

MINISTRY OF JUSTICE





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ACC Anti-Corruption Commission

AU African Union

HPP Harambee Prosperity Plan

SADC Southern African Development Community

MOJ Ministry of Justice

OMAs Offices/Ministries/Agencies

AG Attorney General

EU European Union

NRTD National Resilience Taskforce Directorate

ESAAMLG Eastern and Southern Anti Money Laundering Group

UN United Nations

MLA Mutual Legal Assistance

LRDC Law Reform and Development Commission

WPO Witness Protection Office

OPM Office of the Prime Minister

DED Deputy Executive Director

The years 2022/2023 were declared as the years of re-imaging and revival by His Excellency Hage G. Geingob, and with those two themes in mind, I am pleased to present the 2022/2023 Annual Report for the Ministry of Justice.

The Report reflects our commitment to achieve our mandate of providing an effective and efficient justice system for all Namibians. A justice system that is people centered and continuously improved to respond to the needs of the people we serve, located within a culture of using the law as a tool to enhance social justice.

The Ministry of Justice has continued to promote the rule of law by facilitating access to justice through the provision of quality legal services that includes Legal Aid, Law Reform, Legislative Hon. Yvonne Dausab Drafting and Master of the High Court Office.



(MP)

Through the implementation of various policies and programmes, we have made significant strides in enhancing our justice system. This includes the inauguration of the Victim and Witness friendly GBV court facility at the Katutura Mungunda Magistrate's Court and the Seeis Court both in the Khomas Region. These efforts have ensured that our justice system functions in a fair, just and equitable manner in line with our justice imperatives set out in our constitution.

The Ministry plays a vital role in the law making process through the Directorate Legislative Drafting. It is our pleasure to report that during the 2022/23 financial year, we saw the finalisation and enactment of a number of important pieces of Legislation i.e Access to Information Act, Obsolete Laws Act, Metrology Act, Combatting of Domestic Violence Act, Income Tax Amendment Act and the Combatting of Rape Amendment Act, to name a few.

In conclusion, I would like to extend my sincere gratitude to all members of our staff for their unwavering commitment to a culture of service and to our stakeholders for their continued support and constructive feedback. We remain committed to working with all of our partners to promote access to justice and advance the rule of law in the Republic of Namibia.

Honourable Yvonne Dausab (MP)

Minister of Justice



ABOUT THIS REPORT

The Ministry of Justice presents this Annual Report for the financial period 2022-2023, reaffirming its dedication to good corporate governance, transparency and accountability. This report aims to enhance the quality of information shared with stakeholders regarding legal services and access to justice.

It provides an overview of the Ministry's governance strategy, performance, and initiatives all geared towards delivering long-term value for Namibians and stakeholders in the justice system.

Through this report, we invite you to explore our commitment to transparency, accountability and continuous improvement as we work towards a more just and equitable society.

REPORTING PRINCIPLES

This report is compiled and presented in accordance with the requirements of the Corporate Governance framework for the Republic of Namibia.

APPROVAL AND ASSURANCE

In accordance with the State Finance Act, (Act No. 31 of 1991) the financial reporting has been audited by the office of the Auditor General.

APPROVALS

The responsibility for the integrity of the report rests with the Minister of Justice and assisted by the Executive Management team within the Ministry of Justice.

Accordingly, the Ministry of Justice has applied its collective mind and in its opinion this report faithfully addresses all material issues and offers a balanced view of the Ministry's strategy and performance.

The report was approved by Hon. Yvonne Dausab, Minister of Justice, MP on 28 July 2023.

FUNCTIONAL AND OPERATIONAL OVERVIEW

The Mandate for the Ministry of Justice is to administer justice in the Republic of Namibia. The distinguished mandate as per the functions is to provide legal services and access to justice.

Through its Directorate of Legislative Drafting, the Ministry is charged with the function of scrutinizing and drafting bills for Parliament, Proclamations of the President, Regulations and Government Notices from Ministries, Offices and Agencies, as well as Rules of the Supreme Court, High Court and Magistrate Courts. In addition, the Ministry provides legal advice to Ministries, Offices and Agencies of Government, mainly on the drafting of legislation, subsidiary legislation and particulars of legislation in force.

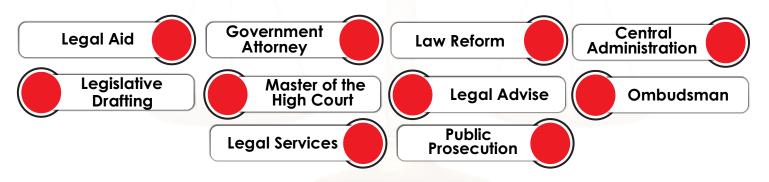
It is further the responsibility of the Ministry of Justice (through GRN Attorney, Legal Adviser, AG) to provide legal representation in courts for Ministries, Offices, Agencies, the Master of the High Court, the Speaker of the National Assembly, the Prosecutor General, Magistrates, the Motor Vehicle Accident Fund, Regional Councils, recognized Traditional Authorities as well as other entities engaged in government administration.

Not only does the Ministry deal with legal matters on the national level, but the Ministry is also engaged in legal issues on regional and international level. It deals with legal matters such as mutual legal assistance, extraditions, human rights and humanitarian law, bilateral and multilateral affairs, legislation, policy and research, legal education and professional discipline of legal practitioners. The Ministry is the central authority for the processing of requests on extradition and mutual legal assistance in criminal and civil matters and in addition, processes requests for reciprocal enforcement of foreign judgments and issues apostilles on the authentication of public documents for use in foreign jurisdictions in terms of the Hague Convention.

Furthermore, the Ministry of Justice is charged with the responsibility of providing legal aid in the form of legal advice and legal representation to indigent persons at State expense in Namibia. The primary goal of providing legal aid is to ensure access to justice to all.

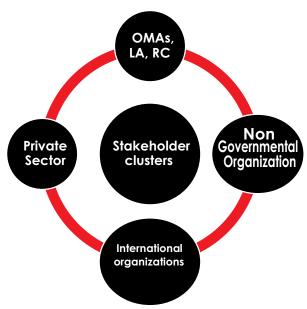
The Ministry also oversees the administration of deceased estates, registration of trusts, appointment of and administration pertaining to tutors and curators, administration of the Guardian Fund (in respect of minors and persons with mental disabilities.

The functions of the Ministry are carried out through its various directorates as indicated below:



STAKEHOLDERS

The Ministry's function is to ensure the administration of justice to all Namibians consistent with the letter and spirit of the Namibian Constitution. The Ministry has various stakeholders that may be classified as national, regional and international stakeholders. The Ministry has classified its stakeholders that are pertinent to the functional operations of the ministry and have been instrumental in the success of the attainment of its strategic goals within the reporting period.



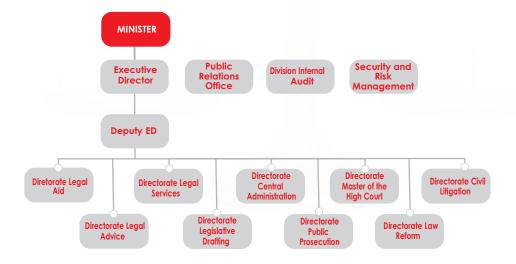
GOVERNANCE FRAMEWORK

STRUCTURE

The Ministry of Justice is a Ministry of the Republic of Namibia established under the provisions of the Namibian Constitution. The Ministry is led by the Minister of Justice who is a member of the legislative arm (the National Assembly) and the Executive arm (the Cabinet) of the Government duly appointed by the President of the Republic of Namibia in terms of Article 35 of the Namibian Constitution.

The Executive management of the Ministry is coordinated by the Executive Director and the management team within the Ministry.

The Minister and Executive Management are tasked with ensuring good corporate governance which is vital to the Ministry's ability to comply with laws and legislative frameworks guiding the Ministry's operations.



STATEMENT OF COMPLIANCE

In the course of the year under review, the Ministry confirms that it has been to the extent feasible, guided by the principles of corporate governance and in compliance with any relevant statutory or other requirements.

CODE OF ETHICS

The Ministry of Justice has demonstrated its commitment to operate in accordance with the highest standards of professionalism and ethics by developing employees and management practices that exemplifies the highest ethical values.

The best practices to which the Minister, Management and employees are dedicated to, indude the following: compliance with legislative and regulatory provisions such as treating all employees and stakeholders with respect; preventing discrimination against any person; upholding the integrity of the Ministry by avoiding potential conflicts of interest through transparency and declaring all interests; prudent resource management providing all employees with opportunities to grow and advance.

POLICY GOVERNANCE FRAMEWORK

The Ministry of Justice have an Executive Director and management cadres who are responsible for the policy, management, and control the affairs of the Ministry.

During the period under review, the Ministry set an objective to ensure that relevant policies and compliance frameworks have been developed and operationalised.

INTERNAL AUDIT

Through its Division of Internal Audit, the Ministry carries out its function of assisting the management in accomplishing its objectives by evaluating the effectiveness of the Ministry's governance, risk management, and internal control and recommending improvements. The Division performs internal audit services in accordance with the International Standards of the Professional Practice of Internal Auditing (ISPPIA) and the government regulatory framework best practices approved internal audit activity charter.

Executive Director's Mandate

The Executive Director's Office oversees the Directorate Central Administration (DCA), which provides essential support to four Constitutional Appointees and the Ministry of Justice (MOJ) staff. The DCA includes divisions such as Human Resources Management and Development, Information Technology, Development and Fixed Asset Management, Finance and Budgeting, and General and Auxiliary Services. Constitutional Appointees under the purview of the DCA are the Minister of Justice, the Ombudsman, the Prosecutor-General assisted by Directorate Public Prosecution, and the Attorney-General assisted by Directorate Legal Advice. Additionally, the Master of the High Court and other key entities which include the Directorate Civil Litigation, Director of Legal Aid, and Directorates Legal Services, Legislative Drafting, and Law Reform are supported by staff of the Ministry.

Executive Director's Office

The Executive Director's office, which includes the Deputy Executive Director is responsible for overseeing the Divisions Internal Audit, Public Relations and Security and Risk Management. A recent addition is the Secretary to the Board for Legal Education and Disciplinary Committee who reports directly to the Executive Director.

Executive Director's Powers & Functions

As prescribed in the Public Service Act, 1995, the Executive Director is the Accounting Officer of the Ministry of Justice and holds powers and functions delineated in various key legislative acts, including the Public Service Act, 1995, State Finance Act, 1991, Treasury Instructions and the Public Procurement Act, 2015.

1.1. Committees/Councils

- a) In compliance with section 18 of the Financial Intelligence Act, 2012, the Executive Director (ED) Mrs Gladice Pickering is a member of the Anti-Money Laundering and Combating Financing of Terrorism and Proliferation Council. Meetings are facilitated by the Financial Intelligence Centre at the Bank of Namibia.

