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Rwanda Development Board

*Solution Business Architecture Definition for
JRLOS*

Version 1.0

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Approval

The signatories hereof, being duly authorised thereto, by their signatures hereto authorise the execution of the work detailed herein, or confirm their acceptance of the contents hereof and authorise the implementation/adoption thereof, as the case may be, for and on behalf of the parties represented by them.

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1 Acronyms and Glossary of Terms

Table 1-1: Acronyms

Acronym	Definition
ADM	Architecture Development Method
ARB	Architecture Review Board
DRM	Data Reference Model
EA	Enterprise Architecture
GWEA	Government-Wide Enterprise Architecture
ICT	Information and Communication Technology
InfoRM	Information Reference Model
IRM	Integration Reference Model
IT	Information Technology
RDB	Rwanda Development Board
TOGAF	The Open Group Architecture Framework
TRM	Technology Reference Model

Table 1-2: Glossary of Terms

Term	Definition
Application Architecture	The architecture of the application (or software) that is needed to process the data and enable one or more functions or services of an organisation.
As-Is architecture	Refers to the enterprise architecture developed to represent the current state of the business, across the business, application, data and technology domains.
Business Architecture	The architecture of the business strategy, organisation structure, functions /services, key business processes and information requirements, as well as the relationships between these concepts.
Data Architecture	The architecture of the data resource inherent to an information system.
Enterprise Architecture	The process of realising business vision and strategy into the enterprise by developing and improving the key requirements, concerns, principles and models that describe the enterprise's current and future state and enables its evolution.
Information Technology	A general term used to refer to one or more of the subject areas relating to the computer industry, such as Business Continuity, Business IT Interface, Business Process Modelling and Management, Communication, Compliance and Legislation, Computers, Content Management, Hardware,

Term	Definition
	Information Management, Internet, Networking, Programming and Software, Security, Standards, Storage, Voice and Data Communications.
Technology Architecture	The architecture of the foundation software, hardware and telecommunications capabilities that is required to enable processing and deployment of business, data, and application services, which includes application processing infrastructure services, naming and directory services, middleware, database management infrastructure, telecommunication network infrastructure, computer hardware, storage and peripherals, security infrastructure, system management infrastructure and interoperability standards.
To-Be Architecture	Refers to the enterprise architecture developed to represent the current state of the business, across the business, application, data and technology domains.

2 Executive Summary

This document provides a detail view of the business architecture of the solution architecture for the Integrated Case Management System (IECMS) for the Justice, Reconciliation, Law and Order Sector (JRLOS). The document will describe in detail the roles, services and business processes for each of the identified domains within JRLOS.

3 Document Purpose

The purpose of this document is to give an overview of a solution architecture for the Integrated Case Management System (IECMS) for the Justice, Reconciliation, Law and Order Sector (JRLOS). The document will describe the Conceptual Solution Architecture and then provides details for each of the Solution Architecture domains.

4 Business Solution Architecture

4.1. Business Roles

The following table represents business roles that are applicable to the Integrated Case Management System (IECMS) value chain. Business roles are associated with business actors (organisational units), which reside at specific geographical locations. In the case of IECMS the locations are national, regional, district and sector.

Table 4-1 provides a catalogue of all IECMS related business roles. A number of additional business roles were identified during the Solution Architecture analysis. Those roles (JBR31 - JBR38) were added to the list as identified during the Segment Architecture analysis.

Table 4-1: Business Roles

Business Role	Description
JBR01 Judicial Police Officer	Judicial Police Officer at National level who has the power conferred by law to deal with the following: <ul style="list-style-type: none"> Investigation of crimes, interview of witnesses, interrogation, arrest and detention of suspects Open criminal case file to be transmitted to the prosecution
JBR02 Criminal Record Officer	Judicial Police Officer at all levels in charge of the recording and archiving of all criminal data
JBR03 Minister of Internal Security	Responsible for the supervision of government policies and programs in matters of internal security
JBR04 Inspector General of Police (IGP)	The Inspector General of Police plan, organize, coordinate, lead and control all activities of the Rwanda National Police
JBR05 Commissioner CID	Responsible for RNP Criminal Investigation Department to plan, organize, coordinate, lead and control all the activities of the department
JBR06 Regional Judicial Police Officer (RJPO)	Same as JBR01 at Regional level
JBR07 District Judicial Police Officer (DJPO)	Same as JBR01 at District level
JBR08 Station Judicial Police Officer (SJPO)	Same as JBR01 at Police Station level
JBR09 District Criminal Record Officer	Same as JBR02 at District level
JBR10 Regional Criminal Record Officer	Same as JBR02 at Regional level
JBR11 Criminal Record Officer (CID)	Same as JBR02 at National level
JBR12 Prosecutor	Responsible for the supervision of Police investigation and prosecution of criminal cases in a court

Business Role	Description
JBR13 Judge	Responsible for the adjudication of judicial cases in a court
JBR14 Registrar	Responsible for the administration of judicial cases in a court
JBR15 Litigant	A person who is a participant (plaintiff or defendant) in a judicial case
JBR16 Chief Registrar	Most senior registrar in a given court, responsible for the supervision of other registrars in the same court
JBR17 President of the Court	Most senior judge in a given court responsible for the supervision of all the staff of such a court
JBR18 Prison Registrar	Responsible for the maintenance of the inmates register
JBR19 Prison Legal Officer	Responsible for liaison with the prosecution service and courts on all legal matters related to inmates
JBR20 Prison Security Officer	Responsible for all security matters of a prison
JBR21 Prison Guard	Responsible for the safety of inmates in a prison
JBR22 Prison Social Affairs Officer	Responsible for all social programs in a prison
JBR23 Production Officer	Responsible for all production programs (economic activities) in a prison
JBR32 District Community Correctional Coordinator	Responsible for the management of offenders assigned to community service as an alternative to a prison sentence at a District level
JBR24 Community Correctional Camp Coordinator	Responsible for the management of offenders assigned to community service as an alternative to a prison sentence in a given TIG Camp
JBR25 Community Correctional Disciplinary Officer	Responsible for the discipline of offenders assigned to community service as an alternative to a prison sentence
JBR26 Legal Practitioner	A registered member of the Rwanda Bar Association with the power to represent a case party in court
JBR27 State Attorney	A representative of the government in a civil case in court
JBR28 Civil Litigation Mediation Committee Members	Members of a mediation committee established in the context of a civil litigation involving the government
JBR29 Other Civil Litigation Party	A party opposing the government in a civil litigation case
JBR30 Prosecution Assistant	Responsible for providing administrative assistance to prosecutors in a criminal case
JBR31 Prison Director	Responsible for the overall supervision of a prison
JBR32 Prison Medical Examiner	The Prison Medical Examiner is responsible for monitoring and maintaining the physical and mental health of the inmates.
JBR33 Prison Accountant	<i>This role has been identified at Solution Architecture.</i>

Business Role	Description
	The Prison Accountant manages the proceeds from Production and the distribution of 10% of the proceeds to the Prison community.
JBR34 RCS Chief Accountant	<i>This role has been identified at Solution Architecture.</i> All proceeds from production work performed by offenders busy with rehabilitation, is centrally administrated by the RCS Chief Accountant.
JBR35 Chief Prosecutor	A senior Judicial officer appointed or elected to hear and decide matters relating to law.
JBR36 Prosecutor Assistant	<i>This role has been identified at Solution Architecture.</i> A Prosecutor Assistant is an official assisting the Prosecutor in recording or keeping records of a case file.
JBR37 MOJ Central Secretary	<i>This role has been identified at Solution Architecture.</i> The Central Secretary at the Ministry of Justice is tasked to receive all incoming documentation into the Ministry and distributing it according to the nature and address of the document.
JBR38 Senior State Attorney	<i>This role has been identified at Solution Architecture.</i> (Previously the Assistant Attorney General) This official manages and supervises the State Attorney and reports into the Attorney General.
JBR39 Relevant CID Authority	<i>This role has been identified at Solution Architecture.</i> Any CID resource with a rank of Sergeant and higher.
JBR40 Investigation Coordinator	<i>This role has been identified at Solution Architecture.</i> Any relevant CID Authority allocated to coordinate the CSI function going to a crime scene
JBR41 Investigating Judicial Police Officer	<i>This role has been identified at Solution Architecture.</i> A Judicial Police Officer with a rank of Sergeant or higher conducting an investigation
JBR42 Inspector	<i>This role has been identified at Solution Architecture.</i> An Inspector is a designation within the RNP. The inspector determines if an incident may be redressed by means of a transaction or not.
JBR43 Administrative Police Officer	<i>A police officer dealing with the administrative aspect of the RNP e.g. Dealing with the payment of the client.</i>
JBR44 Community Correctional Medical Examiner	The Community Correctional Medical Examiner is responsible for monitoring and maintaining the physical and mental health of the inmates.
JBR45 Rwanda Bar Association	It is compulsory for all legal practitioners, practicing in Rwanda, to belong to. This is a governing body.
JBR46 Civil Litigation Secretary (CLS)	The Civil Litigation Secretary (CLS) deals with the physical cases and introduces a case to the scheduling system,
JBR47 Principal State Attorney (PSA)	The Principal State Attorney supervises and coordinates State Attorneys. The PSA reports into the Senior State Attorney.

