Ministry of Justice

STRATEGIC PLAN | 2017-2022
FOREWORD

The Strategic Plan for the Ministry of Justice for the period: 2017 – 2022 signifies the start of a new period in our history and sets out a new path for the execution of the mandate of the ministry. It highlights the organizational priorities and strategic objectives with corresponding resource allocation, which will enable us to put measures in place to become a model provider of legal services and justice for all. The execution of this plan will strengthen the operations of the ministry by ensuring that employees and other stakeholders work toward common goals to pursue this strategy and to optimize the use of our resources.

Indeed, we concur that “The key is not to prioritize what’s on your schedule, but to schedule your priorities” – Stephen Covey.

The new era for the Ministry of Justice is marked by the separation of the Judiciary from the ministry in 2015 through enabling legislation in the form of the Judiciary Act (2015). This separation was effected to give greater significance to the independence of the Judiciary as guaranteed in the Namibian Constitution. The effect was the transfer of the court personnel, judicial officers as well as administrative personnel to the Office of the Judiciary.

The Ministry now consists of the following Directorates: Legal Services; Legislative Drafting; Law Reform; Legal Aid; Master of the High Court; Central Administration and Office of the Ombudsman. The ministry also renders support and administrative functions for the Office of the Attorney-General and manages capital projects on behalf of the Office of the Judiciary.

It is our belief that our strategic objectives and the implementation thereof through this plan, will ensure that Namibia meets its goals as set out in Vision 2030. We further believe that this plan will ensure successful implementation of International Community’s Sustainable Development Goal 16 to ensure peace, justice and strong institutions. Our National Development Goals, currently the NDP 5, will be our guide along our path of implementation as it was our headlamp in crafting this Strategic Plan.

I call upon each and every member of our team to take ownership of the initiatives set out herein and explore our stakeholders to embrace this Strategic Plan in order to achieve our common goals as a proud Nation that upholds the rule of law and protects and promotes the rights of our people.

Mr. I.V.K. Ndjoze
Permanent Secretary
EXECUTIVE SUMMARY

The Strategic Plan (SP) for the MoJ for the period: 2017 – 2022 sets out the desired outcomes as per the Fifth National Development Plan (NDP5) for the Justice and Security Sector.

The SP sets out the detailed strategy in table format and includes:

- 5 Strategic Objectives
- 16 Key Performance Indicators (KPIs)
- Indicator definitions for all 16 KPIs
- Indicator Types
- Baselines for measuring, extracted from the previous SP’s Terminal Review Report and the Situational Analysis outcomes.
- Annual targets
- Projects
- Budget allocations
- Responsible Units

Purpose:

The new five year SP for MoJ, the directives and activities, will be carried out over the next five (5) years to ensure the timely and effective delivery of legal services, effective administration of justice, increase of access to justice by decentralization and introduction of electronic platforms to ease access to services and laws, legislative reform to ensure constitutional compliance, automation of internal business processes to enhance cycle time and to bring about a decline in justified complaints, which points to good governance.

Guiding Plans and Policies:

The SP was formulated, taking into account the outcomes of the Situational Analysis done by each Directorate in the MoJ, the objectives of the NDP5, the objectives of the HPP, Namibia’s Vision 2030 goals, the international community Sustainable Development Goals (Agenda 2030) and the African Agenda 2063.

Strategic Objectives:

The SP for the MoJ sets five strategic objectives, namely:

- To improve timely delivery of quality legal services
- To enhance access to justice
- To ensure effective regulatory framework and compliance
- To promote independent and impartial resolution of complaints relating to public administration
- To enhance organizational performance

These five SMART objectives were identified and crafted in an all-inclusive manner, which covers all the strategic themes/programmes. The condensing of the themes to these five all-inclusive objectives streamlines the SP and provides a well-oriented approach to achieving our goals.

Key Performance Indicators (KPI’s):

The SP sets out 16 KPIs, which will enable the MoJ to measure the attainment of these objectives. At corporate level, the responsible unit is indicated to be primarily that of the Office of the Permanent Secretary together with that of the respective responsible Directorates.