 In terms of section 74(2) of the Prevention of Organized Crime Act, 2004, the Deputy Executive Director (DED), Dr. J. Shimaneni serves as the accounting officer of the Criminal Assets Recovery Fund. The Minister of Justice chairs the Criminal Assets Recovery Committee, to which the accounting officer reports. Comprehensive filing, scanning, and sharing of Committee-related documents with the Chairperson are therefore essential.
- c) The Executive Director is a member of the Committee on the Implementation of the 2nd Land Conference Resolutions.
- d) The Executive Director is required to provide quarterly updates on the Ministry of Justice's progress in executing the Anti-Corruption Strategy and Action Plan.
- e) The Executive Director and Deputy Director Auxiliary and General Services are the Ministry of Justice focal persons for the implementation of the African Charter on Values and Principles of Public Administration.
- f) The Deputy Executive Director chairs the Ministry's Affirmative Action Committee.
- g) The Ministry submits quarterly progress reports on the implementation of activities outlined in Harambee Prosperity Plan (HPP) II to the Performance Delivery Unit within the Office of the President.
- h) Executive Director is a Member of Board for Legal Education.

1.2. Witness Protection Act. 2017

Despite encountering operationalization delays attributed to responses from the Office of the Prime Minister (OPM) and the intricacies of committee-level processes, the following steps were taken to advance the implementation of the Witness Protection Act, 2017:

- The establishment of an Implementation Committee, overseen by the Deputy Executive Director (DED), was initiated to streamline the operationalization process.
- A comprehensive structure for the Witness Protection Office (WPO) was developed and submitted to the OPM for review and approval.
- O Thorough benchmarking exercises were conducted, engaging with witness protection offices in South Africa (SA) and the United States of America (USA) to gather valuable insights and best practices.
- A funding request of N\$50 million was formally presented to secure the necessary resources for setting up the WPO.
- The proposed WPO structure was submitted to the Minister for thorough discussion and subsequent concurrence by the Prime Minister, ensuring high-level support.
- Essential regulations were drafted, and the relevant Gazette publications were made following the appointment of the Director.
- Ocuntries were identified, and agreements were established to facilitate the practical implementation of the Act's provisions.

1.3. Performance Management System Implementation

The Ministry's Strategic Plan expired but an extension was granted in accordance with guidelines provided by the Office of the Prime Minister.

1.4. Board for Legal Education and Disciplinary Committee

The Office of the Executive Director holds a pivotal role in overseeing the activities of both the Board for Legal Education and the Disciplinary Committee. These entities bear substantial significance in upholding the ethical standards and professionalism of legal practitioners, as well as advancing the standards of legal education.

The Executive Director's active involvement with the Board for Legal Education and the Disciplinary Committee reflects a steadfast dedication to preserving the integrity of legal professionals and promoting excellence in legal education standards. Recent advancements, such as the appointment of a new secretary and the exploration of potential resource enhancements, are aimed at reinforcing the efficiency and effectiveness of these crucial components within the legal profession generally, and MOJ, specifically.

1.5. Eastern and Southern Anti-Money Laundering Group (ESAAMLG)

- a. The ED is a member of the Anti-Money Laundering & Combating Financing of Terrorism & Proliferation Council.
- b. Non-compliance with ESAAMLG requirements may lead to graylisting within 12 months from June 2022, impacting Namibia's economy and service delivery to its people.

c. Directorates responsible for recommendations' implementation of ESAAMLG are the Directorate: Master of the High Court, Directorate: Legal Services, and Directorate: Public Prosecution. Measures include legislative amendments, procurement of case management systems, training of staff within prosecution and legal services, and recruitment of staff for the Directorates listed below.

1.6. Improved Service Delivery and Contributing Factors

The Ministry of Justice has exhibited significant improvements in its service delivery, a paradigm transformation that can be attributed to various factors:

- a. **Visionary Minister:** The presence of a visionary Minister has played a pivotal role in driving positive change within the Ministry. The Minister's leadership and direction have set the tone for enhanced service delivery and overall excellence.
- b. **Visionary Managers:** The commitment of visionary managers, who not only ensure the delivery of expected outcomes but also go the extra mile to exceed expectations, has been instrumental. Their dedication to their roles has set a precedent for excellence throughout the Ministry.
- c. Skilled and Dedicated Staff Members: The Ministry benefits from a workforce of highly skilled individuals who consistently deliver services of exceptional quality within stipulated timelines. Beyond fulfilling their duties, some staff members demonstrate an extraordinary commitment to going above and beyond to ensure the successful completion of tasks.
- d. **Effective Public Relations Officers:** The contributions of skilled public relations officers have undeniably enhanced the Ministry's visibility and reputation over recent months. Their efforts have effectively communicated the Ministry's achievements and initiatives to the public, fostering a positive image.
- e. **Exceptional Customer Assistance:** Notably, there are staff members who consistently dedicate their time to assist the public, even when the task falls beyond the scope of their Directorate's mandate. This willingness to assist, regardless of constraints, underscores the commitment to public service and upholds the Ministry's reputation.
- f. **Merit-Based Leadership and Management:** An encouraging aspect of the Ministry's progress is the prevalence of staff members who lead and manage based on merit, rather than merely considering titles or remuneration. This approach fosters a culture of teamwork, collaboration, and collective success.

In conclusion, the Ministry of Justice's enhanced service delivery can be attributed to a confluence of factors: visionary leadership, dedicated managers, skilled staff, effective public relations efforts, exceptional customer assistance, and a commitment to merit-based leadership and management. These elements collectively contribute to the Ministry's ongoing success and its positive impact on society.

Mrs Gladice Pickering
Executive Director

The Ministry of Justice, Republic of Namibia, plays a pivotal role in administering justice and upholding the rule of law within the nation. Anchored by its mandate, the Ministry serves as a key institution in ensuring legal services and access to justice for all citizens.

2.1. Ministry Mission, Vision and Strategic Direction

In alignment with its commitment to providing legal services and justice to all citizens, the Ministry of Justice has crafted a clear mission, vision, and strategic direction that guide its efforts and initiatives.





To be the leading provider of legal services



To deliver quality, timely and accessible legal services and provide quality, timely and independent legal representation, advice and prosecutions.



The Ministry's core values form the bedrock of its operations, reflecting its commitment to ethical conduct, service excellence, and professionalism.

These Core Values are:

Integrity: Upholding honesty and ethical behaviour in all actions. **Transparency:** Operating with openness and clarity in dealings. **Service Excellence:** Striving for the highest standards of service delivery. **Accountability:** Taking responsibility for actions and outcomes. **Professionalism:** Demonstrating expertise and competence. **Synergy:** Fostering collaboration and cohesive teamwork.

The Ministry is resolutely dedicated to delivering legal services and ensuring access to justice without discrimination and equality before the law. It holds the responsibility of upholding the principles of equality and fairness, fostering a legal landscape where all individuals can seek remedy and resolution.

STRATEGIC FRAMEWORK AND OBJECTIVES:

The Ministry's strategic framework serves as a blueprint for achieving its vision and mission. This framework is comprised of five strategic objectives, each strategically designed to address specific areas of focus:

STRATEGIC PILLAR	STRATEGIC OBJECTIVE	KEY PERFORMANCE INDICATORS
Administration of Justice	To enhance access to justice	 Access to justice for all by providing legal representation to those without or with inadequate income. Ensure orderly and speedy supervision and finalisation of deceased estates, insolvencies and trusts and Guardian's fund. Key functions decentralized.
Promotion of good governance	To ensure effective regulatory framework and compliance.	 Implementation of effective governance framework within the Ministry of Justice.
Provision of legal services	To improve timely delivery of quality legal services	Legal services completed on time.Key services streamlined.
Supervision and support services	 To promote independent and impartial resolution of complaints relating to public administration To enhance organizational performance. 	 Compliance with the Performance Management System. Decline in justified complaints. Increase in ministerial performance score.

KEY PERFORMANCE INDICATORS (KPIs):

The Ministry's strategic direction is underpinned by a set of 16 Key Performance Indicators (KPIs) that serve as measurable benchmarks for gauging the progress and success of its strategic objectives. These KPIs are tracked at both corporate and directorate levels, aligning responsibility with the Office of the Executive Director and respective directorates, which in turn supports the performance targets of the Minister.

The Ministry's strategic planning follows a SMART (Specific, Measurable, Achievable, Relevant, Time-bound) approach, ensuring that its goals are well defined, actionable and aligned with its vision and mission. Through this strategic framework, the Ministry is poised to continue delivering on its mandate, providing quality legal services and justice for all Namibians.

At its core, the Ministry of Justice is tasked with overseeing various functions that collectively contribute to the efficient and equitable administration of justice:

- 1. **Legislative Drafting:** The Ministry's Directorate of Legislative Drafting meticulously scrutinizes and drafts bills, regulations and proclamations for parliamentary consideration. This function extends to rules for courts, ensuring the legal framework is robust and effective.
- 2. **Legal Advice and Representation:** One of the Ministry's vital functions is providing legal advice to government entities, ministries and offices. Additionally, the Ministry extends legal representation in court proceedings on behalf of various entities including the Master of the High Court, Magistrates and more. This ensures competent legal representation within the overall government administration.
- 3. **National and International Legal Matters:** The Ministry's responsibilities extends beyond the national scope. It engages in international legal matters such as mutual legal assistance, extraditions, human rights and humanitarian law. This also involves bilateral and multilateral affairs, legislation, policy, research and the management of legal education.
- 4. **Legal Aid:** A core tenet of the Ministry's mission is to provide legal aid and representation to indigent individuals at state expense. This ensures that justice is accessible and fair to all, upholding the principle of equality before the law.
- 5. **Estate Administration & Trusts:** The Ministry oversees the administration of deceased and insolvent estates, registration of trusts and the appointment and management of tutors and curators. It also manages the Guardians Fund, which safeguards the interests of minors, and persons with mental disabilities.

The Directorate structure of the Ministry encompasses key areas including:

- Legal Aid
- Legal Services
- Legislative Drafting
- Law Reform
- Legal Advice
- Public Prosecution
- Government Attorney
- Master of the High Court
- Central Administration.

These directorates collaborate to ensure the administration of justice is efficient, effective and aligned with the principles enshrined in the Namibian Constitution. As the central authority for extradition and mutual legal assistance, the Ministry processes requests for assistance in both criminal and civil matters. Moreover, it facilitates the enforcement of foreign judgments through reciprocal agreements and issues apostilles for the authentication of public documents in compliance with the Hague Convention.

With its broad and multifaceted mandate, the Ministry of Justice remains dedicated to ensuring that justice prevails in Namibia, with a commitment to upholding human rights, promoting legal education and providing legal assistance to those in need. This report details the Ministry's achievements, challenges and strategies in fulfilling its mission during the 2022-2023 financial year.

During the period under review, the Ministry set an objective to ensure that relevant policies and compliance framework have been developed and operationalised.

