

LEGAL AID BOARD

Justice

RISK MANAGEMENT PLANS
2007/08

LAB RISK MANAGEMENT
PLAN VS 3 APPROVED BY
BOARD 24 FEB 2007.

AmM (A Clark)

- 1 During the 2005/06 financial year the risk assessment process was linked to the strategic planning process as part of the development of the three year strategic plan. This resulted in ten organization risks being identified and prioritized in order of importance namely
 - 1.1 Quality of legal services offered
 - 1.2 Organisational capacity and the ability to provide adequate coverage to clients.
 - 1.3 Unqualified Audit Opinion or any emphasis of matter.
 - 1.4 Organisational Sustainability
 - 1.5 Policy Change / Uncertainty
 - 1.6 Court Efficiency and the integrity of the Legal System
 - 1.7 External Sources of accreditation.
 - 1.8 Staff Safety
 - 1.9 Effectiveness of Support Programmes
 - 1.10 Reliance on IT Systems

The above ten risks were supplemented by a further three risks during the 2007/08 strategic planning process. In addition the risk "Unqualified Audit Opinion or any emphasis of matter" was reprioritised from third to fifth most important, in view of the fact that mitigating measures have been implemented. Further the risk "External Sources of accreditation", was rephrased to read "External professional bodies interests". The three new risks identified are listed below:

- 1.1.11 Reputation risk regarding quality and independence of lawyers/Public Confidence.
 - 1.1.12 To recruit and retain specialist skills eg. Skilled lawyers, IT, Finance) and dependence on individuals.
 - 1.1.13 Organisational Culture Program.
- 2 As in the previous financial year, Quality of legal services offered is still considered the most important risk.
 - 3 The Risk Management document was streamlined to ensure that management attention is focused on the 13 most important risks. However all other areas of sub-risk and mitigating measures identified previously will form part of the Justice Centre/Departments operational risks and will be managed and reported on accordingly
 - 4 Further details of the existing, improved management measures, impact indicators and executive responsibility, for the 13 key organizational risks are included on pages 1 to 3 of the attached annexure.

