

## VISION

A South Africa in which the rights enshrined in the Constitution are realised and upheld and responsibilities are complied with to ensure equality, justice and quality of life for all.

## MISSION

To be a leader in the provision of accessible, sustainable, ethical, independent and quality legal services to the poor and vulnerable.

## VALUES

Passion for Justice  
Ubuntu  
Integrity  
Accountability  
Service Excellence  
People Centred Development

Legal Aid South Africa  
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2017  
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## EXECUTIVE SUMMARY

Strategic planning is key to Legal Aid South Africa's operations and has become a strong pillar of its success. The Strategic Plan sets a clear Vision and Mission as well as Outcomes and Strategies that the organisation aims to achieve. The Strategies outline how it will use its resources optimally to achieve its vision and outcomes. The preparation of this Strategic Plan also complies with National Treasury Regulations, to submit a five-year Strategic Plan. Taking into account the environment (external and internal) in which the organisation operates and having gone through a process of consultation with internal and external stakeholders, the Legal Aid SA Strategic Plan 2012-2017 was developed.

The Legal Aid SA VISION is *"A South Africa in which the rights enshrined in the Constitution are realised and upheld and responsibilities are complied with to ensure equality, justice and quality of life for all."*

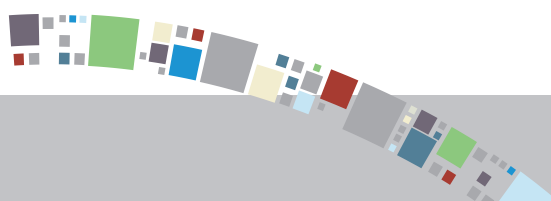
The MISSION is *"To be a leader in the provision of accessible, sustainable, ethical, independent and quality legal services to the poor and vulnerable."*

The VALUES that Legal Aid SA subscribes to are *i) Passion for Justice, ii) Ubuntu, iii) Integrity, iv) Accountability, v) Service Excellence and vi) People Centred Development.*

Over the five year strategic planning period, 2012–2017, Legal Aid SA strives to make the following strategic shift to achieve- *Sustainable high performance and excellence in all segments of the organisation over the next decade, positively touching the lives of many more South Africans thus ensuring JUSTICE FOR ALL.*

In the 2012-2017 period the organisation anticipates managing the following **strategic risks**:

- I. Challenges to the Rule of Law.*
- II. Capacity to meet community demand for civil legal aid – lack of funding for civil legal aid.*
- III. Quality of legal services offered by Legal Aid SA (including judicare quality).*
- IV. Legal Aid SA reputation risk.*
- V. Lack of confidence in the justice system. Inefficiencies of the justice system negatively impact on image and credibility of all entities within the justice system. Lack of complementary facilities to enhance access to justice.*
- VI. Government's ability to maintain baseline level of funding.*
- VII. Sustainable performance and sustainable practice.*
- VIII. Attraction and retention of expertise and specialist skills.*
- IX. IT Governance and IT platform and capacity responsiveness to business need.*
- X. Deepening client-focused, values-based organisational culture.*



The organisations' outcomes and objectives over 2012-2017 will be:

**OUTCOME 1:** *Quality justice for all, focusing on the poor and vulnerable*

**Objectives**

- i. *Empowered clients and communities making informed choices about their legal rights and responsibilities.*
- ii. *All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights.*
- iii. *An accessible, effective and efficient justice system serving all in South Africa.*
- iv. *Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations.*
- v. *Delivering on our constitutional and statutory shareholder mandate in an independent, accountable and sustainable manner.*

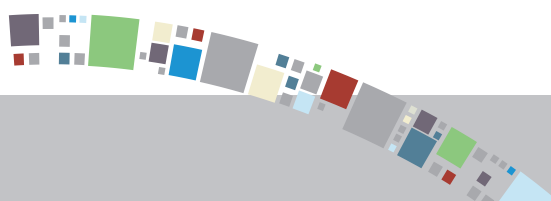
**OUTCOME 2:** *Respected, high performance, sustainable, accessible public entity impacting positively on society, the economy and the environment.*

**Objectives**

- vi. *Financial and non-financial sustainability impacting positively on society, the economy and the environment.*
- vii. *Good governance practices enabling high performance and accountability.*
- viii. *A recognised, respected, independent and acclaimed legal aid brand.*
- ix. *Delivery and business processes that are client focused, efficient, effective and sustainable.*
- x. *An effective and efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes.*
- xi. *Management information that is accurate, reliable and timeous.*
- xii. *An expanded and capacitated/resourced National Footprint reaching the poor and vulnerable persons requiring legal assistance.*
- xiii. *Committed, competent and dedicated employees empowered to deliver the organisation's mandate and strategies.*
- xiv. *A learning and flexible organisation growing its own knowledge base to optimise performance.*
- xv. *An organisation based on a people centred culture.*
- xvi. *An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/ strategies.*
- xvii. *A Values-based and ethical leadership inspiring and harnessing the contribution of employees for sustainable performance geared to serve clients' needs.*
- xviii. *A modern, integrated, secure and effective IT Platform facilitating client services and linkages and enabling internal business needs.*

The following **Strategies** will be implemented to achieve the outcomes and objectives:

- 1) *Delivering client-focused legal aid, including to vulnerable groups, in criminal matters;*
- 2) *Delivering client-focused legal aid, including to vulnerable groups, in civil matters;*
- 3) *Delivering client-focused primary legal advice services;*
- 4) *Delivering client-focused Impact legal aid services;*
- 5) *Developing new and alternative methods of increasing access to justice;*
- 6) *Contributing to the effective functioning of the justice and legal sector;*
- 7) *Implementing community education/outreach programmes;*
- 8) *Forging stakeholder partnerships to jointly increase access to justice;*
- 9) *Accounting to the Department of Justice and Constitutional Development and Parliament on delivery of mandate, governance and sustainability;*
- 10) *Increasing financial sustainability;*
- 11) *Increasing sustainable (non-financial) performance;*
- 12) *Maintaining and enhancing good governance;*
- 13) *Strengthening and growing a sustainable recognised brand;*
- 14) *Maintaining a mixed-model legal aid delivery system;*
- 15) *Building organisational models/ structures to optimise performance and delivery of legal/support services;*
- 16) *Maintaining strong financial management and Supply Chain Management;*
- 17) *Maintaining a regulatory framework incorporating best practices;*
- 18) *Developing and enhancing accurate and reliable Management Information Systems;*
- 19) *Expanding and capacitating the national footprint to increase points of access to legal aid services and new forms of access, especially in rural areas;*
- 20) *Developing and expanding the legal quality and expertise for each segment of the national footprint;*
- 21) *Developing talent and improving competencies to serve business needs and integrating competencies into related programmes;*
- 22) *Leveraging institutional knowledge to remain smart and effective as well as to support other developing legal aid agencies;*
- 23) *Strengthening and stimulating the development of a people centred values-based culture;*
- 24) *Developing and implementing an Employee Value Proposition able to recruit and retain the best talent and culture fit;*
- 25) *Developing values-based and authentic leadership to ensure sustained high performance in order to deliver on our mandate;*
- 26) *Building an integrated, stable and reliable IT platform serving clients' needs and internal business needs.*



## 1. INTRODUCTION AND BACKGROUND

Legal Aid South Africa (Legal Aid SA) is an autonomous statutory body established in terms of the Legal Aid Act (Act 22 of 1969 as amended) to deliver legal aid in South Africa. Legal Aid SA is governed by a Board of non-executive members referred to as the Board of Directors. The Board is the Accounting Authority of Legal Aid South Africa in terms of the Public Finance Management Act (Act 1 of 1999 as amended). The Board is responsible for providing strategic direction and leadership, ensuring good corporate governance and ethics, managing risk and materiality limits, financial sustainability and determining policy.

Legal Aid SA is established as an independent body outside of government in terms of the Legal Aid Act to ensure the separation between the prosecuting arm of government and the defence of those requiring state funded legal assistance. In terms of the Legal Aid Act and the Public Finance Management Act (Act 1 of 1999), the Legal Aid SA is accountable to the Minister of Justice as its Executive Authority, as well as to Parliament. This accountability relates to overall strategy and policy matters as well as finances. The Legal Aid Guide which determines the system by which legal aid is granted to individuals is approved by the Minister of Justice and ratified by Parliament. On operational matters and individual legal matters the Legal Aid SA operates autonomously, reporting to its Board of Directors. This governance framework ensures the independence of the Legal Aid SA as well as its accountability.

Legal Aid SA is a high performing organisation which has delivered more than 90% of its Business Plan annually and has received ten consecutive unqualified audits. The organisation increases access to justice by providing legal assistance to approximately 420,000 persons per annum and legal advice to over 200,000 persons per annum across South Africa.

This high performance is as a result of a strong Vision and Strategic Planning. The Strategic Plan is translated into clear Business Plans and Implementation Plans which link to Individual Performance Contracts and Incentives. This leads to effective monitoring and tracking of performance. The high performance is also due to the contribution, dedication and passion for justice of the Legal Aid SA staff.

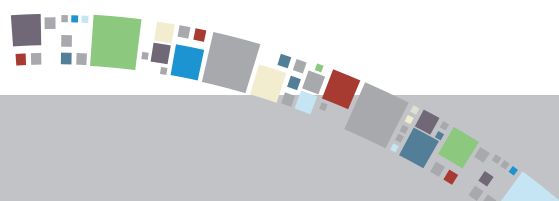
In this Legal Aid SA Strategic Plan 2012-2017 document the first section provides an introduction to the Legal Aid SA and an overview of the strategic planning process and methodology. The legislative and other mandates are listed, followed by the situational analysis which details the context or environment within which the organisation operates. The context is detailed within the components of the Balanced Scorecard

- (i) Client, Community, Stakeholder and Shareholder;
- (ii) Finance and Sustainability;
- (iii) Internal Business Processes and
- (iv) Employee and Organisational Capacity and Innovation and Learning.

This informs the vision, mission and values of the organisation and the strategic shifts required in the five year period along with the associated strategic risks. The Outcomes and Objectives are defined within each component of the Balanced Scorecard followed by the Strategies which indicate how the organisation will achieve these. The strategies are expanded to identify the programmes that the organisation will require to action the strategies. The programmes and projects are incorporated into the Legal Aid SA Performance/Business Plan which is developed annually.

National Treasury released new Regulations on Planning and Reporting, effective from 1 April 2011. The National Treasury Regulations requires the preparation of 5-year Strategic Plans, which inform the 3-year Medium Term Expenditure Framework (MTEF) and the Annual Performance Plan and Budget. A National Treasury Instruction Note was issued in terms of section 76(4)(g) of the Public Finance Management Act (PFMA).

Other than the vision and objectives sections of the Strategic Plan, the Plan should also include Programmes, Key Performance Indicators (KPIs) and 5-year Targets including the baseline level of performance at the start of the Strategic Plan period. The 5-year Strategic Plan has to be submitted to the relevant Executive Authority by the end of January prior to the start of the first financial year covered in the Strategic Plan. This Strategic Plan has been prepared in compliance with the National Treasury Regulations on Planning and Reporting.





## 2. STRATEGIC PLANNING METHODOLOGY AND PROCESS

### 2.1 Strategic Plan Methodology

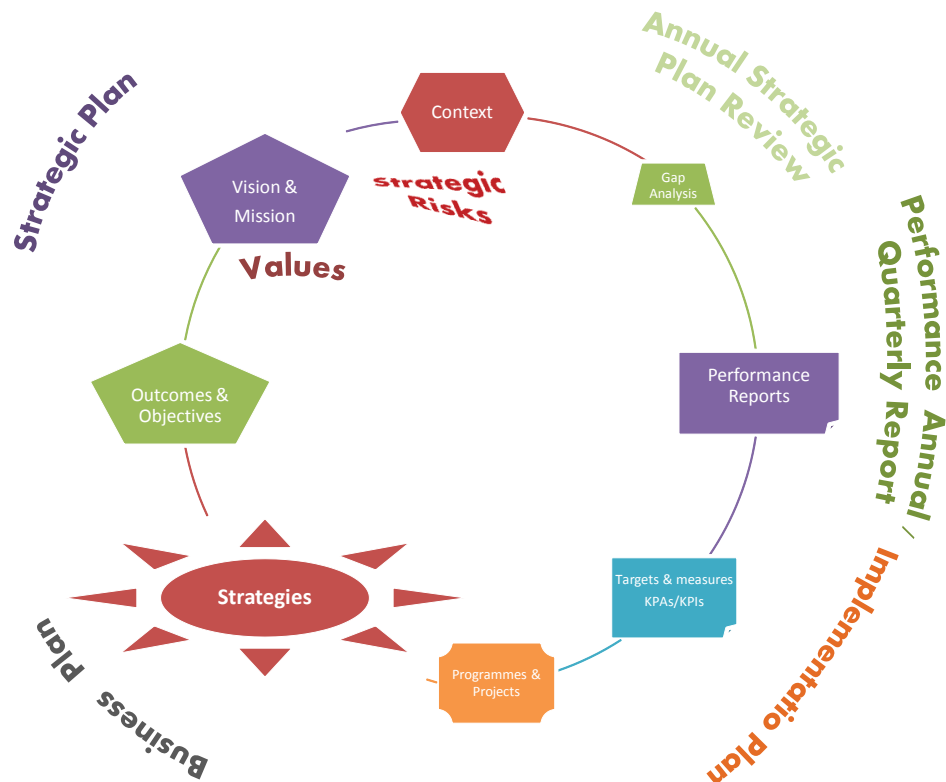
The methodology followed by Legal Aid SA included the following:

- I. **Identifying factors in the environment** that impact on the work of the Legal Aid SA;
- II. **Strategic risks** that have to be mitigated to achieve the vision;
- III. **Vision, Mission and Values**
  - a. *Vision* – what the organisation wants to achieve in the long-term in aspirational terms
  - b. *Mission* – the type of organisation it has to develop to achieve its vision and
  - c. *Values* – principles by which the organisation will act in achieving its vision and mission;
- IV. **Outcomes and objectives** – goals that the organisation wants to achieve;
- V. **Strategies** – how to use the resources optimally to achieve the vision and outcomes;
- VII. **Programmes** – action plans to implement strategies – within available resources and time-frames;
- VIII. **KPIs and Targets**
  - a. *Key performance indicators (KPIs)* – to measure performance on programmes to achieve objectives and outputs, and
  - b. *Targets* – to be achieved for each objective in five years, and
  - c. *Baseline level of performance* – at the start of the Strategic Plan period against which targets and performance is assessed.