The legislative framework that governs the Ministry of Justice in Namibia includes various laws, regulations and statutes that outline the powers, functions and responsibilities of the Ministry. Some key legislative instruments that guide the operations of the Ministry of Justice in Namibia include, but is not limited to:

- 1. Namibian Constitution
- 2. Public Service Act, 1995 (Act No. 13 of 1995)
- 3. State Financial Act, 1991 (Act No. 31 of 1991)
- 4. Public Procurement Act, 2015 (Act No. 15 of 2015)
- 5. Labour Act, 2007 (Act No. 11 of 2007)
- 6. Legal Aid Act, 1990 (Act No. 29 of 1990)
- 7. The Affirmative (Action Employment) Act, 1998 (Act No. 29 of 1998)
- 8. Legal Practitioners Act, 1995 (Act No. 15 of 1995)
- 9. Law Reform and Development Commission Act, 1991 (Act No. 29 of 1991)
- 10. Trust Monies Protection Act, 1934 (Act No. 34 of 1934)
- 11. Government Attorney Proclamation of No. R. 161 of 1982
- 12. Criminal Procedure Act, 1977 (Act No. 51 of 1977)
- 13. Administration of Estates Act, 1965 (Act No. 66 Of 1965)

The Ministry of Justice operates within a well defined governance structure that is aligned with the principles enshrined in the Namibian Constitution. This structure facilitates effective leadership accountability and compliance with legal frameworks governing the Ministry's operations.

Minister of Justice

At the helm of the Ministry's leadership is the Hon. Yvonne Dausab, Minister of Justice. As Minister, she holds a dual role as a member of both the legislative arm (National Assembly) and the executive arm (Cabinet) of the Namibian Government.

The Minister is appointed by the President of the Republic of Namibia in terms of Article 35 of the Namibian Constitution. As the figurehead of the Ministry, the Minister oversees policy direction, is part of making strategic decisions, undertakes high level engagement and provides high level leadership.



Hon. Yvonne Dausab
(MP)



Mrs Gladice Pickering

Executive Director

Assisting the Minister is the Executive Director, Mrs Gladice Pickering, who is responsible for coordinating and implementing the Ministry's strategic objectives, policies and programs.

The Executive Director as accounting officer ensures efficient resource allocation, oversees directorates and collaborates with the Ministry's management team to ensure effective execution of tasks.

Corporate Governance

The Ministry places paramount importance on good corporate governance, recognizing its significance in ensuring transparency, accountability and adherence to legal frameworks. The Minister and the Executive Management are collectively responsible for upholding these governance standards.

Compliance and Legal Frameworks

The governance structure of the Ministry is underpinned by a commitment to compliance with laws and legislative frameworks that govern its operations. The ministry operates in alignment with the provisions set forth in the Namibian Constitution and relevant legal statutes.

Internal Audit

Through its Division of Internal Audit, the Ministry carries out its function of assisting the management in accomplishing its objectives by evaluating the effectiveness of the Ministry's governance, risk management and internal control and recommending improvement.

The Division performs internal audit services in accordance with the International Standards of the Professional Practice of Internal Auditing (ISPPIA) and in accordance with the government regulatory framework best practices as approved in the internal audit activity charter.

Part B: Consolidated Performance

DIRECTORATE: CENTRAL ADMINISTRATION

Mandate and Overview:

The Directorate of Central Administration plays a pivotal role in providing essential administrative support services to the Ministry of Justice, Attorney-General, Prosecutor General and the Ombudsman. This mandate is aligned with the overarching strategic objective of creating an enabling environment and fostering a high-performance culture within the Ministry.

Overview of Activities

Throughout the reporting year, the Directorate of Central Administration undertook a range of activities that were instrumental in fulfilling its mandate.:

1. Facilitating Strategic Planning and Management Interventions:

- O Played a key role in shaping and executing the Ministry's strategic planning initiatives.
- O Facilitated management interventions to ensure alignment with strategic goals.

2. Administering Financial Transactions:

- O Managed financial transactions and ensured adherence to financial guidelines.
- O Supported financial reporting and documentation for audit and accountability.

3. Facilitating Budgeting and Resource Management:

- O Collaborated in the development and monitoring of budgets.
- O Contributed to effective resource allocation and utilization.

4. Managing and Maintaining Fixed Assets:

- Oversaw the management and maintenance of fixed assets within the Ministry.
- O Ensured proper records and controls were in place for asset management.

5. Managing and Administering Human Capital and Development:

- O Played a critical role in human resource management, including recruitment, placement, and performance management.
- O Administered employee benefits, leave, and other personnel-related matters.
- O Conduct training sessions to improve the skills of staff members in their respective job roles.

3.1. Workforce Profile

The success of the Ministry's operations hinges on the dedication and expertise of its workforce. In the reporting year, the Ministry employed a total of 621 individuals, encompassing both legal and non-legal officers. This collective effort is the driving force behind the Ministry's pursuit of achieving its strategic objectives.

Total number of Ministry of Justice establishment as of 31 March 2023			Total number of Ministry of Justice Male Staff	Total number of Legal & Non Legal Officers	Total number of Staff Membe who left Ministry of Justic	ers
1024	621	382	239	Legal Officers 319 Non-Legal Officers 302	Resignation Transfer out Retirements Dismissals Death New Appointment	23 14 05 01 02 52

Table 1: MoJ Workforce

Human Resources Metrics

Human resource metrics serve as important indicators that assess the impact of employee and HR management programs. These metrics provide insight into the effectiveness of HR practices. Notably, the Ministry utilizes the following metrics to evaluate its human resource practices::

- Recruitment and Retention: Monitoring the effectiveness of recruitment efforts and employee retention strategies.
- **Training and Development:** Tracking the participation and outcomes of training and development programs.
- **Performance Management:** Evaluating the effectiveness of performance management processes and outcomes.
- **Diversity and Inclusion:** Measuring the representation of diverse groups within the Ministry's workforce.
- Employee Satisfaction: Assessing employee satisfaction and engagement through surveys and feedback mechanisms.

As part of the Ministry's strategic focus on enhancing organizational performance, the Directorate of Central Administration played a pivotal role in nurturing a conducive environment for the Ministry's employees to excel and contribute to the realization of the Ministry's strategic objectives.

3.2. Training and Development

Recognizing the critical role of human resources development in enhancing organizational performance, the Ministry of Justice is dedicated to fostering employee growth and skill enhancement. This commitment is rooted in the belief that a well-trained workforce is essential to fulfilling the Ministry's mandate effectively.

Value of Human Resources Development

The Ministry places significant importance on human resources development to elevate both its performance and reputation. By investing in the development of its employees, the Ministry aims to equip them with the necessary skills and knowledge to carry out their roles effectively and contribute to the achievement of the Ministry's mandate.

Long-term and short-Term Development

Human resources development is a comprehensive endeavor that encompasses both long-term and short-term interventions. These initiatives are tailored to provide employees with the appropriate skills and competencies required to excel in their respective roles. Whether through extended programs or concise training sessions, the Ministry is committed to nurturing the growth of its workforce.

Training and Development Initiatives

Throughout the review period, the Ministry executed a range of training and development initiatives designed to empower employees with the skills and knowledge needed to excel. These initiatives included:

- Seminars and Workshops: The Ministry facilitated training interventions through seminars and workshops. These events offered valuable opportunities for employees to engage with experts, share insights, and enhance their understanding of relevant topics.
- Targeted Learning: Training initiatives were meticulously tailored to address specific needs across different levels within the Ministry. From foundational training for new hires to advanced sessions for experienced staff, the Ministry ensured that learning experiences were aligned with individual requirements.

Outlook

Looking ahead, the Ministry is poised to continue its investment in training and development as an integral component of its strategy. By fostering a culture of continuous learning, the Ministry aims to ensure that its employees are equipped with the necessary skills and knowledge to navigate evolving challenges and contribute meaningfully to the Ministry's mission of delivering quality legal services and justice for all.

3.3. Diversity Management

In accordance with the Affirmative Action (Employment) Act of 1998 (No. 29 of 1998), the Ministry of Justice is committed to fostering diversity and achieving equity within its workforce. The Act serves to address historical imbalances in the workplace that arose from past discriminatory practices, ensuring that opportunities are accessible to all citizens of Namibia.

As a designated employer, the Ministry upholds the principles of diversity and equity through its Affirmative Action Policy. This policy serves as a guiding framework to transform the demographic composition of the workforce, ensuring that competent individuals from designated groups are represented fairly and equitably across all occupational levels.

The historical socio-economic inequalities that once characterized Namibia necessitated measures to redress imbalances and promote inclusivity. The Affirmative Action (Employment) Act, 1998, emerged as a response to these challenges, aiming to rectify disparities and ensure that every citizen, regardless of background, has equal access to opportunities.

Driven by its commitment to the Affirmative Action (Employment) Act, the Ministry strives to achieve equitable representation of competent employees from designated groups across all occupational tiers. While recognizing the practical considerations involved, the Ministry endeavors to create an environment where diversity is embraced and where individuals from all backgrounds can contribute their skills and diverse perspectives, without fear or favour.

The chart below indicates the workforce profile and demography in the Ministry during the period under review.:

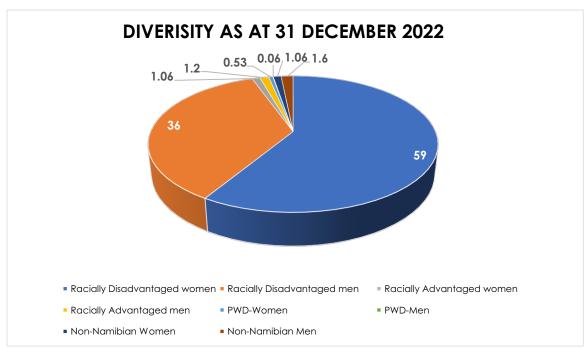


Chart 1: MoJ Workforce Diversity

DEMOGRAPHY PROFILE	%
Racially Disadvantaged Women	59
Racially Disadvantaged Men	36
Racially Advantaged Women	1.06
Racially Advantaged Men	1.2
PWD-Women	0.53
PWD-Men	0.06
Non-Namibian Women	1.06
Non-Namibian Men	1.6

Table 2: MoJ Workforce Diversity

3.4. Employee Wellness

Recognizing the integral relationship between employee wellness and performance, the Ministry of Justice places a high value on the well-being of its employees. A healthy and supported workforce is instrumental in achieving the Ministry's goals and maintaining a conducive work environment.

Wellness Interventions

Throughout the reporting period, the Ministry demonstrated its commitment to employee well-being by conducting quarterly wellness interventions. These interventions were conducted across various Directorates, addressing a spectrum of wellness dimensions including medical, health, nutrition, financial literacy, and physical activities.

Comprehensive Approach

The Ministry's wellness interventions encapsulate a comprehensive approach that acknowledges the diverse facets of well-being. By focusing on medical, health, and nutritional aspects, employees are equipped with the knowledge and resources to maintain their physical well-being. Financial literacy initiatives empower employees to manage their finances effectively, reducing stress and contributing to overall wellness. Additionally, the incorporation of sports activities fosters physical fitness and camaraderie among colleagues.

Future Wellness Initiatives

Looking ahead, the Ministry is committed to sustaining and expanding its employee wellness initiatives. By continuously fostering a culture of well-being, the Ministry aims to bolster morale, strengthen team dynamics, and create a harmonious work environment that ultimately contributes to the achievement of its strategic objectives.

Through its steadfast dedication to employee wellness, the Ministry of Justice reaffirms its commitment to its workforce and to creating an environment where individuals are valued and supported in their journey towards holistic well-being.

