424	2 602
Other		1 581	1 079
Total		3 005	3 681

6.6 Travel and subsistence

	Note	2020/21	2019/20
	6	R'000	R'000
Local		38 124	110 924
Foreign		595	6 013
Total		38 719	116 937

The reduction in travelling expenditure is due to COVID-19 lockdown restrictions and the change in operations by SAJEL to convert to virtual training instead of requiring Judicial Officers to travel to venues for training.

6.7 Other operating expenditure

	Note	2020/21	2019/20
	6	R'000	R'000
Professional bodies, membership and subscription fees		280	288
Resettlement costs		114	247
Other		3 197	4 965
Total		3 591	5 500

The Other operating expenditure is where witness fees are expended against in the absence of a SCOA item for such.

7. Payments for financial assets

	Note	2020/21	2019/20
		R'000	R'000
Material losses through criminal conduct		93	-
Other material losses	7.1	93	-
Other material losses written off	7.2	-	24
Debts written off	7.3	228	-
Total		321	24

The R93 thousand reflects expenditure to cover the repair for a damaged vehicle. The R228 thousand was for a salary overpayment which could not be recovered

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

7.1 Other material losses

		Note	2020/21	2019/20
		7	R'000	R'000
Nature of other material losses				
(Group major categories, but list material items)				
Incident	Disciplinary Steps taken/ Criminal proceedings			
Accident Motor Vehicle	No action taken: control unit determined that the official not liable for damages		93	-
Total			93	-

Payments to cover repair costs for damaged vehicle

7.2 Other material losses written off

		Note	2020/21	2019/20
		7	R'000	R'000
Nature of losses				
Repair to Judge's damaged vehicle				
			-	24
Total			-	24

7.3 Debts written off

		Note	2020/21	2019/20
		7	R'000	R'000
Nature of debts written off				
Salary overpayment which could not be recovered				
			228	-
Total			228	-
Total debt written off			228	-

The R228 thousand was for a salary overpayment which could not be recovered

8. Transfers and subsidies

		Note	2020/21	2019/20
			R'000	R'000
Provinces and municipalities			62	-
Households		Annexure 1G	73 912	75 004
Total			73 974	75 004

Amount on Provinces and municipalities reflect payments made for motor vehicle licenses for state owned vehicles. Households reflects Judges' gratuities paid.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

9. Expenditure for capital assets

	<i>Note</i>	2020/21 R'000	2019/20 R'000
Tangible assets		92 757	94 340
Machinery and equipment	28	92 757	94 340
Intangible assets		5 007	726
Software	29	5 007	726
Total		97 764	95 066

9.1 Analysis of funds utilised to acquire capital assets – 2020/21

	Voted funds R'000	Aid assistance R'000	Total R'000
Tangible assets	92 757	-	92 757
Machinery and equipment	92 757	-	92 757
Intangible assets	5 007	-	5 007
Software	5 007	-	5 007
Total	97 764	-	97 764

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

	Voted funds R'000	Aid assistance R'000	Total 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

9.3 Finance lease expenditure included in Expenditure for capital assets

	<i>Note</i>	2020/21 R'000	2019/20 R'000
Tangible assets			
Machinery and equipment		73 753	86 251
Total		73 753	86 251

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

10. Cash and cash equivalents

	Note	2020/21	2019/20
		R'000	R'000
Consolidated Paymaster General Account		191 299	110 638
Cash on hand		311	291
Cash with commercial bank (Domestic)		67	-
Total		191 677	110 929

Cash with the commercial bank reflects balances as at 31 March 2021.

11. Prepayments and advances

11.1 Prepayments (Expensed)

Note	Balance as at 1 April 2020	Less: Received in the current year	Add or Less: Other	Add: Current Year prepayments	Amount as at 31 March 2021
	R'000	R'000	R'000	R'000	R'000
Goods and services	-	-	-	26 437	26 437
Capital assets	15 557	(15 557)			
Total	15 557	(15 557)	-	26 437	26 437

The major part of prepayments is for the Microsoft Enterprise licenses activated from 1 April 2021 as well as other smaller amounts prepaid for various ICT software licences.

