

2025/26 – 2029/30



OFFICE OF THE CHIEF JUSTICE  
REPUBLIC OF SOUTH AFRICA

# STRATEGIC *Plan*







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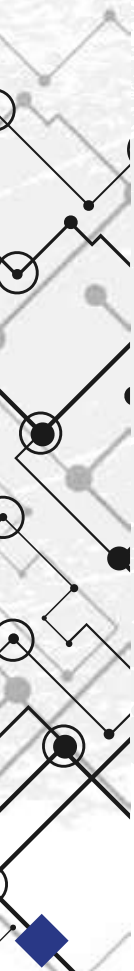
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## ACRONYMS AND ABBREVIATIONS

<b>4IR</b>	Fourth Industrial Revolution
<b>AI</b>	Artificial Intelligence
<b>APP</b>	Annual Performance Plan
<b>BCM</b>	Business Continuity Management
<b>BCMS</b>	Business Continuity Management System
<b>BIA</b>	Business Impact Analysis
<b>COE</b>	Compensation of Employees
<b>Constitution</b>	Constitution of the Republic of South Africa, 1996
<b>COVID-19</b>	Coronavirus Disease of 2019
<b>DCRS</b>	Debt Counselling Rules System
<b>DDG</b>	Deputy Director-General
<b>DoJ&amp;CD</b>	Department of Justice and Constitutional Development
<b>DPSA</b>	Department of Public Service and Administration
<b>DPWI</b>	Department of Public Works and Infrastructure
<b>EHW</b>	Employee Health and Wellness
<b>FY</b>	Financial Year
<b>GBV</b>	Gender-Based Violence
<b>GBVF</b>	Gender-Based Violence and Femicide
<b>GDP</b>	Gross Domestic Product
<b>GNU</b>	Government of National Unity
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>ICT</b>	Information and Communications Technology
<b>ISO</b>	International Organisation of Standardisation
<b>JSC</b>	Judicial Service Commission
<b>MP</b>	Member of Parliament
<b>MPSA</b>	Minister for Public Service and Administration
<b>MTDP</b>	Medium-Term Development Plan
<b>NDP</b>	National Development Plan
<b>NGOs</b>	Non-governmental Organisations
<b>NSDF</b>	National Spatial Development Framework
<b>NT</b>	National Treasury
<b>OCJ</b>	Office of the Chief Justice
<b>PPPFA</b>	Preferential Procurement Policy Framework Act 5 of 2000
<b>PWD</b>	People with Disabilities
<b>SAJEI</b>	South African Judicial Education Institute
<b>SAPS</b>	South African Police Service
<b>SARB</b>	South African Reserve Bank
<b>SCM</b>	Supply Chain Management
<b>SDG</b>	Sustainable Development Goals
<b>SG</b>	Secretary General

# ACRONYMS AND ABBREVIATIONS continued

<b>SHERQ</b>	Safety, Health, Environment, Risk and Quality
<b>SITA</b>	State Information Technology Agency
<b>SMS</b>	Senior Management Service
<b>SSA</b>	State Security Agency
<b>STI</b>	Sexually Transmitted Infections
<b>StatsSA</b>	Statistics South Africa
<b>TB</b>	Tuberculosis



# EXECUTIVE AUTHORITY STATEMENT BY THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

The Office of the Chief Justice (OCJ) has developed this Five-Year Strategic Plan for the 2025/26 – 2029/30 in the context of South Africa's Government of National Unity (GNU), which was announced by President Cyril Ramaphosa on 30 June 2024. President Ramaphosa further committed the GNU to undertaking a basic minimum programme of priorities for national development. In line with this commitment, the GNU, the country's 7th Administration, has resolved to dedicate the next five years to actions that will advance the following three Strategic Priorities:

- To drive inclusive growth and job creation;
- To reduce poverty and tackle the high cost of living; and
- To build a capable, ethical and developmental State.



The judicial authority in our country is vested in the courts as provided for in section 165 (1) of the Constitution. The Judiciary, as the guardians of the Constitution of the Republic of South Africa, 1996 (the Constitution), has an important role to play in our Constitutional democracy, particularly in entrenching the rule of law as a prerequisite for development, protecting human rights, and advancing socio-economic justice. The socio-economic development of South Africa depends, inter alia, on an effective Judiciary. The Judiciary therefore is critical for the attainment of the Strategic Priorities of the 7th Administration.

To assist the Judiciary to execute its Constitutionally assigned mandate, the President of the Republic of South Africa in 2010 proclaimed the OCJ as a National Department and gave it the responsibility to provide administrative support to the Judiciary by rendering effective and efficient court administration services. The establishment of the OCJ gave effect to section 165 (4) of the Constitution which enjoins organs of State to assist and protect the courts to ensure their independence, dignity, accessibility and effectiveness. The Five-Year Strategic Plan outlines how the OCJ will provide support to the Judiciary and ensure access to justice for all, advance Government Strategic Priorities and Outcomes, fight corruption, and strengthen judicial governance and the rule of law. The OCJ's Five-Year Strategic Plan is aligned to the National Development Plan (NDP), Government's Medium-Term Development Plan (MTDP), as well as the priorities of the Judiciary as enunciated in the Chief Justice of the Republic's vision for the Judiciary.

The OCJ is committed to discharging its mandate of supporting the Judiciary by focusing on the following strategic goals during the five-year period:

- Ensuring the effective and efficient administrative support;
- Improving administrative and technical support to the Judiciary; and
- Ensuring administrative support to the Superior Courts.

A key initiative emerging from the stated strategic goals is the modernisation and digitisation of the court systems. During the five-year period, the OCJ will continue to prioritise the rollout of its Court Online system to all the Superior Courts, aimed at providing a platform for Law Firms (LFs) / Litigants to file documents to the Courts electronically (E-Filing) over the Internet from anywhere. The full implementation of Court Online will enhance access to the Courts and improve service delivery.

The education and training support for both serving and aspirant Judicial Officers will continue to be one of the OCJ's priorities. In response to the NDP call to scale up judicial training, the capacitation of the South African Judicial Education Institute (SAJEI) remains crucial in promoting the independence, impartiality, dignity, accessibility and effectiveness of the courts through continued judicial education.

The OCJ's support to the independent, accessible and effective judicial system is a response to Chapter 14 of the NDP (promoting accountability and fighting corruption) through strengthening the judicial governance and the rule of law. The NDP calls for a strategy to "strengthen judicial governance and the rule of law".

One of the strategies the Government adopted in this regard is the establishment of the OCJ as the first phase towards an independent Judiciary-led court administration system to fully realise the Judiciary's institutional independence in line with the Constitution. The Government will respond to this call of the NDP during this five-year period by finalising the reform on a Judiciary-led court administration and on the consolidation of a single Judiciary imperative as per the requirements of the Constitution. The Executive arm of the state will work together with the Judiciary in this regard.

The Government remains committed to playing its role in realising the independence, dignity, accessibility and effectiveness of the Courts. The Government further restates its commitment to developing policies timeously in consultation with the Chief Justice, for the delivery of accessible, effective and efficient Court services.

It is my pleasure to present the Five-Year Strategic Plan of the OCJ for 2025/26 – 2029/30 period.



**Ms. Mmamoloko Kubayi, MP**

Minister of Justice and Constitutional Development





## ACCOUNTING OFFICER STATEMENT BY THE ACTING SECRETARY GENERAL

The OCJ's Five-Year Strategic Plan for the 2025/26 – 2029/30 period is the third Strategic Plan since our journey as a Government Department established to provide support to the judicial system by rendering effective and efficient court administration services. The OCJ has been responsible for providing support to the Superior Courts since their transfer from the administration of the Department of Justice and Constitutional Development to that of the OCJ during the 2015/16 Financial Year.

This Strategic Plan demonstrates how the Department will execute its mandate of supporting the Judiciary and it articulates how the OCJ will contribute to the priorities of Government as outlined in the NDP and the MTDP. The Plan was developed in consultation with the relevant stakeholders and it is aligned with the above Government priorities and also the priorities of the Judiciary.

The OCJ 2025/26 – 2029/30 Strategic Plan takes into account South Africa's current economic position and outlook in determining the deployment of resources for its various programmes. The budget cuts continue to pose a threat to the continued efficient functioning and administration of the Superior Courts. The OCJ will continue to reprioritise its budget and operations to ensure that the delivery of core services, is not compromised. The OCJ's priority is to ensure both administrative and financial efficiency in the courts. The OCJ will continue to be innovative by developing new ways of operating to ensure the Superior Courts are operational by extracting full value from each rand allocated to the Department. Despite these challenges, we continue to draw inspiration from the following successes of the OCJ during the implementation of the second Five-Year Strategic Plan 2020/21 – 2024/25 period.

The Department achieved 88% of its 2020/21 Annual Targets, followed by 87.5% achievement in 2021/22, then 78% in 2022/23 and 86% achievement in 2023/24. Other key successes include:

- Positive audit outcome for the OCJ: Unqualified Audit Outcome with no material findings for the 2020/21 FY;
- Unqualified Audit Outcome with findings for 2021/22 FY;
- Unqualified Audit Outcome with no material findings for the 2022/23 FY and 2023/24 FY;
- Two percent (2%) representation of people with disabilities as at the end of the 2023/24 FY;
- Fifty-three percent (53%) women representation in senior management service (SMS) as at the end of the 2023/24 FY;
- Ninety-four percent (94%) of quasi-judicial matters were finalised within prescribed timeframes from 2020/21 – 2023/24 FY and
- Five hundred and thirty-seven (537) Judicial education courses were conducted from 2020/21 – 2023/24 FY.

The following remains the strategic focus areas for the organisation over the five-year period:

- Strengthening capacity to ensure Business Continuity Management;
- Ensuring that ICT remains a Strategic Partner to Business;
- Court modernisation and digitisation to ensure court efficiency;
- Curbing opportunities for fraud and corruption;
- Promoting professional ethics within the organisation;
- Improving the capacity of the Department with more focus on the core functions; and
- Ensuring Occupational Health and Safety.

This Five-Year Strategic Plan represents a determination by the OCJ to continue providing effective and efficient support to the judicial system and Superior Courts as mandated.

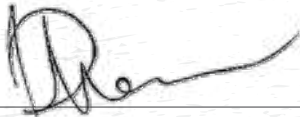
**Adv. Marelize Potgieter**

Acting Secretary General: Office of the Chief Justice

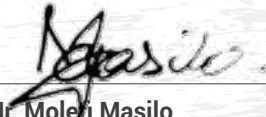
## OFFICIAL SIGN-OFF

It is hereby certified that this Strategic Plan:

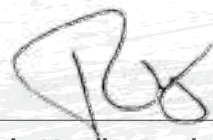
- Was developed by the management of the Office of the Chief Justice under the guidance of the Minister of Justice and Constitutional Development, Ms. Mmamoloko Kubayi, MP;
- Considers all relevant policies, legislation and other mandates for which the Office of the Chief Justice is responsible; and
- Accurately reflects the Impact, Outcomes and Outputs which the Office of the Chief Justice will endeavour to achieve over the period 2025/26 – 2029/30.



**Ms. Paula Morapedi**  
Chief Financial Officer



**Mr. Molefi Masilo**  
Head Official Responsible for Planning (Acting)



**Adv. Marelize Potgieter**  
Secretary General: Office of the Chief Justice (Acting)

Approved by:



**Ms. Mmamoloko Kubayi, MP**  
Minister of Justice and Constitutional Development

PART

A

OUR MANDATE



# 1. 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 exercises responsibility over the establishment and monitoring of norms and standards for the performance of judicial functions of 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.