4.2. Business Services

4.2.1. Overview

The IECMS business services model is intended to provide stakeholders with a view of the business services that exist within JRLOS, which are applicable to the IECMS. IECMS business services are a subset taken from the JRLOS portfolio of business services.¹

The following key definitions apply:

- A business service represents an coherent package of functionality that offers value to the environment, independent of how this functionality is realised internally
- Internal business services are defined as those services offering supporting functionality within the JRLOS
- External business services are defined as those services offered to customers or beneficiaries external to the JRLOS

4.2.2. High Level Categorisation

Business capabilities and associated business services are broadly categorised as either:

- ‘Core’: related to the core functional mandate/operations of the JRLOS
- ‘Management and Support’: internally consumed capabilities and services required to permit or facilitate core capabilities and services

Core capabilities and services are sub-categorised as:

- ‘Specialised’: related to the core functional mandate/operations of the institution and also unique and specialised in terms of the field of expertise related to the JRLOS
- ‘Cross-cutting’: integral to core operations, however, generally common across specialised core capabilities

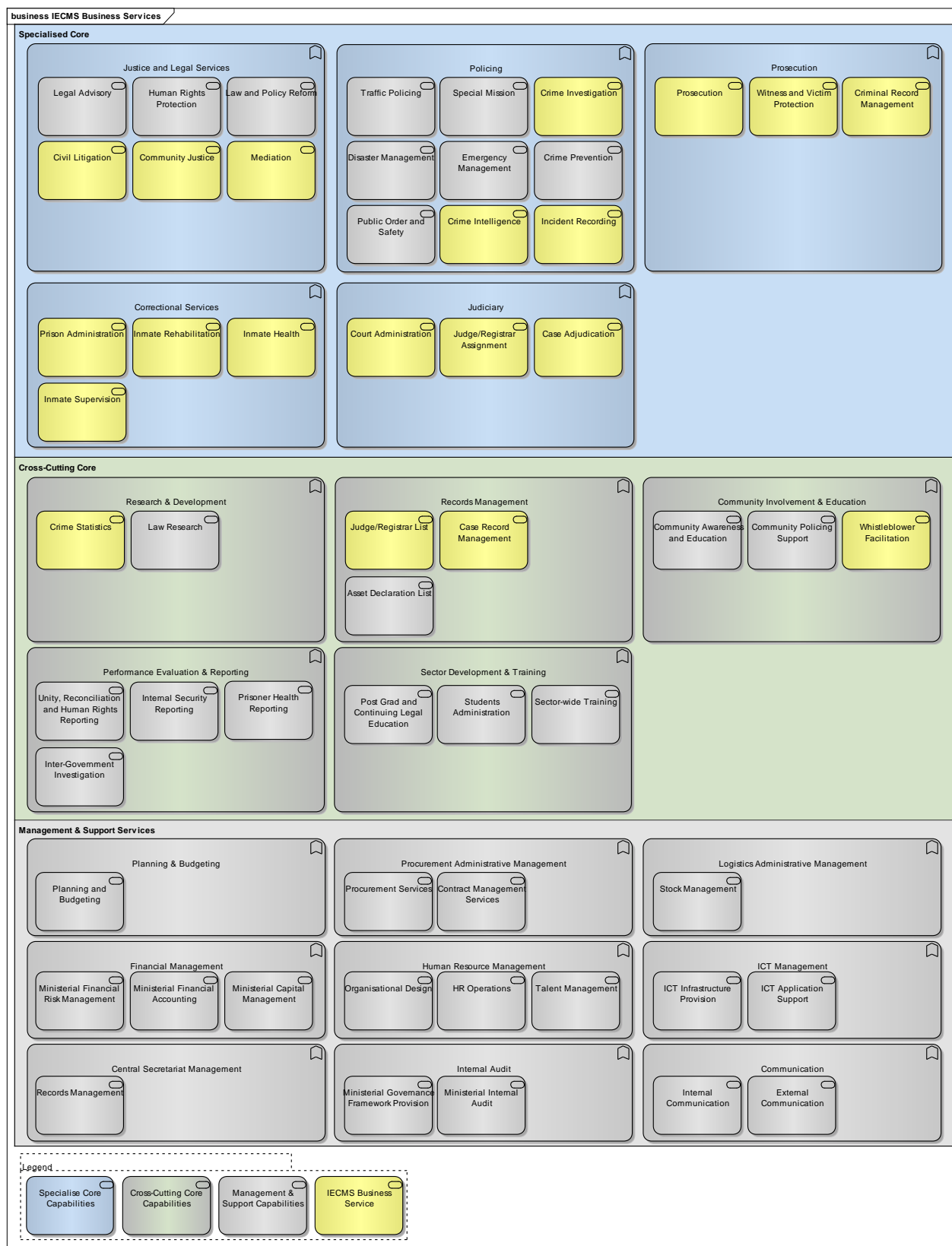
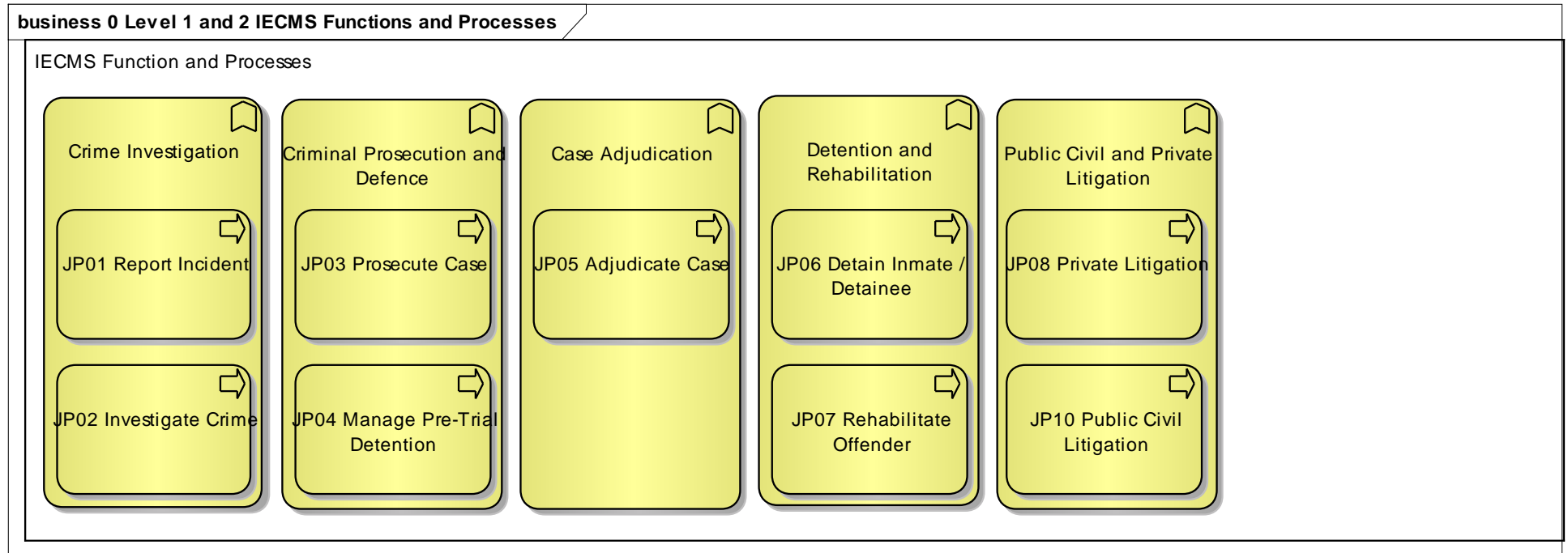


Figure 4-1: IECMS Business Services Model

4.3. Business Processes

4.3.1 Level 1 and 2 IECMS Functions and Processes



Please note: The process “JP09 Manage Evidence”, as documented during the Segment Architecture phase, was incorporated into the various processes dealing with evidence. In an effort to retain continuity the process number “JP09” is not used in the Solution Architecture deliverable.

4.3.1.1 Crime Investigation

The function “Crime Investigation” consists of two processes: “Report Incident” and “Investigate Crime”. This function is the responsibility of the Rwanda National Police (RNP). The function is being supervised by the National Public Prosecution Authority (NPPA).

4.3.1.1.1 Level 3 JP01 Report Incident

Any person may report an incident or a complaint to any officer within the Rwanda National Police. The incident / complaint is captured and immediate and appropriate action is taken following the report.

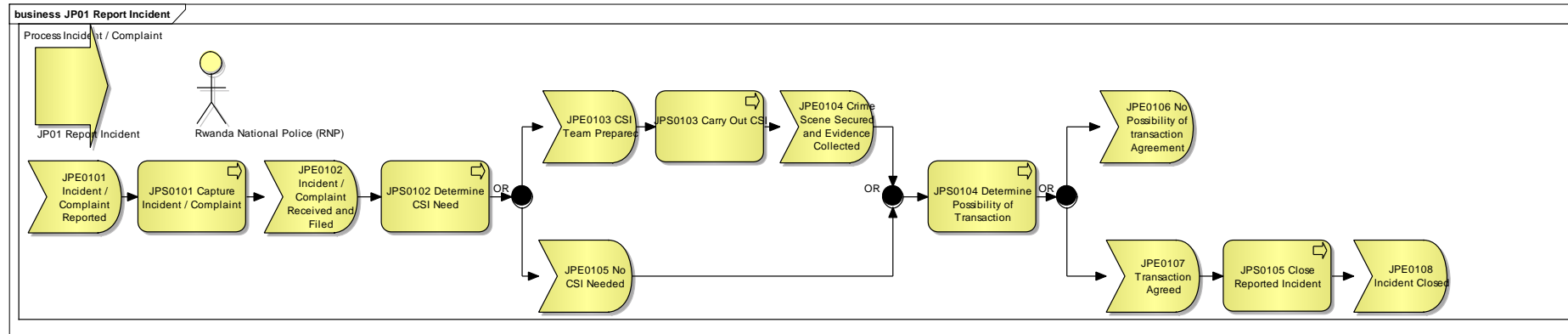


Figure 4-2: JP01 Report Incident

4.3.1.1.1 Level 4 JPS0101 Capture Incident / Complaint

The incident / complaint reporting needs to be recorded on to the Integrated Electronic Case Management system (IECMS). In the instance of a telephonic reporting an audio recording of the call should be made if possible.