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

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

12. Receivables

	Note	2020/21			2019/20		
		Current	Non-current	Total	Current	Non-current	Total
		R'000	R'000	R'000	R'000	R'000	R'000
Claims recoverable	12.1	118	-	118	423	-	423
Recoverable expenditure	12.2	265	-	265	136	-	136
Staff debt	12.3	110	1 676	1 786	208	1 890	2 098
Other receivables	12.4	1 054	-	1 054	908	-	908
Total		1 547	1 676	3 223	1 675	1 890	3 565

12.1 Claims recoverable

	Note	2020/21	2019/20
	12 and Annex 4	R'000	R'000
National departments		-	423
Provincial departments		37	-
Private Entities		81	-
Total		118	423

The amount of R37 thousand is for an overpayment on a leased vehicle to Free State Government Garage and the amount of R81 thousand is for a VAT overcharge to be refunded by a supplier.

12.2 Recoverable expenditure (disallowance accounts)

	Note	2020/21	2019/20
	12	R'000	R'000
Disallowance accounts		265	136
Total		265	136

Motor vehicle accident damage and other losses still under investigation.

12.3 Staff debt

	Note	2020/21	2019/20
	12	R'000	R'000
Staff debts		1 786	2 098
Total		1 786	2 098

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for the year ended 31 March 2021

12.4 Other receivables

	Note	2020/21	2019/20
	12	R'000	R'000
Officials' and Judges' Tax debt		1 054	908
Total		1 054	908

13. Voted funds to be surrendered to the Revenue Fund

	Note	2020/21	2019/20
		R'000	R'000
Opening balance		110 626	27 630
Prior period error	13.2	-	-
As restated		110 626	27 630
Transfer from statement of financial performance (as restated)		190 578	110 626
Paid during the year		(110 626)	(27 630)
Closing balance		190 578	110 626

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

	Note	2020/21	2019/20
		R'000	R'000
Opening balance		521	424
Prior period error	14.1	-	-
As restated		521	424
Transfer from Statement of Financial Performance (as restated)		2 698	2 895
Paid during the year		(2 239)	(2 798)
Closing balance		980	521

15. Bank Overdraft

	Note	2020/21	2019/20
		R'000	R'000
Overdraft with commercial banks (Local)		-	3
Total		-	3

16. Payables – current

	Note	2020/21	2019/20
		R'000	R'000
Clearing accounts	16.1	1 842	1 672
Total		1 842	1 672

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for the year ended 31 March 2021

16.1 Clearing accounts

	<i>Note</i>	2020/21	2019/20
	16	R'000	R'000
PAYE		1 842	1 672
Total		1 842	1 672

17. Net cash flow available from operating activities

	<i>Note</i>	2020/21	2019/20
		R'000	R'000
Net surplus/(deficit) as per Statement of Financial Performance		193 276	113 521
Add back non cash/cash movements not deemed operating activities		(15 015)	76 022
(Increase)/decrease in receivables		128	11 171
(Increase)/decrease in prepayments and advances		-	47
(Increase)/decrease in other current assets		-	-
Increase/(decrease) in payables – current		170	428
Proceeds from sale of capital assets		(212)	(262)
Expenditure on capital assets		97 764	95 066
Surrenders to Revenue Fund		(112 865)	(30 428)
Net cash flow generated by operating activities		178 261	189 543

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

	<i>Note</i>	2020/21	2019/20
		R'000	R'000
Consolidated Paymaster General account		191 299	110 638
Cash on hand		311	291
Cash with commercial banks (Local)		67	(3)
Total		191 677	110 926

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for the year ended 31 March 2021

19. Contingent liabilities and contingent assets

19.1 Contingent liabilities

		Note	2020/21	2019/20
			R'000	R'000
Liable to	Nature			
Claims against the department	Annex 3B		1 272	2 829
Total			1 272	2 829

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

The Labour Appeal Court (LAC) declared the salary increases for the 2020/2021 financial year unlawful and invalid. The LAC ruling has been appealed and referred to the Constitutional Court. The ruling by the Constitutional Court will confirm if the department will be obligated to pay the salary increases in dispute.