## 2. LEGISLATIVE AND POLICY MANDATES

### 2.1. LEGISLATIVE MANDATE

The OCJ derives its mandate from several legislative instruments, including the following:

**Table 1:** Legislative mandate

LEGISLATION	FOCUS AREA	KEY MANDATES / RESPONSIBILITIES
<b>Public Service Act, 1994 (Act 103 of 1994)</b>	Establishment of the OCJ	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.
	The functions of the OCJ during its establishment	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 DoJ&CD to the OCJ.
<b>Public Finance Management Act, 1999 (Act 1 of 1999)</b>	Public service financial Management	This Act regulates financial management in the national government.
<b>Superior Courts Act, 2013 (Act 10 of 2013)</b>	The Chief Justice reaffirmed as Head of the Judiciary	This Act empowers the Chief Justice to exercise responsibility for the establishment and monitoring of Norms and Standards for the exercise of judicial functions at all courts.
	Allocation of financial resources to the OCJ	The Minister of Justice and Constitutional Development has, in terms of this Act, delegated certain powers and functions to the SG to provide administrative support functions to the Chief Justice and the Judiciary.
<b>Land Court Act, 2023 (Act 6 of 2023)</b>	Administrative support to the Land Court	<p>This Act provides for the establishment of a Land Court with the authority to impose sanctions, orders, and remedies as well as for appeals against decision of the Land Court.</p> <p>The Act further provides for alternative dispute resolution mechanisms, such as mediation and aims to address historical land injustices by promoting equitable land distribution to ensure non-discriminatory access to land.</p>
<b>Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001)</b>	Judges' remuneration and conditions of service	This Act deals with the remuneration and conditions of employment of Judges. The OCJ provides administrative support to the Judges.

LEGISLATION	FOCUS AREA	KEY MANDATES / RESPONSIBILITIES
<b>Judicial Service Commission, 1994 (Act 9 of 1994)</b>	Nominations for judicial appointments and complaints against Judges	The Act deals with the appointment of Judges and the establishment of the Judicial Conduct Committee, which is responsible for complaints about Judges. It also establishes and maintains a register of Judges' registrable interests. The OCJ provides secretariat support to the JSC.
<b>South African Judicial Education Institute Act, 2008 (Act 14 of 2008)</b>	Judicial Education and Training	The Act provides for the training of serving and aspiring Judicial Officers. The OCJ provides administrative support to the Institute.
<b>Judicial Matters Amendment, 2015 Act (Act 24 of 2015)</b>	Judges' remuneration and conditions of service	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 assigns certain functions and responsibilities of SAJEI that were previously allocated to the DoJ&CD. Furthermore, the Act determines that the SG is responsible for accounting for JSC funds.
<b>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</b>	Criteria for the determination of the number of Judges at the Superior Courts.	These Regulations, made in terms of Section 49(1)(b) of the Superior Courts Act, 2013 (Act 10 of 2013), provide the criteria for determining the number of Judges at the Superior Courts.

## 2.2. POLICY MANDATES

The OCJ was proclaimed as a national department by the President of the Republic of South Africa in terms of Proclamation 44 of 2010. Subsequently, 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 their 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, accountability and the effective and efficient use of resources.

### 3. INSTITUTIONAL POLICIES AND STRATEGIES OVER THE FIVE-YEAR PLANNING PERIOD

Over five years, the Office of the Chief Justice will provide administrative support to the Judiciary, while also considering the priorities of the NDP (Vision 2030) and the MTDP outlined below:

#### 3.1. CONTRIBUTION TO THE NATIONAL DEVELOPMENT PLAN (VISION 2030)

The OCJ acknowledges that without a reliable and efficient court system, there can be no quality and accessible justice. Cognisant of this, the OCJ, in the SP reaffirms the commitment made in the NDP to strengthen judicial governance and the rule of law. This SP is aligned with the Government's 2024–2029 MTDP, which serves as a building block towards the achievement of the NDP priorities by the year 2030. The OCJ must support the Judiciary in the realisation of this vision. The OCJ functions under the principle that the full realisation of the country's vision, as articulated in the NDP, will culminate in a country that is accountable and progressive in its political, economic, and social standing.

By implementing its mandate, the OCJ provides support to the Judiciary in contributing to promoting accountability and fighting corruption (Chapter 14 of the NDP). The contribution to this NDP priority is through strengthening judicial governance and the rule of law by:

- Supporting the Chief Justice in ensuring judicial accountability;
- Broadening and improving access to justice and the services of the Superior Courts;
- Ensuring an efficient court system and providing judicial support;
- Providing judicial education and training to serving and aspiring Judicial Officers; and
- Enhancing effectiveness and efficiency in court administration through modernisation of the systems, processes and infrastructure.

The OCJ also contributes to Chapter 13 of the NDP (building a capable and developmental State) by ensuring good governance in the administration of the Department.

#### 3.2. CONTRIBUTION TO THE 2024 – 2029 MTDP

The government has realigned its strategic intent and taken an approach of a targeted set of focused priorities for the 2024–2029 planning period as part of efforts to realise the 2030 vision. The 2024–2029 MTDP, reiterates the need for Government departments to consider the inclusion of women, youth and people with disabilities; compliance with the Financial Disclosure Framework; modernisation and digitalisation of Public Service processes; inclusive growth and job creation; social cohesion, and safe communities in its planning cycle. The OCJ 2025/26 – 2029/30 SP has considered these factors as outlined in the MTDP. The OCJ is bound by these priorities and will continue to contribute towards the attainment thereof. The following are the MTDP priorities that the OCJ contributes towards:

##### (a) Strategic Priority 1: Drive inclusive growth and job creation

Inclusive growth and job creation remain the Government's key priority areas. A concerted effort is required from all Government departments, private sector and civil society to achieve this priority. The OCJ contributes to this priority by implementing equity programmes that prioritise work experience for young people, and target women, and people with disabilities in both the recruitment and procurement processes. These efforts will be realised through the Department's current programmes, such as the departmental internship programme, partnerships with tertiary institutions for experiential learning purposes and recruitment processes.



**(b) Strategic Priority 2: Reduce poverty and tackle the high cost of living**

The Department will contribute to the MTDP outcome of promoting social cohesion and nation-building through ensuring that the Superior courts are accessible to all and by bringing services closer to the people, with specific focus on the poorest of the poor and rural communities. Given the high cost of living which has a negative impact on unemployed or low-income households, people have difficulty accessing the services of the Superior Courts. In supporting the Judiciary to give effect to the Constitutional imperative of access to justice, the Department will support the Judiciary in delivering effective and efficient services at the Circuit courts established throughout the country.

The OCJ will continue collaborative partnerships with relevant stakeholders within the criminal justice cluster to bring services closer to the people. This includes the Department of Justice and Constitutional Development, Legal Aid South Africa, and South African Police Services (SAPS). There will furthermore be greater collaboration with Community based organisations, Legal Advice offices, and Pro-bono organisations. Lastly, the OCJ is committed to an improved focus on public awareness campaigns and community outreach programmes, in order to raise awareness on court services.

**(c) Strategic Priority 3: Build a capable, ethical and developmental state**

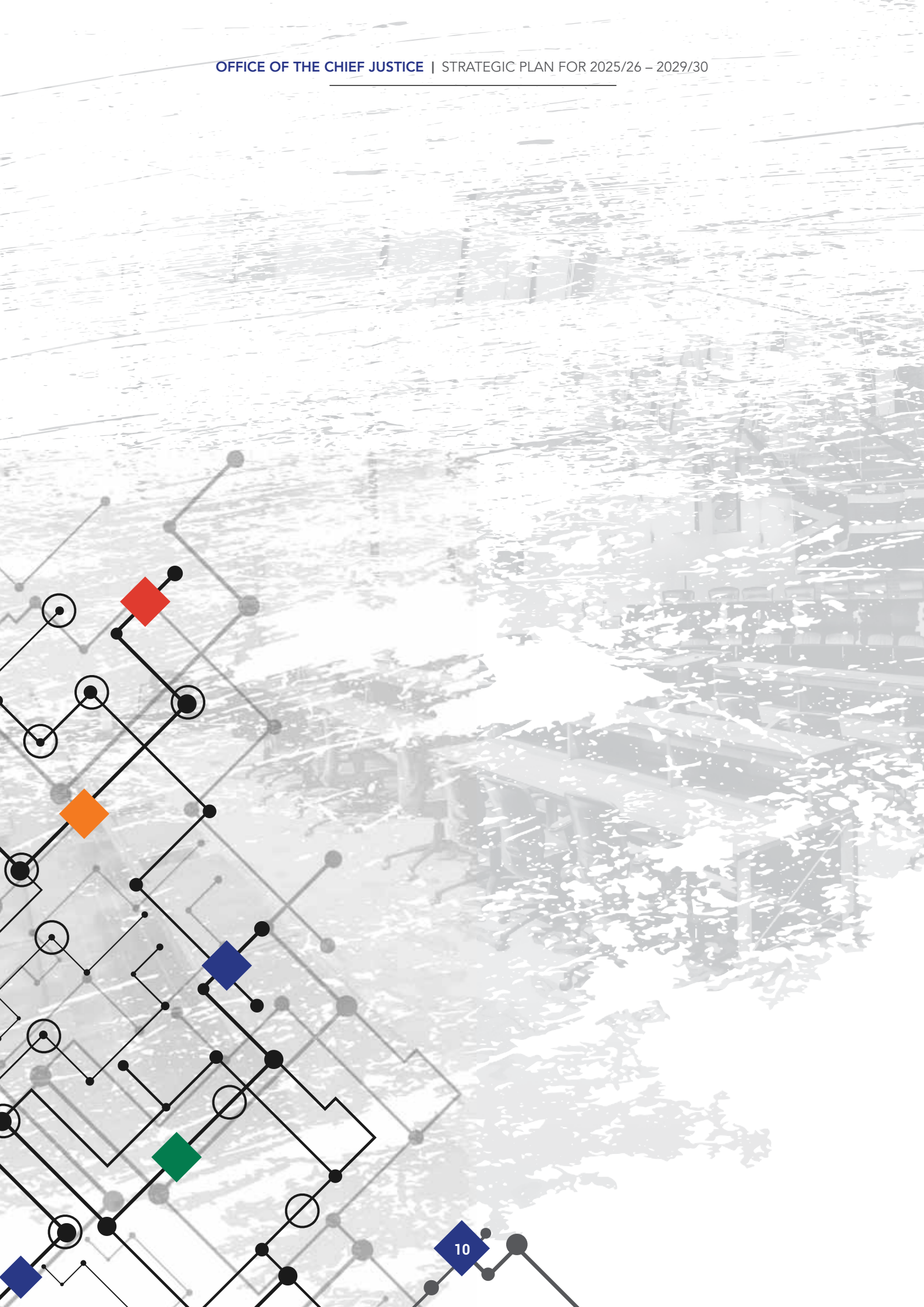
A capable and professional Public Service requires effectively coordinated institutions that respond to Government priorities. Digitisation and modernisation remain Government's key priorities as the interventions will ensure modern and contemporary processes in the delivery of services. It is for this reason that the OCJ focuses on the digital transformation agenda, which prioritises court modernisation and business process automation. The OCJ will ensure that the courts continuously adapt and render services effectively through leveraging on the Court Online system.

In adhering to the community service Code of Conduct and Service Charter, the OCJ will continue to ensure that its employees enrol and complete the Ethics in the Public Service online programme offered by the National School of Government (NSG). Additionally, the Department will continue to strengthen whistle-blower protection by implementing the relevant legislation and National Anti-Corruption Strategy. The OCJ will implement the Whistle-blowing Policy that outlines detailed fraud reporting procedures, creating a mechanism for reporting anonymously within the Department and through the National Anti-Corruption Hotline. This will ensure that the identity of whistle-blowers choosing to remain anonymous is kept confidential.