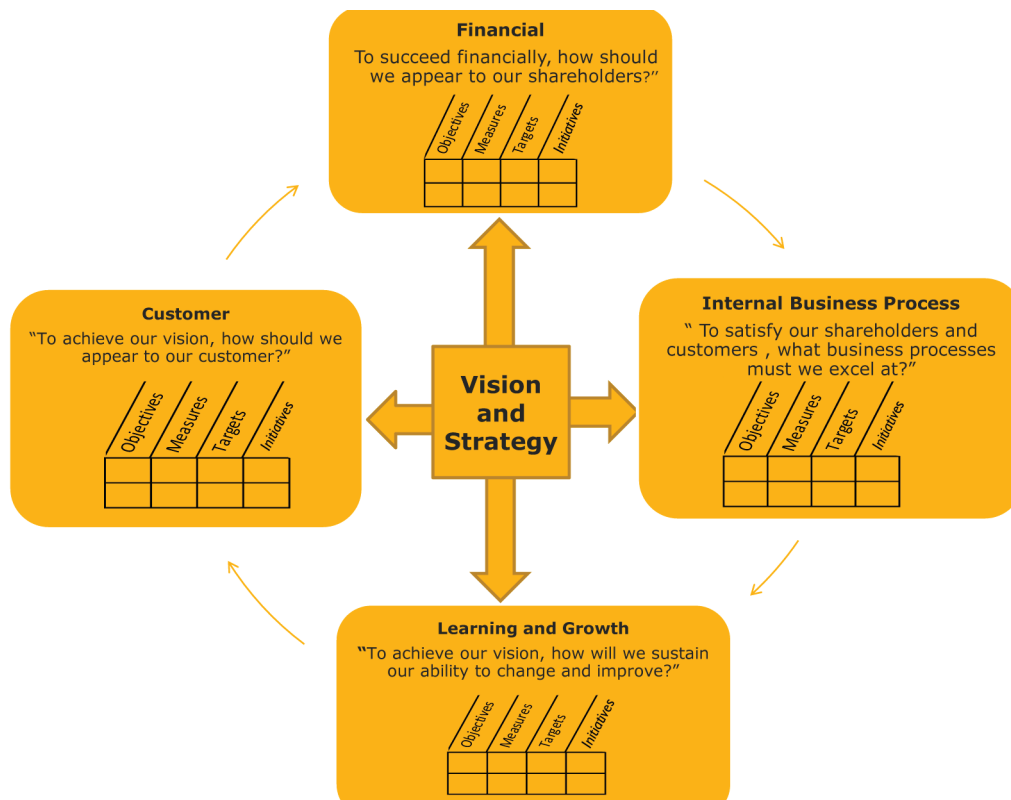
Legal Aid South Africa has utilised the Balanced Scorecard approach in the formulation of its strategic plan since 2006. The Balanced Scorecard approach goes beyond measuring success based on financial performance, to also include performance in terms of delivery to clients and stakeholders as well as on monitoring progress in building the capabilities and assets required for future growth. This includes external and internal factors impacting on the business:

- I. Client, Community, Stakeholder and Shareholder (external)
- II. Finance and Sustainability (external)
- III. Business Processes (internal)
- IV. Employee and Organisational Capacity and Innovation and Learning (internal).

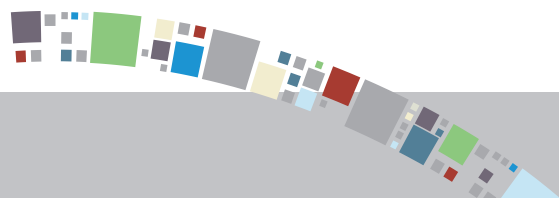
## STRATEGIC PLAN METHODOLOGY



## BALANCED SCORECARD METHODOLOGY



Source: Robert S. Kaplan and David P. Norton, "Using the Balanced Scorecard as a Strategic Management System"



## 2.2. Strategic Plan Process

The following process was followed in the development of the Legal Aid SA Strategic Plan 2012-2017:

ACTIVITY		TIME FRAME
i.	Proposal for preparation of Strategic Plan 2012-2017 approved by the Board of Legal Aid SA	November 2010
ii.	Research commissioned and finalised	November 2010 – May 2011
iii.	Workshop with Management Executive Committee	June 2011
iv.	Draft 1 of Strategic Plan compiled and submitted to Board	June 2011
v.	Board Strategic Planning Workshop	July 2011
vi.	Consultation with Internal Stakeholders on Draft 2 Strategic Plan 2012-2017	August – September 2011
vii.	Consultation with External Stakeholders on Draft 2 Strategic Plan 2012-2017	August – October 2011
viii.	Strategic Plan 2012-2017 (final draft) incorporating stakeholder input submitted to Board for approval	November 2011
ix.	Final approved Legal Aid SA Strategic Plan 2012-2017 submitted to the Executive Authority	January 2012

### Stakeholder Consultation:

Internal consultation comprised

- (i) workshops at each justice centre and department within the national office,
- (ii) regional workshops attended by the justice centre executives, administration managers and staff representatives and
- (iii) a workshop with managers at the national office.

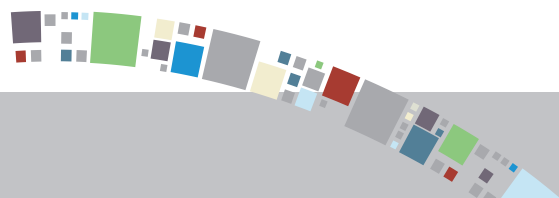
These workshops provided staff with an opportunity to engage and gain an understanding of the strategic plan document as a collective in their various group contexts and feedback indicated that they welcomed the opportunity to provide input into the strategic direction of the organisation. The leadership of the organisation had an opportunity to discuss aspects of the draft strategic plan document at the annual leadership summit held from the 1<sup>st</sup> – 2<sup>nd</sup> September 2011. Feedback received from the internal workshops raised comments concerning practical implementation issues such as improving legal services delivery and access for clients, expanding civil legal aid services, processes within the criminal justice system and internal organisational issues such as technology, human resources and marketing and branding.

External consultation on the draft strategic plan took the form of

- (i) nine provincial stakeholders workshops held in the provinces and
- (ii) a national stakeholders workshop held at the Legal Aid SA national office.

Stakeholders in attendance at these workshops included representatives of the Department of Justice and Constitutional Development, the National Prosecuting Authority, Department of Correctional Services, South African Police Service, Department of Home Affairs, Office of the Public Protector, SA Human Rights Commission, Commission for Gender Equality, Department of Social Development, Judicial Inspectorate for Correctional Services, Probono.org, University of Pretoria Law Clinic, Office of the Family Advocate, Itereleng Advice Office,

NADCAO, Business against Crime, Law Society of SA. In general stakeholders were complimentary of the level of the draft strategic plan and expressed appreciation for the transparency and accountability of the process and for inviting them to provide their input. Further, a workshop was also held with representatives of The South African Parastatal and Tertiary Institutions Union (SAPTU), the recognised Union within the organisation. The comments from stakeholders focused largely on the practical issues within the criminal justice system such as methods of increasing access to legal aid services and delivery models, improving the functionality of the justice cluster, expanding the national footprint, civil legal aid services, marketing, branding and stakeholder relationships. A comprehensive list of stakeholders who attended the Legal Aid South Africa stakeholders workshops is available upon request.



### 3. LEGISLATIVE AND OTHER MANDATES

The Legal Aid SA derives its mandate from the Constitution of the Republic of South Africa (Act 108 of 1996), the Legal Aid Act (Act 22 of 1969) and other legislation.

#### 3.1. Constitutional Mandate

*The Constitution of RSA (Act 108 of 1996)*

Section 35(2) *"Everyone who is detained, including every sentenced prisoner, has the right -*

*(a) ...*

*(c) to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ..."*

Section 35(3) *"Every accused person has a right to a fair trial, which includes the right -*

*(a) ...*

*(g) to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ..."*

Section 28(1) *"Every child has the right,*

*(a) ...*

*(h) to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; ..."*

#### 3.2. Legislative Mandate

##### 3.2.1 Legal Aid Act 22 of 1969 as amended

(Assented on 14 March 1969; Date of Commencement 26 March 1969)

*"To provide for legal aid for indigent persons and for that purpose to establish a Legal Aid Board and to define its functions; and to provide for incidental matters."*

**Section 3 Objects and General Powers of the Board:** *"The objects of the board shall be to render or make available legal aid to indigent persons and to provide legal representation at state expense as contemplated in the Constitution, and to that end the board shall, in addition to any powers vested in it by the Act, have power -* [s.3 amended by s.1 (a) of Act No. 20 of 1996 with effect from 17 October 1997]

*(a) to obtain the services of legal practitioners;*

*(b) to purchase or otherwise acquire or to hold or alienate any movable property or, with the approval of the Minister acting in consultation with the Minister of Finance, any immovable property;*

*(c) to hire or let any movable or immovable property;*

*(d) to fix conditions subject to which legal aid is to be rendered, including conditions in accordance with which any rights in respect of costs recovered or recoverable in any legal proceedings or any dispute in respect of which the aid is rendered, shall be ceded to the board, and conditions relating to the payment of contributions to the board by persons to whom legal aid is rendered; [Para. (d) substituted by s. 1 of Act No. 47 of 1989.]*

- (dA) to provide, subject to section 3A (3), legal representation at State expense as contemplated in section 25 (1) (c) and (3) (e), read with section 33 (2), of the Constitution, where substantial injustice would otherwise result; [Para. (dA) inserted by s. 1 (b) of Act 20 of 1996 with effect from 1 May 2002]
- (e) to do all such things and perform all such functions as may be necessary for or incidental to the attainment of the objects of the board.

### 3.2.2 Other Legislation Impacting on Delivery of Legal Aid

The following laws also require the government to provide legal assistance to the indigent:

- (i) Criminal Procedure Act (Section 73, 309, 309B, 309C, 309D & 316) – Legal Representation in Trial and Appeals
- (ii) The Child Justice Act (Section 82(1) & 83(2)) – Legal Representation for Children in Child Justice Court (No Child may be refused Legal Representation)
- (iii) Children’s Act 38 of 2005, (Section 55 with effect from 1 April 2010)
- (iv) Labour Relations Act 66 of 1995 (Section 149)
- (v) Mental Healthcare Act 17 of 2000 (Section 15)
- (vi) Restitution of Land Rights Act 22 of 1994 (Section 22)
- (vii) Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998 (Section 4(5))
- (viii) Rules Regulating the Conduct of Proceedings in Magistrates’ Courts (Rule 53(8)).

Legal Aid SA is able to provide assistance in these instances if budget permits.

All other proposed legislation or proposed amendments to legislation, so far as they impact on Legal Aid South Africa’s mandate and/or clients rights, are monitored and commented on as part of the legal research agenda. This is to ensure that clients rights are protected and the mandate of Legal Aid South Africa is not extended without concomitant funding.

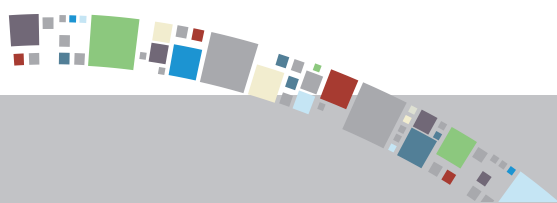
### 3.3. Public Finance Management Act (PFMA)

Legal Aid SA complies with the requirements of the Public Finance Management Act, Act 1 of 1999 (PFMA) and National Treasury Regulations which provide guidelines that must be upheld and implemented for the realisation of good governance. The Public Finance Management Act regulates financial management in all spheres and levels of government to ensure that all revenue, expenditure, assets and liabilities are managed efficiently, effectively and economically.

### 3.4. Relevant Court Rulings

Various court rulings have an impact and the organisation has to adapt policies and operations as these court rulings are made. The following Court Orders have an impact on Legal Aid SA.

- i. [S v Vermaas; S v Du Plessis 1995 \(3\) SA 292 \(CC\)](#), where the Constitutional Court dealt with the right to legal representation and the fact that a litigant has no choice as to the legal representative where it is provided at state expense.



- ii. [Bernstein v Bester NO 1996 \(2\) SA 751 \(CC\)](#) at 106 – The Constitutional Court stated that the failure to use a phrase such as “a fair hearing” in the *Interim Constitution* might justify a conclusion that the framers of the *Interim Constitution* deliberately chose not to constitutionalise the right to a fair civil trial. The drafters of the final Constitution provided in Section 34 that everyone has the right to have any dispute that can be resolved by the application of law decided in “a fair public hearing”.
- iii. [Nkuzi Development Association v Government of the Republic of South Africa 2002 \(2\) SA 733 \(LCC\)](#), where Moloto J (with Gildenhuys J concurring) declared that in eviction cases, labour tenants and occupiers under the land reform legislation “have a right to legal representation or legal aid at State expense if substantial injustice would otherwise result, and they cannot reasonably afford the cost thereof from their own resources.” The Court declared that the state was under a duty to provide such legal representation or legal aid through mechanisms selected by it.
- iv. [Legal Aid Board \(Ex Parte\) v Johan Pretorius and Another 2006 JDR 0458 \(SCA\) Unreported](#) The SCA considered in this matter whether Section 3B of the Legal Aid Act, was applicable in circumstances where accused persons had terminated the mandate of their legal representative and sought the appointment of a replacement practitioner. The issue at hand was the Constitutional guarantee to a fair trial. The SCA rejected the view proffered by Legal Aid SA that Section 3B was not applicable and that the accused’s remedy was to review the decision of Legal Aid SA not to appoint a further legal representative. The SCA upheld the decision of the trial judge to request Legal Aid SA to submit a 3B Report after he formulated a prima facie view that the practitioner could not effectively represent the accused due to his workload in the case. The SCA also pointed out that a trial judge is best placed to make a decision on the fairness of a trial where this relates to the right to legal representation at state expense and that the Judge was correct in resorting to the provisions of Section 3B of the Legal Aid Act when Legal Aid SA refused to appoint a replacement legal representative. In so doing it also found that judicial officers were not bound by the provisions of the Legal Aid Guide.
- v. [Legal Aid Board v The State and Others 2011\(1\) SACR 166 \(SCA\) \(Porritt and Bennett\)](#) Here the SCA held that the right to legal representation at state expense where substantial injustice may arise, involves 2 elements, namely the complexity of the case as well as the ability of the accused to afford the cost of legal representation from his/her own resources. In determining if an accused is able to afford the cost of legal representation the provisions of Section 3B are applicable. The SCA found that this section makes it clear that this is the court’s inquiry and that there is no onus of proof on the accused but that this does not allow the accused to not place information that is within his/her peculiar knowledge before the court. It went further and found that a failure to place such information before the court, in order to assist the court in its inquiry, may well be fatal to their quest for legal assistance at state expense. It also clarified that the court has powers to subpoena witnesses and documents or to place the accused under oath and for them to be cross examined. In this instance it found that the accused, having regard to their life style and information available to the court were not indigent and it accordingly set aside the order granting the accused legal representation at state expense.



#### 4. SITUATIONAL ANALYSIS

Legal Aid SA provides legal services at all criminal courts through its 64 justice centres and 64 satellite offices and as at March 2011 employed a total of 2,489 staff, of which 1,932 were legal staff. Legal Aid SA has six regional offices responsible for providing legal services within the nine provinces. All justice centres report to the regional office responsible for that province, whilst satellite offices are attached to a specific justice centre. Legal Aid SA has High Court units at thirteen justice centres that are located closest to the thirteen High Court divisions.

The location of justice centres is closely aligned to the location of the major courts within their coverage area and is geared towards ensuring efficient and effective criminal court coverage. The locations of satellite offices is geared towards improving the criminal court coverage and are strategically located to ensure that practitioners are able to serve the more remotely located courts. All Legal Aid SA offices provide access to civil clients, in that a general advice service is available at both justice centres and satellite offices.

Legal Aid South Africa works within a context of both external and internal factors, issues and trends that impact and have an influence on the organisation and the people that we serve.