20. Capital commitments

		Note	2020/21	2019/20
			R'000	R'000
Specify class of asset				
Software Systems			2 234	4 747
Finance Leases			-	302
Computer Equipment			26 841	7 117
Audio Visuals			-	543
Electric Wire and power distribution			-	54
Telecom Equipment Network Wan			5 707	-
Total			34 782	12 763

The bulk of commitments relate to ICT hardware ordered but not yet delivered due to COVID-19 manufacturing backlogs worldwide.

21. Accruals and payables not recognised

21.1 Accruals

		2020/21			2019/20
		R'000			R'000
Listed by economic classification					
	30 Days	30+ Days	Total	Total	
Goods and services	15 568	5 075	20 643	11 665	
Capital assets	9 132	305	9 437	4 223	
Total	24 700	5 380	30 080	15 888	

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for the year ended 31 March 2021

	Note	2020/21	2019/20
		R'000	R'000
Listed by programme level			
Administration		15 781	8 015
Superior Courts		10 530	7 609
Judicial Education and Support		3 769	264
Total		30 080	15 888

22. Employee benefits

	Note	2020/21	2019/20
		R'000	R'000
Leave entitlement		34 956	23 195
Service bonus		19 376	19 386
Performance awards		3 808	5 635
Capped leave		11 614	13 010
Other		952	805
Total		70 706	62 031

Included in the leave entitlement is an amount of R1 004 807.11 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 2021. Judges' social benefits for leave are excluded from the amount above as they are on a different leave dispensation and are not entitled to accumulate leave.

23. Lease commitments

23.1 Operating leases

2020/21	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	-	-	-	1 913	1 913
Total lease commitments	-	-	-	1 913	1 913

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

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The operating leases are for Judges' vehicles leased on a month basis to month basis. Commitment for rental of Head Office accommodation no longer exists due to budget cuts by National Treasury.

23.2 Finance leases **

2020/21	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	-	-	-	60 946	60 946
Later than 1 year and not later than 5 years	-	-	-	79 784	79 784
Total lease commitments	-	-	-	140 730	140 730

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
Total lease commitments				154 820	154 820

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

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

24. Irregular expenditure

24.1 Reconciliation of irregular expenditure

	Note	2020/21 R'000	2019/20 R'000
Opening balance		1 078	679
Prior period error		-	399
As restated		1 078	1 078
Add: Irregular expenditure – relating to prior year		14	
Add: Irregular expenditure – relating to current year		7 613	-
Less: Prior year amounts condoned		(679)	-
Closing balance		8 026	1 078

Analysis of closing balance			
Current year		7 613	399
Prior years		413	679
Total		8 026	1 078

24.2 Details of current and prior year irregular expenditure – added current year (under determination and investigation)

Incident	Disciplinary steps taken/criminal proceedings	2020/21 R'000
Transgression of SCM prescripts: COVID-19 lockdown related: Value for money obtained	No action possible: transgressing employee has left the employ of the OCJ: Awaiting condonement from Treasury	7 613
Transgression of SCM prescripts (relating to prior year): Value for money obtained	No action possible: transgressing employee has left the employ of OCJ: Awaiting condonement from Treasury	14
Total		7 627

The amount of R7,613 million relates to the requirement to keep the Gauteng Division of the High Court operational on the Caselines software for evidence management to enable virtual courts during COVID-19 hard lockdown. This led to an extension of the contract without prior approval by the delegated authority.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

24.3 Details of irregular expenditure condoned

Incident	Condoned by (relevant authority)	2020/21 R'000
Deviation from procurement prescripts	Irregular expenditure for prior year condoned by National Treasury	679
Total		679

24.4 Prior period error

	Note	2019/20 R'000
Nature of prior period error		
Relating to 2019/20 [affecting the opening balance]		399
Non-Compliance with SCM prescripts; the transgressing official has left the employ of the OCJ.		399
Total prior period errors		399

Non-Compliance with SCM prescripts for 2019/20 by contracting with a company through an invalid deviation approval.