Mandate

The Legal Aid Directorate operates under the mandate established by Article 12 and 95 of the Namibian Constitution, which led to the enactment of the Legal Aid Act of 1990 (Act 29 of 1990). This mandate underscores the Directorate's responsibility to ensure access to justice by providing legal aid, including legal advice and representation, to individuals with insufficient income at State expense.

4.1. Overview of Activities

Total Applications Received	Total Granted	Total Declined	Total Pending
9883	5677	3425	781

- Highlights in Policy Issues: A significant milestone was the successful implementation of the Case Management System (CMS) on November 20, 2022. The CMS streamlined application processing, transforming physical files into electronic records. Notifications to applicants, instructions to in-house and private lawyers, as well as requests for information, are managed through the system. The CMS enhances confidentiality and efficiency in operations.
- Training and Workshops: During the reporting period, no training occurred, as the focus was on the appointment of senior legal officers. Entry-level legal officers undergo a mandatory two-week training and induction led by the Legal Aid Training Officer.
- Workshops and Conferences: While the Directorate faced budget constraints preventing workshops, participation in the High Court of Namibia's 2022 Bench Bar Workshop on e-justice demonstrated the commitment to continuous learning and engagement in relevant legal discussions.

4.2. Challenges

- 1. **Office Space and Security:** Several legal aid lawyers face office space challenges, with inadequate accommodations compromising their ability to consult securely with clients. This presents a security risk to lawyers and clients.
- 2. **Transport:** The Directorate lacks sufficient vehicles, resulting in frequent requests for transport by legal aid lawyers. Authorization to use private vehicles is provided, but only for a short period.
- 3. **Official Accommodation:** Legal aid lawyers in the regions lack official accommodations, unlike their counterparts in other legal sectors. Efforts to address this concern have been met with limited progress.

4.3. Overcoming Challenges

- Efforts have been made to raise these concerns to senior management, particularly regarding office space and transport. Plans to address these issues are underway, including the construction of the courthouse in Katima Mulilo and provision of official vehicles.
- The Directorate is committed to addressing accommodation discrepancies and advocating for equitable treatment in terms of facilities and resources.

4.4. Statistics for the Financial Year 2022-2023 - Legal Aid

TOWN	NUMBER OF		GRA	ANTE)	R	EFUSI	ED	P	ENDII	NG	FINALISED
	APPLICATIONS	Private Practitioners	In-house Counsel	Contribution from applicant	TOTAL GRANTED	High Income	Others	TOTAL	Outstanding Info	Decision	TOTAL	
APPEALS	121	31	13	0	44	0	75	75	1	1	2	0
DV	332	117	84	52	253	44	30	74	2	3	5	18
ОСМ	822	89	116	21	226	60	319	379	134	83	217	0
				CRIA	ΛINAL	CO	URT					
ARANOS	138	0	56	48	104	0	30	30	4	0	4	0
KARIBIB	32	0	9	6	15	0	16	16	1	0	1	5
KEETMANSHOOP	265	5	72	45	122	1	141	142	1	0	1	90
KHORIXAS	88	0	17	35	52	0	36	36	0	0	0	23
MALTAHOHE	24	0	5	15	20	0	4	4	0	0	0	0
OKAHANDJA	83	2	11	34	47	0	32	32	0	4	4	7
OKAKARARA	98	0	36	28	64	0	34	34	0	0	0	18
OMARURU	79	0	44	14	58	0	19	19	0	2	2	21
OTAVI	62	0	8	19	27	0	32	32	1	2	3	0
OTJIWARONGO	149	3	27	54	84	0	64	64	1	0	1	29
OUTJO	110	0	27	40	67	0	43	43	0	0	0	44
WINDHOEK	644	241	34	121	396	8	231	239	0	9	9	158
BETHANIE	29	0	10	5	15	0	13	13	1	0	1	6
KARABURG	101	6	19	17	42	0	55	55	3	1	4	29
LUDERITZ	43	0	15	6	21	0	21	21	0	1	1	18
MARIENTAL	238	4	42	80	126	0	101	101	1	10	11	0
ORANJEMUND	7	0	2	4	6	1	0	1	0	0	0	0
OSHAKATI	266	14	68	89	171	1	86	87	8	0	8	0
REHOBOTH	138	16	17	53	86	0	45	45	0	7	7	0

TOWN	NUMBER OF		GRA	NTE)	R	EFUSI	ED	P	ENDI	NG	FINALISED
	APPLICATIONS	Private Practitioners	In-house Counsel	Contribution from applicant	TOTAL GRANTED	High Income	Others	TOTAL REFUSED	Outstanding Info	Decision	TOTAL PENDING	
RUNDU	290	3	120	94	217	5	56	61	12	0	12	0
TSUMEB	206	33	20	83	136	2	62	64	4	2	6	27
EENHANA	250	10	87	97	194	1	50	51	5	0	5	0
GOBABIS	200	12	24	94	130	0	57	57	0	13	13	0
GROOTFONTEIN	124	6	41	40	87	1	34	35	2	0	2	0
KATIMA MULILO	219	0	100	45	145	4	63	67	7	0	7	0
ONDANGWA	259	11	69	90	170	0	85	85	3	1	4	2
OPUWO	104	0	49	20	69	3	32	35	0	0	0	4
OUTAPI	204	13	80	58	151	3	41	44	6	3	9	20
SWAKOPMUND	163	13	51	36	100	2	54	56	7	0	7	26
USAKOS	42	0	7	7	14	0	25	25	3	0	3	1
WALVIS BAY	107	6	29	22	57	3	44	47	0	3	3	31
TSUMKWE	30	0	6	10	16	0	12	12	2	0	2	0
OTJINENE	77	4	8	41	53	0	16	16	0	8	8	0
GRAND TOTAL	6 144	639	1423	1523	3585	139	2058	2197			362	577

Table 3: Legal Aid Statistics 2022/23

In conclusion, the Legal Aid Directorate persistently strives to fulfil its mandate of ensuring access to justice for all by providing legal aid. Challenges related to office space, transport, and accommodation are being addressed, and the implementation of the Case Management System showcases the Directorate's dedication to modernizing its operations. Despite resource limitations, the Directorate remains committed to upholding the principles of justice and equity for all Namibians.

Mandate

The Directorate of Legislative Drafting operates under the mandate to provide legislative drafting and publication services. As part of the Ministry's goal to Improve Timely Delivery of Quality Legal Services, the Directorate serves various clients including ministries, agencies, local authorities, regional councils, public owned enterprises, statutory bodies, and the public. The Directorate is responsible for scrutinizing and certifying Bills, Statutory Instruments, and ensuring accurate publications in the Government Gazette.

Structure

The current establishment of the Directorate comprises 48 posts, of which 23 are filled with 17 occupied by legislative drafters. The organogram reflects the current distribution of filled positions.

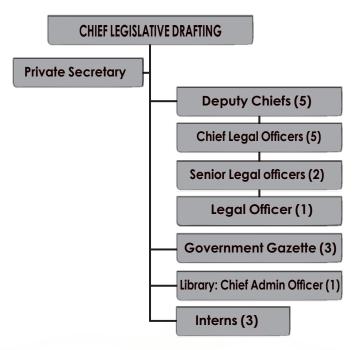


Fig. 2: Organogram of the Legislative Drafting Directorate

5.1. Overview of Activities

Since Namibia's independence in 1990 to March 31, 2023, the Gazette Office of the Directorate has published 651 Acts of Parliament. In the current reporting period, the following Bills were enacted:

- 1. Combating of Rape Amendment Act, 2022 (Act No. 4 of 2022)
- 2. Metrology Act, 2022 (Act No. 5 of 2022)
- 3. Combating of Domestic Violence Amendment Act, 2022 (Act No. 6 of 2022)
- 4. Appropriation Amendment Act, 2022 (Act No. 7 of 2022)
- 5. Access to Information Act, 2022 (Act No. 8 of 2022)
- 6. Administration of Estates Amendment Act, 2022 (Act No. 9 of 2022)

- 7. Stamp Duties Amendment Act, 2022 (Act No. 10 of 2022)
- 8. Road Fund Administration Amendment Act, 2022 (Act No. 11 of 2022)
- 9. Repeal of Obsolete Laws Act, 2022 (Act No. 12 of 2022)
- 10. Income Tax Amendment Act, 2022 (Act No. 13 of 2022)
- 11. Value-Added Tax Amendment Act, 2022 (Act No. 14 of 2022)
- 12. Property Valuers Profession Amendment Act, 2022 (Act No. 15 of 2022)
- 13. Abolition of Payment by Cheque Act, 2022 (Act No. 16 of 2022)
- 14. Public Procurement Amendment Act, 2022 (Act No. 3 of 2022)
- 15. Appropriation Act, 2022 (Act No. 2 of 2022)

5.2. Challenges

- Shortage of Experienced Legislative Drafters
- Delays in Client Responses and Instructions
- Lack of Well-Defined Policy Documents
- Lack of Incentives to Attract and Retain Drafters
- Absence of a Dedicated Drafting Course in Namibia

5.3. Overcoming Challenges

- **Bills:**Out of 11 Bills due for completion, 9 were finalized within the standard timeframe of 6 months, achieving a performance of 81% against the annual target of 70%.
- **Statutory Instruments:** The Directorate completed 30 out of 44 regulations, 40 out of 41 proclamations, and 275 out of 331 administrative notices within their respective timeframes, achieving performance rates of 33%, 98%, and 83%.
- Gazette Publications: The Directorate published 1,327 publications in the Gazette during the financial year, including Acts, Proclamations, Government Notices, General Notices, road carrier's gazettes, air services, and advertisement gazettes.

5.4. Training

Legislative drafters undergo certificate/diploma/degree/masters training in legislative drafting. In-house training is conducted to maintain consistency in drafting certain instructions.

5.5. Statistics

INSTRUCTIONS RECEIVED AND FINALIZED THIS FINANCIAL YEAR

Instructions	Total Received	Completed	Finalized Within Timeframe	Annual Target	Annual Actual
Bills	11	9	9	70%	81%
Regulations/Rules	44	30	30	75%	73%
Proclamations	41	40	40	100%	98%
Administrative Notices	331	275	275	80%	83%
TOTAL	427	354	354	81%	83%

PUBLICATIONS IN THE GAZETTE

The Directorate's Gazette Office published 1327 publications in this financial year.

PUBLICATIONS 2022/2023	NUMBER OF PUBLICATIONS
Acts	14
Proclamations	43
Government Notices	427
General Notices	713
Air Services	10
Road Carrier Permits	9
Advertisement	53 (4,595)
TOTAL PUBLICATIONS	1,269

The Directorate carries out the following functions:

- Issue Apostille.
- Process requests for Extradition and Mutual Legal Assistance in criminal matters.
- Process requests for Reciprocal Service of court process on behalf of foreign Governments.
- Process requests for reciprocal enforcement of maintenance orders and foreign civil judgment on behalf of foreign Governments.
- Provide administrative functions to the Disciplinary Committee of Legal Practitioners; Provide administrative functions to the Inter-Ministerial Committee on Human Rights.
- Draft and submit state reports to international human rights bodies.
- Respond to queries and questions on human rights and international humanitarian law.
- Represent government at SADC, AU, commonwealth countries and UN meetings on legal matters.
- Facilitate the recognition and establishment of the Community Courts.
- Supervise the administration of Community Courts.
- Provide training to personnel of the Community Courts.
- Provision of maintenance services.