In contributing to safer communities and increased public confidence, the OCJ will strengthen accountability and consequence management. This will be realised through the facilitation of compulsory financial disclosure processes and conducting lifestyle audits. The Department will collaborate with all stakeholders which are meant to strengthen and build the capacity of prosecution and law enforcement agencies to effectively combat crime and corruption. For this purpose, the OCJ will cultivate effective stakeholder relations with other Government departments on matters of mutual concern, inclusive of the South African Police Service (SAPS), State Information Technology Agency (SITA) and the Department of Public Works and Infrastructure (DPWI) on matters that affect the departments. The OCJ will strengthen its procurement system in line with the Preferential Procurement Regulations, 2022 (PPR, 2022).

## 4. RELEVANT COURT RULINGS

There are no relevant court rulings that have impacted on the operations and service delivery obligations of the OCJ.



PART



# OUR STRATEGIC FOCUS



## 5. VISION, MISSION AND VALUES



### VISION

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



### MISSION

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



### VALUES

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

VALUES	DESCRIPTION
<b>Respect</b>	<ul style="list-style-type: none"> <li>We treat everyone with dignity, courtesy and understanding; and</li> <li>We ensure respect, protection, promotion, and fulfilment of the values of the Constitution.</li> </ul>
<b>Integrity</b>	<ul style="list-style-type: none"> <li>We value openness, honesty, consistency and fairness;</li> <li>We act in good faith in all day-to-day activities and display humility; and</li> <li>We have a commitment to ethics and focus on justice and fairness.</li> </ul>
<b>Transparency</b>	<ul style="list-style-type: none"> <li>We are open in our processes and communicate our actions and decisions clearly.</li> </ul>
<b>Professionalism</b>	<ul style="list-style-type: none"> <li>We demonstrate the highest levels of competence, efficiency, and ethical values in executing tasks.</li> </ul>
<b>Accountability</b>	<ul style="list-style-type: none"> <li>We ensure stringent standards of conduct and are answerable for our performance.</li> </ul>
<b>Excellence</b>	<ul style="list-style-type: none"> <li>We are results-oriented and cost-effective when doing our work;</li> <li>We understand customer's needs, respond timeously, efficiently, and effectively to customer's queries and request; and</li> <li>We strive for quality and high performance.</li> </ul>
<b>Innovation</b>	<ul style="list-style-type: none"> <li>We advance modern ways of providing services effectively through utilisation of various technological platforms.</li> </ul>

## 6. SITUATIONAL ANALYSIS

### 6.1. EXTERNAL ENVIRONMENT ANALYSIS

The Office of the Chief Justice supports the Judiciary in contributing to fostering the rule of law and in accelerating reforms to ensure that the Courts are administered efficiently. The Department, through the support it provides to the Judiciary, contributes to the NDP by strengthening judicial governance and the rule of law. In contributing to the focus areas as outlined in the Strategic Plan, the 2025/26 FY APP will focus on the following:

- Supporting the Chief Justice in ensuring judicial accountability;
- Broadening and improving access to justice and the services of the superior courts;
- Ensuring an efficient court system and providing judicial support;
- Providing judicial education and training to serving and aspiring Judicial Officers; and
- Enhancing effectiveness and efficiency in court administration through modernisation of the systems, processes and infrastructure.

#### 6.1.1. Political factors affecting the OCJ and access to justice

The 7<sup>th</sup> Democratic Government Administration has subsequently resulted in the establishment of a Government of National Unity (GNU). These developments demonstrated the maturity of the country's democracy, as no political party managed to attain an outright majority to form a government on its own. The GNU presents the possibility to build social cohesion because diverse South African voices are, to an extent, represented, and all different sectors of the population are represented in the GNU. However, the diversity of the GNU can also present shortcomings, as conflicting and contradictory policy positions can delay decision-making. Disagreements on policy decisions can also lead to court challenges and, in that way, compel the Judiciary to play the role of arbiter on matters of national importance.

These elections and the composition of the current administration have an impact on the three arms of the state. The above-mentioned arms of state are the Legislature, Executive and the Judiciary. They are interdependent, interconnected and interrelated bodies mandated by the Constitution of the Republic of South Africa to divide state power across their respective areas of functions. The Legislature develops and passes the laws and oversees the implementation thereof, whereas the Executive establishes policies, proposes laws and implements the laws passed by the Legislature. The Judiciary is responsible for interpreting the law and administering justice. The Constitution stipulates that the Judiciary must be independent and impartial in interpreting and applying the law. The Constitution further states that no person or organ of state may interfere with the functioning of the Courts. Section 165(6) of the Constitution designates the Chief Justice as the Head of the Judiciary to exercise responsibility over the establishment and monitoring of Norms and Standards for the exercise of judicial functions of all Courts. The Minister of Justice and Constitutional Development is the political authority responsible for managing courts. The GNU has introduced significant changes, including the merging and reconfiguration of Government departments, the appointment of executive authorities, and changes in the composition of portfolio committees, including Parliament's Justice and Constitutional Development Portfolio Committee and the Judicial Service Commission (JSC). The above-mentioned changes include the consolidation of government-wide national priorities as outlined in the 2024 – 2029 Medium-Term Development Plan. This framework, in its consolidated form, aligns with the manifestos of political parties in the GNU.

In his Opening of Parliament Address on 18 July 2024, President Ramaphosa indicated that "The MTDP will roll-out a well-defined vision and strategic plan that outlines clear goals and includes specific, measurable objectives and a roadmap for achieving them. These goals will be properly aligned with the budget, which will support the implementation of these objectives. In all this work the National Development Plan (NDP) Vision 2030 remains the defining blueprint for our country's growth and development". This presidential commitment demonstrates the linkage in priorities between the current and previous administrations, particularly on achieving the NDP as an overarching vision for the country. In addition to alignment with the NDP the crafting of the MTDP will draw inspiration from the United Nations' Sustainable Development Goals and the African Union's Agenda 2063.

This alignment indicates South Africa's responsiveness to regional and international development objectives and priorities.

### 6.1.2. The impact of the current status of the economy on access to justice

According to the World Bank, South Africa's economy remains crippled by multiple structural constraints, including electricity shortages, transport bottlenecks (ports and freight rail), and a high crime rate. It further projected South African real Gross Domestic Product (GDP) growth to average 1.3% over 2024-26, as energy sector reforms are expected to improve electricity supply gradually. This international institution recommended that broad-based reforms and faster implementation are urgently needed to accelerate the growth trajectory<sup>1</sup>. Subsequently, Statistics South Africa (StatsSA) reported that the real GDP measured by production, increased by 0.4% in the second quarter of 2024, following a 0.0% growth in the first quarter of 2024. The increase of resulted from the positive growth recorded by seven (7) industries, such as finance, trade, and manufacturing, amongst others<sup>2</sup>.

Meanwhile, the StatsSA reported that the annual consumer price inflation decreased to 4.4% in August 2024 from 4.6% in July 2024, this is within the South African Reserve Bank (SARB) target band of 3%–6%. The main contributors to the lower 4.4% annual inflation rate were the cooling of prices in housing and utilities, miscellaneous goods and services, food and non-alcoholic beverages and transport<sup>3</sup>. Having high inflation and a crippled economy has the potential to worsen inequality and poverty in an already unequal and poor society. In this regard, it negatively affects the poorer and the middle-income households more than wealthy ones. Furthermore, increased number of households could be pushed into poverty due to rising inflation. This can impact the poor's ability to access justice and also strain the justice system as citizens will have to make tough choices between meeting basic household needs and paying debts, which has the potential of increasing default judgment applications in Superior Courts. While the country is experiencing the longest period without load shedding since 2020, the risk of power supply interruptions remains significant. When power interruptions take place, access to justice is negatively affected as the operations of the Courts are disturbed. To mitigate against this, some courts have been capacitated with a backup power supply. The SARB indicates that the efforts to guarantee energy availability in the country are coming quicker than previously projected. This is a positive development for all sectors of the economy and signifies positive prospects for South Africa's economic growth.

### 6.1.3. The influence of social factors on the judicial system and court administration

The National Treasury (NT) on its 2024 Budget Review Economic Outlook asserted that South Africa has experienced over a decade of weak economic growth and GDP growth that has averaged only 0.8% annually since 2012, entrenching high levels of unemployment and poverty in the process.<sup>4</sup> When the NDP was adopted in September 2012, it was estimated that the economy would need to grow by about 5.4% on average every year to achieve this aim. South Africa continues to face a plethora of socio-economic problems, notably poverty, inequality, and unemployment.

According to Stats SA, the official unemployment rate increased by 0.6% to 33.5% in the second quarter of 2024 compared with the first quarter of 2024. Black African women continue to be the most vulnerable, with an unemployment rate of 39.9% in the second quarter of 2024. This is 4.1% higher than the national average for women at 35.8%. The unemployment rate among the Black African population group stands at 37.6%, which is higher than the national average and other population groups. The youth in South Africa continue to be disadvantaged in the labour market. Youth aged 15-24 years and 25-34 years continue to have the highest unemployment rates at 60.8% and 41.7%, respectively.<sup>5</sup> The country's high unemployment rate has the potential to prevent disadvantaged citizens from accessing equal and fair justice, given that the inability to access legal and justice services can be both a result and a cause of having little or no income at all.

<sup>1</sup> World Bank, Macro Poverty Outlook for South Africa - April 2024

<sup>2</sup> Statistics South Africa (StatsSA), 2024. Gross Domestic Product Second Quarter Report.

<sup>3</sup> Statistics South Africa (StatsSA), 2024. Consumer Price Index August 2024.

<sup>4</sup> National Treasury 2024 Budget Review, Chapter 2 Economic Outlook.

<sup>5</sup> Statistics South Africa (StatsSA), 2024. Quarterly Labour Force Survey Second Quarter 2024.



The population of South Africa increased from 51.7 million in 2011 to more than 62 million in 2022, a growth rate of 1.8% in the intercensal period. Females constituted 51.5% of the total population, while 48.5% were males. Gauteng and KwaZulu-Natal had the highest populations at 15 million and 12.4 million respectively, while the Northern Cape had the smallest population (1.3 million). Black Africans remain the dominant population group at 81.4%, followed by the Coloured population at 8.2%. The White population percentage declined to 7.3% in 2022 from 8.9% observed in 2011, while that for Indians/Asians increased slightly from 2.5% in 2011 to 2.7% in 2022. The rapid population growth has a socio-economic impact which has the potential to overburden the already overstretched Judicial system.

The 2024 Global Wealth Report, released in July by the Swiss bank UBS, highlighted areas where wealth inequalities have increased. South Africa scored 82 out of 100 on the inequality index, where 0 indicates total equality, and 100 indicates absolute inequality. This is a jump of 17.7% since 2008. With a Crime Index of 76.86%, South Africa has the third-highest crime rate in the world. South Africa has a notably high rate of assaults, rape, homicides, and other violent crimes. The high level of crime and violence has the potential to overburden the judicial system. This is exacerbated by the OCJ's limited administrative resources, which will put pressure on the overall administration of Justice.

Despite the current resource constraints, the Courts will continue to render services effectively and efficiently to the citizens affected by criminal activities. This means that the courts should have adequate human resources and plans in place to deal with any influx of cases. The United Nations Sustainable Development Goals (SDGs) are a universal call to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. Goal 5 of the SDG seeks to empower women and girls. This goal emphasises that gender equality is not only a fundamental human right but a necessary foundation for peace and a prosperous and sustainable world. In this regard, promoting gender equality remains a priority that every sector of society should prioritise.