25. Fruitless and wasteful expenditure

25.1 Reconciliation of fruitless and wasteful expenditure

	Note	2020/21 R'000	2019/20 R'000
Opening balance			
Prior period error		-	-
As restated			
Fruitless and wasteful expenditure – relating to prior year		3	-
Fruitless and wasteful expenditure – relating to current year		17	
Closing balance		20	-

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

25.2 Details of current and prior year fruitless and wasteful expenditure – added current year (under determination and investigation)

Incident	Disciplinary steps taken/criminal proceedings	2020/21 R'000
Traffic fines incurred by Officials for exceeding speed limit 2019/20	The incidents are still under investigation and consequence management and recovery of money to be implemented.	3
Traffic fines incurred by Officials for exceeding speed limit 2020/21	The incidents are still under investigation and consequence management and recovery of money to be implemented.	17
Total		20

Traffic fines incurred in various courts by officials. The incidents are still under investigation and consequence management and recovery of money to be implemented.

26. Related party transactions

	Note	2020/21 R'000	2019/20 R'000
In kind goods and services received			
The cost for the OCJ National Office lease was carried by the DoJ&CD		8 150	-
Total		8 150	-

The OCJ refunded the DoJ&CD for the cost of the National Office lease for 2019/20 in line with a previous agreement.

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
- The Solicitor General

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

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 and lease related costs
 Provision of security services
 Virtual Library

27. Key management personnel

	No. of Individuals	2020/21 R'000	2019/20 R'000
Political office bearers (provide detail below)			
Officials:	2		
Level 15 to 16	4	6 708	6 019
Level 14 (incl. CFO if at a lower level)	8	10 197	9 646
Family members of key management personnel			
Total		16 905	15 665

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

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

28. Movable Tangible Capital Assets

MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Value adjustments	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	183 586	-	57 664	(4 943)	236 307
Transport assets	15 863	-	366	(896)	15 333
Computer equipment	63 385	-	51 350	(665)	114 070
Furniture and office equipment	44 748	-	2 530	(729)	46 549
Other machinery and equipment	59 590	-	3 418	(2 653)	60 355
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	183 586	-	57 664	(4 943)	236 307

28.1 Additions

ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	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
MACHINERY AND EQUIPMENT	92 700	40 541	(81 381)	5 804	57 664
Transport assets	71 778	-	(71 412)	-	366
Computer equipment	14 142	33 376	-	3 832	51 350
Furniture and office equipment	2 497	-	-	33	2 530
Other machinery and equipment	4 283	7 165	(9 969)	1 939	3 418
TOTAL ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS	92 700	40 541	(81 381)	5 804	57 664

The R71,4 million relates to finance lease payments for rental of Judges Vehicles. The R9,9 million includes finance leases for rental of office equipment such as photocopiers, Capital Work in Progress for the development of the UPS system to keep ICT systems running during power interruptions as well as a Wi-Fi system at Superior Courts.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

28.2 Disposals

DISPOSALS OF MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Sold for cash	Non-cash disposal	Total disposals	Cash Received Actual
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	(2 997)	(1 946)	(4 943)	212
Transport assets	(896)	-	(896)	160
Computer equipment	(309)	(356)	(665)	10
Furniture and office equipment	(532)	(197)	(729)	42
Other machinery and equipment	(1 260)	(1 393)	(2 653)	-
TOTAL DISPOSAL OF MOVABLE TANGIBLE CAPITAL ASSETS	(2 997)	(1 946)	(4 943)	212

Revenue for "other machinery" is included in the revenue for "computer equipment" as redundant DCRS machines were sold together with computer equipment.

28.3 Movement for 2019/20

MOVEMENT IN TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Prior period error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	180 624	973	10 882	(8 893)	183 586
Transport assets	17 687	-	-	(1 824)	15 863
Computer equipment	61 196	315	3 940	(2 066)	63 385
Furniture and office equipment	42 066	552	3 011	(881)	44 748
Other machinery and equipment	59 675	106	3 931	(4 122)	59 590
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	180 624	973	10 882	(8 893)	183 586

28.3.1 Prior period error

	Note	2019/20
		R'000
Nature of prior period error		
Relating to 2019/20 [affecting the opening balance]		973
Verified assets which were not recorded on the assets register		973
		-
Total prior period errors		973

Verified assets which were not recorded on the assets register during the prior year

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

28.4 Minor assets

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED AS AT 31 MARCH 2021

	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	144 730	-	145 090
Value adjustments	-	-	-	-	-	-
Additions	-	-	-	4 383	-	4 383
Disposals	-	-	-	(1 095)	-	(1 095)
TOTAL MINOR ASSETS	-	39	321	148 018	-	148 378