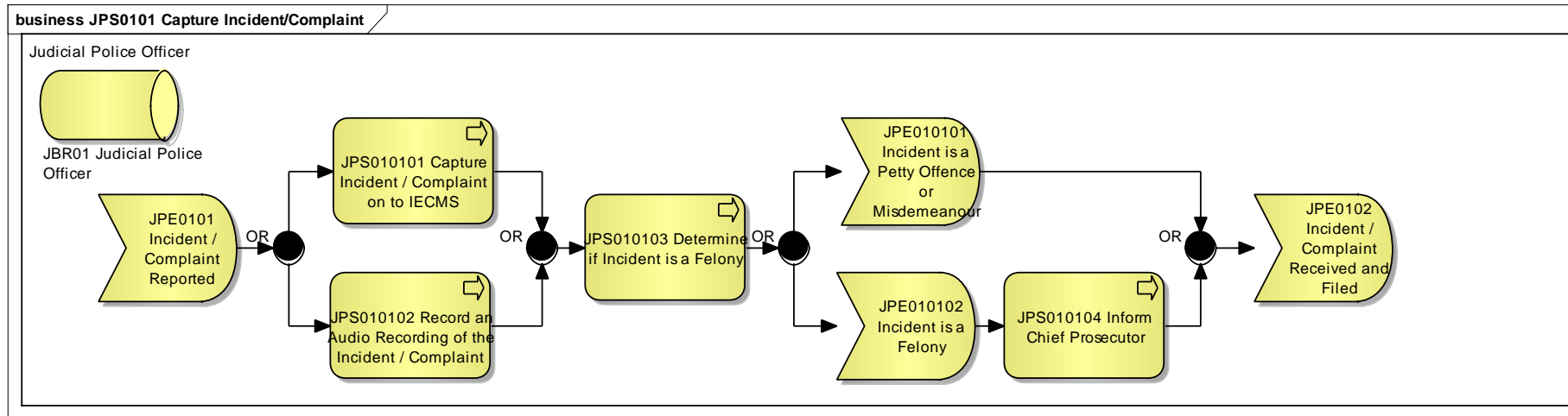


Figure 4-3: JPS0101 Capture Incident / Complaint Diagram

Activity	Responsible	Description
JPS010101 Capture Incident / Complaint on to IECMS	JBR01 Judicial Police Officer	The details of the incident / complaint - as it is being reported - is captured on to the system by the Rwanda National Police (RNP) official receiving the report - irrespective of rank or standing.
JPS010102 Record any Audio Recording of the Incident / Complaint	JBR01 Judicial Police Officer	A real time audio recording of the incident / complaint reporting needs to be made. This can only be feasible should

		calls of such a nature are routed to a call centre - whether centralized or federated. This can be inclusive of any external audio visual data collected of the complaint that can be used as very important as evidence.
JPS010103 Inform Chief Prosecutor	JBR01 Judicial Police Officer	The police is required to immediately notify the Chief Prosecutor in the event of an incident being identified as a felony.
JPS010104 Determine if Incident is a Felony	JBR01 Judicial Police Officer	Three types of incidents exist: Misdemeanour, Offence or Felony. The Judicial Police Officer needs to determine the nature of the incident. Specific procedures need to take place dependent on the nature of the incident.

4.3.1.1.1.2 Level 4 JPS0102 Determine CSI Need

To enable the efficient processing of an incident it is important to determine if the reported incident presents a crime scene that, for a felony, requires immediate investigation.

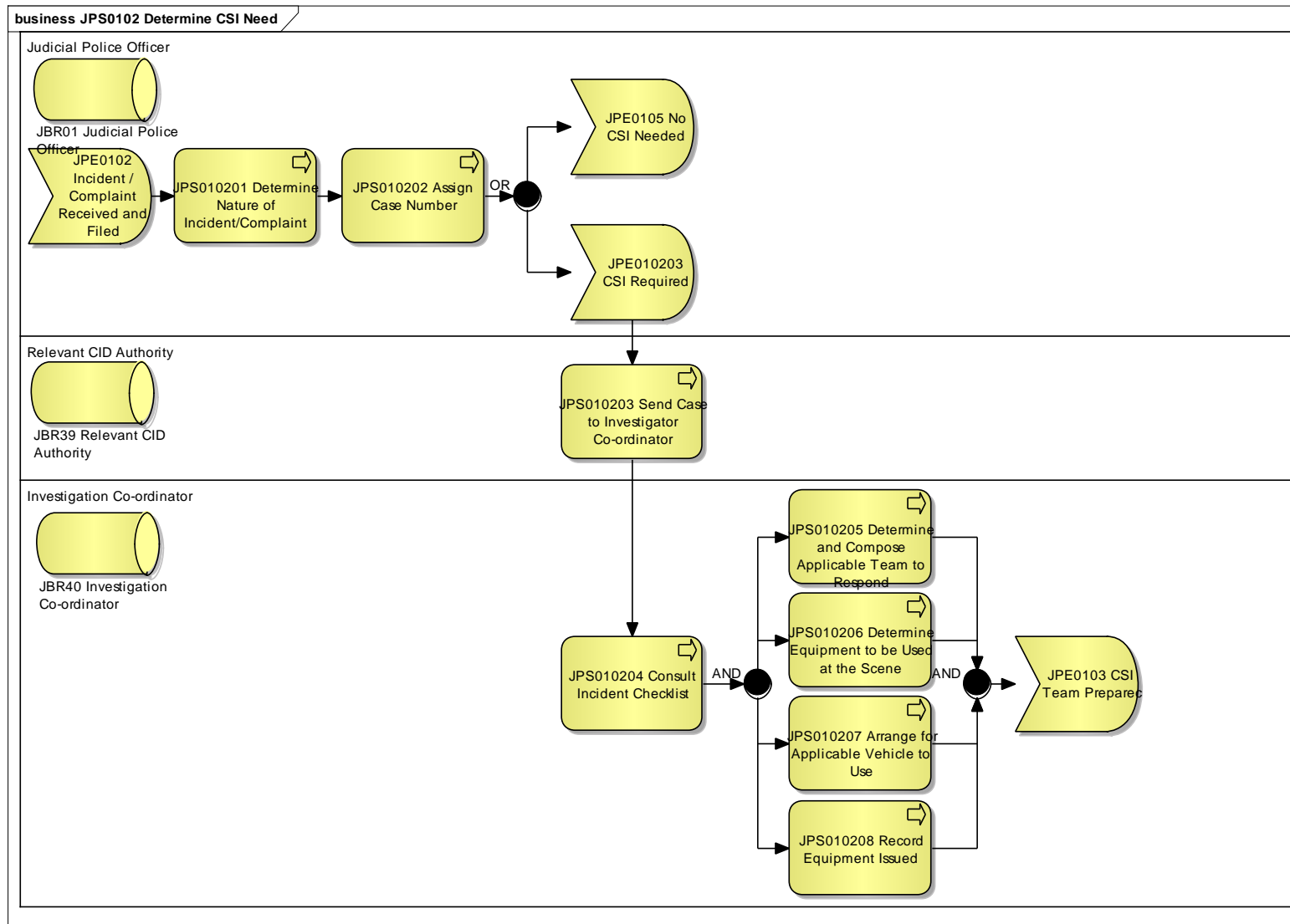


Figure 4-4: JPS0102 Determine CSI Need

Activity	Responsible	Description
JPS010201 Determine Nature of Incident/Complaint	JBR01 Judicial Police Officer	The nature of the crime needs to be established. This would inform the nature of investigation that may take place (if at all). Incidents or complaints reported may include traffic violations which by it's nature would not necessarily lead to an investigation. The incident may also be of a more serious criminal nature like murder, assault, theft, etc.
JPS010202 Assign Case Number	JBR01 Judicial Police Officer	In the instance of a crime that would warrant further investigation a case number is assigned to the incident / complaint file. From this point forward the file would be termed as a "case".
JPS010203 Send Case to Investigator Co-ordinator	JBR39 Relevant CID Authority	The relevant CID Authority would forward the case to the relevant Investigator coordinator. The nature of the crime would inform the allocation of the case.
JPS010204 Consult Incident Checklist	JBR40 Investigation Coordinator	In accordance to the nature of the case a relevant checklist would be displayed on a device used by the Investigator coordinator. The checklist needs to be pre-populated with those items typically required for specific types of crime. As an example: a bomb thread requires specific type of equipment to manage like explosive resistant vehicles and gear, explosive experts, etc. Equally an investigation into a potential murder requires the services of a coroner and a fingerprint-kit.

JPS010205 Determine and Compose Applicable Team to Respond	JBR40 Investigation Coordinator	The Investigation coordinator needs to assemble a team consisting of personnel that would be able to attend to the crime type that requires investigation.
JPS010206 Determine Equipment to be Used at the Scene	JBR40 Investigation Coordinator	The nature of the crime would inform the selection of equipment that would be required to investigate it. A pre-populated possible equipment list would be displayed for each type of crime. The Investigation coordinator would be able to select the required items from the list. Any additional items may be added and would be considered for inclusion in the default list going forward.
JPS010207 Arrange for Applicable Vehicle to Use	JBR40 Investigation Coordinator	Singular crime types may require specialised vehicles. As an example a bomb threat may warrant the use of an explosive resistant vehicle equipped with explosive resistant blankets. A murder may require a vehicle suitable to transport corpses.
JPS010208 Record Equipment Issued	JBR40 Investigation Coordinator	As the Investigation coordinator selects or adds equipment / personnel from the checklist, a log of items are compiled. This may tie in with the stock control system and may inform possible further procurement of equipment.