METHODOLOGY AND BACKGROUND

The last SP for the MoJ came to an end on 31 March 2017. This previous plan set the pathway for the paradigm shift that was needed to adapt to the transformation of the Public Service to focus on performance in order to enhance services and promote performance driven initiatives across the Public Service.

The methodology followed to develop the current plan was based on the Public Service Strategic Planning Framework, which was developed by the OPM.

Situational Analysis:

The process started off with conducting a situational analysis for all directorates within the MoJ. This process enabled the MoJ to identify the strategic issues that require strategic interventions through the development of strategic objectives.

Strategic Planning Committee:

A Strategic Planning Committee was appointed by the Permanent Secretary in February 2017. This Committee, chaired by the Deputy Permanent Secretary is responsible for the coordination of the process and activities for the SP.

Strategic Planning Workshop:

The strategic objectives were crafted by the senior management and staff of all MoJ Directorates during a SP workshop that was held in Windhoek on 27 & 28 March 2017. The workshop was facilitated by the Deputy Permanent Secretary and chaired by the Permanent Secretary.

Stakeholder Consultation:

A stakeholder consultation was held on 14 July 2017. Key stakeholders, including the Office of the Prime Minister was invited to this consultation, which enhanced the quality of the SP.
The mandate of the MoJ is: To provide legal services and access to Justice.

Directorate: Legislative Drafting
This directorate is responsible for scrutinizing and drafting Bills for Parliament, Proclamations of the President, Regulations and Government Notices from O/M/A's (including Regulations, Rules and General Notices from local authorities and parastatals that are subject to approval or consultation with Ministers), Rules of the Supreme Court, High Court and Magistrates Courts. It further advises O/M/A's in their legislative capacity, publishes legislation and administrative notices in Government Gazette, binds Gazettes and distributes Gazettes to the clients/customers.

Directorate: Legal Services
This directorate is responsible for the administration and execution of legal processes on national, regional and international level relating to mutual legal assistance; extraditions; human rights and humanitarian law; bilateral and multilateral legal matters; policy and research; providing administrative support to the Board for Legal Education; Disciplinary Committee for legal practitioners and issuing of Apostilles in terms of the Hague Convention of 05 October 1961.

Directorate: Legal Aid
This directorate is charged with the responsibility of providing legal aid, i.e. legal advice and legal representation at Government expense to all Namibians who qualify to be granted legal aid based on an income criteria determined in regulations promulgated by the Minister of Justice in terms of the Legal Aid Act, 1990.

Directorate: Master of the High Court
This directorate is required by statute to supervise the administration of deceased estates, liquidations and insolencies, registration of trusts and the administration of the Guardian's Fund.

Directorate: Law Reform
The Law Reform and Development Commission Act (1991) establishes the LRDC. The core function of the directorate is to render support to the LRDC by conducting research in connection with and to examine all branches of the Namibian Law to enable the LRDC to make recommendations for reform and development of the said law.

Office of the Ombudsman
The mandate of the Ombudsman, in accordance with the Namibian Constitution and the Ombudsman Act (Act 7 of 1990), is to receive and investigate complaints relating to maladministration (including misappropriation/misuse of public funds and property), violation of human rights, over utilization of living natural resources, the irrational exploitation of non-renewable resources, the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia.

Directorate: Central Administration
This directorate is mandated to provide various administrative support services to the rest of the MoJ and the Office of the Attorney-General in terms of its strategic objective: “To ensure an enabling environment and high performance culture”.

1. Administration of Justice
This programme has as its objectives:
- Access to justice for all by providing legal representation to those without or with inadequate income;
- Ensure orderly and speedy supervision and finalization of deceased estates, insolencies and trusts and Guardian’s Fund.

2. Provision of Legal Services
This programme has as its objectives:
- To translate O/M/A’s policies into legislation;
- Recommend measures to reform the law as are necessary to stakeholders’ needs, and make law accessible;
- To provide legal services and promote international cooperation in legal matters.

3. Promotion of Good Governance
This programme has as its objectives:
- To promote good public administration and respect for human rights.

4. Supervision and Support Services
This programme has as its objectives:
- To ensure an enabling environment and high performance culture;
- To provide administrative, technical and technological support to ministerial programmes;
- To ensure proper financial management and facilitate gender mainstreaming capacity building and equitable distribution and effective utilization of resources.