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of R1 minor assets	-	-	4 936	304 393	-	309 329
Number of minor assets at cost	-	9	485	181 921	-	182 415
TOTAL NUMBER OF MINOR ASSETS	-	9	5 421	486 314	-	491 744

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
Prior period error	-	-	-	334	-	334
Additions	-	-	-	8 363	-	8 363
Disposals	-	-	-	(2 454)	-	(2 454)
TOTAL MINOR ASSETS	-	39	321	144 730	-	145 090

	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

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28.4.1 Prior period error

	Note	2019/20 R'000
Nature of prior period error		
Relating to 2019/20 [affecting the opening balance]		334
Verified Assets which were not recorded on the asset register		334
Total prior period errors		334

Verified minor assets which were not recorded on the asset register during the prior year

28.5 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
	R'000	R'000	R'000	R'000	R'000	R'000
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
	R'000	R'000	R'000	R'000	R'000	R'000
No. of Assets	-	-	-	1 822	-	1 822
Value of the assets (R'000)	-	-	-	3 000	-	3 000

29. Intangible Capital Assets

MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Value adjustments	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	38 253	-	2 516	(17)	40 752
TOTAL INTANGIBLE CAPITAL ASSETS	38 253	-	2 516	(17)	40 752

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29.1 Additions

ADDITIONS TO INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	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	5 007	11 879	(14 392)	22	2 516
TOTAL ADDITIONS TO INTANGIBLE CAPITAL ASSETS	5 007	11 879	(14 392)	22	2 516

Development Work in Progress relates to the development of various projects such as the Court Online Software for the Superior Courts developed by SITA and paid for by the IJS fund in the budget of the DoJ&CD, the development of the E-Judiciary system to automate the administration of Judges' benefits and the R22 thousand relates to intangible assets received but not yet paid.

29.2 Disposals

DISPOSALS OF INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Sold for cash	Non-cash disposal	Total disposals	Cash Received Actual
	R'000	R'000	R'000	R'000
SOFTWARE	-	(17)	(17)	-
TOTAL DISPOSALS OF INTANGIBLE CAPITAL ASSETS		(17)	(17)	

This amount relates to dragon software that was derecognised as the laptops, on which the software was installed, were scrapped and derecognised.

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29.3 Movement for 2019/20

MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Prior period error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	38 125	-	128	-	38 253
TOTAL INTANGIBLE CAPITAL ASSETS	38 125	-	128	-	38 253

30. Immovable Tangible Capital Assets

MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Value adjustments	Additions	Disposals	Closing Balance
	R'000		R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	9	-	57	-	66
Other fixed structures	9	-	57	-	66
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	9	-	57	-	66

30.1 Additions

ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	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
BUILDING AND OTHER FIXED STRUCTURES	57	-	-	-	57
Other fixed structures	57	-	-	-	57
TOTAL ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS	57	-	-	-	57

The R57 000 addition is for the erection of car ports at the Kimberley High Court.

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30.2 Movement for 2019/20

MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	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
Other fixed structures	9	-	-	-	9
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	9	-	-	-	9

30.3 Capital Work-in-progress

CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2021

	Note	Opening balance 1 April 2020	Current Year WIP	Ready for use (Assets to the AR) / Contracts terminated	Closing balance 31 March 2021
	<i>Annexure 7</i>	R'000	R'000	R'000	R'000
Machinery and equipment		-	7 628	-	7 628
Intangible assets		36 936	14 392	-	51 328
TOTAL		36 936	22 020	-	58 956

Age analysis on ongoing projects	Number of projects		2020/21
	Planned, Construction not started	Planned, Construction started	Total R'000
0 to 1 Year	-	2	2
1 to 3 Years	-	2	2
3 to 5 Years			
Longer than 5 Years			
Total	-	4	4

Include discussion on projects longer than 5 years in Capital WIP
No project older than 5 years

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CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2020

	Note	Opening balance 1 April 2019	Prior period error	Current Year WIP	Ready for use (Assets to the AR)) / Contracts terminated	Closing balance 31 March 2020
	<i>Annexure 7</i>	R'000	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

Include discussion on projects longer than 5 years in Capital WIP

Capital Work in Progress to the value of R36,681 million to the Court Online 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 2020/21 financial year due to delays by the SITA development team. The R255 thousand relates to the development of the E-Judiciary system.