The above-mentioned United Nations goal aims to ensure women's full participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. Despite the progress over the last decades, the UNSDGs emphasise the fact that the world is not on track to achieve gender equality by 2030. In addition, the NDP aims to eliminate poverty and reduce inequality by 2030. Moreover, the plan promotes increased educational and economic opportunities for the youth and women to eradicate poverty and reduce gender inequality. This measure corresponds with Chapter 12 of South Africa's NDP.

The constitutional imperative to transform the Judiciary continues to be a priority area. The Judicial Service Commission has reported that, as of the end of the 2022/23 Financial Year, the racial breakdown of the Judiciary indicated that from a total of 248 Judges, 48% (120) comprised Judges of African origin, 12% (30) Coloured, 9% (23) Indian and 30% (75) White. Furthermore, the gender breakdown of the Judiciary reflected that at the end of the same Financial Year, the Judiciary comprised 54% (135) males and 46 % (113) females.

Noteworthy, there has been a transformation in the following Divisions with female representation of 50% or more: Eastern Cape Local Division, Bhisho (50%), Eastern Cape Local Division, Mthatha (50%), Free State Division, Bloemfontein (53%), Gauteng Division, Pretoria (53%); KwaZulu-Natal Local Division, Durban (50%), Mpumalanga Local Division, Middelburg (100%), Northern Cape Division, Kimberley (50%), North West Division, Mahikeng (50%) and Labour Court (64%).

The appointment with effect from 1 September 2024 of Justice Mandisa Maya to the position of Chief Justice of the Republic of South Africa by President Ramaphosa also signified a significant milestone for the national transformation agenda. Chief Justice Maya is the first woman in South Africa to hold the position of Deputy President of the Supreme Court of Appeal (SCA), President of the SCA, Deputy Chief Justice of the Republic, and Chief Justice of the Republic. Despite the above transformation milestones, all role players agree that more still needs to be done to fulfil the constitutional imperative of the transformation of the Judiciary.

In his Parliament Opening Address on 18 July 2024, President Ramaphosa assured the nation that the 7th Administration of government will continue to implement the National Strategic Plan on Gender-Based Violence and Femicide<sup>6</sup>. In this regard, the fight against Gender-Based Violence and Femicide (GBVF) crimes remains a priority of government. Progressively, the SAPS reported in its first quarter report of the 2024/25 Financial Year that sexual offences generally declined by 0.4%, signifying a decrease from 11 616 in the first quarter of 2023 to 11 566 offences. However, rapes rose by 0.6%, signifying an increase from 9 252 in the first quarter of 2023 to 9 309 offences, with most of them reported in Gauteng, KwaZulu-Natal, the Eastern Cape, and Western Cape<sup>7</sup>. The Judiciary has expedited cases related to GBVF in support of the work done by the police and prosecutors.

The social factors mentioned above clearly demonstrate that the Courts need to function efficiently to adjudicate matters. They also demonstrate that the Courts must be accessible. Citizens often have to travel long distances to access justice, especially to the Specialised Courts which are not available in every Province. Notwithstanding the limited availability of Pro Bono lawyers at the Courts, the majority of the population is unable to afford legal costs.

#### 6.1.4. Technology and its role in improving access to justice

The rapid development of new technologies continues to necessitate the OCJ to perpetually evolve and adapt towards technology that has proven to eliminate inefficiencies. Similarly, the 2019/2020 COVID-19 pandemic further demonstrated that advanced technology is necessary to administer justice speedily. As a result, technology has evolved and advanced over the years to meet current global development trends. Governments worldwide began to integrate and use technology in developing effective and efficient processes. Through advanced technology, the State can attain enhanced service delivery, which has a transformative role in providing access to justice. By leveraging technology, the legal system can become more efficient, transparent and accessible to a broader range of individuals and communities through the integration of innovations such as the virtual court. In his Inaugural Presidential Science, Technology and Innovation Plenary address, President Ramaphosa stated that "Science, technology and innovation are essential for economies to thrive and for societies to prosper. In the new world of work, in the era of the Fourth Industrial Revolution (4IR), science, technology and innovation determine which countries move forward and which are left behind". In this regard, the 2023 Global Innovation Index affirms South Africa's progress in science, technology and innovation, ranking 59th amongst 132 economies. In ensuring that the OCJ moves forward and is not left behind by the evolution of technology, the OCJ identified ICT as a strategic business partner that implements appropriate and relevant solutions to its business needs.

By acknowledging ICT as a strategic business partner to drive the OCJ strategy, it inherently contributes to ensuring access to justice. This is a fundamental pillar for building a just, free and fair society in which the rule of law is upheld and democratic principles are adhered to. The Public Protector's report titled **"2023 Annual Conference of the African Bar Association"** identified weak legal infrastructure, geographical barriers, lack of awareness among others as one of the issues that hinder access to justice. This relates to, but not limited to; inadequate court facilities, outdated legal frameworks, insufficient resources allocated to the justice system, rural communities and lack of information dissemination. These weaknesses can result in delays, inefficiencies and limited access to justice. Thus, technology has been integrated into court processes, such as the Court Online that has been rolled out in the seven (7) Superior Courts. In this regard, reduced delays in justice and improved court efficiency will be realised. The Court Online system enables access to justice through remote access to court proceedings and services, access to online legal information and improving court processes. Furthermore, the system provides digital platforms for disseminating legal information, thus enabling people access to online legal resources, providing free legal information and self-help tools for individuals to understand their rights and navigate legal processes.

With the continuation of rolling out the Court Online system to other service centres, it will significantly accelerate court procedures and processes, which will simplify and enhance recordkeeping, case tracking, and reporting, thereby reducing time spent on workflows. The system facilitates the exchange of information between various justice agencies in the country and across borders in real-time and generates data that allows policymakers

<sup>6</sup> President Cyril Ramaphosa, 2024. Opening of Parliament Address (OPA)

<sup>7</sup> South African Police Service: Quarter 1, 2024/25 Crime Statistics

to monitor and enhance the speed of procedures. Additionally, this system integrates ways of improving court processes. Automated procedures will also reduce possible human errors in manual recordkeeping and require time to be rectified.

The Court Online system takes advantage of the digital transformation initiatives that seek to reduce the need for physical infrastructure ownership and leverage existing technology platforms that include cloud computing and electronic document management to address the current storage space and record-keeping challenges in courts. However, energy supply challenges risk accessibility to the Court Online system and efficient court operations. The OCJ will continue to ensure the accessibility of ICT systems in the Courts through the provision of alternative energy sources to minimise the impact of disruptions in the energy supply.

Over and above the Court Online system, the OCJ aims to continue using the internet and social media platforms to improve awareness about the work of the Courts and the OCJ. Undoubtedly, technology through access to the internet and usage of social media has become an essential mode of connecting institutions with the public more directly and speedily. Social media provides a platform for disseminating information and content at an unprecedented speed and provides audiences with access to information like never before. According to the Digital 2024 South Africa report, as of January 2024, there were 78.7% (45.34 million) active internet users in South Africa; of that total population, 42.8% (26 million) internet users in the country use social media. Furthermore, active social media users aged between 16 – 64 spend an average of four hours per day on social media platforms. Facebook remains the most used social media platform, at 78%, followed by LinkedIn (72%), Instagram (56%), X (Twitter) (51%), YouTube (51%), WhatsApp (49%) and TikTok (33%).

The OCJ continues to use the above-mentioned social media platforms to share content and engage with the public. A total of 24 705 followers were gained during the 2023/24 Financial Year across all social media platforms, increasing the total number of followers on all platforms to 139 035 followers. Consequently, X emerged as the platform that attracted the most significant number of new followers amassing 12 922 followers, whilst LinkedIn also showed good growth in reach with 6 144 followers gained. This highlights the OCJ's effective content and engagement strategies across all platforms. In line with the above statistics, the OCJ will continue to leverage every opportunity presented to ensure that through technology, there is transparency and accessibility to its organisational activities and the Judiciary. Building relationships with both court users, members of the public continue to be bolstered by social media platforms which allow for a more accessible way to engage with the Judiciary and OCJ.

The development and integration of technology fosters a broadening cyber-attack surface for criminals. As the integration of technology escalates, so does cybercrime. According to Interpol African Cyberthreat Assessment Report 2024, cybercrime is surging across Africa. It is one of the fastest emerging threats across the continent, resulting in increased risk and vulnerability of service delivery. Cyberattacks such as phishing attempts and malware ransomware can potentially corrupt the ICT system. One of the threats to the OCJ is the high prevalence of virus attacks and phishing emails, which may cause system breakdown and data loss, which can be perpetuated by a lack of basic cyber security practices within the organisation. In addressing the risks of cyber-attacks, the OCJ continues to implement the Threat and Vulnerability Management Programme (TVMP) with related cyber security technologies and the ICT Security Policy.

All modernisation or business process automation needs to be focused on the OCJ's digital transformation agenda. This will enable seamless integration of processes and systems and the use of Artificial Intelligence (AI) in future business endeavours.

#### 6.1.5. Environmental factors affecting the OCJ service delivery

South Africa currently faces numerous environmental issues, which include climate change, air pollution, biodiversity loss, deforestation, desertification and waste. These environmental challenges represent a threat to people's health, livelihood and significantly the provision of service delivery.



The rise of the earth's temperature causes various environmental issues. One of the effects of global warming is an increased rate of extreme weather events, such as drought, flooding and storms. The floods of the Durban area in April and May 2022 were described as "one of the worst weather storms in the history of our country". Hundreds of people in and around Durban were forced to flee their homes as flooding turned parts of the city into "inaccessible islands". Yet again in December 2023 and June 2024 some parts of the Bloemfontein, Gqeberha and the Western Cape experienced similar devastation of flooding. This is evidence of the extreme weather change experiences, mostly in coastal areas. Climate change makes this kind of extreme weather events more common. "Once in a lifetime" events become of regular occurrences which necessitates the need for government to adapt and proactively remain prepared for such occurrences. Consequently, the public infrastructure and courts become vulnerable and susceptible to extreme damage, that can hinder accessibility to the courts.

Global warming increases the frequency of drought and South Africa has an average annual rainfall of around 464 millimetres, making it a relatively dry country. As a result, should it get even drier, this could cause water stress. With water-shedding slowly emerging and predominantly affecting the City of Johannesburg and some parts of the Western Cape, there is a potential to delay equal access to justice due to closure of courts which will negatively impact service delivery. Additionally, this will require the OCJ to provide alternative water supply sources, which will affect the already constrained budget.

The OCJ is modernising its processes and operations to move away from the dependency and overreliance on print material such as files and other hardcopy documents. This transition also intends to foster adaptation to advanced and environmentally friendly technologies and to be responsive to the demands of the 4IR. Evidence for matters dealt with in courts is mostly contained primarily in physical files archived and kept in various sections of the courts. The practice of keeping large volumes of physical documents, which are considered harmful to the environment and susceptible to damage and loss, dominate in the work performed in the courts. In this regard, the modernisation of court processes adheres to conserving the environment.

#### 6.1.6. Legal factors impacting the judicial system and the administration of Superior Courts

Section 165 of the Constitution provides that the judicial authority of the Republic is vested in the Courts, which are independent and subject only to the Constitution and the law. No person or organ of State may interfere with the functioning of the courts, and an order or decision issued by a Court binds all persons to whom and organs of State to which it applies. While Judicial independence is provided for in the Constitution, institutional arrangements for such independence are underway. Extensive consultation during the processes to amend and enact laws and legislation that affect the Judiciary and OCJ is critical to enabling the effectiveness of the courts.