4.3.1.1.3 Level 4 JPS0103 Carry Out CSI

The police, in responding to the incident / complaint reporting, would attend to the crime scene. The primary concern is to secure and document the environment. Evidence would be gathered and potential witnesses interviewed. Assistance from an expert would be sought if required.

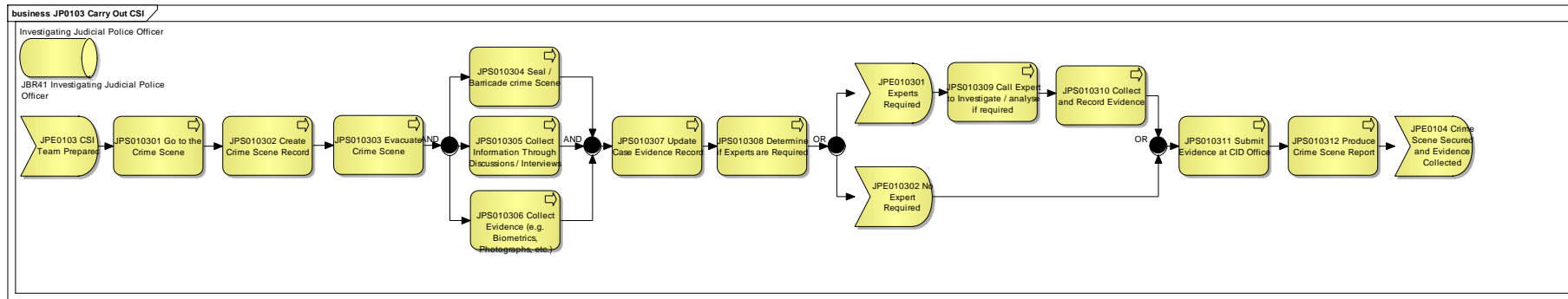


Figure 4-5: JPS0103 Carry Out CSI

Activity	Responsible	Description
JPS010301 Go to the Crime Scene	JBR41 Investigating Judicial Police Officer	The Investigating Judicial Police Officer, with the assembled team and equipment go to the scene of the crime.
JPS010302 Create Crime Scene Record	JBR41 Investigating Judicial Police Officer	The crime scene record starts out with the case detail, as captured thus far (information captured at reporting, equipment log, team members, etc) and case number. Particulars about the crime scene needs to be updated to this file as the initial crime scene investigation progresses.

JPS010303 Evacuate Crime Scene	JBR41 Investigating Judicial Police Officer	On arrival at the crime scene the crime scene needs to be evacuated to allow the team to make original impressions and to allow the team to start investigating the scene.
JPS010304 Seal / Barricade crime Scene	JBR41 Investigating Judicial Police Officer	The Investigating Judicial Police Officer and the investigating team needs to secure the crime scene. This needs to be done to ensure evidence remains intact and uncompromised. To this end the area would be barricaded.
JPS010305 Collect Information Through Discussions / Interviews	JBR41 Investigating Judicial Police Officer	The investigation team needs to assemble possible persons of interest (witnesses, suspects, etc) and collect information by means of discussions (informal and incidental) or interviews.
JPS010306 Collect Evidence (e.g. Biometrics, Photographs, etc.)	JBR41 Investigating Judicial Police Officer	Biometric information (fingerprints, facial features, etc) needs to be collected. To this end specialised equipment may be required (e.g. fingerprint technician with fingerprint gathering equipment).
JPS010307 Update Case Evidence Record	JBR41 Investigating Judicial Police Officer	Details about the crime scene (first impressions, locations and state) with information gathered orally and biometric information need to be captured on the crime scene record.
JPS010308 Determine if Experts are Required	JBR41 Investigating Judicial Police Officer	The Investigating Judicial Police Officer needs to determine, based on information/evidence gathered, whether the services of a specialist would be required.
JPS010309 Call Expert to Investigate / analyse if required	JBR41 Investigating Judicial Police Officer	In the instance that it is determined that the services of a specialist would be required, a relevant specialist - normally

		associated by an agreement to RNP - would be called to the investigation.
JPS010310 Collect and Record Evidence	JBR41 Investigating Judicial Police Officer	The specialist would collect and record evidence during his/her investigation. The investigation team may assist the specialist in collecting the evidence under the express supervision of the specialist.
JPS010311 Submit Evidence at CID Office	JBR41 Investigating Judicial Police Officer	Every item of evidence needs to be submitted at the CID Office. The evidence needs to be duly tagged and managed in accordance to the nature of it. Specialist storage would be required for hazardous material.
JPS010312 Produce Crime Scene Report	JBR41 Investigating Judicial Police Officer	All of the information updated on to the crime scene record would be used to generate a crime scene report. Any items added to the report, post generation, need to be updated to the record as well.

4.3.1.1.1.4 Level 4 JPS0104 Determine Possibility of Transaction

Certain cases may qualify for a fine to be paid instead of going forward as a case to be investigated. A pre-determined set of conditions exist against which the case would be measured.

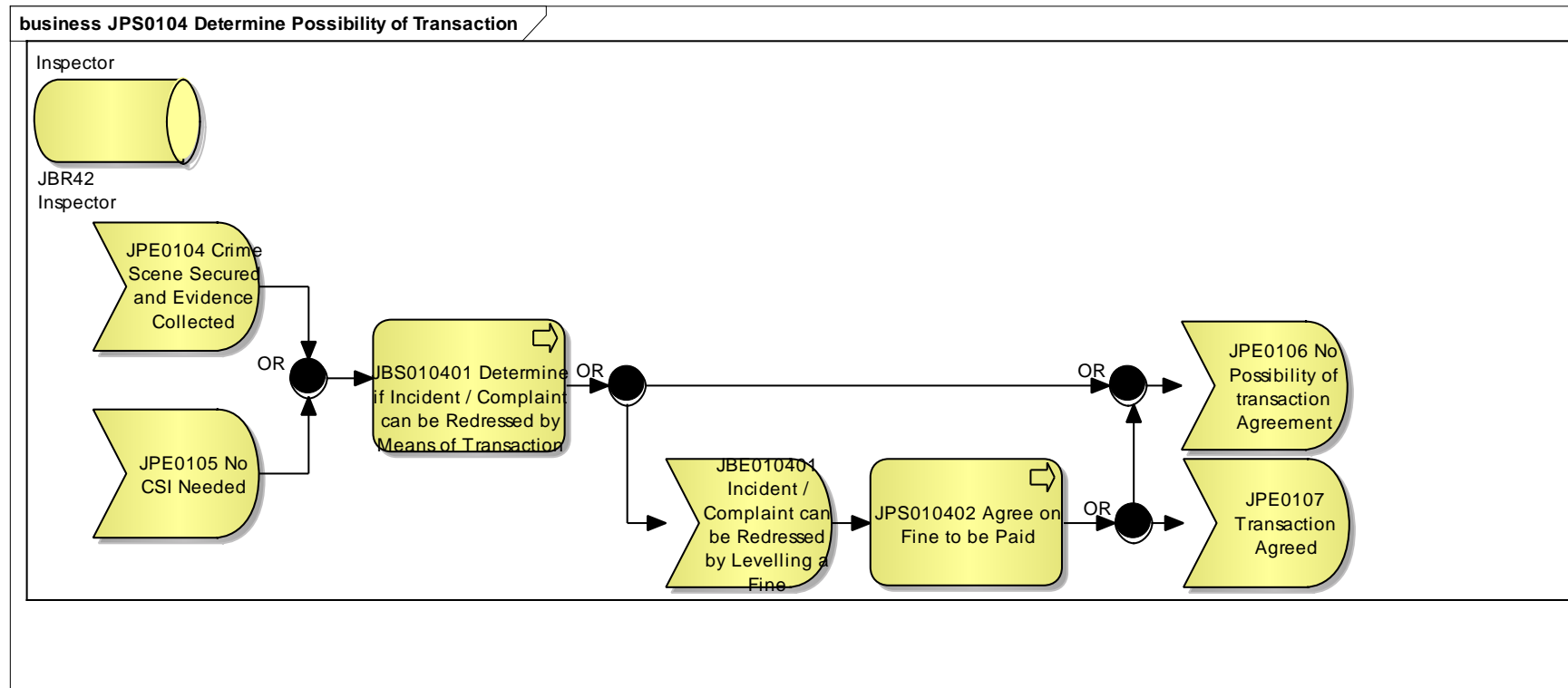


Figure 4-6: JPS0104 Determine Possibility of Transaction

Activity	Responsible	Description
JBS010401 Determine if Incident / Complaint can be Redressed by Means of Transaction	JBR42 Inspector	An incident that may qualify for a "transaction" (monetary settlement or fine) would be an infringement that would not qualify for incarceration. Typical incidents would be traffic infringements, complaints of a domestic nature, etc.).
JBS010402 Agree on Fine to be Paid	JBR42 Inspector	A fine, in relation to the severity of the infringement, is leveled at the offender. Once the fine has been settled, no criminal record remain.

4.3.1.1.1.5 Level 4 JPS0105 Close Reported Incident

In the instance of the incident being redressed by the payment of a fine, the case would be closed without prejudicing the payee.