31. Prior period errors

31.1 Correction of prior period errors

	Note	Amount bef error correction	Prior period error	Restated Amount
		2019/20	2019/20	2020/21
		R'000	R'000	R'000
Assets: (E.g. Receivables, Investments, Accrued departmental revenue, Movable tangible capital assets, etc.)				
Computer Equipment		61 196	315	61 511
Furniture and office equipment		42 066	552	42 618
Other machinery		59 675	106	59 781
Net effect		162 937	973	163 910

Verified Assets which were not recorded on the asset register

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	<i>Note</i>	Amount bef error correction	Prior period error	Restated Amount
		2019/20 R'000	2019/20 R'000	2020/21 R'000

Assets: (E.g. Minor Assets)

Machinery and Equipment		138 487	334	138 821
Net effect		138 487	334	138 821

Verified Assets which were not recorded on the asset register

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

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

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)

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

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

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
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33. COVID 19 Response Expenditure

	<i>Note</i>	2020/21	2019/20
	<i>Annexure 11</i>	R'000	R'000
Goods and services		2 988	-
Other		22	-
Total		3 010	-

COVID-19 related expenditure for 2020/21

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ANNEXURE 1A

STATEMENT OF CONDITIONAL GRANTS AND OTHER TRANSFERS PAID TO MUNICIPALITIES

NAME OF MUNICIPALITY	GRANT ALLOCATION			TRANSFER			SPENT				2019/20		
	DoRA and other transfers	Roll Overs	Adjust-ments	Total Available	Actual Transfer	Funds Withheld	Re-allocations by National Treasury or National Department	Amount received by municipality	Amount spent by municipality	Unspent funds	% of available funds spent by municipality	Division of Revenue Act	Actual transfer
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000	R'000	%	R'000	R'000
City of Johannesburg	60	-	-	60	60	-	-	60	60	-	100%	-	-
City of Tshwane	2	-	-	2	2	-	-	2	2	-	100%	-	-
TOTAL	62			62	62			62	62				62

The amount is for the Traffic fines and Licence renewals paid to Municipality by the OCJ.

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for the year ended 31 March 2021

ANNEXURE 1G

STATEMENT OF TRANSFERS TO HOUSEHOLDS

HOUSEHOLDS	TRANSFER ALLOCATION				EXPENDITURE			2019/20 Final Appropriation R'000
	Adjusted Appropriation Act R'000	Roll Overs R'000	Adjust-ments R'000	Total Available R'000	Actual Transfer R'000	% of Available funds Transferred %		
Transfers								
Judges' social benefits	126 719	-	-	126 719	70 441	56%	94 450	
Employees social benefits	3 534	-	-	3 534	3 471	98%	2 531	
	130 253	-	-	130 253	73 912		96 981	
TOTAL	130 253	-	-	130 253	73 912	-	96 981	

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ANNEXURE 1H

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2020/21	2019/20
		R'000	R'000
Received in kind			
JUTA Books Suppliers	South African and International Law Books	36	15
Botswana Judiciary	Flight ticket & Accommodation, Art work related matters	-	22
Oxford Book Suppliers	Law Books	-	1
UNDP	Sponsor for Workshop & Judicial training	-	16
University of Kwazulu Natal	Fundamina: A Journal of Legal history volume 23(2) 2019	-	-
Justice Cameron (retired Judge)	Law Books	9	-
Subtotal		45	54
TOTAL		45	54

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ANNEXURE 11

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	652	-	-	-	652
Subtotal		652	-	-	-	652
TOTAL		652	-	-	-	652

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

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for the year ended 31 March 2021

ANNEXURE 3B

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2021

Nature of Liability	Opening Balance	Liabilities incurred during the year	Liabilities reduced during the year	Liabilities recoverable (Provide details hereunder)	Closing Balance
	1 April 2020				31 March 2021
	R'000	R'000	R'000	R'000	R'000
Claims against the department					
Cases against the Judiciary and Office of the Chief Justice where OCJ will be expected to carry litigation	2 829	3 000	(4 557)	-	1 272
Subtotal	2 829	3 000	(4 557)	-	1 272
TOTAL	2 829	3 000	(4 557)	-	1 272