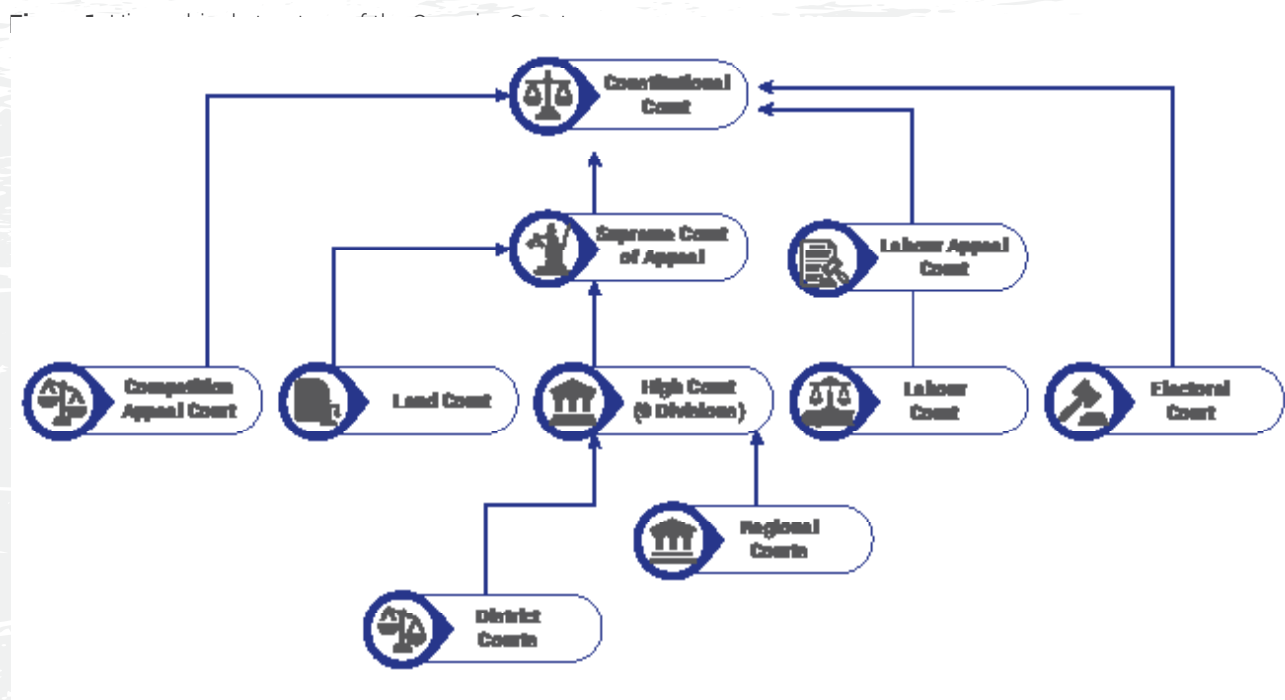
Incoherently developed laws are a challenge in our constitutional democracy. Newly and amended Acts or legislation require interpretation, an impact assessment, training, development of directives to accommodate the new or changing legislation, stakeholder engagement and drafting. These amendments contribute to the court backlog cases, which increases the pressure on courts' staff who should ensure that access to justice is upheld.

Legislation amended to provide additional mandates without corresponding judicial structural arrangements to accommodate such additional mandates contributes to delays in finalising cases. Court backlogs and socio-economic challenges lead to delays and postponements, while poor people cannot afford to access the courts. Some historical rules of court and legislation need to be amended in line with the current realities to alleviate unnecessary pressure on the court.

The continuous development of the legal framework requires the enhancement of education and training in the Judiciary. The SAJEI plays a critical role through training programmes offered to serving and aspiring Judicial Officers. Judicial Officers require regular training on continuous legal developments to administer justice effectively. As part of the implementation of the SAJEI Act 14 of 2008 Section 2(b), the SAJEI effectively conducted one hundred and twenty-four (122) judicial education courses during the 2023/24 FY, and they were attended by 3 303 Judicial Officers.

## 6.2. INTERNAL ENVIRONMENT ANALYSIS

The mandate of the OCJ is to support the Judiciary and Superior Courts to ensure the effective and efficient delivery of justice and to improve access to quality justice for all. The Chief Justice is the Head of the Judiciary and exercises responsibility for the establishment and monitoring of Norms and Standards for exercising the judicial functions of all Courts, supported by the OCJ. Below is the hierarchal structure of the Superior Courts of the Republic of South Africa as provided in the Superior Courts Act, 2013 (Act No 10 of 2013).



### 6.2.1. Capacity of the OCJ

A skilled and capable workforce remains key for the capacitation of the OCJ. To efficiently and effectively deliver its mandate, the OCJ will strive to fill critical vacant posts during the 2025/26 FY. The Department's human resourcing initiatives will continue prioritising the Courts to ensure they are sufficiently capacitated to deliver their services efficiently. The OCJ staff turnover rate increased from 14% in the 2022/23 FY to 16.5% as at the end of the 2023/24 FY. This regression is a result of several reasons beyond the control of the OCJ. Amongst other reasons for the increase in staff turnover are the low OSD salary scales, impacting mainly the Chief Registrars and Registrars posts. Due to the fact that the OCJ is unable to provide these Registrars with their expected OSD scales, some of them opt for alternative employment in organisations where market-related salary scales commensurate with their work experience, qualifications and skills are offered.

To address staff turnover challenges, the OCJ has implemented contingency plans to ensure continued operations and improved service delivery. The Human Resource Retention Strategy, which was approved during the 2023/24 FY, is among other mechanisms to address this challenge. It is envisaged that this Strategy will assist in retaining the key skills necessary to enhance the functioning of the Courts. In addition to the Retention Strategy, the Department will prioritise Succession Planning and Management Guidelines, which will assist in preparing officials for higher positions. Additionally, the OCJ will continue with employee engagement initiatives to identify improvement areas in the work environment.

The Department recorded an increased vacancy rate of 10.9% during 2023/24 FY (from 9.8% in 2022/2023 FY), above the set target of 10% or lower. The increased vacancy rate is attributed to the implementation of Circular No. 49 of 2023 issued by the Department of Public Service and Administration (DPSA) on the 17th of October 2023, which pertains to the Directive on the implementation of control measures aimed at assisting executive authorities in managing fiscal sustainability during the process of creating and filling vacant posts in departments.

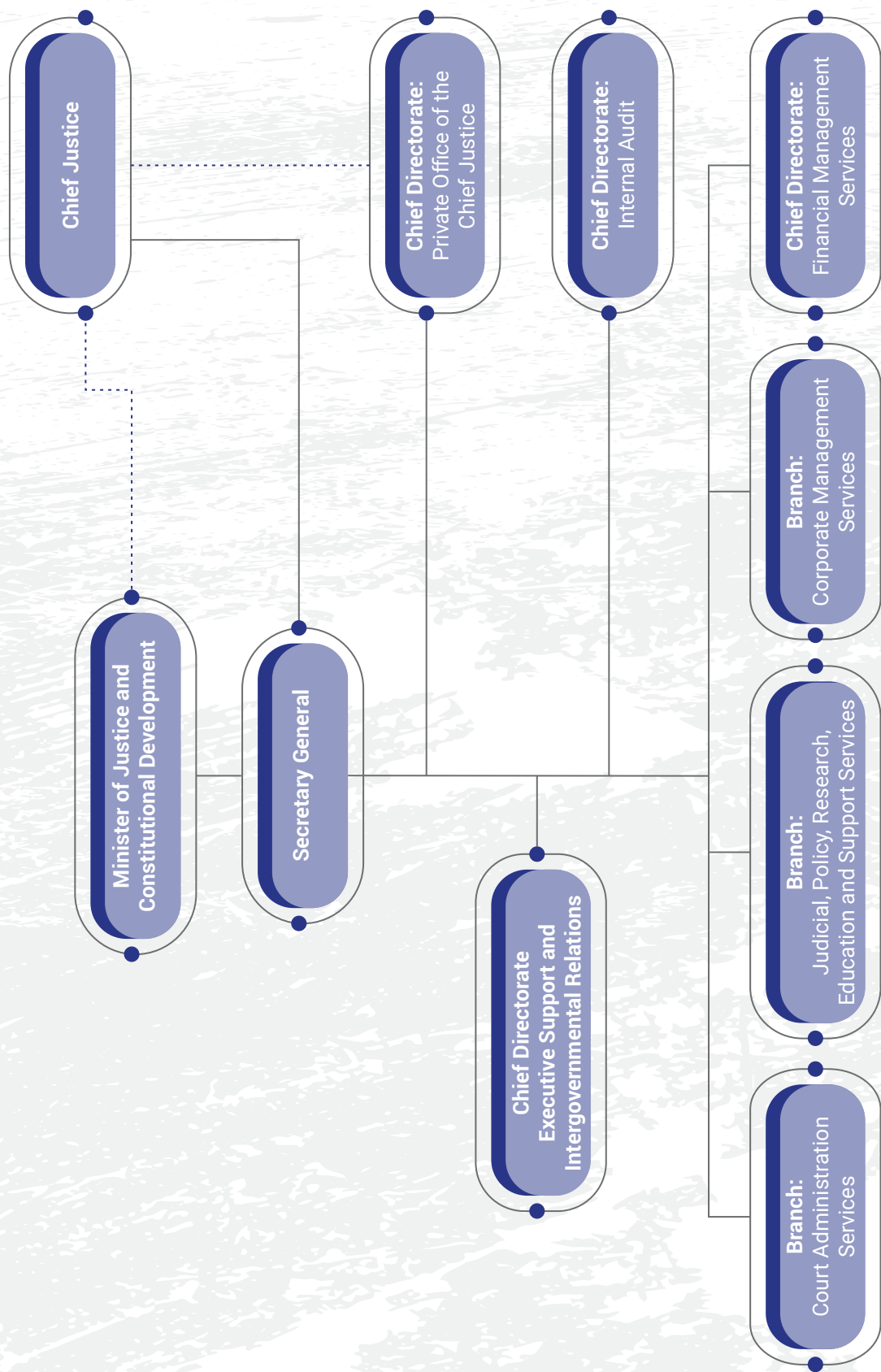


Figure 2: Macro-Organisational Structure of the Organisation



### 6.2.2. Curbing opportunities for fraud and corruption

In line with the organisation's zero tolerance to fraud and corruption approach, the OCJ will implement the Department's Fraud Prevention and Anti-Corruption Policy and Strategy during 2025/26 FY. The Strategy is four-dimensional (in line with the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) and National Anti-Corruption Strategy, focusing on preventing, detecting, investigating, and resolving fraud incidents while deterring future occurrences. To promote a culture of professional ethics and good governance, the OCJ will implement the Whistle-blowing Policy, which outlines detailed fraud reporting procedures. This policy creates a mechanism for reporting anonymously within the Department and through the National Anti-Corruption Hotline. The Public Service Regulations, 2016 stipulates that employees who wish to perform remunerative work outside the Public Service must obtain approval from their respective Executive Authority and/or Delegated Authority to prevent conflict of interest. The application of the PSR in managing potential conflicts of interest continues to be an important factor in promoting an ethical culture within the OCJ. Furthermore, the OCJ will accelerate vetting employees serving in critical functions, such as Bid Committee Members, SCM officials, and the staff directly supporting the Judiciary. The OCJ is also ensuring that all delegated employees complete the e-Disclosures as per the DPSA prescripts.