6.1. Legal Services Division Overview

Under the purview of the Directorate's mandate, a comprehensive array of activities and engagements were undertaken during the reporting period, contributing to various national and international initiatives. These activities are categorized as follows:

6.1.1. Benchmarking Exercises and Reviews

- Pretoria Benchmarking Exercise (June 26, 2022 July 2, 2022): The Directorate engaged in a benchmarking exercise in Pretoria, focusing on enhancing the witness protection regime. This exercise aimed to identify best practices and strategies for the improvement of our existing mechanisms.
- Washington DC Benchmarking Exercise (August 6, 2022 August 18, 2022): Participation in a benchmarking exercise in Washington DC was instrumental in understanding witness protection and whistleblower protection regimes, enabling the Directorate to align its strategies with global standards.
- Migratory Flow Discussion Ondjiva (December 11, 2022 December 18, 2022): The Directorate participated in discussions concerning migratory flows between Namibia and Angola in Ondjiva. This engagement aimed to foster cooperation and address pertinent issues related to cross-border movements.

UNCAC Review - ACC Headquarters, Windhoek (August 23, 2022 - August 25, 2022): The Directorate actively contributed to a country visit focused on reviewing Namibia's implementation of the United Nations Convention Against Corruption (UNCAC) at the ACC Headquarters in Windhoek. France and Uganda led the review, with assistance from the UNODC Secretariat.

6.1.2. International Conferences and Meetings

- Sixty-Sixth Session of the Commission on the Narcotic Drugs (March 13, 2023 March 17, 2023): Active engagement in the online meeting of the sixty-sixth session of the Commission on the Narcotic Drugs provided an opportunity to discuss preventive measures, including the controversial suggestion of incorporating the death penalty by certain countries.
- Conference of the Parties to UNTOC/COP11 (October 17, 2022 October 21,2022) The Directorate's participation in the eleventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (UNTOC/COP11) in Vienna, Austria, demonstrated commitment to combating organized crime through international collaboration.
- Ad Hoc Committee on Cybercrime 4th Session (January 9, 2023 January 20,2023) Engagement in the fourth session of the ad hoc committee on drafting a comprehensive international convention against criminal uses of information and communications technologies showcased the Directorate's involvement in shaping future legal frameworks.

6.1.3. Domestic and Regional Engagements

- **ESAAMLG Assessors Meetings** (Throughout 2022): The Directorate engaged in several one-on-one domestic meetings with ESAAMLG Assessors. These discussions, held at the Hilton Hotel and Windhoek Country Club respectively, facilitated meaningful exchanges between assessors and various OMAs.
- Livingstone Meeting Mutual Evaluation Report Adoption (August/September 2022): The Directorate's presence in Livingstone, Zambia, during August/September 2022 was pivotal as Namibia's Mutual Evaluation Report was adopted, reflecting our dedication to transparency and accountability.
- Financial Intelligence Centre Meetings National Action Plan (2022/2023): Multiple domestic meetings convened by the Financial Intelligence Centre enabled discussions on Namibia's National Action Plan. This inclusive approach resulted in significant outcomes, including legislative amendments, policy drafting, and enhanced customer service practices.

6.1.4. Workshops and Technical Committees

- Electronic Document Record Management Training (March 28, 2023 March 30, 2023): The Directorate's participation in the training session offered by the Office of the Prime Minister on electronic document record management underscored our commitment to modernizing and streamlining administrative processes.
- IMC Foundation for NRTD Otjiwarongo (April 25, 2022 April 29, 2022): The Directorate actively engaged in the establishment of the IMC foundation for the National Resilience Taskforce Directorate (NRTD) in Otjiwarongo, reflecting our dedication to inter-ministerial collaboration.

- NRTD Workshop Otjiwarongo (May 30, 2022 June 3, 2022): Participation in the NRTD workshop in Otjiwarongo showcased our commitment to strengthening the National Resilience Taskforce Directorate and its functions.
- Inter-Ministerial Meeting Peaceful Co-Existence (May 24, 2022): Engagement in the inter-ministerial meeting at MIRCO focused on the Cabinet Decision pertaining to peaceful co-existence between Namibia and Botswana.
- Technical Committee Meeting Exploration and Exploitation (August 12, 2022): Active participation in the Technical Committee meeting at the Ministry of Agriculture addressed the exploration and exploitation of natural resources along the common borders of Namibia and Botswana.
- National Interagency Task Force Technical Sub-Committee Meeting (June 21, 2022): Engagement in the National Interagency Task Force Technical Sub-committee meeting at NAMPOL HQ emphasized our dedication to arms control, management, and disarmament.
- South Africa Sub-Regional Workshop (November 7, 2022 November 9, 2022): Participation in the workshop in Johannesburg, South Africa, focused on enhancing the information management capacity of the National Mechanism for Reporting and Follow-up.
- Senior Officials Meeting Namibia Botswana BNC Inauguration (August 16, 2022): The Directorate's presence at the senior officials meeting marked the inauguration of the Namibia Botswana BNC, emphasizing our commitment to fostering bilateral relations.
- Diplomatic and Legal Committee Meeting Namibia Botswana BNC (August 29,2022): Active participation in the Diplomatic and Legal Committee meeting within the Namibia Botswana BNC framework demonstrated our engagement in diplomatic matters.
- Gender Mainstreaming Workshop Swakopmund (March 21, 2023 March 23, 2023): Participation in the gender mainstreaming workshop in Swakopmund highlighted our commitment to integrating gender perspectives into our activities.
- Arms Trade Treaty Workshop Swakopmund (March 27, 2023 March 29, 2023): Engagement in the Arms Trade Treaty Workshop in Swakopmund underscored our dedication to international agreements and arms control measures.
- National Interagency Task Force Technical Sub-Committee Meeting (February 21, 2023): The Directorate's participation in the National Interagency Task Force Technical Sub-committee meeting at NAMPOL HQ reaffirmed our commitment to arms control, management, and disarmament initiatives.

Period	April – June 2022 Subject		July-September 2022		October-1		January-March 2023	
	Received	Processed	Received	Processed	Received	Processed	Received	Processed
Extradition	2	2	2	2	1	1	0	0
MLA	7	4	5	5	9	9	14	7
Civil	3	3	3	3	1	1	2	1
Criminal	0	0	0	0	0	0	0	0
Total	12	9	10	10	11	11	16	8

Table 4: Requests Received and Processed: Extradition and Mutual Legal Assistance in Criminal Matters.

6.2. Community Courts in Namibia

Community Courts in Namibia play a vital role in upholding justice and resolving matters within local communities in alignment with the provisions of the Community Courts Act, Act No. 10 of 2003. This legislation facilitates the establishment and recognition of community courts, outlines the appointment of Justices, clerks, and messengers of the court, and delineates the application of customary law by these courts. The jurisdiction, procedures, and appeals processes are also comprehensively addressed, solidifying their importance within the legal framework. Notably, community courts hold the status of courts of record.

Presently, Namibia boasts 42 recognized Community Courts, of which 37 remain active, underscoring their continued relevance. Financial support is extended to these courts through the Ministry of Justice. The past year witnessed significant strides as the Division Community Courts formulated policy guidelines, a pivotal step towards enhancing transparency and coordination in fund allocation. This initiative ensures that Community Courts receive adequate financial resources to effectively carry out their responsibilities as stipulated in the Community Courts Act. This progress reflects Namibia's commitment to nurturing a fair and accessible justice system that addresses the unique needs of local communities.

Training and Inspection

07-11 February 2022 , Training for Justices, and Assessor of Community Courts in Otjiwarongo	Masubia Community Court Mayeyi Community Court Mafwe Community Court Ukwangali Community Court Zeraua Community Court
16-27 May 2022 Kunene and Erongo Region. Inspections for Community Courts	Dâure Daman Community Court Otjikaoko Community Court Fransfontein Community Court #Tsoa Xau daman Community Court #Aodaman Community Court Zeraua Community Court /Gaio daman Community Court !Oegan Community Court Vita Royal Community Court
30 May- 03 June 2022, Parliamentary Standing Committee on Constitutional and Legal Affairs. Kunene Region	Karuru- kouje Community Court Otjikaoko Community Court Fransfontein Community Cour #Aodaman Community Court /Gaio daman Community Court Vita Royal Community Court
13-24 June 2022 Kavango and Zambezi Region. Inspections for Community Courts	Mafwe Community Court Mayeyi Community Court Masubia Community Court Linyanti Community Court

	Mbunza Community Court
	Uukwangali Community Court
	Gciriku Community Court
18 -22 July 2022, Training for Justices, and	Ondonga Community Court
Assessor of Community Courts in Ondangwa	Oukwanyama Community court
Protea Hotel	Ombalantu Community Court
	Ombandja Community Court
	Ukwambi Community Court
	Ongandjera Community court
	Uukwaluudhi Community Court
	Otjimana Community Court
25- 29 July 2022	Oukwanyama Community Court
Parliamentary Standing Committee on	Uunkolokadhi Community Court
Constitutional and Legal Affairs.	Ongandjera Community Court
Oshana,Ohangwena and Omusati Region	Ombalantu Community Court
	Clerk
	Uukwaluudhi Community Court
	Ombandja Community Court
	Ondonga Community Court
	Uukwambi Community Court
	OOKWAITIDI COTTITIONITY COOTT
25-29 July 2022 July, inspection in Oshana,	Oukwanyama Community Court
Ohangwena and Omusati Region	Uunkolokadhi Community Court
	Ongandjera Community Court
	Ombalantu Community Court
	Uukwaluudhi Community Court
	Ombandja Community Court
	Ondonga Community Court
	Uukwambi Community Court
	OURWAITIDI COMMINITY COUNT
05-16 September 2022 , Omaheke, Kharas and	/Khobesen Community Court
Hardap region Inspections for Community Courts	/Khai-khauben Community Court
	King Morwe Community Court
	!Xoo Community Court
	Maharero Community Court
	Aman Community Court
	Ovambanderu Community Court
30 September -05 October 2022 National Assembly	Tsoa Xau daman Community Court
Parliamentary Standing Committee on	Zeraua Community Court
Constitutional and Legal Affairs. Erongo Region	Daure Daman Community Court
	!Oe#gan Community Court

07-11 October 2022 , Invitation to Tulikonge Culture Festival (Choi) Zambezi Region	Mafwe Community Court
17-21-October 2022 Familiarisation meeting with the Community Court Personnel in Oshana, Ohangwena and Omusati	Oukwanyama Community Court Uunkolokadhi Community Court Ongandjera Community Court Ombalantu Community Court Clerk Uukwaluudhi Community Court Ombandja Community Court Ondonga Community Court Uukwambi Community Court
24 -28 October 2022 Training for Justices and Assessors of Community Courts in Otjiwarongo Out of Africa Hotel	Uunkolokadhi Community Court Fransfontein Community Court Tsoadaman Community Court Aodaman Community Court Oegan Community Court Daure Daman Community Court

Table 5: Training and Inspection activities

6.3. Maintenance Division Overview

The Maintenance Section plays a pivotal role in upholding the principles of family support and financial responsibility in Namibia. With a total staff complement of 24 members, the Maintenance Sub-Division consists of Maintenance Officers, Investigating Officers, and administrative staff, each contributing to the effective operation of this crucial division.