*Helen Suzman Foundation vs Judicial Service Commission
Limpopo Legal Solutions vs Judicial Service Commission & 2 Others
Snail vs Judicial Service Commission & Others
Montshiwa vs The President of South Africa and Others
Ferzaan Ismael vs OCJ
PSA obo MK Seithamo & Others vs OCJ
GP Smith and Maitso vs OCJ
Magula vs OCJ
Judge Goliath vs JP Hlophe vs JSC Tribunal*

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for the year ended 31 March 2021

ANNEXURE 4

CLAIMS RECOVERABLE

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total		Cash in transit at year end 2020/21*	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020	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	-	-	-	423		
	-	423	-	-	-	423		
Other Government Entities								
Free State Provincial Centre	37	-	-	-	37	-		
	37	-	-	-	37	-		
TOTAL	37	-	-	-	37	-		

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ANNEXURE 7

MOVEMENT IN CAPITAL WORK IN PROGRESS

MOVEMENT IN CAPITAL WORK IN PROGRESS FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Current Year Capital WIP	Ready for use (Asset register) / Contract terminated	Closing balance
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	-	7 628	-	7 628
Other machinery and equipment	-	7 628	-	7 628
SOFTWARE	36 936	14 392	-	51 328
Software	36 936	14 392	-	51 328
TOTAL	36 936	22 020	-	58 956

Capital Work in Progress relates to the development of various projects such as the Court Online Software for the Superior Courts developed by SITA and paid for by the US fund in the budget of the DoJ&CD, the e-Judiciary system to automate the administration of Judges benefits, the UPS system to keep systems running during power interruptions as well as Wi-Fi systems at the Superior Courts.

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

MOVEMENT IN CAPITAL WORK IN PROGRESS FOR THE YEAR ENDED 31 MARCH 2020

	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	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 IJS fund in the budget of the DoJ&CD. This project was piloted in the 2020/21 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.

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS

for the year ended 31 March 2021

ANNEXURE 11

COVID 19 RESPONSE EXPENDITURE Per quarter and in total

Expenditure per economic classification	2021/20				Total R'000	2019/19 Total R'000
	Q1 R'000	Q2 R'000	Q3 R'000	Q4 R'000		
Compensation of employees						
Goods and services						
List all applicable SCOA level 4 items						
EQP<R5000:MEASURING&ANALYSIS EQP	36	5	11	17	69	
EQP<R5000:EMERG/RESCUE EQUIP	9	-	(9)	1	1	
EQP<R5000:LIFT & HANDL EQUIP	-	-	-	102	102	
F&O/EQP<R5000:OFFICE EQUIPMENT	4	-	-	-	4	
EQP<R5000:PMP/PLM/PUR/SAN/WA	-	-	-	46	46	
CONS SUPP:MEDICAL SUPPLIES	252	317	2	49	620	
CONS SUPP:UNI/PROT CLTH&CLOTHES	-	14	-	-	14	
CONS HOUS SUP:DIS PAPER/PLAST	7	25	1	1	34	
CONS HOUS SUP:TOILETRIES	5	9	3	6	23	
CONS HOUS SUP:WASH/CLEAN DETE	88	775	128	279	1 270	
CONS MAT&SUP:BUILDING & CONST SUPP	-	-	14	1	15	
CONS MAT&SUP:NOTICE BOARDS&SIGNS	-	-	-	8	8	

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for the year ended 31 March 2021

Expenditure per economic classification	2021/20								2019/19
	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Total
	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
COND MAT&SUP:HARDWARE	13	164	56	36	269				
CONS:MEDICAL KIT	-	2	-	10	12				
CONS.SP&OS:PRINTING PAPER	2	-	-	-	2				
CONS.SP&OS:STATIONERY	-	2	-	1	3				
P/P:PESTCNTRL/FUMIGATION SER	83	78	178	157	496				
Other expenditure not listed above									
<i>List all applicable SCOA level 4 items</i>									
P/P:CONTRCTD MAINT PROP	-	10	-	-	10				
O/P:FREIGHT SERVICES TRSPRT GOOD	-	3	-	9	12				
TOTAL COVID 19 RESPONSE EXPENDITURE	499	1 404	384	723	3 010				



**OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA**

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