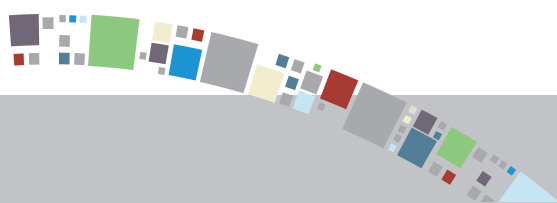
South Africa has 0.7% of the world's population. There is migration between provinces, particularly from rural into urban areas and the result is that poor people remain in the rural areas and the disparities (in the availability of and the delivery of services between urban and rural areas) or the rural/urban divide is perpetuated. Even in the cities, poor people live in the outlying areas, far from economic activity. In addition, there is migration of people from bordering countries into South Africa. These factors have a negative effect on the planning, availability of and the ability to deliver services, placing strain on resources in general and specifically on Legal Aid SA resources.

Further, South African society is characterised by high unemployment and low economic participation and these factors contribute to the levels of poverty and inequality. The unemployment level is still high (25%) and many of the people who Legal Aid SA serves are affected by poverty and unemployment which are factors that have an impact on the need for legal services. There has been a decline in absolute poverty and the expansion in the social assistance programme, implemented to mitigate the effects of poverty, has contributed to this. However relative inequality remains high, as indicated by a Gini co-efficient of 0.7. An important contributing factor is the high unemployment rate and low labour force participation rate.

Inequality in education still exists and numeracy and literacy levels are low in comparison to other countries. People who are educated and literate are able to find decent, meaningful employment, thereby creating work opportunities not only for themselves but also for others. A better educated South African society would most likely result in better skilled citizens, a decrease in unemployment and poverty and a resultant increase in overall living standards.

Access to quality health care is an ongoing challenge. There is a great dependency on a public health system (approximately 41 million people do not have medical insurance) which is inefficient and HIV prevalence levels are still high with SA having 17% of the world's HIV infections.

Living conditions and access to basic services has improved, however rapid urbanisation results in an increase in the demand for services and corruption hindering efficient service delivery is prevalent.





This is the societal context within which Legal Aid SA provides legal services, in both criminal and civil matters, to indigent people whose lives are affected by the issues above.

Government has committed to the Millennium Development Goals (MDGs) and the 2010 Millennium Development Goals Report indicates that progress is being made. In examining the MDGs it is apparent that quality education is at the foundation of all the MDGs; if levels of education improve there will be a multiplier effect for critical developmental outcomes including women's empowerment, lower mortality, more participation in decision-making processes and access to better employment opportunities.

It is noteworthy that job creation, education, health care, fighting crime and rural development are government priorities.

Legal Aid SA is aware of and committed to issues of environmental sustainability. Coherent sustainability processes and systems are implemented across the organisation and overseen by the Board. Emphasis is placed on the measurement and reporting of all sustainability measures including financial and organisational carbon footprint measures, is implemented across the organisation.

The organisation is highly compliant with legislation, including the PFMA and Regulations and Financial and Reporting Standards. Legal Aid SA has implemented more than 95% of the King III Report and Code of Governance Principles for South Africa 2009. Its Board of Directors fulfils its roles and responsibilities strategically and effectively. Currently the main source of funding for Legal Aid SA is a government grant. 2010/11 saw the tenth consecutive year that the organisation achieved an unqualified audit and the sixth consecutive year of no matters of emphasis in the Auditor-General's reports. Strong financial and performance management is evident.

An environmental analysis is essential in the preparation of a strategic plan and should be informed by research and information pertinent to both the external environment and internal environment. Legal Aid SA conducted research into the internal and external environment in line with the four components of the Balanced Scorecard, namely, i)Client, Community, Stakeholder and Shareholder, ii)Finance and Sustainability, iii)Internal Business Processes and iv)Employee and Organisational Capacity and Innovation and Learning. A brief summary of the research findings is outlined below.

Research statistics quoted are as at November 2011.

#### **4.1. External Environment – Client & Community, Stakeholder and Shareholder**

##### *Client and Community Environment*

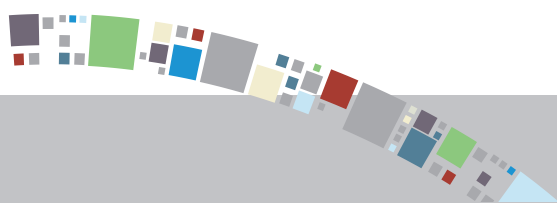
- i. The population of South Africa is estimated to be 50.59 million, with 13.8 million households. The population is expected to increase in the next 5 years.
- ii. Internal migration (between provinces), migration from neighbouring countries as well as urbanisation impacts on services delivery (increased demand for services).
- iii. The economy is still in recession. Economic growth is positive but slow, projected at 3.1% of GDP in 2011 and 3.4% in 2012.
- iv. SA has a high unemployment rate – the unemployment rate (strict definition) is 25%, unemployment rate (expanded definition) is well above 30%. Only 41% of South Africans aged 15-64 is employed. Youth

unemployment is high, 52% of those aged 15-24 are without jobs. The unemployment rate is likely to remain high and more income disparities are anticipated. Job creation is driven by public sector hiring but government is unable to remain the biggest employer. Greater co-operation is needed between the public and private sector to address unemployment.

- v. The level of inequality is high – SA Gini co-efficient at 0.7. Income disparities are vast. This has a negative impact on economic growth.
- vi. There were an estimated 6 million small businesses in 2011. The unstable economic environment will have an adverse effect on business as many businesses (especially small businesses) are still experiencing the effects of the recession.
- vii. Labour strikes and protests are likely to increase as workers demand better salaries and service conditions. This will result in negative effects on the economy.
- viii. Inequality in education still exists (lack of access to quality education). Adult literacy has improved. Education is regarded as one of government priorities, with the largest share of government spending. Literacy rates will continue to increase as a result of increased spending on education. Improved education levels and literacy should result in increasing awareness of rights and responsibilities thus strengthening democracy and justice.
- ix. Living conditions and access to basic services has improved. However, continued corruption will hinder services delivery. Poor service delivery has resulted in protest action from communities. Improved delivery impacts positively on material conditions resulting in improved stability and impacting positively on the rule of law.
- x. It is estimated that 5.6 million people are living with HIV and the estimated overall prevalence rate is approximately 10.6%. 16.6% of the adult population aged 15-49 years is said to be HIV positive. The number of new infections among the population aged 15 years and older is estimated at 316 900. An estimated 63 600 new HIV infections will be among children aged 0 – 14 years. An increase in vulnerable children orphaned by HIV/Aids leads to increased social problems. Life expectancy at birth for 2011 is estimated at 54.9 years for males and 59.1 years for females.
- xi. 41 million South Africans do not have medical insurance thus there is great dependency on the public health system. The National Health Insurance is planned to increase health coverage.
- xii. Poverty (related to unemployment, lack of quality education, lack of quality health care) has declined but remains a significant challenge in SA. SA is committed to achieving the Millennium Development Goals (MDGs) by 2015 and is making progress in achieving these. Eradicating poverty and hunger is MDG 1. SA is ranked in the medium category (HDI of 0.619) in terms of the Human Development Index (HDI). Poverty is likely to impact on the demand for legal aid services.
- xiii. About 51% of households and persons are in the lower LSM Groups (LSM 1 to 5).
- xiv. Ensuring Environmental Sustainability is one of the MDGs. Significant challenges exist, for example, dependency on environmentally harmful coal based energy and global warming.

### *Legal and Justice Environment*

- xv. The implementation of the Legal Practice Bill will have drastic implications. The Legal Practice Bill is a draft Bill in circulation that has been in discussion for many years and clearly indicates an intention to move to a new dispensation for the regulation of the legal profession. This will then also have implications for



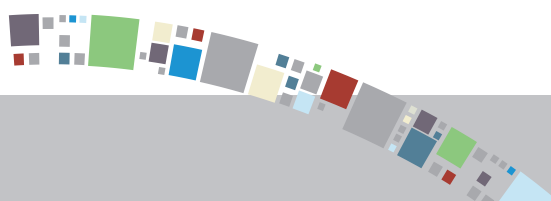
Legal Aid SA since its core business is the delivery of legal services and it employs legal professionals and candidate attorneys. It is a stated intention of the Ministry that the Legal Practice Bill is a priority Bill and it is expected that the Bill could be finalised as an Act and implementation could occur in the five year Strategic Plan period 2012-2017. Transition from old to new legislation could create challenges which will have to be managed.

- xvi. Pro bono is still not effectively undertaken by the legal professional bodies, however the legal profession's attempt to provide pro bono services could increase the supply of civil legal aid services.
- xvii. Review of LLB Curriculum core structure will lead to changes to the LLB curriculum, which could affect the numbers of university law graduates.
- xviii. The Superior Courts Bill could impact on the judiciary in both the higher and lower courts in that it brings about important changes to the court structures.
- xix. Focus on improved case flow management in courts, establishment of Judicial Education Institute and credible court administration system. Reverting to pro-deo system could impact on legal aid delivery.
- xx. SA ranked in upper half of 35 countries surveyed on the Rule of Law.
- xxi. Implementing of legislation and charters, such as Legal Services Charter.
- xxii. According to the Police crime statistics crime has decreased in the last several years and this may lead to a decrease in the demand for criminal legal aid.
- xxiii. NPA new cases have decreased.
- xxiv. The number of finalised cases increased substantially.
- xxv. Outstanding and backlog cases increased.
- xxvi. Diversions increased.
- xxvii. Cases that were finalised through verdict decreased.
- xxviii. The conviction rate increased.
- xxix. The number of finalised and new cases that Legal Aid SA has dealt with has continued to grow.
- xxx. Implementation of the findings of the CJS review is underway. The outcome of the CJS Review is uncertain in that not all the recommended protocols have been implemented, nor has some of the proposed legislation, specifically related to the limitation of the right to silence, been finalised. This indicates that whereas parts of the CJS Review have been implemented the outcome of the review (as a whole) remains uncertain.
- xxxi. If the CJS Review is fully implemented it may result in improved screening and reduction in trial matters.
- xxxii. Implementation of protocols could lead to a faster disposal of cases.
- xxxiii. Civil legal aid remains limited by budgetary constraints – budget consumed by criminal legal aid.
- xxxiv. Other suppliers of civil legal aid providing assistance include CCMA, Pension Fund adjudicator and various ombudsman, legal insurance companies, law clinics and Chapter 9 Institutions and NGOs.
- xxxv. Legal professional bodies such as the Law Society of South Africa and the General Council of the Bar offer pro bono services for the poor and marginalised.
- xxxvi. The 'not so poor' gap group is not being assisted.

- xxxvii. Donor funding decreases or resources decline for other service providers such as NGOs could result in increased demand for Legal Aid services. There is potential for co-operation agreements with NGOs on specialised areas.
- xxxviii. Civil legal aid demand is limited and not accurately quantified due to gaps in data however unmet demand is estimated to be high. Meeting primary legal advice needs will meet client needs and reduce need for civil legal aid assistance. Increased jurisdiction of Regional Courts in civil matters improves access.
- xxxix. Legislation impacting on increase in demand for civil legal aid: Consumer Protection Act, Regional Court Jurisdiction, Civil Justice Review, Traditional Court Bill.
- xl. In 2010/11, 988,451 (of which 962,317 were new cases) criminal cases were processed through the courts. Demand for criminal legal aid is set to increase and therefore the gap between supply and demand will continue to increase.
- xli. The major criminal gap exists in District courts (excluded matters) since Legal Aid SA represents the majority of accused persons in criminal cases, especially serious matters heard in High Court and Regional Court.
- xlii. In 2010/11, 2,728,305 civil matters (including new cases, trials, motions and judgements) were processed through the lower courts. It is not known which proportion of these cases required legal aid assistance. It is however predicted that demand for civil legal aid is set to increase and therefore the gap between supply and demand will continue to increase.
- xlili. Legal Aid SA will remain the significant provider of legal aid services on the greater scale. Other service providers will assist to close the gap at a smaller scale.
- xliv. The gap between supply and demand of legal aid is set to increase. More resources will be needed to cope with supply to meet demand.

#### *Stakeholder*

- xliv. Communication with stakeholders occurs through newsletters, presentations, technical briefings, press statements and media advertising. Communication is aimed at information sharing as well as promoting transparency and accountability.
- xlvi. Consultation with legal and government stakeholders occurs through community meetings, standing stakeholder advisory forums and focus organised groupings. There is potential for increasing consultations with justice and legal stakeholders through local forums such as case flow discussion forums and judicare practitioner briefing sessions.
- xlvi. Consultation informs legal aid programmes and as civil society is strengthened the opportunities for meaningful consultation will develop.
- xlvi. Dialogue with stakeholders is ad hoc and there exists the potential to initiate dialogue around topical issues such as human rights.
- xlix. Partnerships with legal and justice stakeholders, NGOs and CBOs are developed for improved functioning and efficiency of the justice system. Mutually beneficial, sustainable partnerships will continue to be built.



### Shareholder

- ii. Legal Aid SA accounts to the Executive Authority and Parliament on the delivery of its constitutional and statutory mandate.
- lii. Changes in legislation impact on the work of the organisation and its capacity to deliver on its mandate. Implementation of the Criminal Justice Review recommendations and the Civil Justice Review recommendations will result in new challenges.

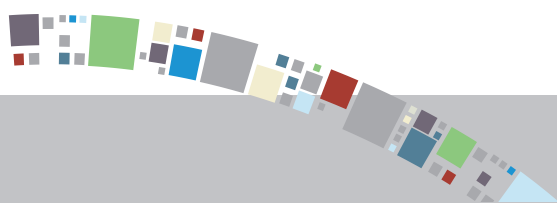
## 4.2. External Environment – Finance and Sustainability

- i. Legal Aid SA source of funding is mainly government grants.
- ii. Legal Aid SA is highly compliant with legislation including the PFMA and Regulations and Financial and Reporting Standards.
- iii. Updated Report and Code on Corporate Governance (King III) published in 2009. Legal Aid SA has implemented more than 95% of the principles of King III.
- iv. A Board Agenda is developed for the reporting cycle which is flexible and has an appropriate balance between strategy, implementation, sustainability, risk and legal compliance.
- v. IT Governance forms part of Board oversight.
- vi. Coherent sustainability processes and systems are implemented across the organisation and overseen by the Board.
- vii. Clear organisational mapping of both high level and operational risks, measuring of both high level and operational risks, aggregating all risks into a risk portfolio and regular feedback being provided to the Board on the management of these risks.
- viii. The organisation is setting both risk tolerance measures for defensive strategies and risk appetite measures for opportunity driven strategies. Risk is managed effectively.
- ix. Strong alignment between Governance Policies, organisational culture, practices and systems.
- x. Independent Board evaluation in 2011 indicates that the Board is fulfilling its roles and responsibilities effectively and efficiently and is successfully fulfilling its strategic leadership role in setting strategy as well as its oversight role to ensure strategy is implemented.
- xi. Board and Board Committees function effectively.
- xii. Current Board composition has a good collective mix of skill, experience and expertise and continuity at both Board and management level has been good.
- xiii. Good corporate governance practices are in place.
- xiv. Best practice indicates that building the brand to be considered in terms of
  - a. Brand visibility
  - b. Brand awareness
  - c. Brand experience
  - d. Brand loyalty.
- xv. Brand visibility and awareness will be dependent on the advertising spend and brand experience and loyalty will depend on the quality of services accessible to our clients and communities.