Maintenance Officers Distribution

Among the 24 staff members, eight hold the position of Maintenance Officers. These officers are strategically stationed across various regions to ensure widespread coverage and accessibility:

- Three Maintenance Officers operate from Mungunda Magistrate Court.
- One Maintenance Officer is based in Keetmanshoop.
- One Maintenance Officer is stationed in Swakopmund.
- One Maintenance Officer serves at Otjiwarongo.
- One Maintenance Officer is designated to Rundu.
- One Maintenance Officer is assigned to Katima Mulilo Magistrate Court.

Investigating Officers Allocation

The Maintenance Sub-Division also encompasses nine Investigating Officers who are stationed across Namibia to conduct thorough investigations into maintenance cases. This distribution allows for efficient and comprehensive handling of cases:

- One Investigating Officer is in Keetmanshoop.
- Two Investigating Officers are situated in Windhoek.
- One Investigating Officer serves in Swakopmund.
- One Investigating Officer operates in Walvis Bay.
- One Investigating Officer is designated to Otjiwarongo.
- One Investigating Officer is based in Rundu.
- One Investigating Officer is assigned to Ondangwa.
- One Investigating Officer serves in Oshakati.

Administrative Staff Placement

To support the operational aspects of the Maintenance Section, seven administrative staff members are strategically placed to ensure smooth administrative processes:

- One Administrative staff member operates from Keetmanshoop.
- Three Administrative staff members are situated in Windhoek.
- One Administrative staff member serves in Swakopmund.
- One Administrative staff member is designated for Otjiwarongo.
- One Administrative staff member is based in Katima Mulilo.

Achievements and Progress

Notably, the Maintenance Division has made remarkable strides in its operations. The division has successfully eliminated maintenance backlog cases, resulting in prompt resolution of cases. Enquiries are efficiently concluded, leading to the reduction of unnecessary case postponements. One of the key achievements is the proactive investigation of cases before their placement on the court roll, resulting in more successful outcomes.

Furthermore, the division has significantly increased civil enforcement applications and has been successful in tracing defaulters. The introduction of Maintenance Officers has relieved the burden on the Prosecution, as fewer cases are now escalated to criminal proceedings. This achievement is attributed to the collaborative efforts of Maintenance Officers, Investigating Officers, and administrative staff working are in synergy at various stations.

In essence, the Maintenance Division's success in addressing family support and financial responsibility matters is evident through its dedicated staff distribution, streamlined processes, and achievements in both civil and criminal enforcement, all of which contribute to fostering a more just and responsible society.

6.3.1. Maintenance Division statistics for the period April 2022 to March 2023

i. Magistrate Office Katima Mullilo

Number of new cases registered for period	338
1. Number of old cases	71
2. Number of enquiries done (formal and informal)	604
3.Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	254
4. Number of cases removed from the roll (no return of service, parties absent)	0
5. Number of cases given for investigations	118
6. Number of cases pending (for investigation, DNA results, payment, review and for court	21

ii. Magistrate Office Rundu

Number of new cases registered for period	440
1. Number of old cases	8
2. Number of enquiries done (formal and informal)	564
3. Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	500
4. Number of cases removed from the roll (no return of service, parties absent)	0
5. Number of cases given for investigations	85
6. Number of cases pending (for investigation, DNA results, payment, review and for court	9

iii. Magistrate Office Otjiwarongo

Number of new cases registered for period	293
1. Number of old cases	153
2. Number of enquiries done (formal and informal)	333
3. Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	215

4. Number of cases removed from the roll (no return of service, parties absent)	0
5. Number of cases given for investigations	76
6. Number of cases pending (for investigation, DNA results, payment, review and for court	34

iv. Magistrate Office Swakopmund

Number of new cases registered for period	240
1. Number of old cases	290
2. Number of enquiries done (formal and informal)	530
3. Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	369
4. Number of cases removed from the roll (no return of service, parties absent)	0
5. Number of cases given for investigations	121
6. Number of cases pending (for investigation, DNA results, payment, review and for court	24

v. Magistrate Office, Mungunda Court

Number of new cases registered for period	1,085
1. Number of old cases	839
2. Number of enquiries done (formal and informal)	1,924
3. Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	1,258
4. Number of cases removed from the roll (no return of service, parties absent)	24
5. Number of cases given for investigations	635
6. Number of cases pending (for investigation, DNA results, payment, review and for court	31

vi. Keetmanshoop

Number of new cases registered for period	174
1. Number of old cases	84
2. Number of enquiries done (formal and informal)	258
3. Number of cases finalised in court (consent, variation, enforcement, discharge, default judgement, DNA, and suspension)	175
4. Number of cases removed from the roll (no return of service, parties absent)	40
5. Number of cases given for investigations	185
6. Number of cases pending (for investigation, DNA results, payment, review and for court	43

vii. Statistics of cases dealt with by Investigating Officers Period

ACTIVITY	K/HOOP	WINDHOEK	SWAKOPMUND	WALVIS BAY	OTJIW ARONGO	OSHAKATI	ONDANGWA	RUNDU	KATIMA MULILO
Investigation	185	635	73	62	76	99	50	85	118
Default Judgement	23	297	6	34	13	0	8	17	62
Emoluments Applications)(/	298	31	15	28	0	0	20	46
Summons served	19	921	71	204	118	134	72	14	160
Directives served	19	1253	48	13	35	33	29	34	11

6.4. Challenges

Despite its commendable efforts, the Directorate of Legal Services faces several challenges that impact its functioning:

- 1. **Resource Constraints:** Limited financial and human resources have placed significant strain on the directorate's ability to fulfil its mandates effectively.
- 2. **Budgetary Limitations:** Financial constraints limit the directorate's ability to attend essential training, meetings, and inspections. This limitation impacts the division's capacity to engage in regional and international legal forums and negotiations.

6.5. Overcoming Challenges

The Directorate of Legal Services has achieved significant milestones despite the challenges:

- Legislative Drafting and Amendment: The directorate successfully drafted amendments to the Extradition Act and the International Cooperation in Criminal Matters Act, aligning them with recommendations from the Eastern and Southern Africa Anti-Money Laundering Group Mutual Evaluation Report.
- 2. **International Engagements:** Officials from the directorate represented Namibia in various international legal forums, including meetings in SADC, AU, Commonwealth countries, and the United Nations. These engagements strengthened diplomatic relations and facilitated the exchange of legal insights.
- 3. Capacity Building and Training: The division conducted training sessions and workshops for Justices, Assessors, and personnel of Community Courts, enhancing their legal expertise and ensuring effective dispute resolution at the community level.
- Financial Grants and Remuneration: The directorate secured an increase in financial grants for Community Courts and approved remuneration improvements for court functionaries, contributing to the efficient functioning of the community court system.
- 5. **Maintenance Case Management**: The Maintenance Division successfully handled a significant number of new and old cases, finalizing a substantial portion of them. The introduction of policy guidelines for fund allocation and enhanced transparency in financial matters led to improve maintenance case management.

6.6. Board for Legal Education and Disciplinary Committee for Legal Practitioners

The Board for Legal Education, operating in alignment with the Legal Practitioners Act, No. 15 of 1995, as amended, plays an important role in regulating and overseeing legal education and training in Namibia. Established under Section 8 of the Act, the Board convenes monthly meetings to fulfill its crucial functions.

Functions of the Board for Legal Education

The Board's functions encompass a comprehensive array of responsibilities that contribute to maintaining the highest standards of legal education and professional conduct:

- Receipt and Acknowledgment: The Board receives and acknowledges applications from various quarters, including Magistrates, Candidate Legal Practitioners, Public Prosecutors, and foreign legal practitioners, as per Section 5 of the Act.
- Registration and Syllabus Approval: It registers candidate legal practitioners for training at the Centre and approves the syllabus for the post-graduate study course.
- Practical Training Guidelines: The Board prescribes guidelines for the nature of practical training to be provided to candidate legal practitioners both at the Centre and through attachment to legal practitioners.
- Moderator Appointments: It appoints moderators for the Legal Practitioners' Qualifying Examination to ensure fairness and accuracy in assessment.

- Diaries and Certificates: The Board reviews diaries of candidate legal practitioners and issues certificates to those who successfully pass the Legal Practitioners' Qualifying Examination.
- Conveyancing Examination: The Board holds examinations in conveyancing periodically and grants certificates to legal practitioners who pass this examination.
- Committee Establishment: The Board forms Committees in accordance with Section 12 of the Act to effectively delegate specific functions and responsibilities. These Committees include the Technical Committee, Intake Committee, Curriculum Committee, Funding Committee, Prescription Committee, Interview Committee, Stakeholders Committee, Contracts Committee, Conveyancing Committee, among others.
- Decision-making and Resolutions: The Board conducts meetings to deliberate and make resolutions on various matters concerning legal education and training.
- Interviews and Review: It conducts interviews with Public Prosecutors, Magistrates, and Legal Aid practitioners. Additionally, it reviews prescription applications from foreign graduates.

Administration and Meetings

The administrative tasks related to the Board's functions are overseen by an official appointed by the Ministry of Justice, acting as the Secretary of the Board. During the financial year under review, the Board held a total of eight (6) ordinary meetings and two (2) special meetings. Notably, the Board welcomed four (4) newly appointed members, further reinforcing its commitment to excellence in legal education and professional standards.

The table below reflects the number of candidate legal practitioners enrolled for 2022/23

Year	2022	2023
Enrolled Candidates	257	170
Total	427	

7.1. Overview of Activities

The Directorate of Law Reform has been actively engaged in various activities during the reviewed period, fulfilling its mandate to contribute to the enhancement of Namibia's legal landscape and ensure effective legal reforms. Some of the key activities and accomplishments are as follows:

1. Secretariat Support to the Law Reform and Development Commission

The Directorate serves as the secretariat to the Law Reform and Development Commission (LRDC) as mandated by the Law Reform and Development Commission Act, 1991 (Act No. 29 of 1991). Although the absence of a Commission limited its activities, the Directorate successfully printed and submitted long-awaited reports validated by the previous Commission. Notable reports include the Final Report on the Insolvency Act, 1936, the Report on the Review of Administrative Justice in Namibia, and the Report on Laws Impeding Development in Namibia- Access to Housing and Urban Land. Challenges arose due to the absence of a Commission, impacting the adoption and certification of projects.

2. Secretariat Support to the Cabinet Committee on Legislation (CCL)

The Directorate offers secretariat services to the Cabinet Committee on Legislation (CCL) under the guidance of Secretary Mrs. Chisom Obiudo, ensuring efficient coordination and management of legislative matters.

3. Ministry of Justice Legislative Agenda 2021-2023: Finalization of Ministry of Justice Bills

As part of the Ministry's legislative agenda for 2021-2023, the Directorate has been tasked with expediting the finalization of several Ministry of Justice Bills. This three-year project aims to streamline the completion of these bills.