### 6.2.2. Employee Health and Wellness Programmes

In its continued efforts to prioritise the health and wellness of officials to boost productivity levels and ensure optimal delivery of services, the OCJ has contracted Universal Healthcare to provide wellness services to OCJ officials. The OCJ's EHW programmes will be implemented in line with the following four Pillars of the DPSA's EHW Strategic Framework for the Public Service:

- 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.

### 6.2.3. Information and Communication Technology (ICT) as a Strategic Business Partner

The rapid development of technology continues to play a pivotal role in, amongst others, attaining an efficient and effective court system and improving service delivery. As a result, the OCJ has identified and acknowledged Information and Communication Technology (ICT) as a strategic business partner in its internal functions and delivering services effectively and efficiently. Through the continued support from the Executive Authority and the Judiciary regarding the implementation of ICT Strategies and court modernisation, the OCJ continues to leverage, integrate, prioritise and fund court modernisation and administrative initiatives.

Implementing the Court Online system remains the OCJ's priority, which aims to provide a platform for the public, law firms and litigants to electronically file court-related documents to our Courts from anywhere in the world. Its sole purpose is to attain modernised, effective and efficient court processes, access to justice, efficient record keeping, minimised physical movement of people to the courts, and limited paper-based processes. Although the initial target was to roll out the Court Online system to all 23 Superior Courts by the end of the 2020/21-2024/25 period, the OCJ managed to roll out the system in eight (8) Superior Courts. As with any complex system of this nature, some technical drawbacks were experienced during the piloting phase. However, these have been adequately addressed, and the system has now improved drastically and is ready for further roll-out to all Superior Courts in the 2025/26 – 2029/30 period. The use and enhancement of ICT in Superior Courts contributes to improving the efficiency of court processes, and the roll-out of Court Online will continue to provide such solutions to all Superior Courts. OCJ aims to provide strong and resilient ICT infrastructure (Software Defined WAN, full access to WIFI in OCJ sites and increased mobility) to enable efficient operations and work out of office/hybrid. As part of the OCJ digital strategy, the unit will continue to implement initiatives such as Network Infrastructure Refresh, increase the Wi-Fi coverage in all sites, and migration of selected services to the cloud.

Prioritising cyber-security has become a strategic imperative to mitigate risks and ensure the resilience of the digital infrastructure and data. OCJ will continue to build a resilient cyber environment. Through the OCJ cyber security framework and policy, initiatives are identified for implementation during the Medium Term: Multi-Factor Authentication to Access systems, conducting regular vulnerability assessments and penetration testing, comprehensive cybersecurity training, and implementing a robust incident response plan.

ICT services are entirely dependent on the provision of power continuity. There is a need for sufficient power supply and continuity at the Courts. To date, there is Uninterrupted Power Supply (UPS) installed only in server rooms at the courts. The Department is continuously rolling out alternative power supplies and UPS with sufficient capacity to enable full-service continuity during power shutdown or load shedding.

Furthermore, the OCJ will provide the Judiciary with knowledge and information management services through the establishment, implementation, and maintenance of an electronic Library System and Law Reporting System. The budget cuts implemented by the NT pose a considerable threat to the Department's operations. The envisaged ICT services and court modernisation endeavours require immense funding, and as a result, some of the projects were delayed due to budget cuts. Alongside the budget cuts, the moratorium placed against the filling of posts places a huge risk on ICT cybersecurity services and implications for cyber-related initiatives. While systems are in place to identify and mitigate threats, it is still critical that the human component monitors the alerts to act accordingly and timeously.

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#### **6.2.6. Business Continuity Management**

The OCJ follows the ISO (International Organisation of Standardization) 22301:2019, Business Continuity Institute, Good Practice Guidelines and the National Treasury Service Continuity Guidelines to establish and implement a Business Continuity Management System (BCMS), which informs the OCJ Business Continuity Management Policy. The BCMS is designed to ensure that the Department is continuously customer-oriented and promotes excellence in the delivery of services. As of the end of the 2024/25 FY, the overall implementation of the Business Continuity Management System Project is at 95%, with the Business Continuity Plan compilation being at 90%.

Following the approval of the OCJ Consolidated BIA Report, BCM Policy, Crisis Communications Plan, Disaster Recovery Strategy, and Disaster Recovery Plan, the OCJ will be able to implement the BCM effectively during the 2025/26 FY. The BCMS is designed to ensure that the Department is continuously customer-oriented and promotes excellence in the delivery of services. This excellent delivery of services is meant to be a reality even in the event of possible disruptions, including disaster situations. The BCMS is implemented through its Committees, which will continue to ensure that the Department is customer-oriented and accelerates the implementation of its policies and systems. The OCJ BCMS will continue to be implemented in the 2025/26 FY through four BCM pillars, namely, People Management, Facilities Management, Systems Recovery and Business Recovery.

Through this process, the Department is continuing to procure power and water backup through the partners in the shared service for those courts that did not have them as part of their construction project specifications. To further ensure business continuity and uninterrupted service delivery to the citizens, all new court construction projects have these backups as part of the project specification.



### 6.2.7. Financial Resources

The OCJ strengthened its internal controls and improved processes to prevent and eradicate irregularities in its systems. By practising sound financial management, procurement, accounting, and provisioning, the Department obtained a Clean Audit outcome for the 2023/24 FY. Considering its mandate and financial constraints, the OCJ will continue to prioritise resources during the 2025/26 FY to ensure that services are effectively and efficiently rendered, thus broadening and improving access to justice.

### 6.2.8. The status of the institution regarding compliance with the Preferential Procurement Policy Framework Act

The OCJ continues to commit towards supporting the government initiative towards empowering those historically disadvantaged by unfair discrimination based on race, gender and disability. In the 2023/24 FY, the OCJ awarded 100% of bids to suppliers who met the specific goals in line with the Preferential Procurement Regulations (PPR) of 2022. The OCJ, through its Supply Chain Management policies and processes, continues to comply with the Preferential Procurement Policy Framework Act (PPPFA). In pursuit of maintaining the highest standards of governance, the OCJ will continue to implement the PPPFA and its regulations by procuring goods and services. In this regard, the OCJ continues to target 40% women, 30% youth and 7% people with disabilities in its procurement practices, through preferential procurement and specific goals of PPR, 2022. OCJ intends to procure all its goods or services above R500 000 from suppliers who meet the specific goals. However, ICT goods or services above R500 000 must be procured through SITA in adherence with the SITA Amendment Act 38 of 2002.

### 6.2.9. The status of the institution regarding women, youth and people with disabilities

In responding to the gender equality and transformation of ensuring that women are placed in the decision-making positions, the OCJ prioritised their employment at SMS level. In this regard, the OCJ achieved 53% (23 of 43) women representation at SMS level during the 2023/24 FY, a 2% increase from the previous Financial Year. During the 2025/26 FY, the OCJ will continue implementing the mentorship programme to empower female employees at middle management to promote upward mobility. Furthermore, the OCJ will enhance the initiatives to attract and retain women at SMS level.

The OCJ will continue to support the National Youth Policy 2020 – 2030 and youth employment initiatives through targeted recruitment and selection processes to achieve the required youth representation in the organisation. As of the end of 2023/24 FY, there were 588 youth employees (aged 21–35) in the OCJ's establishment, translating to 28.6% against a national target of 30%. The OCJ will continue to align itself with the Presidential Youth Employment Intervention (PYEI)<sup>8</sup> through its ongoing Internship Programme.

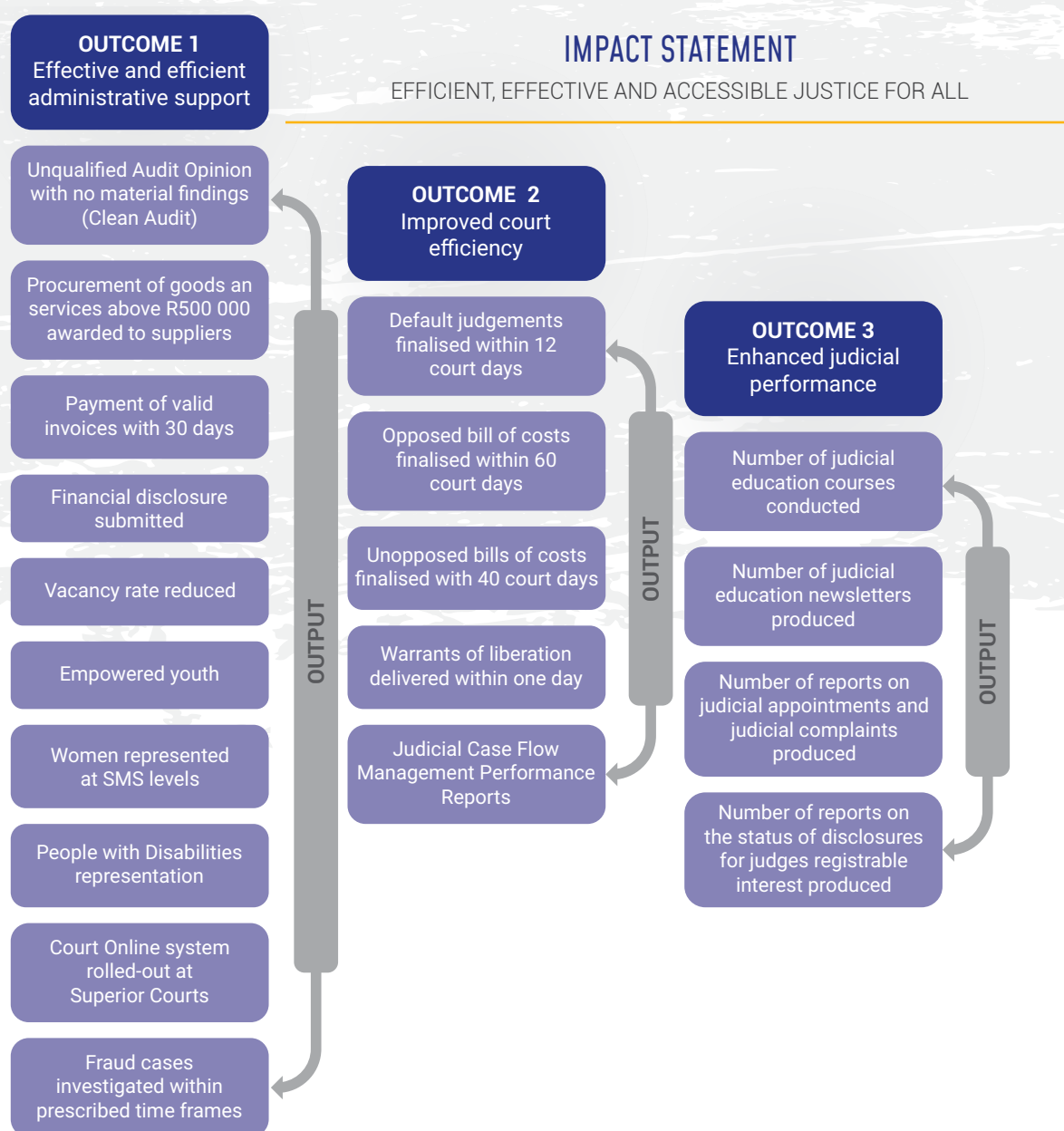
During the 2025/26 FY, the OCJ will strive to adhere to the prescribed national target for the employment of People with Disabilities (PWD). As of the end of March of the 2023/24 FY, the OCJ had 43 officials who fall under the category of PWD. This represented an increase of 0.5% from the previous financial year and an achievement of the prescribed 2% national target. The targeted strategies (targeted advertising and collaboration with NGOs) put in place by the OCJ will increase the representation of PWD in the Department.