- xvi. The brand of the organisation has continued to grow as the performance of the organisation has improved.
  - a. Awareness about Legal Aid SA increased by 8% in the past seven years.
  - b. Radio and television are the most prevalent sources of information.
  - c. There has been an increase in understanding of what Legal Aid SA stands for amongst the lower LSM groups.
  - d. 36% said they would seek out Legal Aid SA if they needed help, which is an increase of 3% from 2010.
  - e. 50% of respondents indicated that they have used Legal Aid SA services through its Justice Centres, in 2010 this figure was 20%.
  - f. There was an increase in awareness of where Legal Aid SA offices are, from 56% in 2010 to 68% in 2011.
  - g. Awareness of the Legal Aid Advice Line has increased from 16% in 2010 to 32% this year.
  - h. The rating of Legal Aid SA services was significantly positive, an increase from 45% in 2010 to 68% in 2011.
  - i. Levels of recommendation indicate that 66% of respondents are likely to recommend Legal Aid SA to persons in need of legal assistance.
  - j. People turn mostly to family and social workers for help and this increased from 22% in 2010 to 32% in 2011.

#### **4.3. Internal Organisational Environment – Internal Business Processes**

- i. Legal Aid SA has a mixed delivery model – provision of legal aid through: justice centres (96% of new matters), judicare (3%), co-operation partners (1%) and agency agreements (<1%). The mixed delivery model will continue being used.
- ii. Number of cases dealt with has increased annually, as the national footprint has expanded.
- iii. In 2010/2011, 92.5% of new matters were criminal legal matters and 7.5% were civil legal matters. Client access to civil legal aid will be increased.
- iv. Legal Aid SA uses the Justice Centre Model – 2011 National Footprint: 64 justice centres and 64 satellite offices. Legal Aid SA's national footprint is expected to increase by approximately 10%. The growth will result from the conversion of satellite offices into justice centres.
- v. Legal Aid SA coverage is 80% (4days/week) coverage of District Courts and 100% (5days/week) coverage of Regional Courts. In high courts a central court-roll model provides coverage on all matters requiring legal aid.
- vi. Candidate Attorneys (CAs) appear in District Courts and experienced attorneys in Regional and High Courts; paralegals offer general legal advice.
- vii. The Judicare Model is used and a judicare accreditation system is in place. The number of matters issued on judicare will be maintained at approximately 5% of all new matters. The number of civil judicare matters is set to increase.
- viii. The Co-operation Partner Model is used to close identified gaps and to increase Legal Aid SA coverage in civil matters (for example, children and land matters). The number of co-operation partner agreements is expected to increase.





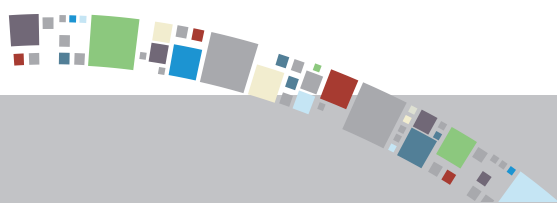
- ix. An Agency Agreement Model was implemented to assist clients in criminal matters at remotely located courts not covered by justice centres. The number of agency agreements is expected to increase.
- x. The Legal Aid Advice Line, a call centre, was established in 2010 to increase access to clients of general legal advice service. The number of clients assisted by the Legal Aid Advice line is likely to increase significantly.
- xi. A matrix management structure was implemented and will be consolidated and institutionalised at justice centres.
- xii. Risk based management which utilises a risk based approach to monitoring and supervising of legal staff at justice centres, is implemented. Risk based management will be extended to judicare practitioners.
- xiii. Legal Aid SA's budgeting and financial reporting is in line with general best practice of a public entity.
- xiv. Management of HR practices within Legal Aid SA is by large in line with current industry practices. Performance Management System is in line with best practice of employee rewards.
- xv. HR practices used to improve HR performance include: HR scenario planning, focusing extensively on building employee competencies for future requirements, developing training programmes with accredited academies, establishing knowledge centres/centres of excellence.
- xvi. Institutions make use of social networking to engage their employees on work related issues.
- xvii. Legal Aid SA has increased its investment levels on ICT. There is a need to improve the IT governance and IT risk management.
- xviii. The Business Intelligence (BI) framework which can also be used as a reference and depository for knowledge (business information), is still at an infancy level of development.
- xix. A sustainability programme focussing on sustainable business practices is implemented.
- xx. Legal Aid SA mixed model delivery method is extremely cost effective and aligns to international best practices. International best practices incorporate some of the following delivery methods into their models:
  - a. extensive public education with regards to legal issues to ensure that the public understand their rights and obligations;
  - b. service providers holistically addressed both the social as well as the legal issues as presented by clients as a one stop service;
  - c. social media platforms are used to make citizens aware of rights, obligations and legal aid services that are available;
  - d. mobile technology (Cell Phones, IPAD) is utilised to inform the public about services offered including advice line details and available self-help services;
  - e. advice desks are used to provide first line advice and as a screening mechanism to ensure that legal practitioners time is effectively utilised for more complex legal matters;
  - f. advice to clients provided in language of choice in immigration related matters;
  - g. although not directly linked to legal aid service delivery, convenience stores such as Tesco offers an online legal service including self-help/DIY information packs;
  - h. pre-recorded information with regards to specific legal topics (Eviction, Taxation, Consumer Rights, Leases) was provided telephonically.

#### 4.4. Internal Organisational Environment – Employee and Organisational Capacity and Innovation and Learning

- i. Legal Aid SA JCs provide coverage of courts and prisons in their coverage areas.
- ii. Legal Aid SA has a national footprint as outlined in the situational analysis above.
- iii. 61% of justice centres are located in urban areas whilst 25% are located in peri-urban areas. 14% of our justice centres are located in rural areas. 13% of satellite offices are located in urban areas whilst 14% are located in peri-urban areas. The majority of satellite offices (73%) are located in rural areas.
- iv. 81% of justice centres and 89% of satellite offices are appropriately located to address demands of criminal courts in their coverage areas. 19% and 5% of justice centres and satellite offices respectively indicated satisfactory alignment to criminal courts. 4 satellite offices are poorly located to meet their criminal court coverage demands.
- v. 61% of justice centres and 52% of satellite offices are in close proximity for civil clients. 34% of justice centre and 30% of satellite offices are satisfactorily located. 3 justice centres and 12 satellite offices are poorly located to cover civil clients.
- vi. 36 justice centres (56%) are classified as medium in size with staff numbers between 21 and 40 members. 9 justice centres are considered small in size, 14 are considered large. 5 justice centres are very large, with in excess of 60 staff members.
- vii. The majority of justice centres (64%) have 5 year lease periods. Most satellite offices (56%) are on 3 year lease periods. Half of justice centre lease contracts (50%) expire before the end of 2012 whilst 47% or 30 satellite office lease contracts will come up for renewal during the same period. 38 justice centres and 53 satellite offices have inadequate office space. 14 justice centres and 26 satellite offices do not have potential to expand.
- viii. 91% of prisons linked to justice centres, 79% to SOs are within 75km distance of JCs. Most prisons with awaiting trial prisoners are located within 25km of our JCs and SOs.
- ix. 62 JCs and 61 SOs are confirmed to be in the correct location to cover courts in their coverage area – 2 JCs and 3 SOs may need to move.
- x. A review of the national footprint has revealed the need to convert satellite offices to become fully fledged justice centres, as well as establish a new justice centre in the Free State. There is a need for new satellite offices in order to improve the court coverage programme as well as increase access to civil clients. This will have to be assessed and finalised in the strategic plan period.
- xi. The Universal Declaration on Human Rights (UDHR) sets in general terms the guarantees required to meet the requirements for access to justice and more specifically relating to the right to legal representation.<sup>1</sup>

<sup>1</sup> Points XI – XXI. Link to Objective 4 “Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations”.

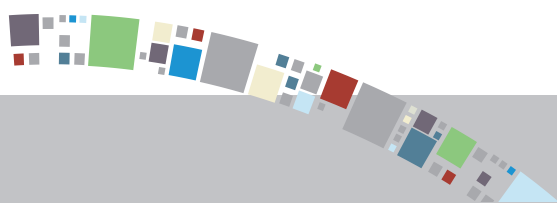
Legal Aid SA has been providing support to many legal aid organisations in developing countries more specifically to countries in Africa. Many international delegations are hosted by Legal Aid SA in which the delegations study our legal aid system and lessons they could take on how to model their systems to increase access to justice to the poor in their countries. This is also in keeping with governments policy of ‘contributing to the development of Africa and the better world’ and the DoJ&CD’s objective of ‘Provide support for international relations activities’ which has as its KPI ‘Provide technical support to SADC and other identified African countries.’ It is in this context that the international and African legal environments have to be understood by Legal Aid SA so as to inform its interaction and engagement with international organisations.





- xii. These guarantees are more clearly defined in the International Covenant on Civil and Political Rights (ICCPR) which requires all signatory countries to ensure via legislation that legal assistance is assigned, without cost, to all in need if it is in the interests of justice to do so.
- xiii. Although the African Commission on Human Rights is functional many of its resolutions are not respected or given effect to by member states.
- xiv. The right of access to justice (including legal representation) is recognised in the Constitutions of most African States although it is not a priority due to competing requirements on the fiscus of the said States.
- xv. The independence of the judiciary is a critical element for a functional and credible legal system in any state. There is however a clear trend in the majority of the states to not respect the independence of the judiciary. This results in the breakdown of the rule of law with its concomitant consequences of people taking the law into their own hands.
- xvi. There are however states where the judiciary is regarded as independent and the rule of law is respected and promoted. In these states there is an increasing effort to ensure access to justice and to make legal aid services available to the indigent.
- xvii. These states are increasingly looking at models for legal aid service delivery and they are studying the suitability of the South African model in understanding how to develop and implement their own legal aid systems.
- xviii. Although the African Human Rights Court has been established, it is not functional and there are limited mechanisms for holding states accountable in terms of the various covenants and charters.
- xix. A process was commenced to ensure the revival of the respect for human rights and rule of law across the African Continent but this has stalled.
- xx. Commitment is required from member states and the African Court to assist countries to acquire the requisite funds to ensure a sustainable legal system, which as of necessity would have to include the right to legal representation at state expense.
- xxi. Although Legal Aid SA has no standing to change attitudes of states a possibility would also exist to support litigation in the African Court and to continue and expand its role in assisting with the development of sustainable legal aid systems.
- xxii. Legal Aid SA focuses on growing its knowledge base to optimise the organisation's performance and to support other developing legal aid organisations.
- xxiii. The Legal Aid SA leadership programme implementation is based on a values-based leadership model. The identified leadership styles are relevant to the organisation and to values-based leadership. Values-based leadership will remain relevant and the organisation will continue to build values-based leadership as well as situational and participative leadership.
- xxiv. Leaders are required to develop motivated cohesive teams and positive climate through team building interventions.
- xxv. The organisation has effective and competent leadership committed to growing the organisation.
- xxvi. The legal leadership within the organisation is developed and profiled.
- xxvii. The organisation is committed to growing and developing its leaders and to building a positive organisational culture and developing a competency framework relating to the leadership pipeline.

- xxviii. A process flowchart for developing and implementing a competency framework for Legal Aid SA was adopted including:
  - a. Legal Aid SA strategies
  - b. Organisational competencies – determined by competencies required to develop organisational strategies
  - c. Leadership Pipeline developed – competencies specific to each level in the pipeline developed including leadership competencies
  - d. Individual competencies developed – definitions, standards
  - e. Competencies integrated with and inform other HR programmes, for example, Position Profiles, Recruitment, Training.
- xxix. Legal Aid SA has various levels of programmes for each of the categories of employee wellness offerings
  - a. Internal awareness and education programmes, bi-annual HIV Voluntary Counselling and Testing, referral for medical assessment;
  - b. Counselling services, support, advice and referral for HIV positive employees, support, assistance and referral to distressed employees or substance abuse addicts;
  - c. Circles of vitality, a group life scheme;
  - d. Occupational health and safety programme, safe and secure office space.
- xxx. The health risks indicated by medical aid chronic benefit registrations include high blood pressure, HIV/Aids, oncology, coronary artery disease and depression. Other key health and wellness risks faced by organisations include smoking and substance abuse, sexually transmitted diseases and occupational exposure to injury, stress and trauma.
- xxxi. Health and wellness risks associated with Legal Aid SA – age associated health risks:
  - 20-29 years face risk of poor life orientation and risky behaviour;
  - 30-45 years should prevent development and setting in of chronic conditions;
  - 46-65 years chronic conditions set in, disease management necessary.
- xxxii. Legal Aid SA had 33 disability claims between January 2007 – October 2010, the most dominant being tumours and growths, cardiovascular, HIV/Aids and orthopaedic.
- xxxiii. The HIV/Aids prevalence rate in Legal Aid SA is 5-7%.
- xxxiv. Legal professionals are exposed to vicarious trauma and the nature of the work presents a higher risk to employees with pre-existing psychological vulnerability.



## 5. VISION OF LEGAL AID SOUTH AFRICA (2025)

A South Africa in which the rights enshrined in the Constitution are realised and upheld and responsibilities are complied with to ensure equality, justice and quality of life for all.

## 6. MISSION OF LEGAL AID SOUTH AFRICA (2025)

To be a leader in the provision of accessible, sustainable, ethical, independent and quality legal services to the poor and vulnerable.

## 7. VALUES OF LEGAL AID SOUTH AFRICA (2012-2017)

### i. Passion for Justice

*To strive to give effect to the rights enshrined in our Constitution and to be committed and dedicated to increasing access to justice for all.*

### ii. Ubuntu

*To ensure that in all our dealings with our clients, community and staff, we treat each other with compassion, respect, human dignity, regardless of class, sex, race, gender, sexual orientation, age or any other form of prejudice.*

### iii. Integrity

*To live by the highest ethical standards, demonstrating honesty and fairness in all our dealings with our clients, community, stakeholders and employees.*

### iv. Accountability

*To be accountable to our clients, the public, stakeholders and shareholders by ensuring compliance with our mandate within the framework of good governance and effective and efficient utilisation of public funds.*

### v. Service Excellence

*To provide the best in quality legal service and in everything we do, achieving excellence every day.*

### vi. People Centred Development

*To empower our clients and communities to make informed choices about legal matters impacting on their lives.*

*To strive for a workplace where opportunity, openness, enthusiasm, empowerment, teamwork, empathy, learning, accountability and a sense of purpose combine to provide a rewarding professional experience resulting in a highly motivated, valued and diverse workforce.*

## 8. STRATEGIC SHIFTS (2012-2017)

From the pre 1999 up to the current 2009-2012 period Legal Aid SA has made significant strategic shifts. The shifts in strategic direction have enabled the organisation to grow from an organisation under serious threat of collapse in pre 1999 to a high performing, mature organisation aiming for excellent performance to reach an increasing number of South Africans requiring legal aid services.

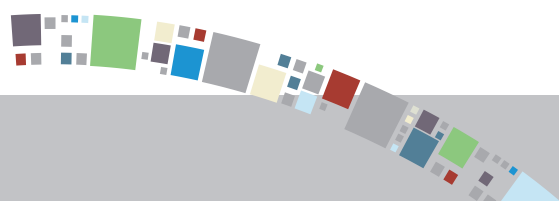
Pre 1999 saw a legal aid delivery model which relied on judicare practitioners (outsourced model) and partnerships with law clinics, NGOs and attorneys in rural areas. Although legal aid was initiated to assist the poor it was not equally accessible and did not reach all as a result of financial constraints. By the 1990s the organisation was in crisis, financially and administratively. There was no WAN and LAN and a stand-alone IT system was used to record legal aid.