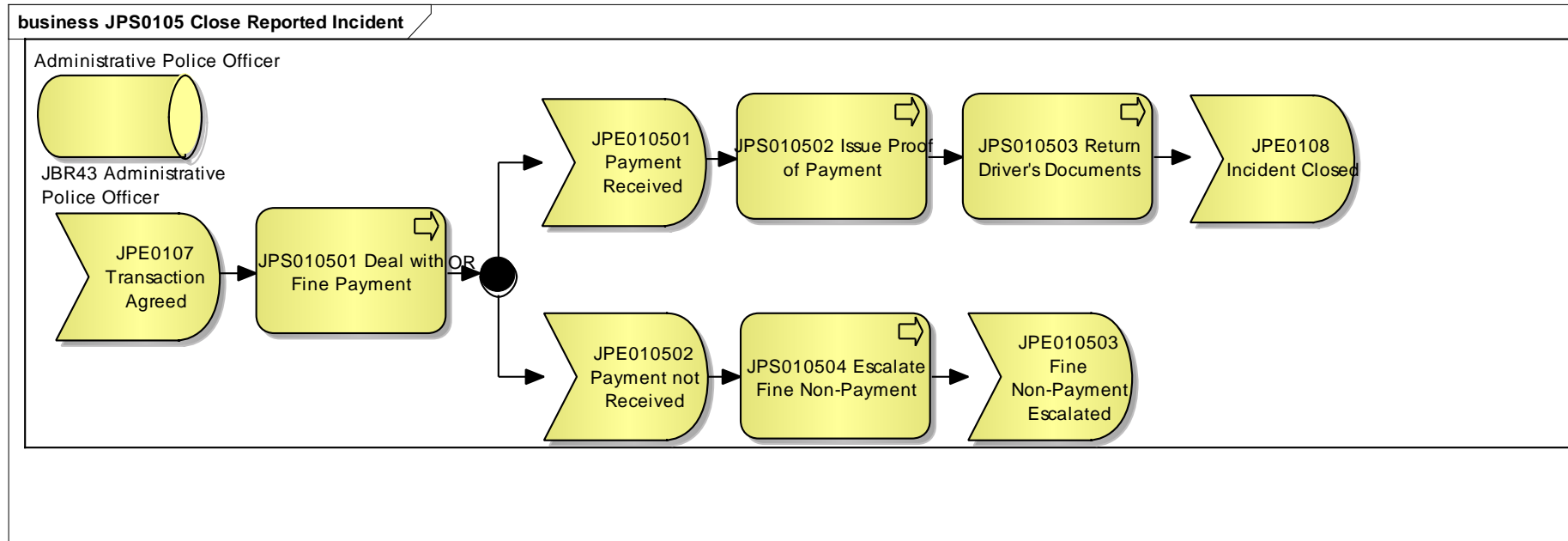


Figure 4-7: JPS0105 Close Reported Incident

Activity	Responsible	Description
JPS010501 Deal with Fine Payment	JBR43 Administrative Police Officer	The Administrative Police Officer needs to manage the receipt and management of the payment of a fine.
JPS010502 Issue Proof of Payment	JBR43 Administrative Police Officer	On receiving payment for a fine, the Administrative Police Officer issues a physical receipt to the payee. The amount tendered needs to correspond to the amount fined.

JPS010503 Return Driver's Documents	JBR43 Administrative Police Officer	Once payment on a fine has been received in full, the Administrative Police Officer is required to hand the driver (in a traffic infringement) back the documents confiscated at the time of the infringement.
JPS010504 Escalate Fine Non-Payment	JBR43 Administrative Police Officer	Fines that were levelled has to be paid within a specific and stated date. Failure to do so would see the Administrative Police Officer escalating the fine. The escalation normally comprises of an additional fine being levelled on top of the original fine.

4.3.1.1.2 Level 3 JP02 Investigate Crime

Once reported, an incident needs to be investigated. An investigator is assigned and initiates the in-depth investigation of the alleged crime.

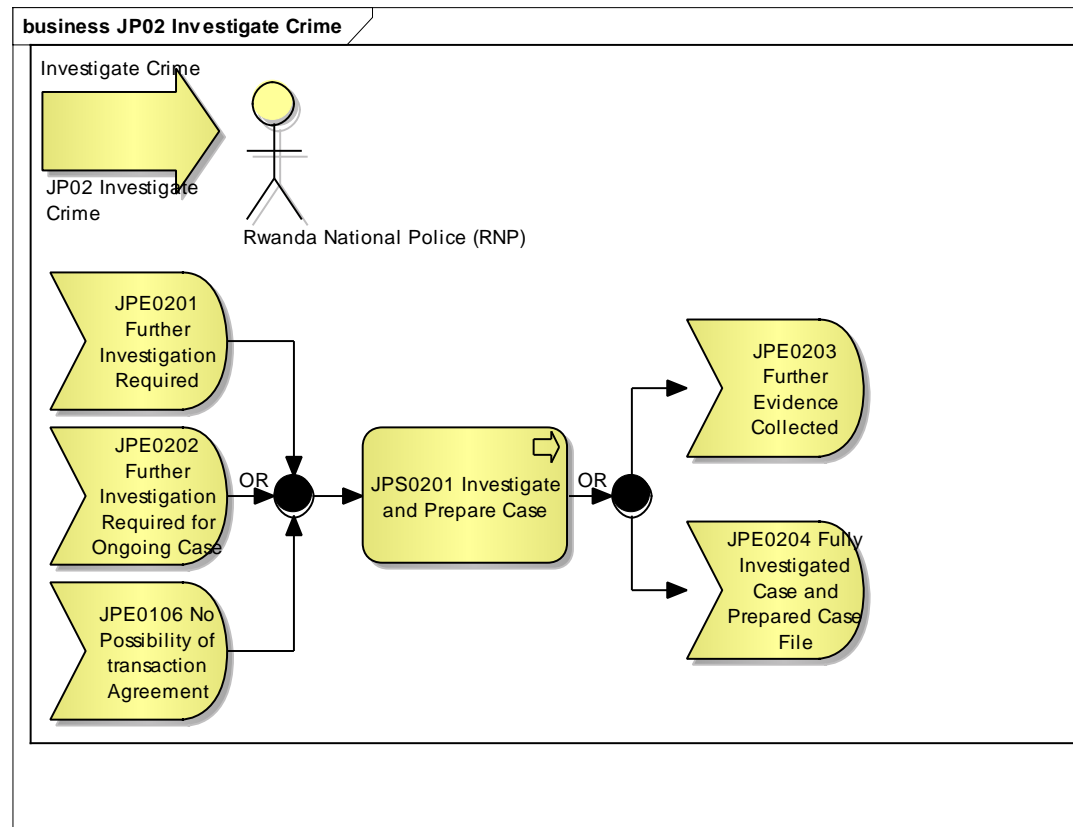


Figure 4-8: JP02 Investigate Crime

4.3.1.1.2.1 Level 4 JPS0201 Investigate and Prepare Case

An Investigating Officer would investigate the case. The officer would analyse the crime scene, gather physical and material evidence. Suspects would be interrogated and witnesses and victims would be interviewed.

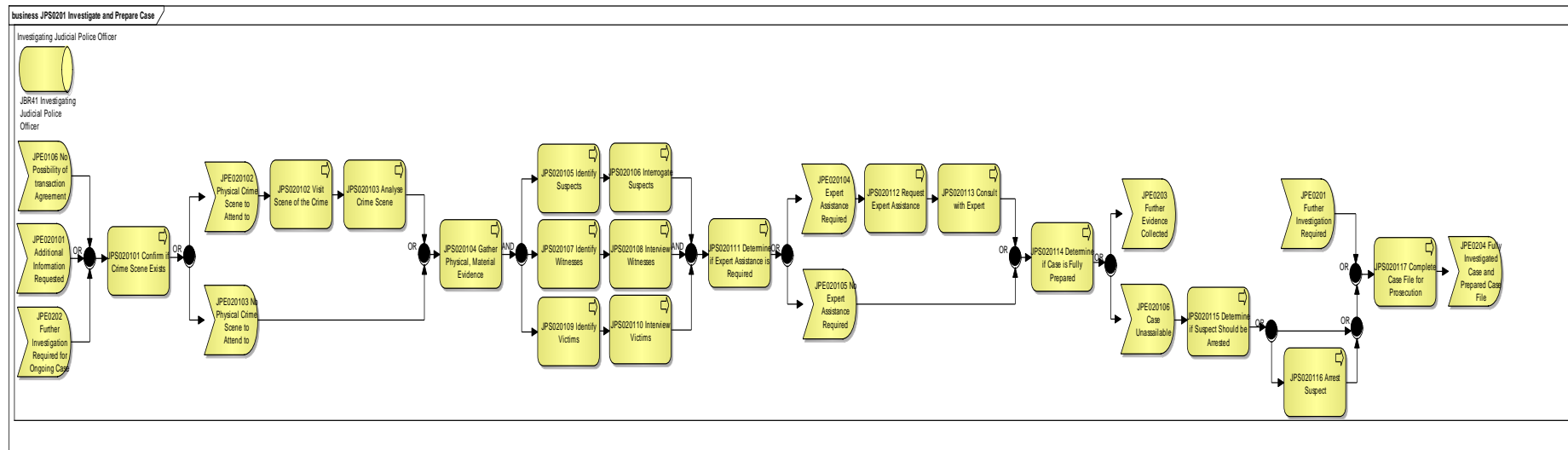


Figure 4-9: JPS0201 Investigate and Prepare Case

Activity	Responsible	Description
JPS020101 Confirm if Crime Scene Exists	JBR41 Investigating Judicial Police Officer	The Investigating Officer confirms, from the case file, if a physical crime scene exists which may require investigation.
JPS020102 Visit Scene of the Crime	JBR41 Investigating Judicial Police Officer	The investigating Officer visits the crime scene as soon as possible. The scene should remain sealed off until such a time that the investigating Officer determines that the analysis of the crime scene has been completed.