Internal Audit Executive
5 February 2007

LEGAL AID BOARD Justice

DRAFT RISK MANAGEMENT TRACKING DOCUMENT 2007/08

LEGAL AID BOARD TOP THIRTEEN RISKS

No	Description of Risk	Priority Rating	Current Control Status	Quantitative Measures	Qualitative Measures	Current Mitigating Interventions	Future Mitigating Interventions	Tolerance	Level assurance 2007/08 Financial Year	Implementation Date	Responsibility
1	Quality of legal services offered			Include quality assessment measures 57.5 hours training per practitioner per year Quality target Minimum CAs 80% PAs 85% HCU 90% (PAs) Weighting: File rating = 75%; Court score = 25%	Justice centre and Regional Office legal service reviews done on a bi-annual basis. Justice Centre Performance monitor. Training programmes linked to IDP	Quality Control Manual and procedure provides for Self Review & Peer Review. Forms in place to ensure self review. Justice Centre Executive and Principal Attorneys based at Justice Centre perform all reviews of staff. RIO PAs together with SPA's perform reviews on a sample basis at Justice Centres. Cross Audits. Independent reviews	Justice centre training Regional Office Training National training programme Practitioners manual on the intranet. Practitioner support Labour and civil work. Linking Justice Centres with Panel of Experts & Retired Practitioners	CA 70% in the first 6 months 75% by end of year 1. PA 80% in the first 6 months 85% by end of year 1 HCU-PA 85% in the first 6 months 90% by end of year 1.	Review compliance at all Justice Centres with quality control measures implemented and management of case turnaround times. Independent review by Competent experts	Ongoing	NOE & LDE
				Minimal delays on all Matters. Target turnaround times for various courts.	Increased interaction with and feedback to clients with regards to their matters.	Case Turnaround Times	Panel of experts linking Justice centre practitioners	Regional Court not more than 20% of matters greater than 1 year. District Court not more than 20% of matters greater than 1 year. District Court not more than 25% of matters greater than six months.		Ongoing	NOE
2	Organisational capacity and the ability to provide adequate coverage to clients.			100% coverage of all court rooms. Justice centre Staff and Court Coverage plans. Practitioner targets new and finalised matters	No double booking of courts by practitioners. Application for LTA within 14 days of sentencing. LA applications processed within 48 hours of application by client.	Mixed Model delivery systems. National coverage plan	Justice centre footprint	All criminal courts covered either via JC staff, judiciary or co-operation partner. Less than 5% of applications processed after seven days. LTA within 14 days of sentencing, unless client initially indicated in writing that they do not wish to bring such an application and consideration is given later to condonation application or where client was privately.	Ensure adequate court management and staff deployment plans in place at Justice Centres	Ongoing	NOE & LDE
3	Organisational Sustainability			No deficit budgeting. 100% Compliance with PFMA, King @ Treasury Regulations and all other legislation.	Budget assumptions realistic. Training and capacity building interventions 90% successful.	Budget aligned to Business Plan Management Information systems. Delegation Frameworks. Procurement Policy. Finance Procedures	Recovering costs from successful litigants. Contribution model. Implementation of retention strategy. Designated justice centre rural allowance. Increasing capacity through MTEF motivation	Maximum of 2% under expenditure and 0% overexpenditure. Maximum of 1% deviation from PFMA compliance.	Assurance provided on adequacy, effectiveness and implementation of the plan.	Ongoing	CFO & ALL Executives
4	Policy Change / Uncertainty			New enacted Legal Aid Act. Training and capacity building interventions 100% successful.	In keeping with client and current needs. Client expectations managed and fulfilled.	Steps to ensure approval of white paper. Ensure new Legal Aid Act drafted and approved by the board. Steps implemented to ensure that new Legal Aid Act is processed during the 2007 legislative period.		None	None	Quarterly	LDE
5	Unqualified audit opinion or any emphasis of mater.			Financial statements not over or understated by 1%. Fruitless and wasteful expenditure < R500 000. All reconciliations 100% accurate	100% compliance with the PFMA, King @ Treasury Regulations and all other legislation. GRAP correctly interpreted and applied.	Capacity building Finance Department. Monthly reconciliations. CSA. Statutory Compliance Executive compliance checklist. Six monthly financial statements.		Income Statements 1% over or understated. Balance Sheet 5% under or overstated. Reconciliations 0% error. Allocation of transactions 1% error.	Assurance on both adequacy and effectiveness of controls relating to financial and non financial data forming part of the Annual Financial Statements and the annual report.	Immediately	CFO