The 2000-2002 period saw a shift to the Justice Centre model and the roll out of a national footprint of justice centres, aimed at reaching many more South Africans. The financial crisis was averted and the first unqualified audit report was received. The WAN and LAN were implemented and a stand-alone IT system was used to record legal aid.

During the period 2003-2006 the justice centre model roll out was completed and policies, procedures and systems implemented. There was a clear strategic shift to a focus on the delivery of professional legal services, with access and quality of legal services a key strategic priority. Work was done on the quality of legal services and quality interventions were introduced. Financial performance and governance was strengthened and an unqualified audit was maintained. As a result of the number of staff doubling there was a focus on human resources management and it was during this period that legal staff were made permanent. The IT platform was consolidated, a legal administration application was implemented and there was improved connectivity across the national footprint of justice centres. Basic management information was being collected and collated manually and the Justice Centre Performance Monitor was initiated.

In the 2006-2009 period the national footprint expanded to provide legal aid at all criminal courts. There was a focus on the practitioner per court ratio which was too low and therefore impacting on caseloads and quality. Access and quality of legal services continued to be a key strategic priority. During this period attention was given to improving the strategic positioning of the organisation within both the justice cluster and the South African community in general. Financial performance and governance were enhanced and the unqualified audit included no matters of emphasis from the Auditor General. The human resources focus was on people centred programmes and organisational culture programmes aimed at developing a strong values-based culture within the organisation. Performance management and the tracking of performance continued. The development of management and leadership skills of managers was a focus. The IT platform was expanded to support the expansion of the national footprint and to serve the operational needs within legal administration, finance and human resources. There was a shift to the electronic collection and compilation of management information and Business Intelligence and the Corporate Dashboard were developed.

During the current strategic planning period, that is 2009-2012, new ways of increasing access to justice within resource constraints were explored and implemented. The Legal Aid Advice Line was launched to improve access to first level legal assistance. Mechanisms to increase the practitioner per court ratio was a focus and in



ensuring quality legal services independent quality assurance was implemented through the establishment of a Legal Quality Assurance Unit. The Legal Aid brand was consolidated in order to increase public awareness of the independent quality legal aid services provided. This period also saw the implementation of programmes and projects from the Criminal Justice Review. The financial maturity of the organisation improved as did risk based management in all facets of the business, in an effort to maintain unqualified audits. People development programmes were consolidated and aligned to create a rich talent pool of premium brand public interest professionals thus developing staff to be ambassadors of the brand. Risk based management of performance with individual responsibility for tracking performance was introduced and the shift from management to leadership began. The IT platform was further enhanced and the Virtual Private Network (VPN) was implemented. Business Intelligence was made available to all staff to improve management of their performance and the Corporate Dashboard was electronically compiled.

In preparing the Legal Aid SA Strategic Plan for 2012-2017 the organisation had to reflect on the strategic planning over the last decade and how the strategic direction of the organisation has shifted over that period. Informed by the environment/context within which the organisation operates and what has been achieved over the past periods the organisation has set a broad direction or the STRATEGIC SHIFT the organisation will follow over this next strategic planning period 2012 to 2017. Overall this Strategic Plan is geared to achieve the following:

**Sustainable high performance and excellence in all segments of the organisation over the next decade, positively touching the lives of many more South Africans thus ensuring JUSTICE FOR ALL.**

The strategic shift the organisation plans to effect over the 2012-2017 period is as follows:

- i. Enhancing and expanding new forms of legal aid access;
- ii. Client-focused legal aid delivery;
- iii. Quality, rights based legal aid services delivering desired outcomes;
- iv. Proactively making the justice system function more effectively and efficiently;
- v. Strengthening the legal aid brand to be a respected and acclaimed legal service provider;
- vi. Sustainability – financial and non-financial;
- vii. Sustainable institutional platform geared to deliver strategic outcomes;
- viii. Talent management growing and renewing core strategic competencies;
- ix. Competitive Employee Value Proposition (EVP);
- x. IT Platform increasing clients access to legal aid services;
- xi. Management information improving reporting and accountability and informing improved performance;
- xii. Building values-based authentic leadership.

## 9. STRATEGIC RISKS (2012-2017)<sup>2</sup>

The preparation of the Strategic Plan 2012 is also informed by the Strategic Risks that the organisation faces. The strategic risks that the organisation managed since 2003 were considered and the strategic risks facing Legal Aid SA over 2012-2017 are:

### Client Community

- i. Challenges to the Rule of Law.<sup>3</sup>
- ii. Capacity to meet community demand for civil legal aid – lack of funding for civil legal aid.
- iii. Quality of legal services offered by Legal Aid SA (including judicare quality).
- iv. Legal Aid SA image/ perception/ reputation risk.

### Legal and Justice

- v. Lack of confidence in the justice system. Inefficiencies of the justice system negatively impact on image and credibility of all entities within the justice system. Lack of complementary facilities to enhance access to justice.

### Finance and Governance

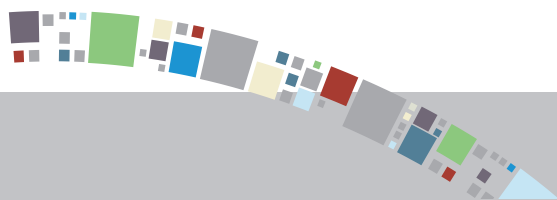
- vi. Government's ability to maintain baseline level of funding.
- vii. Sustainable performance and sustainable practice.

### Employee and Organisational Capacity and Innovation and Learning

- viii. Attraction and retention of expertise and specialist skills.
- ix. IT Governance and IT platform and capacity responsiveness to business need.
- x. Deepening client-focused, values-based organisational culture.

<sup>2</sup> Strategic Risks refer to those issues/factors that could potentially prevent/ impact on Legal Aid SA being able to deliver its outcomes and objectives.

<sup>3</sup> Refers to instances in which the public utilises alternate mechanisms to resolve justiciable issues/problems they face instead of utilising the legal system. Examples of where this is taking place is in the service delivery protests, communities taking the law into their own hands to mete out justice to alleged 'offenders' as well as not taking their matters to the police and courts because of a lack of confidence in the justice system.



## 10. OUTCOMES AND OBJECTIVES (2012-2017)

### OUTCOMES 2017:

**Outcome 1:** Quality justice for all, focusing on the poor and vulnerable.

**Outcome 2:** Respected, high performance, sustainable, accessible public entity impacting positively on society, the economy and the environment.

### OBJECTIVES 2012-2017:

#### Client, Community

1. Empowered clients and communities making informed choices about their legal rights and responsibilities.
2. All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights.<sup>4</sup>

#### Stakeholder

3. An accessible, effective and efficient justice system serving all in South Africa.
4. Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations.

#### Shareholder

5. Delivering on our constitutional and statutory shareholder mandate in an independent, accountable and sustainable manner.

#### Finance and Sustainability

6. Financial and non-financial sustainability impacting positively on society, the economy and the environment.
7. Good governance practices enabling high performance and accountability.
8. A recognised, respected, independent and acclaimed legal aid brand.

#### Internal Business Processes

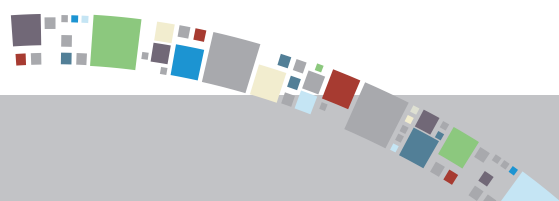
9. Delivery and business processes that are client focused, efficient, effective and sustainable.
10. An effective and efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes.
11. Management information that is accurate, reliable and timeous.

#### Employee and Organisational Capacity and Innovation and Learning

12. An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance.
13. Committed, competent and dedicated employees empowered to deliver the organisation's mandate and strategies.
14. A learning and flexible organisation growing its own knowledge base to optimise performance.

<sup>4</sup> These rights refer to a person's rights as stated in the Bill of Rights in the Constitution of RSA as given content to in specific legislation. This is read together with the qualification criteria for persons and types of matters as enumerated in the Legal Aid Guide 2012 as required by the Legal Aid Act 22 of 1969 (as amended) (Section 3A).

15. An organisation based on a people centred culture.
16. An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/strategies.
17. A values-based and ethical leadership inspiring and harnessing the contribution of employees for sustainable performance geared to serve clients needs.
18. A modern, integrated, secure and effective IT Platform facilitating client services and linkages and enabling internal business needs.





## 11. STRATEGIES (2012-2017)

### Client, Community, Stakeholder and Shareholder

- i. Delivering client-focused legal aid, including to vulnerable groups, in criminal matters;
- ii. Delivering client-focused legal aid, including to vulnerable groups, in civil matters;
- iii. Delivering client-focused primary legal advice services;
- iv. Delivering client-focused Impact legal aid services;
- v. Developing new and alternative methods of increasing access to justice;
- vi. Contributing to the effective functioning of the justice and legal sector;
- vii. Implementing community education/outreach programmes;
- viii. Forging stakeholder partnerships to jointly increase access to justice;
- ix. Accounting to the Department of Justice and Constitutional Development and Parliament on delivery of mandate, governance and sustainability.

### Finance and Sustainability

- x. Increasing financial sustainability;
- xi. Increasing sustainable (non-financial) performance;
- xii. Maintaining and enhancing good governance;
- xiii. Strengthening and growing a sustainable recognised brand.

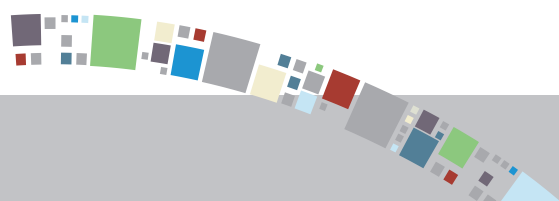
### Internal Business Processes

- xiv. Maintaining a mixed-model legal aid delivery system;
- xv. Building organisational models/ structures to optimise performance and delivery of legal/support services;
- xvi. Maintaining a regulatory framework incorporating best practices;
- xvii. Maintaining strong financial management and Supply Chain Management;
- xviii. Developing and enhancing accurate and reliable Management Information Systems.

### Employee and Organisational Capacity and Innovation and Learning

- xix. Expanding and capacitating the national footprint to increase points of access to legal aid services and new forms of access, especially in rural areas;
- xx. Developing and expanding the legal quality and expertise for each segment of the national footprint;
- xxi. Developing talent and improving competencies to serve business needs and integrating competencies into related programmes;
- xxii. Leveraging institutional knowledge to remain smart and effective;
- xxiii. Strengthening and stimulating the development of a people centred values-based culture

- xxiv. Developing and implementing an Employee Value Proposition able to recruit and retain the best talent and culture fit;
- xxv. Developing values-based and authentic leadership to ensure sustained high performance in order to deliver on our mandate;
- xxvi. Building an integrated, stable and reliable IT platform serving clients' needs and internal business needs.



## 12. PROGRAMMES (2012-2017)

### 12.1. Strategic Objectives

Client, Community, Stakeholder and Shareholder Programmes per Strategy						
<b>Objective 1:</b> Empowered clients and communities making informed choices about their legal rights and responsibilities						
<b>Objective 2:</b> All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights						
<b>Strategy I:</b> Delivering client-focused legal aid, including to vulnerable groups, in criminal matters						
Programme	KPI (per annum)	Base Year (2011) performance	Budget	Output	Risks	Time frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
Programme 1 To deliver (increase access) quality criminal legal aid services that are client focused	<u>Coverage of Courts:</u> DCs: ≥85%; RCs: 100%; HCs: All LA matters	<u>Coverage of Courts:</u> DCs: 83%; RCs: 96% HCs: All LA matters	687,776,834	All criminal courts covered; All applications for legal aid processed	Clients not legally represented at their trials	Quarterly
	<u>All CAT &gt; 1 Month</u> represented and individually tracked	CAT programme in place		CAT statistics	CAT incarcerated unjustly for extended periods	Monthly
	<u>All ATPs &gt; 2 yrs</u> represented and individually tracked	ATP programme in place		ATP statistics	Unnecessary deprivation of liberty	Monthly
	<u>Case turnaround times:</u> < 20% DC cases > 6 months; < 25% RC cases > 9 months; < 30% HC cases > 12 months (excluding appeals matters)	<u>Case turnaround times:</u> DC: 16% RC: 27% HC: 40%		Case turnaround times statistics	Matters unnecessarily prolonged/delayed	Quarterly

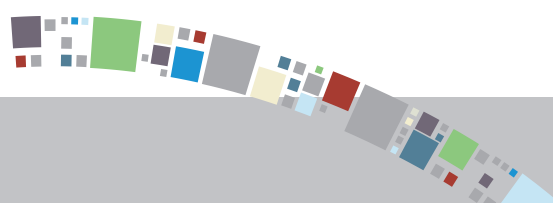
## Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy I:** Delivering client-focused legal aid, including to vulnerable groups, in criminal matters

Programme	KPI (per annum)	Base Year (2011) performance	Budget	Output	Risks	Time frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
Programme 2: To increase access points, including to vulnerable groups, to criminal legal aid services	Improved linkages with police and social development to ensure legal representation for children in criminal matters	Linkage with police primarily at case flow meetings	–	Stakeholder reports	Children unrepresented	Quarterly
	All preliminary courts covered by Legal Aid SA practitioners	All full time preliminary courts currently covered		Preliminary court statistics	Children unnecessarily channelled through CJS	Quarterly
	Prisoners/ detainees assisted by call centre agents at client call centre	Approximately 10% of calls received at the call centre are from prisoners		Call centre statistics – criminal matters	Detained persons unassisted	Monthly
	Review of criminal legal aid access and recommendations implemented	Current access points, that is, courts		Review report Implementation record	Unrepresented accused	Annually



### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy I:** Delivering client-focused legal aid, including to vulnerable groups, in criminal matters

Programme	KPI (per annum)	Base Year (2011) performance	Budget	Output	Risks	Time frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
Programme 3: To improve on specialised legal service delivery	Coverage of specialist criminal courts:		37,535,051	Court coverage statistics	Clients in specialist courts unrepresented	Quarterly
	Child Justice Courts: 100%	89%				
	Sexual Offences Courts: 100%	99%				
	Specialised Commercial Crimes Courts: 100%	93%				

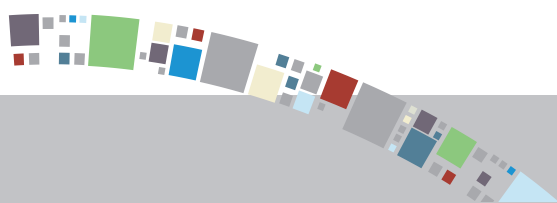
## Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy II:** Delivering client-focused legal aid, including to vulnerable groups, in civil matters

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 4:</u> To deliver (increase access) quality civil legal aid services that are client-focused	10% growth in civil matters per annum	Civil Matters: 31,451	60,664,580	Increased numbers of clients assisted in civil matters	Inability to meet demand for civil legal aid services	Quarterly
	<u>Case turnaround times:</u> < 30% civil cases > 18 months	<u>Case turnaround times:</u> Civil: 26%		Case turnaround times statistics	Matters unnecessarily prolonged/delayed	Quarterly
<u>Programme 5:</u> To increase access points to civil legal aid and respond to needs of the rural poor and different vulnerable groups	<u>Improved linkages with community advice offices</u> (including NADCAO) to increase access	Linkages with advice offices currently in place	8,085,710	Advice office statistics	Clients with civil problems unassisted	Quarterly
	Reduce unrepresented parties (with incomes below means test limit) in civil trials			Review/ Research civil trial rolls and identify opportunities to increase access to civil legal aid	Unrepresented persons in civil matters	Quarterly