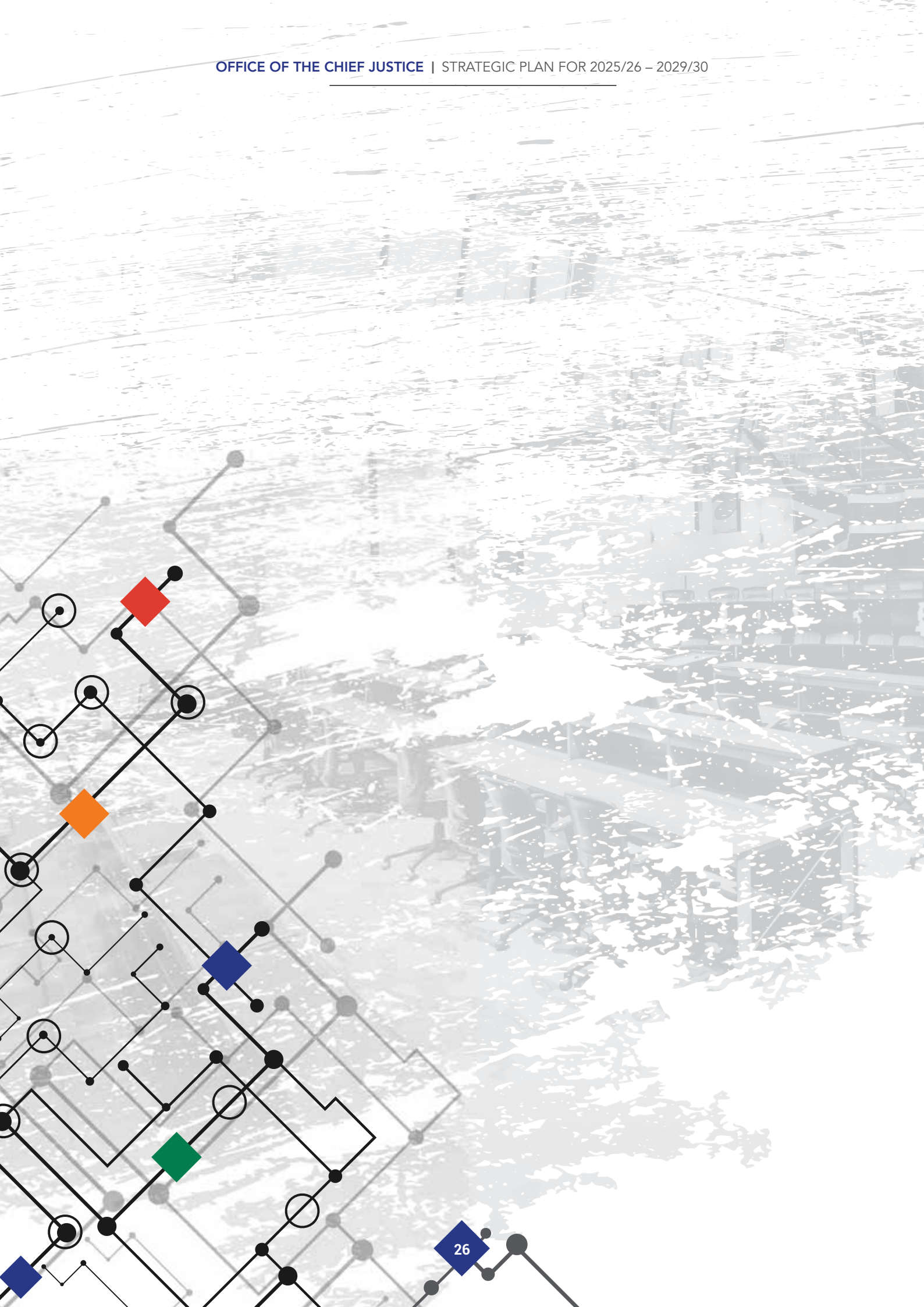
<sup>8</sup> PYEI is South Africa's most comprehensive effort yet to address the unemployment crisis.

## 7. THEORY OF CHANGE

The Theory of Change denotes the pathway to achieving the Department's intended impact: "Efficient, effective and accessible justice for all". This impact will be realised through the following outcomes: effective and efficient administrative support, improved court efficiency, and enhanced judicial performance. To attain the outcomes as mentioned above, the Department has identified outputs which will contribute to the intended results. To achieve effective and efficient administrative support, the OCJ will, amongst others, reduce the vacancy rate and roll out the Court Online system at Service Centres through Programme 1: Administration.

Furthermore, the OCJ aims to finalise quasi-judicial matters within prescribed timeframes; monitor the enhancement of court order integrity and the implementation of Judicial Case Flow Management to improve court efficiency through its core function under Programme 2: Superior Court Services. To enhance judicial performance, the OCJ intends to conduct Judicial education courses through Programme 3: Judicial Education and Support. Figure 3 depicts the Theory of Change, which illustrates the results-based chain.









PART

**MEASURING OUR PERFORMANCE**

## 8. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

### 8.1 MEASURING THE IMPACT

#### Impact statement

Efficient, effective and accessible justice for all

### 8.2 MEASURING OUTCOMES

#### 8.2.1. Outcome 1: Effective and efficient administrative support

**Table 2:** Outcomes, outcome indicators and 5-year targets

MTDP Priority 3: Build a capable, ethical and developmental state			
Outcomes	Outcome Indicators	Baseline	Five-year targets
Effective and efficient administrative support	Reduced vacancy rate	12.79%	10% or lower
	Modernised Superior Courts	Court Online System rolled out at 8 Superior Courts	Court Online System rolled out at 15 Superior Courts

##### 8.2.1.1. Explanation of planned performance over the five-year planning period

**a) The contribution of outcomes towards the achievement of the NDP, MTDP, the mandate of the OCJ and priorities of women, children and people with disabilities;**

The main aim of the outcome “**effective and efficient administrative support**” is to ensure that the Department has proper governance structures and systems that support the overall management of the Department, as well as the delivery of core services provided by the OCJ. The outcome is linked and contributes to Chapter 13 of the National Development Plan “Building a capable State” and Priority 3 of the MTDP which is “Build a Capable, Ethical and Developmental State”.

**b) The rationale for the choice of the outcome indicator relevant to the respective outcome**

The outcome “effective and efficient administrative support” is measured by a capacitated work force of the OCJ.

The choice of these indicators is based on the fact that effective and efficient administrative support would be possible if the OCJ is well capacitated with skilled personnel. A fully capacitated work force at various functional areas within the OCJ will contribute towards the achievement of the Department's mandate.

The roll-out of the Court Online system will contribute to improved court efficiency. Court modernisation focuses on enhancing access to justice and the services of the Superior Courts.

**c) Explanation of enablers to achieve the five-year targets.**

Despite ongoing challenges relating to inadequate human and financial resources, the Department has put in place adequate systems of effective internal controls to provide reasonable assurance necessary to contribute to the achievement of the five-year target. Amongst others, these controls include effective management practices, business processes, monitoring and evaluation, standard operating procedures, policies and governance structures to support the organisational strategy. Effective administrative support is dependent on the Department having sufficient resources (financial, human, systems and infrastructural resources) and relevant skills. The continuous decrease in the budget of the Department has the potential to negatively impact the achievement of the set targets.

**d) Explanation of the outcomes' contribution to the achievement of the impact.**

Efficient, effective and accessible justice for all, which is the impact the OCJ aims to achieve through implementing its mandate, can only be realised if the Department has proper systems in place including the efficient and accountable management of its resources. For the courts to deliver on their mandate and ensure that there is improved quality and accessible justice for all, effective and efficient administrative support is crucial. Furthermore, the success of every institution is dependent on the efficiency of its administrative processes. Effective administrative processes and systems are effective building blocks towards improved governance, performance, and service delivery.

**8.2.2. Outcome 2: Improved court efficiency****Table 3:** Outcomes, outcome indicators and 5-year target

MTDP Priority 3: Build a capable, ethical and developmental state			
Outcomes	Outcome Indicators	Baseline	Five-year targets
Improved court efficiency	Percentage on finalisation of quasi-judicial matters within prescribed timeframes	New Indicator	94%

**8.2.2.1. Explanation of planned performance over the five-year planning period****a) The contribution of outcomes towards the achievement of the NDP, MTDP, the mandate of the OCJ and priorities of women, children and people with disabilities;**

The main aim of the outcome "improved court efficiency" is to ensure that Superior Courts deliver their services in an efficient manner. This includes the support which the OCJ provides to judicial functions and court administration related functions, mostly focusing on the quasi-judicial functions. This outcome contributes to Chapter 14 of the NDP "promoting accountability and fighting corruption" and Priority 3 of the MTDP, which focuses on "Build a capable, ethical and developmental state".

**b) The rationale for the choice of the outcome indicator relevant to the respective outcome**

The outcome is measured by the finalisation of quasi-judicial matters within prescribed timeframes. Finalisation of these matters within the prescribed timeframes ensures that court users receive the services in the most efficient manner, which also contributes to improved public trust / confidence in the overall court system.

**c) Explanation of enablers to achieve the five-year targets.**

An efficient court system, measured through the finalisation of quasi-judicial matters within prescribed timeframes is dependent on the reduction of court administration inefficiencies resulting from inefficient processes, limited resources and increased workload which is not commensurate with the available resources. Further, to some extent there are dependencies on other stakeholders and court users on some of the court processes. In order to achieve the five-year target for this outcome indicator, it is crucial that proper stakeholder relations are maintained and the courts are sufficiently capacitated to enable them to deal with the increasing workload. Capacitation refers to ensuring that the courts have skilled human resources, proper and efficient IT infrastructure and services, proper physical infrastructure, and efficient processes.

**d) Explanation of the outcomes' contribution to the achievement of the impact.**

Efficient, effective and accessible justice for all would be realised if the court system is efficient, and responsive to the needs and the expectation of court users. An efficient court system reduces the level of unmet needs of court users as access to justice must be citizen-focused.



### 8.2.3. Outcome 3: Enhanced judicial performance

**Table 4:** Outcomes, outcome indicators and 5-year targets

MTDP Priority 3: Build a capable, ethical and developmental state			
Outcomes	Outcome Indicators	Baseline	Five-year targets
Enhanced judicial performance	Increased judicial education courses	626	675

#### 8.2.3.1. Explanation of planned performance over the five-year planning period

**a) The contribution of outcomes towards the achievement of the NDP, MTDP, the mandate of the OCJ and priorities of women, children and people with disabilities;**

The main aim of the outcome “enhanced judicial performance” is to ensure that the OCJ provides administrative and technical support that enables the Judiciary to deliver on its Constitutional mandate. This support includes judicial training, administrative and secretariat support to the Judicial Service Commission, administration of Judges’ Registrable Interests and administration of Judges’ conditions of service. The outcome contributes to Chapter 14 of the NDP “promoting accountability and fighting corruption” and Priority 3 of the MTDP, which focuses on “Build a capable, ethical and developmental state”.

**b) The rationale for the choice of the outcome indicator relevant to the respective outcome**

Judicial education and training is aimed at improving the skills and knowledge of serving and aspirant Judicial Officers through judicial education as informed by the SAJEI Act. One of the functions of SAJEI as stipulated in the Act is “to promote, through education and training, the quality and efficiency of services provided in the administration of justice in the Republic”.