1.2 Mandate, Vision and Mission:
- **Mandate**: To provide legal services and access to justice.
- **Vision**: To be the leading provider of legal services.
- **Mission**: To deliver quality, timely and accessible legal services.
The most critical strategic issues were identified as follows:

- Shortage of expertise and experienced legislative drafters
- Client education and stakeholder support and involvement
- Automation of platforms and services
- Financial constraints
- Staff turnover
- Insufficient cooperation between authorities at regional and international level
- Cycle time for processing of instructions
- Decentralization of services / increase in service delivery points
- Inadequate legislative and policy framework
- Institutional efficiency
- Implementation of the National Human Rights Action Plan

The strategic objectives, which were identified to address these issues, are:

- Ensuring an enabling environment and high performance culture by implementing initiatives such as conducting public education events, conducting stakeholder perception surveys, securing 100% budget execution, ensuring PMS compliance and focusing on competency development, implementing an effective governance framework, complying with audit recommendations and implementing capital development projects.
- Improving timely delivery of legal services and enhancing access to justice by increasing development and utilization of e-platforms, increasing service delivery points, automation of internal operations, reviewing of enabling legislative framework, improving cycle time for finalization of certain functions and creating expertise among staff members in specialized fields.
- Achieving a decline in justified complaints by investigating complaints and increasing outreach public education campaigns to improve good governance.

The SP sets out 16 KPIs, which will enable the MoJ to measure the attainment of these objectives.

These KPIs with the Indicator Type are:

- % Compliance with Auditor-General statutory requirements (Absolute)
- % Customer satisfaction (Incremental)
- % Staff satisfaction (Incremental)
- % Compliance with the Performance Management System (Incremental)
- % Key services provided online (Incremental)
- % Key functions decentralized (Incremental)
- % Key services streamlined (Incremental)
- % Key processes streamlined (Incremental)
- % Legal services completed on time (Incremental)
- Number of enabling legal frameworks reviewed (Absolute)
- Number of enabling legal frameworks developed (Absolute)
- % Compliance with the Procurement Act (Incremental)
- % Decline in justified complaints (Decremental)
- % Increase in ministerial performance score (Incremental)
- % Implementation of effective governance framework within the MoJ (Incremental)
- % Compliance with internal audit recommendations (Absolute)
### PLANNING MATRIX

