



Africa Criminal Justice Reform
Organisation pour la Réforme de la Justice Pénale en Afrique
Organização para a Reforma da Justiça Criminal em África

Resources on South African criminal justice system

NATIONAL PROSECUTING AUTHORITY

Fact Sheet 18: *A guide to reading government annual reports (2019)*

Government departments use annual reports to report on their performance against set objectives stated in their Annual Performance Plans (APP) and the Medium-Term Expenditure Frameworks (MTEF). Annual reports also serve the function of promoting accountability and transparency which should improve trust and confidence in government's ability to deliver on services. It is especially for civil society organizations that annual reports can be invaluable when holding government accountable. There are, however, certain challenges that readers of annual reports encounter, most notably the fact that annual reports are generally long and complex. Furthermore, the issue of erroneous and intermittent reporting is cause for concern when it comes to analyzing an annual report. This fact sheet serves as a guide on how to read government department annual reports and highlights key issues to consider.

This document can be accessed here: <https://acjr.org.za/acjr-publications/guide-to-reading-annual-reports-2019-9-5.pdf/view>

Submission: *ACJR Submission to the Zondo Commission on the National Prosecuting Authority (2019)*

State capture occurs when institutions of state have been repurposed to serve the interests of a narrow elite without a real and meaningful possibility of accountability. In this submission to the Zondo Commission, ACJR makes key recommendations regarding the independence and accountability of the National Prosecuting Authority, the need for transparent and just appointments, as well as a call for improved prosecution policy and morale.

This document can be accessed here: <https://acjr.org.za/resource-centre/acjr-submission-to-zc-24-june-2019.pdf/view>

Discussion document: *NPA Accountability, trust and public interest (2019)*

Three concepts associated with the National Prosecuting Authority (NPA) are dealt with in this discussion document, namely; accountability, public interest and trust. The main argument made is that in order for the NPA to be regarded as a legitimate institution, it needs to enjoy trust from the public and in order to enjoy such trust, it needs to be seen and perceived to act in the public interest in an accountable manner.

This document can be accessed here: <https://acjr.org.za/resource-centre/npa-accountability-trust-public-interest.pdf>

Fact Sheet 12: *The independence and structure of the prosecuting authority (2019)*

This factsheet maps the history and structure of the prosecution authority before and after 1994 showing that the independence of the prosecution authority oscillated between extreme points with reference to the relationship with the executive. The historical

developments of the prosecution authority must be seen against the devolution and centralization of prosecutorial power and its independence, or not, from political control and interference. This document can be accessed here: <https://acjr.org.za/resource-centre/fact-sheet-12-history-and-structure-of-the-npa.pdf>

Fact Sheet 7: *The appointment and dismissal of the NDPP (2018)*

This fact sheet highlights the significant risks that the appointment and dismissal of the National Director of Public Prosecutions (NDPP) has on the independence and integrity of the NPA under the current legislative framework. It recommends that when dealing with the appointment and dismissal of the NDPP, lessons should be learnt from the appointment processes of other sectors such as the Public Protector and the Auditor General of South Africa.

This document can be accessed here: <https://acjr.org.za/resource-centre/appoint-and-dismiss-of-ndpp-fs-7-fin.pdf>

Fact Sheet 8: *The performance of South Africa's National Prosecuting Authority (2018)*

This fact sheet considers the performance of the National Prosecuting Authority since inception. It notes that while there has been a general increase in the number of NPA personnel and informal mediation, the convictions reported by the NPA has dramatically dropped and there has also been decreases in terms of court utilization. In general, the NPA has been operating in a constrained political environment, which has affected its performance.

This document can be accessed here: <https://acjr.org.za/resource-centre/npa-performance-nov-2018.pdf>

Report: *An Assessment of the National Prosecuting Authority - A Controversial Past and Recommendations for the Future (2017)*

Twenty years into democracy, the independence of the NPA, in particular the National Director of Public Prosecutions (NDPP), has become a highly contested and politicized issue. This report focuses on the substantive problems and dilemmas facing the NPA. It highlights the major challenges that the NPA has faced and continues facing and makes key recommendations relating to the independence of the NPA and National Director of Public Prosecutions (NDPP) and the accountability of the NPA and NDPP. In addition, the report explores issues relating to whether the NPA is effective in holding offenders accountable. The data suggest that fewer offenders are being held accountable and convicted in relation to reported crime. This indicates that the overall performance of the NPA has declined.

This document can be accessed here: <https://acjr.org.za/resource-centre/acjr-npa-2017-fin.pdf>

ACJR is a project of the Dullah Omar Institute at the University of the Western Cape. We engage in high-quality research, teaching and advocacy on criminal justice reform and human rights in Africa. Our work supports targeted evidence-based advocacy and policy development promoting good governance and human rights in criminal justice systems. Our work is anchored in international, regional and domestic law. We promote policy, law and practice reform based on evidence. We have a particular focus on effective oversight over the criminal justice system, especially in relation to the deprivation of liberty. For more information, please visit our website at www.acjr.org.za



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