JPS020103 Analyse Crime Scene	JBR41 Investigating Judicial Police Officer	The crime scene is analysed by the Investigating Officer and possibly team in more detail than the initial police visit to the crime scene.
JPS020104 Gather Physical, Material Evidence	JBR41 Investigating Judicial Police Officer	The investigating Officer gathers any material evidence that have not been gathered during the initial investigation.
JPS020105 Identify Suspects	JBR41 Investigating Judicial Police Officer	The Investigating Officer needs to identify suspects (should suspects not have been identified before) by using all the evidence and witness / victim testimonials.
JPS020106 Interrogate Suspects	JBR41 Investigating Judicial Police Officer	The identified suspects are interrogated by the Investigating Officer. The interrogation normally takes place in a controlled environment such as the interrogation rooms at a police station.
JPS020107 Identify Witnesses	JBR41 Investigating Judicial Police Officer	The investigating officer identifies potential witnesses during the course of the investigation.
JPS020108 Interview Witnesses	JBR41 Investigating Judicial Police Officer	The identified witnesses are interviewed by the Investigating Officer. Juvenile witnesses need to be dealt with in consultation with the appropriate experts.
JPS020109 Identify Victims	JBR41 Investigating Judicial Police Officer	The investigating officer identifies any victims during the course of the investigation.
JPS020110 Interview Victims	JBR41 Investigating Judicial Police Officer	The Investigating Officer needs to interview victims. Sensitivity needs to be applied depending on the nature of the crime (e.g. a female officer may be used to interview a female rape

		victim.). Juvenile victims need to be interviewed with due sensitivity in consultation with subject matter experts.
JPS020111 Determine if Expert Assistance is Required	JBR41 Investigating Judicial Police Officer	During the investigation the Investigating Officer may identify aspects of the investigation that would need to be investigated / analysed by an expert. Examples of such aspects may be the analysis and identification of DNA, psychological profiling, etc.
JPS020112 Request Expert Assistance	JBR41 Investigating Judicial Police Officer	The request for expert assistance would be channelled through the correct procurement route used by RNP. Experts registered as service provider to the police would be requested to provide the service. Should an appropriate expert not be available, an expert would be sought to provide the service.
JPS020113 Consult with Expert	JBR41 Investigating Judicial Police Officer	The Investigating team would consult with the expert contracted in.
JPS020114 Determine if Case is Fully Prepared	JBR41 Investigating Judicial Police Officer	The Investigating Officer determines if an unassailable case has been compiled. In the instance that the case can be seen as not being satisfactorily concluded, further evidence and investigation may be required.
JPS020115 Determine if Suspect Should be Arrested	JBR41 Investigating Judicial Police Officer	In the instance of a suspect having been identified, the Investigating Officer needs to determine whether the suspect is a danger to the society, likely to influence witnesses/victims or is a flight risk. Should any of the criteria be met it may be prudent to take the suspect into custody.

JPS020116 Arrest Suspect	JBR41 Investigating Judicial Police Officer	The investigating Officer would obtain a warrant of arrest and place the suspect(s) in custody.
JPS020117 Complete Case File for Prosecution	JBR41 Investigating Judicial Police Officer	The Investigating Officer compiles a comprehensive and complete case file required for the NPPA to prosecute the case.

4.3.1.2 Criminal Prosecution and Defence

The function “Criminal Prosecution and Defence” consist of two processes “Prosecute Case” and “Manage Pre-trial Detention. The National Public Prosecution Authority (NPPA) is responsible of performing these processes.

4.3.1.2.1 Level 3 JP03 Prosecute Case

The aim of the National Public Prosecuting Authority (NPPA) is to investigate cases submitted for their attention. From the investigation the Prosecutor would be able to determine if an unassailable argument against a defendant can be compiled to a sought a potentially successful conviction from the court.

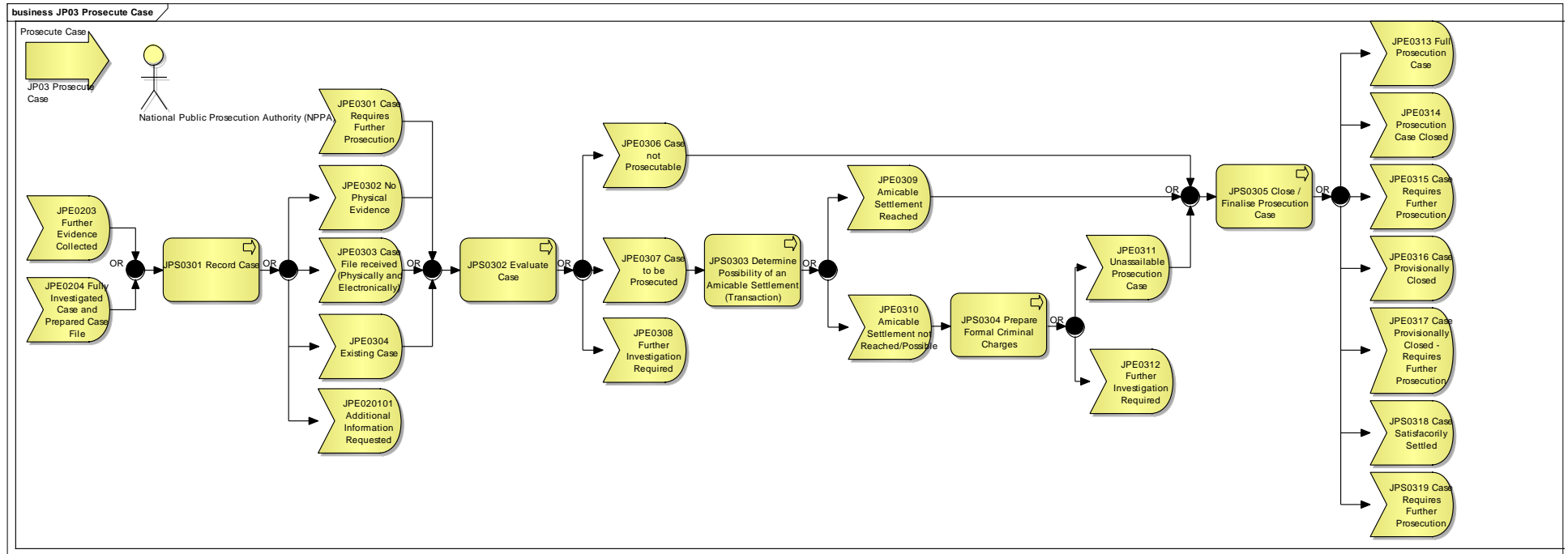


Figure 4-10: JP03 Prosecute Case

4.3.1.2.1.1 Level 4 JPS0301 Record Case

The Prosecutor Assistant would accept the case file. The case file needs to be checked for completeness. An incomplete case file would be returned to be completed. A complete case file would be scanned to the Electronic Case Management System (ECMS). The NPPA utilises a specific reference number framework and within this framework a reference number would be allocated and documented to the case.

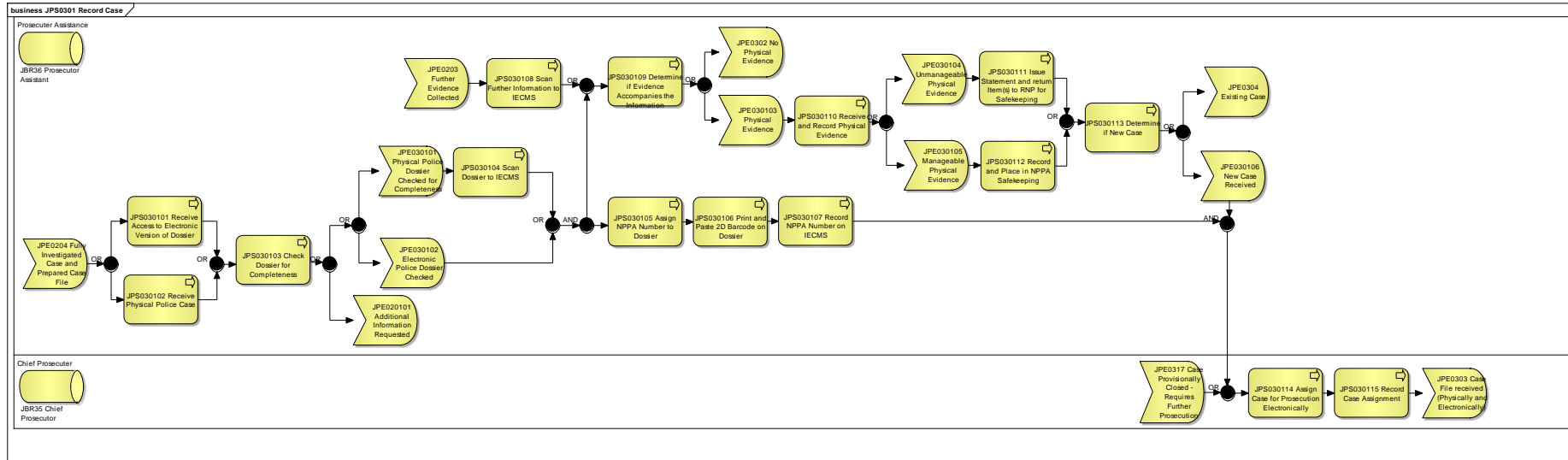


Figure 4-11: JPS0301 Record Case

Activity	Responsible	Description
JPS030101 Receive Access to Electronic Version of Dossier	JBR36 Prosecutor Assistant	The Prosecutor Assistant receives an electronic version of the case file as prepared for prosecution by the Investigating Officer at RNP.
JPS030102 Receive Physical Police Case	JBR36 Prosecutor Assistant	The NPPA receives a physical case file irrespective of the electronic version of the case file.