**c) Explanation of enablers to achieve the five-year targets.**

The achievement of the five-year target for the indicator “number of judicial education courses conducted” is dependent on the availability of budget, Judicial Educators and Judicial Officers. There are interdependencies that have an impact on the achievement of planned targets, such as ad-hoc requests informed by operational needs at the courts as identified by Judicial leadership, legislative and/or policy changes. There is a need for SAJEI to leverage on ICT platforms in order to ramp up the provision of training in order to achieve the set target.

**d) Explanation of the outcome's contribution to the achievement of the impact.**

Efficient, effective and accessible justice for all is not possible if the Judiciary is not well resourced, there is no means to train Judicial Officers and there is no accountability and ethics in the Judiciary. This outcome ensures that effective and efficient support is provided to the Judiciary in ensuring that the Judiciary is able to ensure efficient, effective and accessible justice for all.

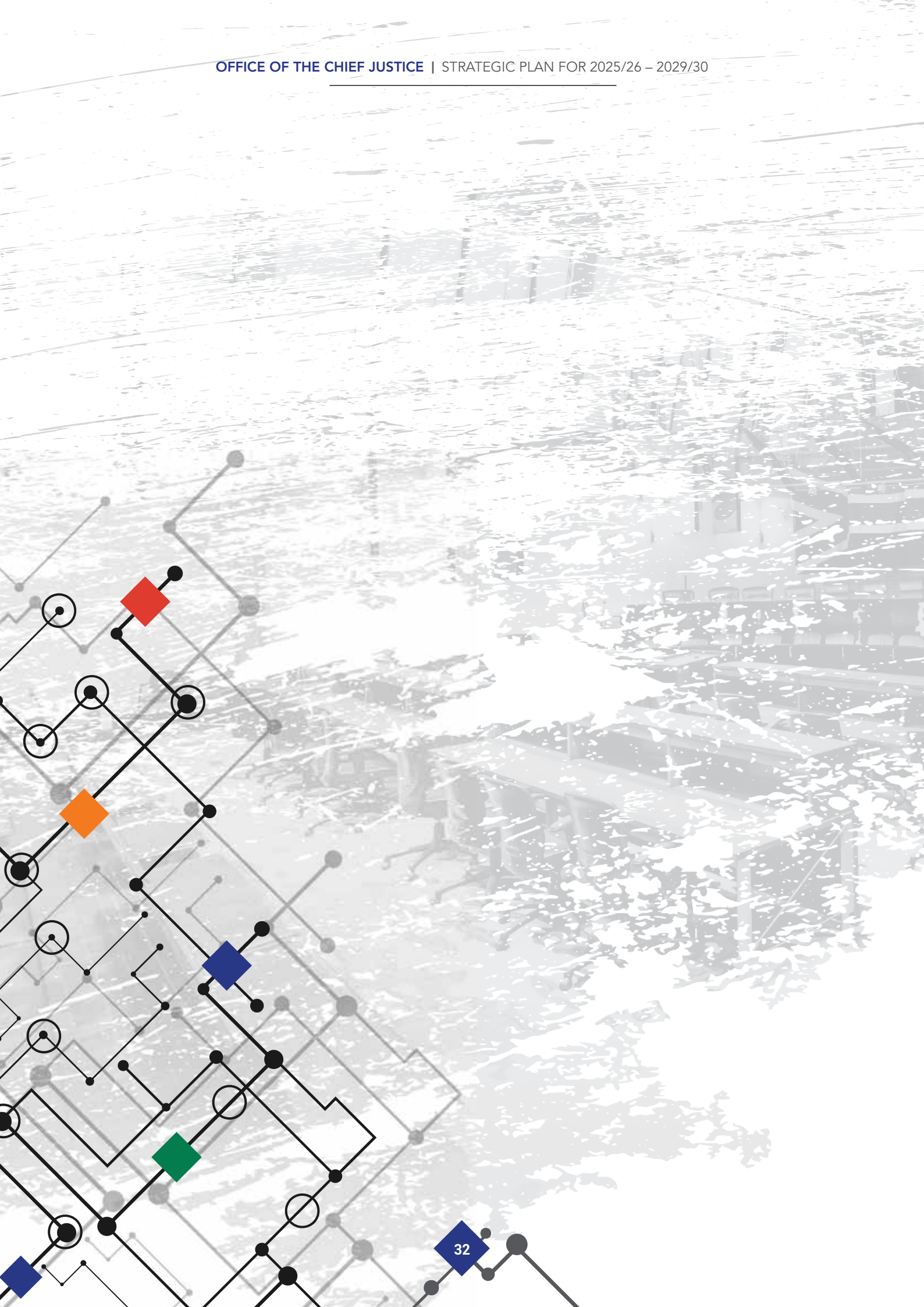
## 9 KEY RISKS

**Table 5:** Key risks per outcome

Outcome	Key Risks	Risk Mitigations
<b>Effective and efficient administration support</b>	1. Ineffective governance structures	<ul style="list-style-type: none"> <li>Strengthen the functioning of the governance committees</li> <li>Independent audits of the governance structure</li> </ul>
	2. Failure to retain competent staff	<ul style="list-style-type: none"> <li>Implementation and monitoring of the retention strategy</li> </ul>
	3. Non-compliance with applicable legislations (including the courts)	<ul style="list-style-type: none"> <li>Dedicate resources for Compliance Management</li> <li>Strengthen the governance structures</li> <li>Enforce the monitoring of the Compliance Universe</li> <li>Appoint Chief Directors as Compliance Champions</li> <li>Consistent awareness of the departmental policies</li> </ul>
	4. Misalignment of functions on the organisational structure.	<ul style="list-style-type: none"> <li>Review of the organisational structure</li> <li>Alignment of organisational structure and post-establishment</li> </ul>
	5. Compromised IT security (Cyber-attacks [Hacking] of Departmental Systems)	<ul style="list-style-type: none"> <li>Review IT Policies</li> <li>Continuous awareness of cyber security</li> <li>Implement and monitor the information security framework and cyber-security technical controls to prevent and protect the OCJ against potential cyber-attacks</li> </ul>
<b>Enhanced judicial performance</b>	6. Compromising physical security for both Courts (infrastructure and personnel) and Judiciary	<ul style="list-style-type: none"> <li>Enhance the capacity of security personnel at the courts</li> <li>Enhance the electronic security system at the courts</li> <li>Promote gradual transfer of functions and resources</li> </ul>

## 10. PUBLIC ENTITIES

The OCJ does not have any public entity.





PART

2

## TECHNICAL INDICATOR DESCRIPTIONS

Indicator Title	1. Reduced vacancy rate
Definition	The indicator measures the percentage of funded vacant posts against approved funded posts on the establishment. Funded vacant posts refer to posts that are on the approved establishment, which are funded in accordance with the compensation of employees' budget.
Source of data	PERSAL
Method of Calculation / Assessment	Quantitative (Total number of funded vacant posts as at 31 March [annually]/Total number of approved funded posts as at 31 March [annually]) x 100
Assumptions	Market to provide people with relevant skills and competencies
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: In line with the recruitment plan</li> <li>• Target for Children: N/A</li> <li>• Target for Youth: In line with the recruitment plan</li> <li>• Target for People with Disabilities: In line with the recruitment plan</li> </ul>
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Contribution to spatial transformation priorities: N/A</li> <li>• Spatial impact area: N/A</li> </ul>
Reporting Cycle	Annual progress against the five-year target
Desired Performance	10% or lower vacancy rate (optimally capacitated Department through a reduced vacancy rate)
Indicator Responsibility	Chief Director: Human Resource Management and Development

Indicator Title	2. Modernised Superior Courts
Definition	This indicator measures the implementation of the Court Online system at Superior Courts. The Court Online system is a cloud- based digital platform which is aimed at providing online case initiation, case management and evidence presentation to ensure optimised court proceedings.
Source of data	Roll-out plan and go-live certificate, practice directive from the Head of court
Method of Calculation/ Assessment	Quantitative (Simple count of the number of Service Centres against the set target)
Assumptions	There will be financial resources to roll-out the system
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Children: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Contribution to spatial transformation priorities: N/A</li> <li>• Spatial impact area: N/A</li> </ul>
Reporting Cycle	Annual progress against the five-year target
Desired Performance	Improved court efficiency
Indicator Responsibility	Chief Director: Information and Communications Technology

Indicator Title	3. Percentage on finalisation of quasi-judicial matters within prescribed timeframes
<b>Definition</b>	<p>This indicator measures the finalisation of quasi-judicial matters based on the set timeframes. The quasi-judicial matters to be measured in this indicator are default judgments, taxation of legal bills of costs and warrants of liberation delivered.</p> <p>Quasi-judicial functions are powers and procedures granted to Registrars, in specific instances, resembling those of a Judge. Such actions are able to finalise legal disputes between parties.</p>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Default judgments application and order</li> <li>• Bills of legal costs and proof of set down</li> <li>• Warrants of liberation</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>Quantitative (Total number of quasi-judicial matters finalised within prescribed timeframes / Total number of quasi-judicial matters finalised) x 100:</p> <ul style="list-style-type: none"> <li>• The numerator is the total number of taxations of opposed legal bills of costs finalised within 60 court days plus total number of taxations of unopposed legal bills of costs finalised within 40 court days plus the total number of default judgments finalised within 12 court days plus the total number of warrants of liberation delivered within one day of the release issued.</li> <li>• The denominator is the total number of default judgments finalised plus the total number of opposed taxations of legal bills of costs finalised plus total number of taxations of unopposed legal bills of costs finalised plus the total number of warrants of liberation delivered within one day of the release issued.</li> </ul> <p>The results of the above-mentioned calculation are multiplied by 100 in order to get a percentage.</p> <ul style="list-style-type: none"> <li>• Default judgments finalised means those that are granted, refused or referred to open court.</li> <li>• Taxations of legal bills of costs finalised means bills of costs that are taxed and settled.</li> <li>• The 5-year targets will be calculated using the audited actual performance numbers, for the four quasi-judicial matters.</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Quasi-judicial matters will be finalised within the timelines.</li> <li>• Quasi-judicial matters brought before the Registrars comply with the court rules.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Children: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>
<b>Spatial Transformation (where applicable)</b>	<ul style="list-style-type: none"> <li>• Contribution to spatial transformation priorities: N/A</li> <li>• Spatial impact area: N/A</li> </ul>
<b>Reporting cycle</b>	Annual progress against the five-year target
<b>Desired Performance</b>	Increased finalisation of quasi-judicial matters within prescribed timeframes
<b>Indicator Responsibility</b>	Chief Director: Court and Case Flow Management Superior Courts



Indicator Title	4. Increased judicial education courses
Definition	This is the quantification of judicial education courses offered to serving and aspiring Judicial Officers per year. Judicial education courses refer to both substantive (e.g civil court skills) and soft skills (e.g., communication in the court room) courses offered to Judicial Officers. The Annual Training Schedule is approved by SAJEI Council.
Source of data	Annual Training Schedule
Method of Calculation / Assessment	Quantitative (Simple count of the number of judicial education courses conducted against the set Target)
Assumptions	Courses will proceed according to the approved annual training schedule. Availability of budget, human resources, participants and attendees for courses.
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Children: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Contribution to spatial transformation priorities: N/A</li> <li>• Spatial impact area: N/A</li> </ul>
Reporting Cycle	Annual progress against the five-year target
Desired Performance	Judicial education courses conducted in line with latest legislative and jurisprudential developments
Indicator Responsibility	Chief Director: South African Judicial Education Institute

# ANNEXURES TO THE STRATEGIC PLAN

## ANNEXURE A: NSDF AND THE DISTRICT DELIVERY MODEL

The National Spatial Development and District Delivery Model are not applicable to OCJ.




















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