<b>Client, Community, Stakeholder and Shareholder Programmes per Strategy</b>						
<b>Objective 1:</b> Empowered clients and communities making informed choices about their legal rights and responsibilities						
<b>Objective 2:</b> All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights						
<b>Strategy II:</b> Delivering client-focused legal aid, including to vulnerable groups, in civil matters						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 5</u> continued	<u>Improved linkages with NGOs, CBOs FBOs</u> to increase awareness of legal aid services as well as referrals of clients to legal aid	Linkages have been made however number of interactions with stakeholders is low		Stakeholder linkage reports	Clients with civil problems unassisted	Quarterly
	<u>Legal aid clinics</u> conducted at high volume/ traffic points in rural and urban areas	New programme		Legal aid clinic statistics	Clients with civil problems unassisted	Quarterly
	<u>Linkage with Masters offices</u> to attend to estate matters on behalf of children	Linkage with provincial masters offices only recently implemented		Estate matter statistics	Clients with civil problems unassisted	Monthly
	<u>No of Co-operation partner agreements</u> increased to increase access to civil clients	6 Co-operation agreements in place		Co-operation statistics	Clients with civil problems unassisted	Quarterly
	<u>Direct access to accredited Judicare</u> practitioners by clients in civil matters	New programme		Civil judicare statistics	Touting by Judicare practitioners	Monthly

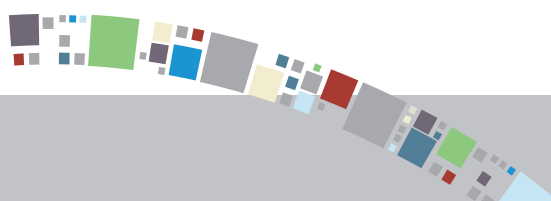
### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy III:** Delivering client-focused primary legal advice services

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 6:</u> To deliver (in-crease access) quality legal advice services that are client-focused	<u>Growth</u> in legal advice matters: 5%	Legal advice matters: 234,693	32,002,053	General advice statistics	Clients requiring legal advice unassisted	Quarterly
	<u>Community outreach advice services</u> extended	n/a		General advice statistics at community outreach sites	Clients requiring legal advice unassisted	Quarterly
	<u>Client satisfaction levels</u> > 80%	n/a		Client satisfaction survey statistics	Clients not satisfied with general advice services	Quarterly
<u>Programme 7:</u> To maintain (and expand within budget) the Legal Aid Advice Line to deliver (in-crease access) quality telephone legal advice services that are client-focused	10% <u>growth</u> in telephone legal advice matters	Call Centre Calls: 13,926	6,965,702	Increased number of clients assisted with telephone legal advice	System/ connectivity problems	Monthly





### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy III:** Delivering client-focused primary legal advice services

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly/ Annually)
<u>Programme 8:</u> To implement new forms of first level legal services that are client-focused	Legal self-help modules developed: 4 modules annually	n/a	-	Self-help statistics	Unresolved client problems	Quarterly
	Electronic documentation generation investigated and implemented	New programme		Web access statistics		Quarterly
<u>Programme 9:</u> To improve client relationship management and implement a client feedback mechanism for all legal aid services	Client satisfaction survey results: > 80%	n/a	-	Client satisfaction survey statistics	Client satisfaction unknown	Quarterly

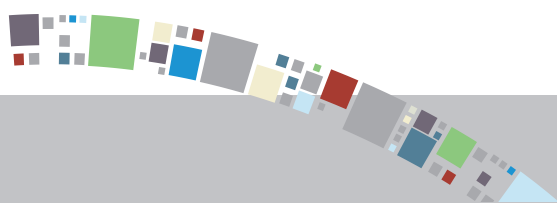
### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy IV:** Delivering client-focused Impact legal aid services

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<b>Programme 10:</b> To increase access to justice through impact litigation – which is able to address Constitutional rights and socio-economic rights and develop jurisprudence on these matters	<u>Number of matters (new and pending) handled</u> by Impact Litigation Unit increased by 10% per annum	1. Impact Unit – 7 2. Justice Centres – 11 3. External Service Providers -13	7,096,016	Increased number of impact matters handled/ litigated	Quality of legal services rendered may not be of required standard	Quarterly
	<u>Success rate:</u> >90%	n/a		Impact matters outcome statistics	Outcome of impact matters not satisfactory	Quarterly



### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 1:** Empowered clients and communities making informed choices about their legal rights and responsibilities

**Objective 2:** All poor and vulnerable persons able to access quality public funded legal services to protect and defend their rights

**Strategy V:** Developing new and alternative methods of increasing access to justice

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 11:</u> To explore, develop and implement new alternative dispute resolution options to improve access to justice	New and alternative methods of increasing access to justice investigated and implemented	New programme	-	Research report on feasibility, systems required and training and preparation of relevant personnel	Inability of justice system to support and sustain alternative modes of providing access to justice	Quarterly

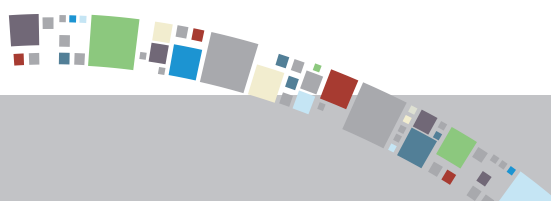
### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 3:** An accessible, effective and efficient justice system serving all in South Africa

**Strategy VI:** Contributing to the effective functioning of the justice and legal sector

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 12:</u> To proactively improve the functioning of the courts and justice system	Improved use of plea bargaining when in the best interests of clients	Informal plea bargaining on behalf of clients currently practised by practitioners	-	Plea bargaining statistics/ Outcome statistics	Client matters prolonged with unfavourable consequences for client	Quarterly
	Speedy processing of guilty pleas when instructed accordingly by clients	n/a		Guilty plea statistics	Client matters prolonged when client intends to plead guilty	Quarterly
	Effective participation in case flow forums to improve efficiency of courts	All JCs currently participate in local case flow meetings		Case flow records	Inefficient functioning of courts	Quarterly

<b>Client, Community, Stakeholder and Shareholder Programmes per Strategy</b>						
<b>Objective 3:</b> An accessible, effective and efficient justice system serving all in South Africa						
<b>Strategy VI:</b> Contributing to the effective functioning of the justice and legal sector						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 12:</u> Continued	Minimise requests for postponement of cases by legal aid lawyers	Programme to reduce numbers of post-ponements currently in place		MAR records	Client matters prolonged	Quarterly
	Efficiently process legal aid applications and allocation of judicare instructions (x ref to Programmes 1 and 4)			Legal aid application processing times	Delays in obtaining legal representation	Monthly
<u>Programme 13:</u> To implement recommendations of the Criminal Justice Review and Civil Justice Review	All recommendations affecting Legal Aid SA implemented	A few recommendations have been incorporated in draft protocols	-	Implementation of the recommendations of the Criminal and Civil Justice Reviews as identified	Failure/ inability of other stakeholders to implement recommendations	Quarterly



Client, Community, Stakeholder and Shareholder Programmes per Strategy						
<b>Objective 3:</b> An accessible, effective and efficient justice system serving all in South Africa						
<b>Strategy VI:</b> Contributing to the effective functioning of the justice and legal sector						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 14:</u> To improve the functioning of the justice and legal sector by building stronger and effective partnerships with stakeholders in the justice and legal sector	Participation in project to reduce case backlog	Case backlog project in place	32,000,000	Case backlog project statistics	Matters delayed for prolonged periods	Quarterly
	Participation in Justice cluster team to manage problems of awaiting trial detainees	MATD committee in place		MATD meeting records	ATDs in prisons for extended periods	Quarterly
	Participation in special projects to reduce appeal backlogs	Special project implemented in Pretoria		Project records	Appeal matters delayed	Quarterly
	Participation in all justice cluster forums in which legal aid has a contribution	Current participation in justice cluster forums		Participation in Justice Cluster Forums/ Committees	Unable to make contributions regarding legal aid	Quarterly
	Building co-operative relationships	Current relationships with legal professional bodies such as the LSSA and GCB		Co-operative relationships with legal professional bodies	Lack of co-operation	Quarterly

### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 4:** Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations

**Strategy VII:** Implementing community education/outreach programmes.

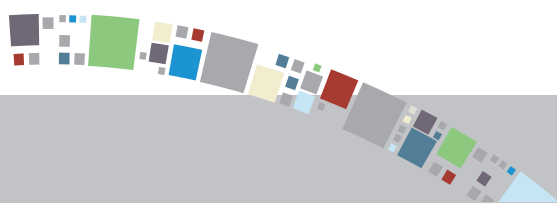
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly/ Annually)
<u>Programme 15:</u> Improve awareness, educate and inform communities on Constitutional rights and responsibilities	Educational level on Constitutional and human rights and responsibilities amongst citizens increased	Education and awareness on Constitutional and human rights included in outreach programmes	-	Client outreach programmes planned for year delivered	Clients not fully informed of their rights and responsibilities	Quarterly

### Client, Community, Stakeholder and Shareholder Programmes per Strategy

**Objective 4:** Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations

**Strategy VIII:** Forging stakeholder partnerships to jointly increase access to justice

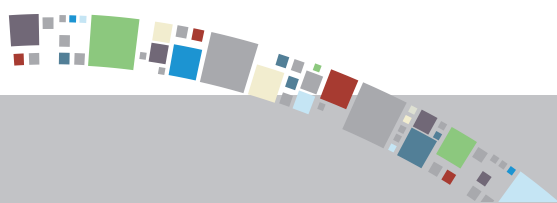
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly/ Annually)
<u>Programme 16</u> Increasing co-operation with and accountability to stakeholders	Engagement with all identified primary and secondary stakeholders	Stakeholder Relationship Management Matrix developed in 2010/11	580,327	Stakeholder engagement programme implemented as planned annually	i. Poor or low stakeholder engagement ii. Uninformed stakeholders	Quarterly
<u>Programme 17:</u> Increasing access to clients through partnerships with civil society organisations and the legal fraternity (including pro bono)	Improved joint ventures with NGOs, CBOs, human rights organisations and judicare practitioners annually	Support base for clients: family and social workers at 32% in 2010/11	-	i. Programmes for civil society organisations delivered as planned annually	i. High expectations from civil society ii. Reluctance of practitioners to render pro bono services	Quarterly



Client, Community, Stakeholder and Shareholder Programmes per Strategy						
<b>Objective 4:</b> Effective sustained stakeholder partnerships able to jointly increase access to justice as well as to support other external developing legal aid organisations						
<b>Strategy VIII:</b> Forging stakeholder partnerships to jointly increase access to justice						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 18:</u> Supporting developing legal aid agencies (within and outside the country)	Knowledge and information shared with delegations/ countries and at Access to Justice Conferences/ Workshops	International delegations hosted	-	Support provided and knowledge shared with countries with developing legal aid systems	Demand on resources	Quarterly

Client, Community, Stakeholder and Shareholder Programmes per Strategy						
<b>Objective 5:</b> Delivering on our constitutional and statutory shareholder mandate in an independent, accountable and sustainable manner						
<b>Strategy IX:</b> Accounting to the Department of Justice and Constitutional Development and Parliament on delivery of mandate, governance and sustainability						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 19:</u> To account and provide assurance to the Department of Justice and Constitutional Development and Parliament on performance and governance	Reporting and accountability to the Executive Authority and statutory compliance maintained and improved	Reporting and accountability to the Executive Authority and statutory compliance maintained at 100%	275,904	i. 4 Quarterly performance reports ii. 1 Annual Report iii. Reporting to and briefing of Parliamentary Committees iv. Responses to questions from Parliament	i. Performance reports not submitted timeously ii. Inconsistent and unverifiable performance data	Quarterly and Annually

Finance and Sustainability Programmes per Strategy						
<b>Objective 6:</b> Financial and non-financial sustainability impacting positively on society, the economy and the environment						
<b>Strategy X:</b> Increasing financial sustainability						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 20</u> Ensuring strong financial performance and optimum maturity level	The maturity level of financial performance increased from medium to high in 2nd year	Financial maturity level of the organisation at medium level in 2010/11	-	High level of financial maturity	Financial performance and optimum maturity level may not improve	Annually
<u>Programme 21:</u> Improved strategic budgeting and financial planning	Strategic budgeting and financial planning reviewed annually in line with best practice	Financial planning aligned to MTEF 2011/13	2,251,131	Strategic budgeting and financial planning delivered as annually planned	i. Financial planning not aligned to organisational strategies ii. Impact of escalating cost per case on budget	Annually
<u>Programme 22:</u> Compliant and best practice financial reporting	Level of financial reporting compliant with best practice annually	2010/11 financial reporting compliant with best practice	5,330,140	Compliant financial reports delivered annually	Non-compliant financial reporting	Annually
		Fully compliant Annual Financial Statements in accordance with GRAP, IFRS in place		Unqualified audit report by Auditor-General's office	Adverse audit opinion	Annually





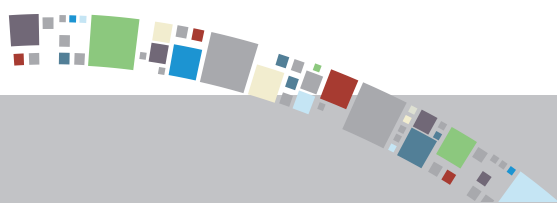
Finance and Sustainability Programmes per Strategy						
<b>Objective 6:</b> Financial and non-financial sustainability impacting positively on society, the economy and the environment						
<b>Strategy X:</b> Increasing financial sustainability						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 23:</u> Sustainable government grant funding	Baseline budget allocation annually increased in line with approved MTEF and macro-adjustment of National Treasury	MTEF 2011/13 and budget allocation 2010/11	-	Annual government grants received as per approved National Treasury allocation	i. Macro-adjustments by National Treasury below inflation ii. Cuts in government baseline funding	Annually
<u>Programme 24:</u> Client contributions and other revenue streams	Client contribution to service rendered introduced and reviewed in Legal Aid Guide annually	No client contribution for service rendered in Legal Aid Guide 2009	-	Contributions from clients received for services rendered in line with Legal Aid Guide	Clients unable to contribute fully for services rendered	Annually

## Finance and Sustainability Programmes per Strategy

**Objective 6:** Financial and non-financial sustainability impacting positively on society, the economy and the environment