<table>
<thead>
<tr>
<th>Desired Outcome</th>
<th>Strategic Pillar</th>
<th>Strategic Objective</th>
<th>Key Performance Indicators (KPI)</th>
<th>Indicator Definition</th>
<th>Indicator Type</th>
<th>Baseline</th>
<th>Annual Targets</th>
<th>Programme</th>
<th>Project</th>
<th>Budget</th>
<th>Responsible Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>By 2022, Namibia continues to be a safe, secure, peaceful and upholding the Rule of Law.</td>
<td>Provision of Legal Services</td>
<td>Improve timely delivery of quality legal services.</td>
<td>% of legal services provided online</td>
<td>Development and maintenance of Websites, social media and other media platforms to ease access to legal services and laws.</td>
<td>Incremental</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
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<td></td>
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<td>% of legal services completed on time</td>
<td>Processing and finalization of legal processes to be completed within the respective set standards</td>
<td>Incremental</td>
<td>60</td>
<td>62</td>
<td>64</td>
<td>66</td>
<td>68</td>
<td>70</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Enhance access to justice</td>
<td>% of key functions decentralised</td>
<td>Decentralization of legal services by increasing service delivery points.</td>
<td>Incremental</td>
<td>26</td>
<td>31</td>
<td>33</td>
<td>35</td>
<td>37</td>
<td>39</td>
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<td></td>
<td></td>
<td>% of key services streamlined</td>
<td>Re-engineering and automation of business processes to enhance easy access to legal services.</td>
<td>Incremental</td>
<td>30</td>
<td>30</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>100</td>
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<td>% of enabling legal frameworks reviewed</td>
<td>Ensure constitutional compliance, enhance processes and accessibility of services in respect of the succession legal framework, Trusts, Legal Aid Regulations, Extradition, ICCMA and Ombudsman Act</td>
<td>Absolute</td>
<td>0</td>
<td>2</td>
<td>2</td>
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<td>% of enabling legal frameworks developed</td>
<td>Drafting of Bills in respect of projects finalised by the UDBC.</td>
<td>Absolute</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>2</td>
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<td></td>
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<td></td>
<td>% compliance with the Procurement Act (PA)</td>
<td>Compliance towards the PA requirements in place</td>
<td>Incremental</td>
<td>0</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
<td>100</td>
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<td>% of complaints from Law enforcement agencies signed and percentage of staff members appraised.</td>
<td>A decline in justified complaints points to an improvement in good governance</td>
<td>Decremental</td>
<td>52</td>
<td>51</td>
<td>50</td>
<td>49</td>
<td>48</td>
<td>47</td>
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<td>% of ministerial performance score</td>
<td>This indicator measures overall performance score of the Ministry, calculated by computing the simple average score of the Ministry after annual performance review.</td>
<td>Absolute</td>
<td>47</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
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<td>% of complaints with the Performance Management System</td>
<td>Measure the percentage of performance improvements signed and percentage of staff members appraised.</td>
<td>Absolute</td>
<td>0</td>
<td>100</td>
<td>100</td>
<td>100</td>
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<td></td>
<td>% staff satisfaction</td>
<td>The satisfaction of staff members in terms of organisational leadership, working environment and staff well-being.</td>
<td>Incremental</td>
<td>55</td>
<td>0</td>
<td>65</td>
<td>0</td>
<td>73</td>
<td>0</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>% customer satisfaction</td>
<td>The perception of citizens in terms of service delivery</td>
<td>Incremental</td>
<td>0</td>
<td>0</td>
<td>50</td>
<td>55</td>
<td>60</td>
<td>65</td>
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<td></td>
<td>% of key processes streamlined</td>
<td>Business processes that have an impact on customers and stakeholder needs, re-engineered and implemented</td>
<td>Incremental</td>
<td>40</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>100</td>
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<td>% of key services accessed online</td>
<td>The KPI measures the efficiency and accessibility of the ministry’s key services online by all clients/customers</td>
<td>Incremental</td>
<td>50</td>
<td>60</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>100</td>
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<td></td>
<td>% compliance with OAG statutory requirements</td>
<td>The compliance of budget execution in accordance with all OAG requirements</td>
<td>Absolute</td>
<td>100</td>
<td>100</td>
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<td></td>
<td>% compliance with internal audit recommendations</td>
<td>The percentage of significant findings implemented by Directorates on key specific areas as follow up conducted by Internal Audit</td>
<td>Absolute</td>
<td>0</td>
<td>100</td>
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The budget allocations for operational and developmental initiatives are as per the MTEF.

The total operational budget for the programmes and projects of the MoJ for the period: 2017/18 – 2019/20 amounts to N$242,509,000.00 and the total development budget for the same period amounts to N$180,920,000.00. This MTEF period covers the first three years of the Strategic Plan period. The operational budget includes personnel expenditure, travel and subsistence allowance and general office support related costs. The development budget includes the capital projects for the Office of the Judiciary (court buildings, etc.) for which the MoJ is still responsible in terms of the Judiciary Act (2015). The budget breakdown is set out in the Strategy Map/Matrix. A costing exercise might be needed in order to determine the exact funding required to carry out specific projects. Any funding shortfalls for key strategic initiatives will be duly communicated to the MoF as execution of this SP depends on adequate funding.

CRITICAL SUCCESS FACTORS

- Skills development and retention
- Adequate structuring
- Leadership and change management
- Sufficient budgetary allocation
- ICT Leverage

STRATEGY EXECUTION AND REPORTING MECHANISM

The corporate SP is cascaded into Annual Plans (APs), which sets out the KPIs, targets and projects for each individual Directorate. All of these cascaded KPIs are conformed to the corporate KPIs and linked directly to the corporate Strategic Objectives. The Performance Management System (PMS) further enables individual staff members to align their Performance Agreements (PAs) to these APs in order to set individual goals and targets, which are ultimately aligned to the SP. The PAs also enable staff members to identify their personal development plans.

Quarterly review meetings will be conducted at the headquarters for the MoJ during which each Directorate will present its quarterly review report on the KPIs and targets achieved.
Republic of Namibia

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