JPS030103 Check Dossier for Completeness	JBR36 Prosecutor Assistant	The Prosecutor Assistant checks the case file to ensure that the file complies to the functional requirements of taking on a case for prosecution.
JPS030104 Scan Dossier to IECMS	JBR36 Prosecutor Assistant	The checked case file (in the absence of an electronic version) is scanned on to the ECMS.
JPS030105 Assign NPPA Number to Dossier	JBR36 Prosecutor Assistant	An unique NPPA reference number is assigned to the case file. This reference number is assigned over and above the original case number assigned by the RNP.
JPS030106 Print and Paste 2D Barcode on Dossier	JBR36 Prosecutor Assistant	A barcode is generated by the system and printed out on an appropriate label. The code consists of the NPPA case number in addition to specific identifying and descriptive information.
JPS030107 Record NPPA Number on IECMS	JBR36 Prosecutor Assistant	The NPPA case number, allocated to the case, is captured to the ECMS system.
JPS030108 Scan Further Information to IECMS	JBR36 Prosecutor Assistant	Any information that is received post the original case file submission needs to be scanned and appended to the existing electronic file.
JPS030109 Determine if Evidence Accompanies the Information	JBR36 Prosecutor Assistant	The Prosecutor Assistant determines, from the case file received, if any evidence may be accompanying the file.
JPS030110 Receive and Record Physical Evidence	JBR36 Prosecutor Assistant	The Prosecutor Assistant records the physical evidence to the ECM system.

JPS030111 Issue Statement and return Item(s) to RNP for Safekeeping	JBR36 Prosecutor Assistant	The Prosecutor Assistant issues a statement - that is appended to the case file - returns the unmanageable items for safekeeping by the RNP.
JPS030112 Record and Place in NPPA Safekeeping	JBR36 Prosecutor Assistant	The manageable evidence metadata is captured to ECMS. Manageable evidence is placed at NPPA for safekeeping.
JPS030113 Determine if New Case	JBR36 Prosecutor Assistant	The Prosecutor Assistant needs to confirm if the information received needs to be applied to an active case or whether it pertains to a new case.
JPS030114 Assign Case for Prosecution Electronically	JBR35 Chief Prosecutor	The prosecution case is automatically assigned to an available - and appropriate - Prosecutor.
JPS030115 Record Case Assignment	JBR35 Chief Prosecutor	The case assignment and the particulars of the assignee recorded on to the system.

4.3.1.2.1.2 Level 4 JPS0302 Evaluate Case

The Prosecutor needs to evaluate the case to determine if sufficient information is available. Additional information would be requested should any be required. The Prosecutor needs to determine if any witnesses / victims may need protection and if the suspect(s) may need to be detained.

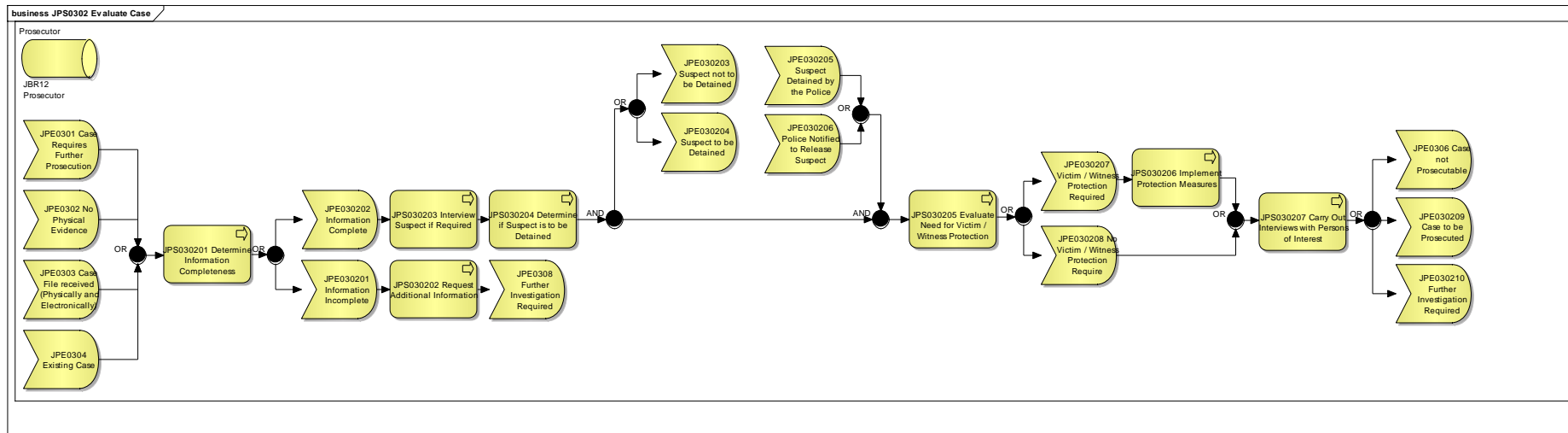


Figure 4-12: JPS0302 Evaluate Case

Activity	Responsible	Description
JPS030201 Determine Information Completeness	JBR12 Prosecutor	The Prosecutor determines if the information is complete and usable.
JPS030202 Request Additional Information	JBR12 Prosecutor	In determining the completion of the case file, the Prosecutor may find that some information may be insufficient / absent. It is within the Prosecutor's right to request additional information from the police.
JPS030203 Interview Suspect if Required	JBR12 Prosecutor	The Prosecutor may require to have an additional interview with the suspect. This would serve to clarify facts or to establish additional facts.

JPS030204 Determine if Suspect is to be Detained	JBR12 Prosecutor	The Prosecutor determines if the suspect should be detained or not. To this end the Prosecutor may interview the suspect or make enquiries regarding the suspect. The primary reason for detaining a suspect would be in the instance of the suspect being a flight risk. Additional reasons may be the ability to influence witnesses or being a danger to society.
JPS030205 Evaluate Need for Victim / Witness Protection	JBR12 Prosecutor	Circumstances may exist that may put the witness(es) or victim(s) at risk. A risk of the witnesses and victims being intimidated may also exist.
JPS030206 Implement Protection Measures	JBR12 Prosecutor	<p>The Prosecutor would implement measures to provide security and safety to witnesses and victims. Some measures may include protective custody, physical police protection or accommodating the victims / witnesses in a location removed from the risk / influence.</p> <p>Typically, the witness or victim would be relocated to a safe house, protection would be requested from RNP and feedback would be provided to stakeholders.</p>
JPS030207 Carry Out Interviews with Persons of Interest	JBR12 Prosecutor	The Prosecutor may require to interview persons that may provide information regarding the case.

4.3.1.2.1.3 Level 4 JPS0303 Determine Possibility of Amicable Settlement (Transaction)

The Prosecutor needs to determine if any amicable settlement may be possible. This would be put to the opposing party and, if accepted, arrangements would be made for the fine to be paid.

A receipt would be issued on receiving payment of the fine and the case file would be scanned.

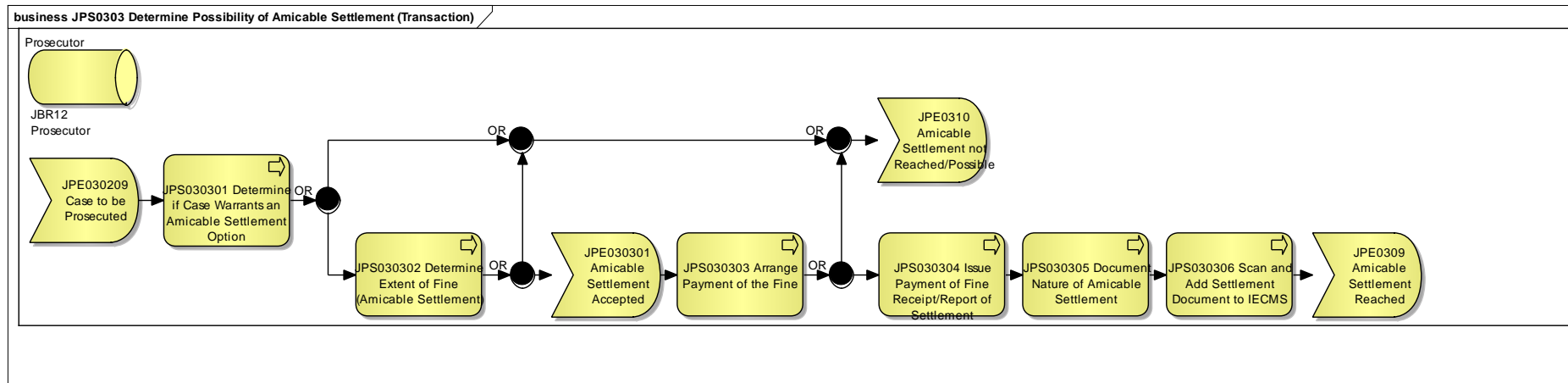


Figure 4-13: JPS0303 Determine Possibility of Amicable Settlement (Transaction)

Activity	Responsible	Description
JPS030301 Determine if Case Warrants an Amicable Settlement Option	JBR12 Prosecutor	In an effort to prevent courts to be inundated by cases that may be addressed by punitive non-incarcerating measures, an option may be explored to pursuit a route of amicable settlement (fine). This option is only available to those transgressions that would not attract a prison sentence in excess of 1 year and can not be classified as a criminal case (Murder, Rape, etc).

JPS030302 Determine Extent of Fine (Amicable Settlement)	JBR12 Prosecutor	In the instance that it is determined that a fine may serve to redress the wrong-doing, a monetary value needs to be determined. A guide exists to guide the Prosecutor in determining the extent of the Fine.
JPS030303 Arrange Payment of the Fine	JBR12 Prosecutor	The office of the Prosecutor would manage the logistics of collecting the fine to redress the transgression from the transgressor.
JPS030304 Issue Payment of Fine Receipt/Report of Settlement	JBR12 Prosecutor	The Prosecutor issues a receipt to the payee on receiving the value of the fine.
JPS030305 Document Nature of Amicable Settlement	JBR12 Prosecutor	The nature of the amicable settlement needs to be documented as a matter of public record.
JPS030306 Scan and Add Settlement Document to IECMS	JBR12 Prosecutor	The physical settlement documentation and the proof of payments need to be scanned into an electronic document version.