Project Name	Status of Project
Combating of Rape Amendment Bill	Conducting further research on matters emanating from the parliamentary debate on the Amendment Bill.
Obsolete Laws Bill	The Repeal of Obsolete laws bill (Volume 2) has been finalised and was tabled in Parliament in 2022 and is ready for publication in government gazette.
Legal Practitioners Amendment Bill (Pro-bono legal services)	Revising the pro-bono discussion paper. The Directorate conducted further research on the issues identified by the stakeholders during the pro-bono legal services consultation that took place on 14 Sep 2022 and handed over the Revised Research paper to the Minister in March 2023.
Child Justice Bill, 2018	The Bill was approved by Cabinet Decision 4 th /17.03.20/011. Directorate developed a Policy on Child Justice in Namibia and a gap analysis between the proposed law and policy, which was handed over to the Minister for consideration.

Project Name	Status of Project
Small Claims Court Bill	The Directorate conducting research on outstanding issues including the Policy and developing drafting instructions for finalisation of the Bill, which were handed over to the Minister.
Maintenance	Outstanding, pending finalisation of research.
Amendment Bill	
Ombudsman Bill	Final recommendations and memorandum submitted to stakeholder.
Insolvency Bill	LRDC Report, Insolvency Bill, and a Cabinet Memorandum submitted to the Minister.
Community Court Amendment Bill	Outstanding, pending finalisation of research.
Magistrate Amendment Bill	Awaiting feedback from stakeholder to finalise Bill.
National Sex Offender Register in Namibia	Ongoing engagements with stakeholder on administration of proposed law.

- 4. **Public Engagement and Awareness:** One of the Directorate's objectives is to inform the public about Namibia's legal landscape and reform initiatives. The Directorate achieved this through diverse media platforms, including presentations to the Parliamentary Standing Committee on Natural Resources, participation in community outreach at Katutura Soweto Market, appearances on the Government Information Centre Program, and sessions with Parliamentarians on the law-making process.
- 5. **Directorate Internship Program:** The Directorate runs a dynamic internship program open to both local and international law students or graduates. This initiative aims to enhance legal capacity and research capabilities within the Directorate. During the reviewed period, interns such as Mr. S Sankwasa, Ms. M Shifiona, and Mrs. E Hammerslough (USA) actively contributed to the Directorate's work.

7.2. Challenges

- Despite the Directorate of Law Reform's dedication to its mission and activities, there
 have been certain challenges encountered during the reviewed period. One significant
 challenge pertains to the absence of a duly appointed Commission tasked with
 adopting and certifying projects. The absence of a Commission has had a notable
 impact on the smooth execution of the Directorate's responsibilities and initiatives.
- 2. The absence of a Commission has led to delays in the adoption and certification of critical projects. Specifically, the Annual Report for the period 2021/2022 and the Report on the Review of Article 46 of the Namibian Constitution and Section 77(4)(a) of the Electoral Act, 2014 (Act No. 5 of 2014) were printed in July 2022. However, the delivery of these reports was prolonged until November 2022 due to the absence of the Commission to oversee the process. These reports remain pending for formal handover to the Minister by the new Commission once it is appointed.
- 3. While the Directorate of Law Reform remains committed to advancing its responsibilities, the lack of a Commission has hindered the timely progress and completion of essential projects. The appointment of a new Commission is eagerly awaited to address these challenges and restore the momentum required for the effective implementation of the Directorate's mandate.

7.3. Staff Compliment and Turnover

The Directorate has a dedicated team of professionals and administrative staff. Noteworthy staff promotions include Mrs. L.M Jacobs and Mrs. C Obiudo to Chief Legal Officers. Regrettably, staff resignations and the unfortunate passing of Mr. H Heitah, the Messenger/Driver, impacted the team.

The Directorate of Law Reform continues to be a cornerstone of legal reform efforts in Namibia, contributing significantly to the development of a just and efficient legal framework.



8.1. Overview of Activities

8.1.1. Supervision of Deceased Estates

The Master oversees the administration of deceased estates to ensure the orderly closure of the deceased's financial matters while safeguarding the interests of heirs and creditors.

8.1.2. Sequestrations and Liquidations

All insolvency cases fall within the master's jurisdiction, necessitating the protection of creditors and business interests. Administrative duties encompass:

- Providing court reports on insolvency advantages.
- Appointing and removing trustees and liquidators.
- Advertising court orders and creditor meetings.
- Presiding over meetings and interrogations.
- Validating creditor claims.
- Ordering contributions from insolvents.
- Approving trustee/liquidator accounts and distributions.
- Providing reports for rehabilitation applications.

8.1.3. Trust Registration and Oversight

All inter vivos trusts must be registered with the Master. The Directorate ensures proper trust administration, adherence to Trust Deed and Trust Monies Protection Act provisions, and confirmation of trust changes.

8.1.4. Guardian Fund Administration

The Master administers the Guardian Fund, handling funds held on behalf of minors, mentally incapacitated individuals, absent heirs, and more. The fund disburses funds, invests surplus, safeguards deeds, and publishes unclaimed sums exceeding N\$500,00.

8.1.5. Guardian's Fund Functions

- Receiving and disbursing funds.
- Investing funds and calculating interest.
- Safeguarding hypothecation and security deeds.
- Compiling annual lists of unclaimed sums.

8.2. Successes

8.2.1. Involvement in ESAAMLG

The Trust Department actively participated in ESAAMLG activities, attending conferences, and contributing to reports and action plans related to trusts.

8.2.2. Trust Administration Bill

Drafting a Trust Administration Bill, engaging stakeholders, and presenting the bill to Parliament. This initiative aimed to prevent Namibia's Grey listing by ESAAMLG assessors.

8.3. Statistics

The overall case report includes all applications submitted on the master's integrated financial and online case management system during the financial year.

Overall Case Report										
Case Type		Number of Online Applications								
	Received Approved Rejected		In Process		% Processed					
Financial year	2021/22	2022/	2021/ 2022	2022/ 2023	2021/ 2022	2022/ 2023	2021/ 2022	2022/ 2023	2021/ 2022	2022/ 2023
Guardian Fund	6019	7787	5491	7141	522	527	6	119	67.07%	67.62%
Deceased Estates	4697	3515	4469	3049	53	149	175	317	41.86%	22.51%
Trust	925	915	849	606	56	94	13	187	12.96%	1.32%
Total	11641	12217	10809	10796	631	770	194	623	52.85%	51.15%

Difference in number of online applications from 2021/2022-2022/2023					
Case Type	Received	Approved	Rejected	In Process	% Processed
Guardian Fund	+1,768	+1,650	+5	+113	0.55%
Deceased Estates	-1,182	-1,420	+96	+142	-19,35%
Trusts	-10	-243	+38	+174	-11.64%
Total	+576	-13	+139	+429	-1.7%

Insolvencies and liquidations that were reported during the financial year:

ТҮРЕ	2021/2022	2022/2023
Insolvencies	60	48
Insolvent deceased estate	3	0

Curators appointed to administer the estates of persons under curatorship during the financial year:

ТҮРЕ	2022/2023
Natural persons	8
Legal Practitioners i.t.o. the Legal Practitioners Act	5
TOTALS	13

Trusts registered during the financial year:

ТҮРЕ	2021/2022	2022/2023
Trusts	366	387

Activities of the Guardian's Fund during the financial year:

DESCRIPTION	2020/2021	2021/2023
Interest rate	6.5%	8%
Monies paid to beneficiaries	N\$163,105,537.93	N\$166,465,435.87
Value of the fund	N\$ 1,858,792,115.97	N\$ 2,667,775,970.49

The Guardian's Fund is a statutory fund managing the funds of mainly minor beneficiaries that provides for their education, medical and daily needs. The investment strategy of the Fund is capital preservation, stable income for beneficiaries and is in line with the Guardian's Fund liquidity needs and its liability profile.

The bulk of the funds are invested through the Sanlam Namibia administrative platform in various underlying funds. This portfolio aims to grow capital at moderate levels of risk and with an investment horizon of 3 to 5 years. In addition to the growth of capital over rolling 12-month periods, the fund also aims to outperform the benchmark over rolling 24-month periods. To achieve these objectives, a diversified portfolio of local and offshore based collective investment schemes has been constructed.

The Guardian's Fund held the following investments during the financial year:

	Opening balance	Closing balance		1-1
Description	1/4/2021	31/03/2022	Interest Amount	Interest %
Sanlam Admin Platform				
1536663	53,850,306.02	58,554,521.22	4,704,215.20	8.74%
1833250	51,146,187.73	55,613,493.52	4,467,305.79	8.73%
1542380	39,296,999.14	42,729,199.09	3,432,199.95	8.73%
1500255	35,984,474.35	39,127,707.46	3,143,233.11	8.73%
1807064	35,470,225.89	38,568,512.51	3,098,286.62	8.73%
1558972	35,463,473.44	38,561,077.06	3,097,603.62	8.73%
1777580	26,142,070.34	28,425,679.35	2,283,609.01	8.74%
1750397	23,319,340.96	25,356,255.60	2,036,914.64	8.73%
2259752	22,884,635.00	24,538,193.72	1,653,558.72	7.23%
1698646	16,903,816.09	18,380,501.96	1,476,685.87	8.74%
1767706	16,422,563.78	17,857,149.90	1,434,586.12	8.74%
2025690	14,876,922.19	16,176,574.78	1,299,652.59	8.74%
2220283	13,958,398.54	15,178,047.57	1,219,649.03	8.74%
1946425	12,366,050.12	13,446,398.78	1,080,348.66	8.74%
1841931	69,995,074.00	76,232,166.60	6,237,092.60	8.91%
1400779	43,895,244.00	47,805,614.55	3,910,370.55	8.91%
1412782	41,387,311.00	45,074,115.32	3,686,804.32	8.91%
1285915	39,920,043.00	43,476,193.57	3,556,150.57	8.91%
1345339	38,865,071.00	42,327,429.59	3,462,358.59	8.91%
1361898	38,763,814.00	42,216,956.52	3,453,142.52	8.91%
2166023	30,032,579.00	32,708,166.32	2,675,587.32	8.91%
1424431	25,977,339.00	28,292,450.49	2,315,111.49	8.91%
1881655	22,651,209.00	24,669,369.92	2,018,160.92	8.91%
1391010	19,213,184.00	20,925,127.63	1,711,943.63	8.91%
1910975	15,611,415.00	17,002,100.06	1,390,685.06	8.91%
2055333	14,737,188.00	16,050,381.37	1,313,193.37	8.91%