**Strategy XI:** Increasing sustainable (non-financial) performance

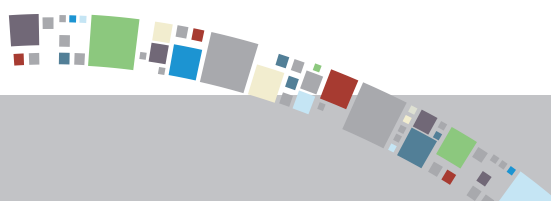
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly/ Annually)
<u>Programme 25:</u> Increasing Sustainable (non-financial) and integrated performance and reporting	Sustainable and Integrated Performance and Reporting	Sustainable Planning and Integrated reporting	-	Sustainable (incorporating short, medium and long term impact) and Integrated (incorporating impact on economy, society and environment) performance planning and reports	Planning not sustainable and integrated impacting on performance not being sustainable and integrated	Annually
<u>Programme 26:</u> Sustainable corporate policies and practices	Sustainable and statutory compliant policies and practices  Updated Business Continuity Plan and Crisis Management Plan	Current policies, Business Continuity Plan and Crisis Management Plan 2011	-	Policies updated to be sustainable  Revised Business Continuity Plan and Crisis Management Plan	Business not being sustainable and lack of leadership	Annually
<u>Programme 27:</u> Improve and maintain Risk Management to optimum maturity level	Review identified risks and ensure that mitigating controls are in place  Risks managed at optimum maturity level (continuous learning and improvement)	Risks managed at 98% compliance with risk measures implemented by all business units	-	i. Annual Review of Risk Management Strategy ii. Annual Review of Materiality Framework, Risk Portfolio, Appetite and tolerance limits iii. Risk management assessment	Risk may not be managed adequately  Emerging risks not identified timeously  Risks not proactively utilised to advance business objectives	Quarterly and Annually



Finance and Sustainability Programmes per Strategy						
<b>Objective 6:</b> Financial and non-financial sustainability impacting positively on society, the economy and the environment						
<b>Strategy XI:</b> Increasing sustainable (non-financial) performance						
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output	Risks	Time Frame
				(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 28:</u> Maintain Fraud Management Practices	Zero tolerance on fraud  Fraud mitigation measures for the prevention, detection and recording of fraudulent activities implemented	100% compliance with fraud prevention measures by all business units ; <3% of fraud emanates from control and system weaknesses	-	i. Fraud Prevention Strategy and Annual Fraud Prevention Plan ii. Quarterly Reports to Board on fraud identified and fraud trends	Fraud may not be prevented, detected, recorded  Emerging areas of fraud not identified timeously	Quarterly

Finance and Sustainability Programmes per Strategy						
<b>Objective 7:</b> Good governance practices enabling high performance and accountability						
<b>Strategy XII:</b> Maintaining and enhancing good governance						
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output	Risks	Time Frame
				(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 29:</u> Ensure best governance practice, King III guidelines, compliance with PFMA and other statutory requirements	100% compliance with statutory requirements including Legal Aid Act and PFMA 100% implementation (or explain non-implementation) of King III	100% compliance with Legal Aid Act, PFMA and other legislation  > 95% implementation of King III principles	-	i. Statutory Compliance Schedules ii. King III implementation reports	Statutory and governance non-compliance resulting in problems with Executive Authority and Auditor General	Annually

Finance and Sustainability Programmes per Strategy						
<b>Objective 7:</b> Good governance practices enabling high performance and accountability						
<b>Strategy XII:</b> Maintaining and enhancing good governance						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 30:</u> An effective and strategic Board providing leadership and oversight of delivery on performance	Skilled and properly constituted Board and Board Committees which function effectively	Board properly constituted and functioning effectively with all meetings quorate	1,455,137	i. Board Succession Plan implemented ii. Board training implemented iii. Board Meeting attendance	Ineffective Board  Lack of continuity at Board level	Quarterly
<u>Programme 31:</u> Independent monitoring and oversight unit providing combined assurance	Independent Assurance on i. Statutory Compliance and Governance practices ii. Risk Management, Fraud Prevention and safeguarding of assets  Internal Audit coverage of Audit Universe to increase by 2% per annum	Audit Coverage Plan implemented covers 75% of the Audit Universe, 80% of all risks, and all business units in 24 months  95% of JCs and business units reviewed score above 90%  98% compliance with risk/fraud measures	8,483,119	Implementation of rolling Audit Coverage Plan	Audit reports may not direct management effort towards potential breakdown in controls or towards new emerging risks	Quarterly and Annually



## Finance and Sustainability Programmes per Strategy

**Objective 8:** A recognised, respected, independent and acclaimed legal aid brand

**Strategy XIII:** Strengthening and growing a sustainable recognised brand

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
Programme 32: Develop and maintain a strong and recognised legal aid brand	Marketing Strategy reviewed annually to increase brand visibility amongst communities	Brand and Marketing Strategy in place	4,157,358	A reviewed Marketing Strategy implemented	Legal Aid SA brand not visible to or recognised by communities	Annually
	The level of branding at justice centre points increased	Branding at justice centre points (including prison cells, police cells and courts) in place as per 2010/11 programme		Branding at justice centre points implemented	Low public brand visibility resulting in poor access to legal aid services by indigent persons	Quarterly
	The level of brand advertisement increased	Advertising of services in place (outdoor at 16%, TV and radio at 37%, advice line at 32%)		Advertisement programmes implemented	Clients and potential clients not well informed of available legal aid services	Quarterly
	The performance of Legal Aid SA's programmes and services to citizens updated regularly	Corporate communication programmes to citizens in place		Corporate communications plan and programmes implemented	Citizens uninformed of the performance of Legal Aid SA	Quarterly
	The level of Legal Aid SA's brand assessed annually	Annual external Omnibus conducted in 2010/11		Brand assessment report implemented	Legal Aid SA not responsive to clients, stakeholders and community needs and preferences	Annually

### Internal Business Processes Programmes per Strategy

**Objective 9:** Delivery and business processes that are client focused, efficient, effective and sustainable

**Strategy XIV:** Maintaining a mixed-model legal aid delivery system

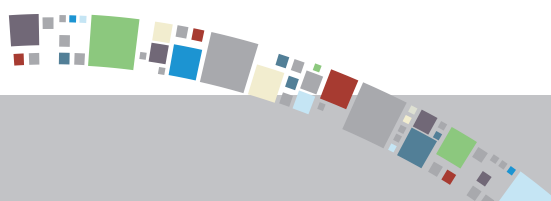
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 33:</u> To adjust the mixed model service delivery model to improve court coverage and delivery	Review and implement the delivery model and court coverage plan	Mixed delivery system model implemented  Court coverage utilising practitioner/ court (DC and RC) and central court roll (HC)	-	Delivery Model and Court Coverage Plan report	Courts not effectively covered  Unrepresented accused	Annually

### Internal Business Processes Programmes per Strategy

**Objective 9:** Delivery and business processes that are client focused, efficient, effective and sustainable

**Strategy XV:** Building organisational models/structures to optimise performance and delivery of legal/ support services

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 34:</u> To review and improve on matrix and risk based management	- Support services matrix management implemented with at least 4 contact meetings per functional area annually - JCEs spend >80% of time on legal services delivery	- Support services matrix management in place - JCEs: 80% of time spent on legal services delivery	-	- Performance reviews of regional managers show deliverables made through matrix management practices - Increased focus on legal services delivery by legal managers	i. Poor ability to manage dual reporting by regional managers ii. Ineffective communication between ROEs and functional executives could create tension iii. Insufficient focus on legal services delivery	Quarterly



Internal Business Processes Programmes per Strategy						
<b>Objective 9:</b> Delivery and business processes that are client focused, efficient, effective and sustainable						
<b>Strategy XV:</b> Building organisational models/structures to optimise performance and delivery of legal/ support services						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly/ Annually)
<u>Programme 35:</u> To refine and develop legal service delivery and support models to improve sustainability, efficiency and effectiveness of delivery and functioning of the justice system	Reviewed legal and support delivery models improving efficiency and effectiveness	Current business models serving business need	-	Sustainable and efficient and effective legal service delivery and support models investigated and implemented	Models that no longer provide efficiency and effectiveness	Annually

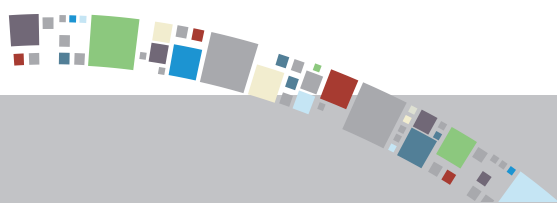
Internal Business Processes Programmes per Strategy						
<b>Objective 9:</b> Delivery and business processes that are client focused, efficient, effective and sustainable						
<b>Strategy XVI:</b> Maintaining a regulatory framework incorporating best practices						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 36:</u> Implement an updated and approved Legal Aid Act and Legal Aid Guide (LAG)	i. Revised Legal Aid Act ii. Approved Legal Aid Guide iii. Quarterly LAG Circulars implemented (where required)	LAG (2011) approved by Minister of Justice and ratified by Parliament	644,772	i. Legal Aid Act ii. Legal Aid Guide (both approved by Minister & Parliament) iii. Circulars updating LAG (approved by Board)	i. DoJ capacity to finalise revised Legal Aid Act ii. Outdated LAG and Legal Aid Act not serving business need	Annually  Quarterly
<u>Programme 37:</u> Review and improve Policies, Procedures and SOPs: Support and Legal	Review Standard Operating Procedures (SOPs) annually	Updated SOPs as at 2010/11	-	i. Revised Legal Policies and SOPs ii. Revised Support Policies and SOPs	SOPs not aligned to relevant legislation	Annually

### Internal Business Processes Programmes per Strategy

**Objective 10:** An effective and efficient, economic and environmentally responsive supply chain management system supporting client services delivery and internal business processes

**Strategy XVII:** Maintaining strong financial management and Supply Chain Management

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
<u>Programme 38:</u> Maintain a strong financial and supply chain management (including judicare)	Updated supply chain management system compliant to the PFMA implemented	Updated SCM policy and governance structures in place	6,785,651	BAC decisions implemented	Non compliance with SCM policy and PFMA	Quarterly
	Creditors including judicare, paid within 30 days of receipt of invoice	99% of creditors paid within 30 days of receipt of invoice		Payments made as shown on creditors and judicare accounts	Non compliance with PFMA	Quarterly
<u>Programme 39:</u> Ensuring good financial management	- Financial management in accordance with financial regulations, standards and best practices - Expenditure at >98% of budget	Sound financial management in place	2,688,139	Allocated funds and organisational assets fully accounted for	Statutory and Governance non-compliance resulting in problems with the Executive Authority and Auditor General	Quarterly





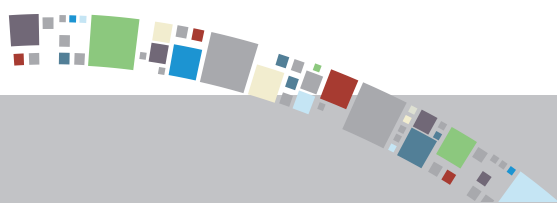
Internal Business Processes Programmes per Strategy						
<b>Objective 11:</b> Management information that is accurate, reliable and timeous						
<b>Strategy XVIII:</b> Developing and enhancing accurate and reliable Management Information Systems						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 40:</u> Maintain integrated, accurate and timeous management information (Support and Legal functions)	Updated integrated management information available quarterly (Support and Legal functions)	Integrated Management Information system in place	2,934,844	Organisational Dashboard providing integrated information	Unavailability of relevant information for management decision making	Quarterly
<u>Programme 41:</u> Develop and maintain Business Intelligence (BI) platform (Legal and Support)	Business Intelligence (BI) platform enhanced to include integrated legal work, financial and HR information	Only operations for legal work included in 2010/11 BI phase 1	-	BI available to managers and staff	Unreliable and inaccurate data	Quarterly

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XIX:** Expanding and capacitating the national footprint to increase points of access to legal aid services and new forms of access, especially in rural areas

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
<u>Programme 42:</u> Expand and maintain the national footprint, including the physical and ICT service points, to improve access, especially in rural areas	Number of JCs and SOs increased (dependent on funding)	64 Justice Centres; 64 Satellite Offices; 6 Regional Offices; 1 National Office	127,103,968	Expansion of the national footprint	IT infrastructure ability to accommodate new sites	Annually
<u>Programme 43:</u> Building a segment of the national footprint which in partnership with other delivery/ supply agents (including pro bono) improve access to justice (x-ref Programme 17)	Pro bono agreements with law societies implemented	Draft agreement under discussion with law societies	-	Pro bono statistics	Access to Justice for poor people denied	Quarterly
	Judicare/ Impact services pro bono accreditation scheme implemented	No pro bono requirements for judicare accreditation		Pro bono statistics	Accredited judicare practitioners fail to honour pro bono requirements of profession	Quarterly
	Participation of legal aid practitioners in special projects to increase access to justice	Justice centres participate in such programmes when invited		Participation records	Access to justice for poor people denied	Quarterly



## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XIX:** Expanding and capacitating the national footprint to increase points of access to legal aid services and new forms of access, especially in rural areas

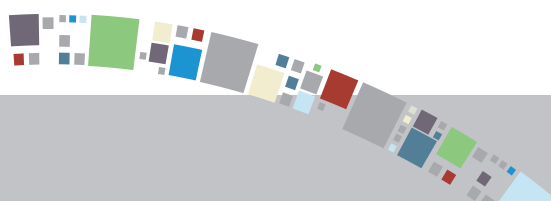
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
Programme 44: Capacitate (staff) the National Footprint	Reviewed staffing ratios implemented	<u>Supervisory ratio:</u> CAs/ Supervisors (5:1) Legal/ Supervisors (9:1) Practitioner court coverage ratios maintained: <u>Legal/Admin support ratios:</u> Lawyers/ Support (5:1)	156,559,058	i. Supervisory staff ratios reviewed for efficiency; ii. Practitioner per court ratios reviewed for efficiency; iii. Legal/ Admin support ratios reviewed for efficiency	i. Demand for legal aid services does not match supply of practitioners ii. Insufficient supervisory capacity negatively affects quality of legal services	Bi-annually
Staffing plans	Staffing plans implemented  Recruitment at >96%	Recruitment levels at 96%		i. Recruitment statistics at >96% ii. Monthly JEG meetings and submissions finalised	i. Low levels of recruitment ii. Ineffective labour relations iii. Low levels of policy compliance	Quarterly

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XX:** Developing and expanding the legal quality and expertise for each segment of the national footprint

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
<u>Programme 45:</u> To implement interventions to improve and monitor the quality of legal services to deliver desired outcomes	Mentorship, coaching and legal support programmes implemented including case discussion forums	Mentorship programme in place; Case discussions conducted daily/weekly	-	Mentorship records  Case discussion records	Practitioners not adequately supported to render quality legal services	Quarterly
	CA support programmes including court readiness programme and pre-admission programme implemented	CA support programmes in place		Court readiness programme records  Pre-admission programme records	CAs not able to represent clients at court satisfactorily	Quarterly
	On line research support for legal practitioners support including access to on-line law sites, legal newsletters and discussion forums	Access to on-line legal support in place		Statistics on usage of on-line sites and discussion forums	Practitioners not sufficiently skilled/ prepared to represent clients in their matters	Quarterly
	Quality assessment reviews conducted both by JCs as well as LOAU (for LOAU x ref to Programme 49)	Quality assessment review programme in place		Quality assessment review statistics	Poor quality services by practitioners may not be detected timeously	Quarterly



## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XX:** Developing and expanding the legal quality and expertise for each segment of the national footprint