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6	Court Efficiency and the integrity of the Legal System.			100% achievement of backlog reduction targets	Reduction in pending files backlog	Case flow management. Various committees at National regional level	Measurement targets for pending issues agreed	DC: 75% of matters finalised within 6 months RC: 70% of matters finalised within 9 months; HC: 70% of matters finalised within 12 months	Assurance will be provided on the accuracy and completeness of statistics.	Immediately	NOE & LDE
7	External professional bodies' interests.			Meetings between Society and LAB for the accreditation of all practitioners.	Seeking changes in Attorneys Act with regard to control of Justice Centres.	Greater communication with Law Society and Bar on LAB quality services	Seeking changes in Attorneys Act with regard to control of Justice Centres.	None	None	Ongoing	NOE & LDE
8	Staff Safety.			Fleet management controlled.	Practitioner workloads reviewed.	Employee wellness program. Lifeline line counselors	Trauma Counseling. Dust & dirt quality air filters	Action steps implemented for intermittent absences exceeding 10 days per annum.	Assurance will be provided on the mitigating measures in place at premises occupied by the board throughout the country	Immediately	NOE & HRE
9	Effectiveness of Support Programmes.			Payment of all judicare accounts within 30 days. 0% Summons for unpaid accounts	Clear specification of contract deliverables	Daily weekly monitoring of all unpaid accounts.	Lead time for capturing accounts (date stamped)	Less than 10% of matters not paid within 30 days.	Issues of economy, effectiveness and efficiency will be looked at regular intervals throughout the financial year	Ongoing	CFO, CSE & All Executives
10	Reliance on IT Systems			a) > 80% of responding users express satisfaction with the system in its totality when surveyed. b) < 5% of network traffic from WAN/LAN to servers malicious. c) Vulnerabilities will not be the cause of > 10% of downtime of software applications. d) 100% recoverability as per DR plan in the event of a disaster. e) Network operational 98% of the time.	f) No unauthorised physical access to IS environment. g) Related policies to meet audit scrutiny. h) No network connection down longer than 24 hours.	Maintenance of stable and reliable IT Platform. Enhancements innovative and responsive to business needs. Managing IT Risks. Computer Training Ongoing fire walling & network segmentation Annual Disaster Recovery simulation	Implementation of ITIL principles. ITIL implementation plan. Improved physical security of IS environment	a) Less than 10% of responding users express dissatisfaction with the system in its totality when surveyed. b) Less than 2% of network traffic from WAN/LAN to servers malicious. c) Vulnerabilities will not be the cause of > 2% of downtime of software applications. d) 100% recoverability as per DR plan in the event of a disaster. e) Network downtime 2% of the time. f) 0% unauthorised physical access to IS environment. g) IT policies meet ITIL standards. h) Maximum network connection	IT controls including Environmental and application will be evaluated for adequacy and effectiveness.	Ongoing	ISE
11	Reputation risk regarding quality and independence of lawyers' Public confidence			LAB court coverage at 100% of courts. Staff perform to Standard operating procedures independent protection through independent reviews.	Proactive media. Radio adverts Prison visits Fairplay. Continuous attention from strategic communication.	Judicare - Monitoring of payment system and accreditation. IJS- Improved court ratio Communities - Radio program Communities - Radio Program	Integration of SAPS data Shorten pre-trial period Improved ratio of practitioners to courts	90% of complaints resolved within 30 days	Assurance will be provided on the accuracy and completeness of data used to measure achievement of goals.	Immediately	NOE

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12	To recruit and retain specialist skills (eg skilled lawyers, IT, Finance) and dependence on individuals	Medium	In Control	Decrease turnover of permanent staff by 1% below industry norms.	Strategy provides for an effective response to staff needs in all geographical areas.	Attraction and retention strategy University Law faculty visitation programme to attract 4th year law students to join the LAB Salary and rewards aligned to best practice.	Participation DPSA exercise for salary alignment	Less than 10% staff turnover per financial excluding candidate Attorneys. A minimum of 5% of staff developed from candidate attorneys.	Assurance in terms of recruitment admin procedures and compliance with retention strategy by the Justice Centre.	immediately	NOE/HRE
13	Organisational Culture Program	High	In Control	Complaints on all culture issues addressed immediately. 100% adoption of the naming conventions.	People centred practices acknowledged by staff.	Organisational Culture survey findings and recommendations OCP 2007/08 developed and implemented Mechanisms to manage culture behavior in place LAB naming convention developed and implemented OCP implementation programme developed Compliments and complaints register Employment Policies and Procedures aligned to best practice Culture assessment 2006/07 (January 06).	Identification of days for promotion of key themes. A strategy document to be developed with guidelines to assist in promoting positive culture behavior while highlighting counter culture tendencies in a non threatening manner.	A 1% tolerance level deviation to the accepted culture and values of the LAB.	Assurance on visible indicators of compliance at Justice Centre and Regional Office level.	QUARTER 4	NOE/HRE

Control Status Legend

- In Control
- Partially in Control
- Not in Control

Risk Rating Legend

- High
- Medium
- Low