Description	Opening balance 1/4/2021	Closing balance 31/03/2022	Interest Amount	Interest %
2010809	12,035,994.00	13,108,252.30	1,072,258.30	8.91%
1227826	73,125,408.67	81,680,246.99	8,554,838.32	11.70%
1247345	57,382,846.15	64,095,430.75	6,712,584.60	11.70%
1216886	55,163,327.68	61,616,741.26	6,453,413.58	11.70%
1187657	27,545,846.45	30,768,168.89	3,222,322.44	11.70%
988659	26,416,389.00	29,030,987.24	2,614,598.24	9.90%
1199520	22,707,266.43	25,364,139.22	2,656,872.79	11.70%
1227461	22,214,452.37	24,813,687.60	2,599,235.23	11.70%
2789006	83,885,062.09	93,703,350.00	9,818,287.91	11.70%
1444132	32,461,884.66	36,258,561.00	3,796,676.34	11.70%
1484336	23,962,359.71	26,765,103.00	2,802,743.29	11.70%
1518638	23,673,158.14	26,441,996.00	2,768,837.86	11.70%
1616135	23,261,027.35	25,981,984.00	2,720,956.65	11.70%
1644780	18,852,109.57	21,057,244.00	2,205,134.43	11.70%
1341734	87,273,147.00	97,797,018.89	10,523,871.89	12.06%
1271238	83,326,281.00	93,364,760.78	10,038,479.78	12.05%
1330992	73,151,728.00	81,962,959.44	8,811,231.44	12.05%
1256379	59,059,977.00	66,175,747.80	7,115,770.80	12.05%
1298611	47,733,395.00	53,484,306.70	5,750,911.70	12.05%
1322262	38,721,341.00	43,388,198.78	4,666,857.78	12.05%
Simonis Storm Portfolio				
Call	120,237.37	136,612.00		4.96%
Call	2,951,673.43	10,568,459.68		4.96%
Bond GC 25	1,000,000.00	1,000,000.00	85,000.00	8.50%
Bond GC 24	20,000,000.00	20,000,000.00	2,100,000.00	10.50%
Bond GC 24	4,700,000.00	4,700,000.00	493,500.00	10.50%

Description	Opening balance 1/4/2021	Closing balance 31/03/2022	Interest Amount	Interest %
Cirrus Securities Portfolio				
Call Account	168,015.08	20,590,757.36		4.95%
Bond GC21	20,000,000.00		Matured	
Bond GC21	3,010,000.00		Matured	
Bond GC21	940,000.00		Matured	
Bond GC 23	10,000,000.00	10,000,000.00	83,190.00	8.85%
Bond GC 23	2,000,000.00	2,000,000.00	885,000.00	8.85%
Bond GC 23	10,000,000.00	10,000,000.00	177,000.00	8.85%
Bond GC 24	9,200,000.00	9,200,000.00	966,000.00	10.50%
Bond GC 35		28,030,000.00	2,662,850.00	9.50%
FL Rate BWHK NCD	3,300,000.00	3,300,000.00	170,940.00	5.18%
Fixed 364 Days	1,995,000.00	1,995,000.00		
FW Debentures	2,000,000.00	2,000,000.00		
FW Debentures	4,500,000.00	4,500,000.00		
FW Debentures	2,000,000.00	2,000,000.00		
FW Debentures	1,000,000.00	1,000,000.00		
FW Debentures	1,000,000.00	1,000,000.00		
FW Debentures	14,500,000.00	14,500,000.00		
FW Debentures	10,000,000.00	10,000,000.00		
FL Rate BWHK NCD	1,900,000.00		Matured	
Platinum Financial Services	36,475,930.87	39,156,969.71	2,681,038.84	7.35%
Bank Windhoek	37,190,607.94	39,172,867.34	1,982,259.40	5.33%
First National Bank	7,049,075.30	7,309,186.18	260,110.88	3.69%
Standard Bank	7,112,395.01	7,374,842.39	262,447.38	3.69%

Description	Opening balance 1/4/2021	Closing balance 31/03/2022	Interest Amount	Interest %
Capricorn Wealth				
Namibia IRS GC50 15/07/50		49,494,740.40	3,228,750.00	10.25%
Namibia IRS GC45 15/07/45		50,003,187.55	3,155,939.99	9.65%
Namibia IRS GC35 15/07/35		24,810,000.00	2,672,037.00	10.77%
Namibia IRS GC32 15/04/32		16,498,000.00	1,719,091.60	10.42%
Namibia IRS GC43 15/07/43		15,316,000.00	1,776,656.00	11.60%
Namibia IRS GC37 15/07/37		15,254,000.00	1,687,092.40	11.06%
Namibia IRS GC40 15/10/40		7,515,000.00	849,195.00	11.30%
Bank Windhoek Account	200,000,000.00	373,198,078.78		6.50%
	2,105,200,870.86	2,667,775,970.49	202,962,431.73	9.38%

The average return on the investment portfolio was 9.38% for the financial year.

Mandate

The primary responsibility of the Directorate is to provide research capacity to the Attorney-General in fulfilling his/her constitutional functions.

9.1. Overview of Activities

The Directorate plays a crucial role in preparing legal opinions for the Attorney General. Its scope encompasses diverse tasks, including consultations with clients, drafting agreements, scrutinizing Bills and Proclamations prior to their presentation in Parliament, representing the Government in national and international forums, presiding over disciplinary hearings as well as serving as investigators and initiators on behalf of Commissions, Ministries, Offices, and Agencies (O/M/As).

Highlights in terms of Policy Issues

The Directorate plays an advisory role in addressing legal and constitutional aspects of policy issues when requested. Additionally, it also undertook the training, coaching, and mentoring of staff to enhance capacity building. Notably, the Directorate played a pivotal role in drafting and scrutinizing Covid-19 Regulations enacted under the State of Emergency.

Staff Component

The Directorate is composed of ninety-nine (99) legal officer positions, of which thirty-one (31) are funded, and sixty-eight (68) are unfunded. Additionally, there are thirty-one (31) administrative positions, with twenty (20) funded and eleven (11) unfunded.

9.2. Challenges

9.2.1. Bottlenecks and Overcoming Challenges

Challenges faced during the review period include parties not reaching consensus due to unreasonable demands in negotiations, a backlog of complex and urgent files, high demand for legal officers' involvement in committees and boards, and staff constraints due to unfunded positions.

9.2.2. Virtual Meeting Challenges

The necessity for staff to participate in virtual meetings posed distinctive challenges, compounded by the insufficient financial resources available for staff training.

9.3. Overcoming Challenges

The Directorate has been engaged in a multitude of significant matters both nationally and internationally. Some notable highlights include:

Internationally

- Providing legal advice for ongoing Green Hydrogen Project negotiations.
- Drafting joint declarations of intent and related agreements between Namibia and Germany.
- Participating in Africa Cup of Nations 2027 joint bid preparation.
- Offering urgent legal opinions on maritime security cooperation between Namibia and South Africa.
- Providing legal advice on matters related to international trade agreements and treaties.
- Assisting with repatriation cases involving the remains of Namibian nationals.
- Advising on accession to international conventions and treaties.
- Contributing to negotiations with foreign entities on various matters.

Nationally:

- Addressing petitions from interest groups.
- Scrutinizing legislative proposals such as the Access to Information Bill.
- Offering legal advice on diverse matters, including aircraft redelivery conditions and citizenship renunciations.
- Engaging in discussions concerning poultry imports and business penalties.
- Advising on various agreements, including those related to renewable energy projects.

9.4. Statistics

Total Requests for Legal Aid	Requests Concluded	Requests Pending
747	110	637

Committees and Boards

Legal advisors from the Directorate serve on a total of 187 committees and boards, encompassing national, regional, and international spheres.

Negotiated Agreements

The Directorate successfully negotiated numerous agreements during the review period, including those related to the Green Hydrogen Project, international environmental conventions, border management programs, and more.

9.5. Trainina

Financial constraints limited staff training; however, the Directorate plans to overcome this by utilizing sponsored and virtual training opportunities.

Due to Covid-19 travel restrictions, international attendance was limited. Nevertheless, staff participated in a significant number of virtual meetings, ensuring continued engagement on various legal matters.

Financial Overview

During the financial year under review, the Ministry received a total budget of N\$ 485,843,000.00 (four hundred eighty-five million eight hundred forty-three thousand Namibian Dollars)

Appropriation Account

The table below reflects the appropriation amounts and overview per Directorates during the financial year under review.

Service		Authorized expenditure	Actual expenditure
	N\$	N\$	N\$
01. Office of the Minister/Attorney General:			
Original budget	2,881,000.00		
Plus: Virement	202,800.00	3,083,800.00	3,008,513.82
02. Central Administration:			
Original budget Mid year (Additional Budget) Plus: Virement	133,870,000.00 2,304,112.00 7,059,840.00		
Less: Suspension		143,233,952.00	142,250,825.56
03. Law Reform: Original budget	8,416,000.00		
Mid year (Additional Budget)	247,672.00		
Less: Virement	(1,372,000.00)	7,291,672.00	7,164,585.48
04. Legislative Drafting:			\
Original budget	18,612,000.00		
Mid year (Additional Budget) Less: Virement -	463,536.00 (2,529,000.00)	16,546,536.00	16,454,041.80

Service		Authorized expenditure	Actual expenditure
	N\$	N\$	N\$
05. Ombudsman			
Original budget Mid year (Additional Bu	20,139,000.00 dget) 1,080,498.00		
Less: Virement	(1,034,200.00)	20,185,298.00	19,950,272.58
06. Legal Aid:	(1,00 1,200.00)		,
Original budget	42,690,000.00		
Mid year (Additional Bu	- ,		
Plus: Virement	1,702,000.00	45,640,362.00	45,509,407.44
07. Legal Service: Original budget	31,413,000.00		
Mid year (Additional Bu			
Less: Virement	- ,		
tess. viremeni	(1,412,500.00)	30,934,254.00	30,786,550.07
08. Master of the High Cour	l :		
Original budget	19,031,000.00		
Plus: Midyear Budget Re	view 579,455.00		
Less: Virement	(583,940.00)	19,026,515.00	18,917,373.28
09. Provision of Legal Servic	e·		
Original budget	29,346,000.00		
Mid year (Additional Bu	dget) 766,226.00		
Less: Virement	(2,435,940.00)	27,676,286.00	27,201,084.03
10. Civil Litigation:			
Original budget	32,825,000.00	/	
Plus: Midyear Budget Re	eview 690,328.00		
Plus: Virement	5,090,000.00	38,605,328.00	38,389,885.00
11. Public Prosecution:			
Original budget	107,130,000.00		
Plus: Midyear Budget Re	eview 3,176,057.00		
Less: Virement	(4,687,060.00)	105,618,997.00	105,180,993.53
TOTAL:		457,843,000.00	454,813,532.59

CAPITAL PROJECTS

The table below reflects the financial allocation for development projects and financial overview during the period under review.

Nature of project	Approved appropriation	Actual expenditure 2021/2022	Expected year of completion
	N\$	N\$	
Justitia Building Renovation	11,170,000.00	11,103,215.37	31-Mar-23
Lower Courts Renovations	-	-	31-Mar-23
Lower Courts Upgrading & Construction	8,972,000.00	8,841,942.24	31-Mar-23
Ombudsman Office Construction	-	-	31-Mar-23
Supreme Court Renovation	-	-	
Upgrading of High Court Building	5,258,000.00	5,078,244.69	31-Mar-23
Construction of Mobile Courts	2,100,000.00	1,950,637.26	31-Mar-23
Office of the Judiciary Renovation	500,000.00	476,377.21	31-Mar-23
Renovation of Houses of Prosecutor General in the Regions	-	-	31-Mar-23
Purchased of Legal Aid Houses			31-Mar-23
Total	28,000,000.00	27,450,416.77	



Notes



Republic of Namibia **MINISTRY OF JUSTICE**



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