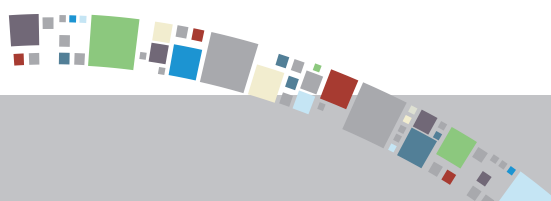
Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
<u>Programme 45:</u> Continued	Court stakeholder feedback programme on practitioners quality implemented	Court stakeholder visitation programme in place		Court visitation programme records	Practitioners support requirements may not be timeously identified	Quarterly
<u>Programme 46:</u> To strengthen and expand legal expertise required for delivery of desired quality outcomes	Quality targets: CAs: ≥80% PAs: ≥85% HCU PAs: ≥90% Legal Management: ≥90% Paralegals: ≥85%  Legal Aid Advice Line Agents Paralegals: ≥85% PAs: ≥90%	Quality Scores CAs: 88% PAs: 89% HCU PAs: 94%	-	Quality targets achieved	Quality of legal services not of required standard	Quarterly
	<u>Legal Training Targets:</u> CA: 36 hours; PA: 24 hours; Managers: 24 hours; Paralegals: 10 hours (subject to practitioner support needs assessment)	JC and LDD training programmes in place and targets achieved		Legal training statistics	Practitioners not sufficiently skilled to represent clients in their matters	Quarterly

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XX:** Developing and expanding the legal quality and expertise for each segment of the national footprint

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 47:</u> Legal Research undertaken to support delivery of quality legal services, to inform legal aid policy and protect clients' rights	Achieve 90% of the approved Legal Research Agenda	Legal Research Programme supporting business need	1,408,681	Legal Research Reports	Research not meeting business need	Quarterly
<u>Programme 48:</u> Legal Support interventions implemented to support delivery of quality legal services. (including legal resources and experts)	Legal Support Programme reviewed and implemented	Legal Support Programme implemented	-	Relevant Legal Support Programme implemented	Legal support programmes not meeting business need and not improving effectiveness of legal services delivery	Annually



## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 12:** An expanded and capacitated/resourced national footprint reaching the poor and vulnerable persons requiring legal assistance

**Strategy XX:** Developing and expanding the legal quality and expertise for each segment of the national footprint

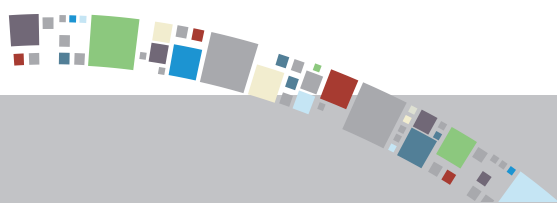
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
Programme 49: Independent Legal Quality Assurance (LOA)	<p>Independent assurance on quality of legal practitioners &amp; paralegals (JC, Judicare, Impact, Corporate and Advice Line)</p> <p>LOA Audit coverage to review all practitioners on a 2-year cycle</p> <p>% of universe coverage</p>	<p>LOA Audit Plan implemented</p> <p>85% of practitioners score above the agreed practitioner quality target</p>	4,981,870	<p>i. Annual Audit Coverage Plan implemented</p> <p>ii. Individual Practitioner Reports</p> <p>iii. Quarterly Reports on LOA that graphically illustrate trends and risks</p>	Practitioners "tailoring" files for audit	Quarterly, Annually, and Bi Annual

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 13:** Committed, competent and dedicated employees empowered to deliver the organisation's mandate and strategies

**Strategy XXI:** Developing talent and improving competencies to serve business needs and integrating competencies into related programmes

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 50:</u> Talent and career management (including recruitment and succession planning)	Reviewed talent and career management programme implemented  Turnover rate to decrease by 0.25% per annum	Reviewed talent management in place (x ref Programme 51, 54, 55 and succession planning)  Career path in place (legal and support)  Turnover rate at 8.5% (excluding CAs)	-	i. Reviewed career path implemented ii. Reviewed talent management programmes implemented	i. Employees not knowledgeable of internal career path options ii. Low employee retention levels	Annually
	Reviewed succession planning programme implemented	Succession planning programme in place for critical positions		Programme reviewed and implemented promoting mentorship	i. Employees low levels of readiness to assume critical roles at short notice ii. Low commitment by mentors	Quarterly





Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy						
Objective 13: Committed, competent and dedicated employees empowered to deliver the organisation's mandate and strategies						
Strategy XXI: Developing talent and improving competencies to serve business needs and integrating competencies into related programmes						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
Programme 51: Competency and skills development (Legal staff)	Legal training programme aligned to practitioners skills requirements as determined by practitioner skills/ competency audits	Legal training curriculum based on practitioner skills audit in place	8,498,269	Legal training curriculum updated	Legal training not relevant to practitioner needs	Quarterly
Competency and skills development (Support staff)	- All identified support skills and competencies developed through implementation of an annual rolling training plan  - Non-legal training 32 hours/staff	i. Competency framework 2011/12 in place ii. Training programme 2011/12 in place iii. Non-legal training 32 hours/staff		i. Annual training plan developed and submitted to SASSETA timeously ii. Annual support training programme implemented	i. Non-compliance with statutory requirement  ii. Inefficient implementation of programme  iii. Ineffective training programme with low ROI	Annually   Quarterly

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 14:** A learning and flexible organisation growing its own knowledge base to optimise performance

**Strategy XXII:** Leveraging institutional knowledge to remain smart and effective

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 52:</u> Build a learning and innovative organisation (including implementing a knowledge management strategy)	Consolidate institutional knowledge repository systems	Institutional knowledge dispersed and unconsolidated	11,065,117	Development of an accessible knowledge repository	Institutional knowledge lost	Quarterly
	Develop a culture of innovation – new projects/ measures of innovation implemented	No innovation system implemented		Implement an annual innovation commission aimed at stimulating innovation which is responsive to business requirements	Low levels of innovation constrain organisational adaptability, efficiency and effectiveness	Annually

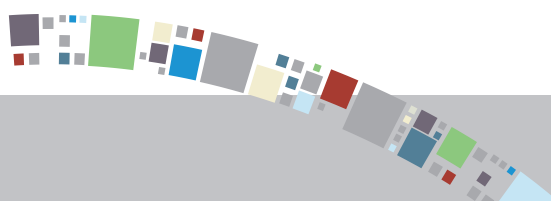
## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 15:** An organisation based on a people centred culture

**Objective 16:** An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/ strategies

**Strategy XXIII:** Strengthening and stimulating the development of a people centred values-based culture

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 53:</u> Employer brand	Employer brand strategy reviewed biennially to enhance brand offering and brand experience by employees and potential employees	Employer brand strategy and programmes consolidated in 2011/12	500,000	A reviewed employer brand strategy implemented	Employees do not enjoy a meaningful brand experience and have lower work satisfaction	Annually



<b>Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy</b>						
<b>Objective 15:</b> An organisation based on a people centred culture						
<b>Objective 16:</b> An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/ strategies						
<b>Strategy XXIII:</b> Strengthening and stimulating the development of a people centred values-based culture						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
Brand Assessment	The level of employer brand programmes assessed biennially to test employee brand experience	Biennial Internal Omnibus conducted in 2010/11		Brand assessment report implemented	Legal Aid SA not responsive to employee and potential employee needs and preferences	Annually
Internal Communications	Communications strategy and programme reviewed annually	Internal communications plan 2011/12 in place		A reviewed internal communication programme implemented	Internal communication programme not relevant to employee expectations	Quarterly

<b>Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy</b>						
<b>Objective 15:</b> An organisation based on a people centred culture						
<b>Objective 16:</b> An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/ strategies						
<b>Strategy XXIV:</b> Developing and implementing an Employee Value Proposition able to recruit and retain the best talent and culture fit						
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		(Quarterly /Annually)
<u>Programme 54:</u> Employee Value Proposition (EVP)	Employee Value Proposition reviewed biennially	EVP consolidated in 2011/12		A reviewed EVP implemented	Legal Aid SA not providing a compelling Employee Value Proposition for employee retention	Quarterly

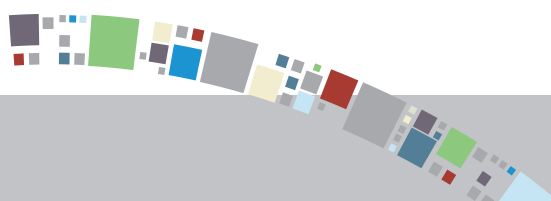
## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 15:** An organisation based on a people centred culture

**Objective 16:** An Employee Value Proposition able to recruit and retain the best talent to deliver the organisation's mandate/ strategies

**Strategy XXIV:** Developing and implementing an Employee Value Proposition able to recruit and retain the best talent and culture fit

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
Employee Engagement	Organisational culture programmes (OCP) benchmarked against the best practices in the market	OCP 2011/12 in place		Benchmarked OCP implemented	A weak and fragmented organisational culture and climate not conducive to a positive brand loyalty by employees	Quarterly
	People centred programmes reviewed annually to enhance employer brand proposition	People centred programmes 2011/12 in place	2,246,508	A reviewed people centred programme implemented	Poor cohesion amongst staff members coupled with low human support in performance of work	Quarterly
<u>Programme 55:</u> Maintain a competitive remuneration and rewards system	Competitive remuneration and rewards system implemented	Remuneration and rewards system in place reviewed in 2010/11	37,847,449	Remuneration and reward system benchmarked with public and private entities		Annually (once in 3 years)



### Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 17:** A values-based and ethical leadership inspiring and harnessing the contribution of employees for sustainable performance geared to serve clients' needs

**Strategy XXV:** Developing values-based and authentic leadership to ensure sustained high performance to deliver on our mandate

Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		
<u>Programme 56:</u> Develop and maintain a values-based leadership pipeline	Updated Leadership Programme implementation	Leadership Programme in place	1,356,791	Programme developing and stimulating authentic leadership in action implemented	Leadership not able to inspire sustained high performance	Quarterly

### Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 18:** A modern, integrated, secure and effective IT Platform facilitating client services and linkages and enabling internal business needs

**Strategy XXVI:** Building an integrated, stable and reliable IT Platform serving clients' needs and internal business needs

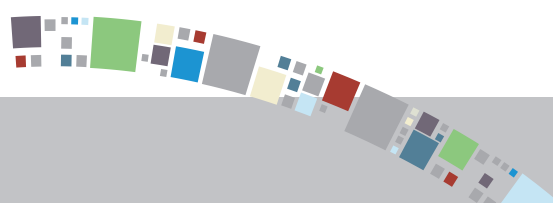
Programme	KPI per annum	Base Year (2011) performance	Budget	Output	Risks	Time Frame
	(Measure & target)			(Proof of delivery)		
<u>Programme 57:</u> Improve IT network, hardware and software infrastructure (including to support knowledge management)	Capacity level of IT network (VPN) hardware and software reviewed in response to IT client usage and business operational demands annually	IT network and hardware as per CARP of 2010/11	16,349,919	IT network and hardware upgraded annually as per reviewed CARP and business need (subject to budget)	Lack of sufficient financial resources to keep pace with new IT developments	Quarterly

## Employee and Organisational Capacity and Innovation and Learning Programmes per Strategy

**Objective 18:** A modern, integrated, secure and effective IT Platform facilitating client services and linkages and enabling internal business needs

**Strategy XXVI:** Building an integrated, stable and reliable IT Platform serving clients' needs and internal business needs

Programme	KPI per annum (Measure & target)	Base Year (2011) performance	Budget	Output (Proof of delivery)	Risks	Time Frame (Quarterly /Annually)
<u>Programme 58:</u> Modernise Information and Communication Technology (ICT) client platform including for effective social media networking	New and improved ICT systems introduced and increased throughout the Legal Aid SA national footprint annually	National Office equipped with improved modern technology (VOIP) and national office and regional offices have modern video conferencing technology in 2011/12	11,147,993	Modern ICT programmes implemented as planned annually	i. Increased IT network and hardware capacity ii. Increased need for IT training for staff	Annually
	Conceptualise and streamline a single ERP system for the organisation within 3 years	Two ERP platforms (Syspro and SAP) in place as at 2010/11		Single ERP system fully implemented in 3rd year (subject to budget)	Lack of sufficient resources (financial and HR skill) to implement a single ERP within set period	Annually
IT Governance	IT governance reviewed annually to best practice	IT governance framework in place as at 2010/11		ICT programmes delivered as per reviewed IT governance framework	Poor management of set IT governance	Quarterly



## ABBREVIATIONS AND ACRONYMS

This is an alphabetical list of abbreviations and acronyms used.  
Whilst many are generic in nature, some are specifically used at Legal Aid South Africa.

<b>ADR</b>	Alternative Dispute Resolution	<b>JCE</b>	Justice Centre Executive
<b>AFS</b>	Annual Financial Statements	<b>JC(s)</b>	Justice Centre(s)
<b>AG</b>	Auditor General	<b>JEG</b>	Job Evaluation and Grading
<b>ATD</b>	Awaiting Trial Detainees	<b>KPI(s)</b>	Key Performance Indicator(s)
<b>ATJ</b>	Access To Justice	<b>LAA</b>	Legal Aid Act
<b>ATP</b>	Awaiting Trial Prisoners	<b>LAG</b>	Legal Aid Guide
<b>BAC</b>	Bid Adjudication Committee	<b>LAN</b>	Local Area Network
<b>BCP</b>	Business Continuity Plan	<b>LDD</b>	Legal Development Department
<b>BI</b>	Business Intelligence	<b>LQA</b>	Legal Quality Assurance
<b>BP</b>	Business Plan	<b>LQAU</b>	Legal Quality Assurance Unit
<b>CA(s)</b>	Candidate Attorney(s)	<b>LSM</b>	Living Standards Measures
<b>CARP</b>	Capital Asset Replacement Programme	<b>LSSA</b>	Law Society of South Africa
<b>CAT</b>	Children Awaiting Trial	<b>MAR</b>	Matter Activity Report
<b>CBO</b>	Community Based Organisation	<b>MIS</b>	Management Information System
<b>CCMA</b>	Commission for Conciliation, Mediation and Arbitration	<b>MTEF</b>	Medium Term Expenditure Framework
<b>CJR</b>	Criminal/Civil Justice Review	<b>NADCAO</b>	National Alliance for the Development of Community Advice Offices
<b>CJS</b>	Criminal Justice System	<b>NGO</b>	Non-Governmental Organisation
<b>DC</b>	District Court	<b>NPA</b>	National Prosecuting Authority
<b>DoJ</b>	Department of Justice and Constitutional Development	<b>NT</b>	National Treasury
<b>EA</b>	Executive Authority	<b>OCP</b>	Organisational Culture Programme
<b>ERP</b>	Enterprise Resource Planning	<b>PA(s)</b>	Professional Assistant(s) / Principal Attorney(s)
<b>EVP</b>	Employee Value Proposition	<b>PFMA</b>	Public Finance Management Act
<b>FBO</b>	Faith Based Organisation	<b>QA</b>	Quality Assurance
<b>GCB</b>	General Council of the Bar	<b>RC</b>	Regional Court
<b>GRAP</b>	Generally Recognised Accounting Practice	<b>ROE</b>	Regional Operations Executive
<b>HC</b>	High Court	<b>ROI</b>	Return on Investment
<b>HCU</b>	High Court Unit	<b>SCM</b>	Supply Chain Management
<b>HDI</b>	Human Development Index	<b>SO</b>	Satellite Office
<b>HR</b>	Human Resources	<b>SOP</b>	Standard Operating Procedure
<b>ICT</b>	Information and Communications Technology	<b>SPA</b>	Supervisory Professional Assistant
<b>IFRS</b>	International Financial Reporting Standards	<b>VOIP</b>	Voice Over IP
<b>IS</b>	Information Services	<b>VPN</b>	Virtual Private Network
<b>IT</b>	Information Technology	<b>WAN</b>	Wide Area Network
<b>JC</b>	Justice Centre		

[illegible]