4.3.1.2.1.4 Level 4 JPS0304 Prepare Formal Criminal Charges

The compilation of the criminal case would culminate in formal criminal charges being formulated. The Prosecutor, however, determines whether a suspect can be charged beyond any reasonable doubt.

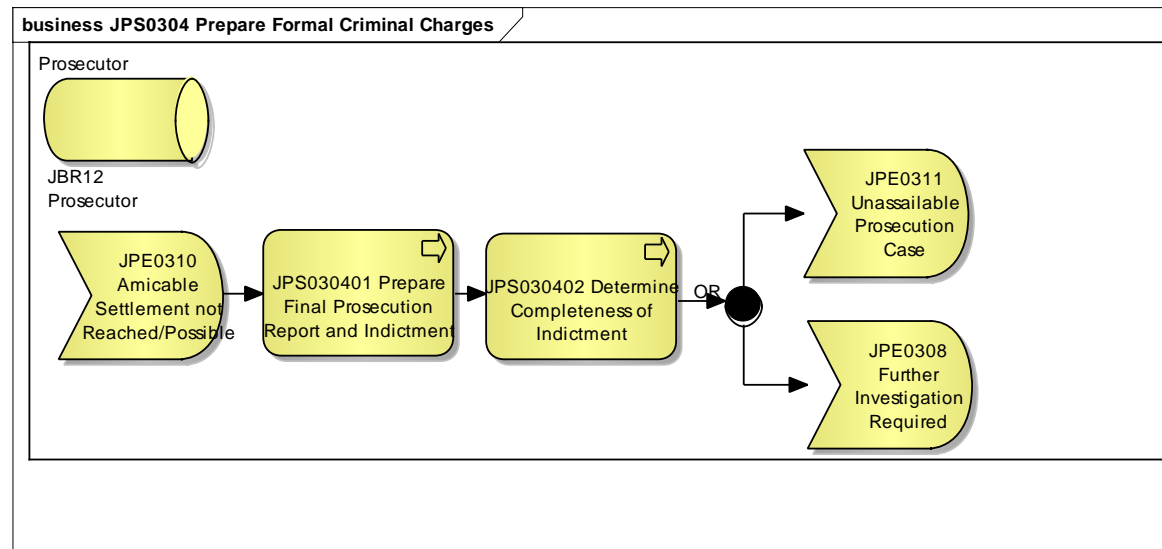


Figure 4-14: JPS0304 Prepare Formal Criminal Charges

Activity	Responsible	Description
JPS030401 Determine Completeness of Indictment	JBR12 Prosecutor	Confirm that the indictment complies to Article 18 of the court procedure act with specific reference to the nature and requirements by the court of an indictment.
JPS030402 Prepare Final Prosecution Report and Indictment	JBR12 Prosecutor	The Prosecutor prepares the final indictment and accompanying report. To this end the Prosecutor would need to consult the

		results of interviews, descriptions of evidence and witness / victim testimonies.
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4.3.1.2.1.5 Level 4 JPS0305 Close / Finalise Prosecution Case

On finalising a case - whether found not to be prosecutable or having compiled a prosecutable case, the Chief Prosecutor would evaluate the case to determine if he / she concurs with the finding and is satisfied with the execution of the file.

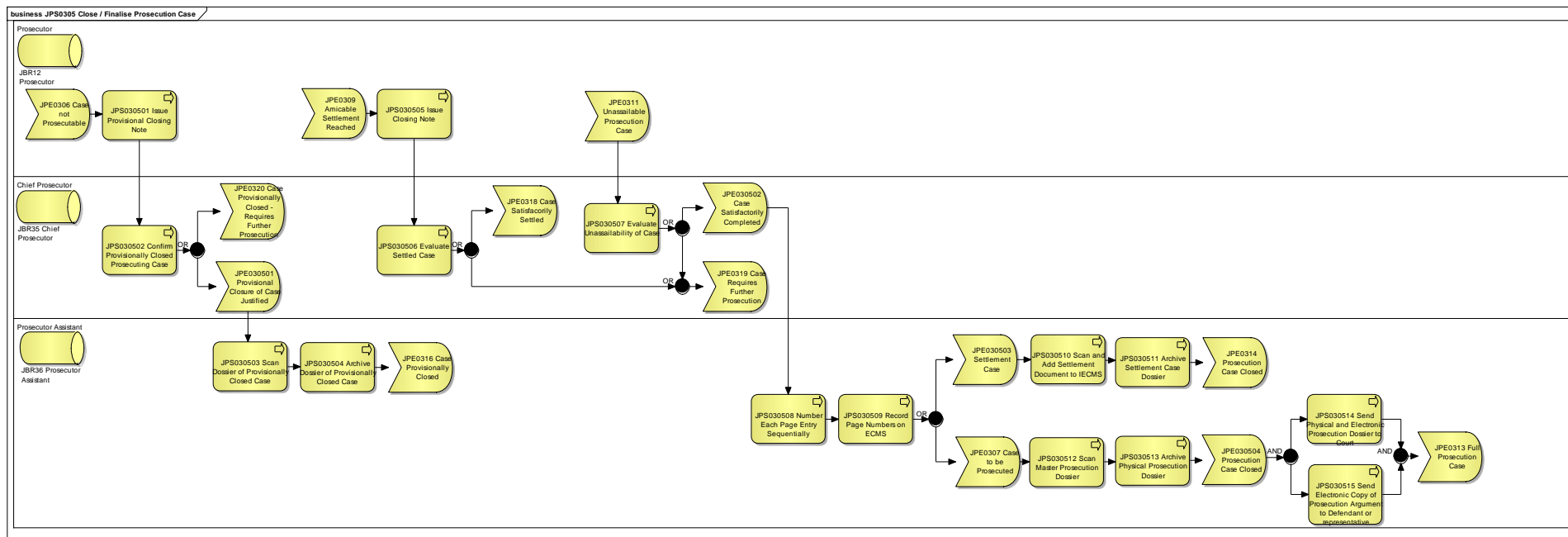


Figure 4-15: JPS0305 Close / Finalise Prosecution Case

Activity	Responsible	Description
JPS030501 Issue Provisional Closing Note	JBR12 Prosecutor	The Prosecutor issues a provisional closing note when the case was found to be not prosecutable. The provisional closing note needs to be reviewed by the Chief Prosecutor whom would confirm if the case is conclusively non-prosecutable and that the investigation has complied to all reasonable requirements.
JPS030502 Confirm Provisionally Closed Prosecuting Case	JBR35 Chief Prosecutor	The Chief Prosecutor reviews the provisionally closed cases to ensure that all avenues of approach were followed and that the case can be seen as conclusively non-prosecutable. Non-prosecutable cases would be closed. It could also be determined that the provisionally closed case may allow alternative approaches and would subsequently be returned to the Prosecutor for additional investigation / prosecution.
JPS030503 Scan Dossier of Provisionally Closed Case	JBR30 Prosecutor Assistant	The physical version of the provisionally closed case file is scanned to provide an electronic version of the file.
JPS030504 Archive Dossier of Provisionally Closed Case	JBR30 Prosecutor Assistant	The provisionally closed case file (physical and electronic) would be required to be archived.
JPS030505 Issue Closing Note	JBR12 Prosecutor	In the instance that an amicable settlement was arrived at, the Prosecutor would issue a closing note signifying that the case may be closed, subject to Chief Prosecutor approval.
JPS030506 Evaluate Settled Case	JBR35 Chief Prosecutor	The Chief Prosecutor would review the settled case to ensure compliance to ethical and good practices. It can be found that

		the settled case was concluded unsatisfactorily and that further prosecution may be required.
JPS030507 Evaluate Unassailability of Case	JBR35 Chief Prosecutor	The Chief Prosecutor would evaluate all prima Facie (cases ready for adjudication) to ensure compliance to ethical and good legislative practices. The Chief Prosecutor may determine that a case may require additional investigation.
JPS030508 Number Each Page Entry Sequentially	JBR30 Prosecutor Assistant	Each physical page in the case file is numbered, sequentially from the cover letter and not in according to any chapters or sorting.
JPS030509 Record Page Numbers on ECMS	JBR30 Prosecutor Assistant	The numbering of each page needs to be captured on to the system.
JPS030510 Scan and Add Settlement Document to IECMS	JBR30 Prosecutor Assistant	The settlement must at all times be documented. The documented settlement is scanned to the ECMS.
JPS030511 Archive Settlement Case Dossier	JBR30 Prosecutor Assistant	The settlement file is archived.
JPS030512 Scan Master Prosecution Dossier	JBR30 Prosecutor Assistant	The Prosecutor Assistant scans the physical Prosecution Dossier to create an electronic version of the hardcopy file.
JPS030513 Archive Physical Prosecution Dossier	JBR30 Prosecutor Assistant	The physical prosecution file is archived.
JPS030514 Send Physical and Electronic Prosecution Dossier to Court	JBR30 Prosecutor Assistant	The original prosecution file has to be submitted at the court.

JPS030515 Send Electronic Copy of Prosecution Argument to Defendant or representative	JBR30 Prosecutor Assistant	In accordance to Article 18 of the court procedure act the Prosecutor's argument needs to be shared with the defendant's legal counsel. The time of sharing would be determined by the level of complexity.
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4.3.1.2.2 Level 3 JP04 Manage Pre-trial Detention

The National Public Prosecuting Authority is responsible to ensure that the human rights of detainees are adhered to. A suspect may be detained for a total of 5 days in a police holding cell - by the police. The NPPA may detain a suspect for an additional 5 days - in a police holding cell. Any additional detention must be approved by a judgement. This would allow a total of 30 days detention but the suspect must be transferred from the police holding cell to a Rwanda Correctional Services facility. Subsequent detention may extend beyond 30 days although it has to be sanctioned by a judgement by a judge. Detention may in total not exceed 1 year without the detainee being charged and having a trial.

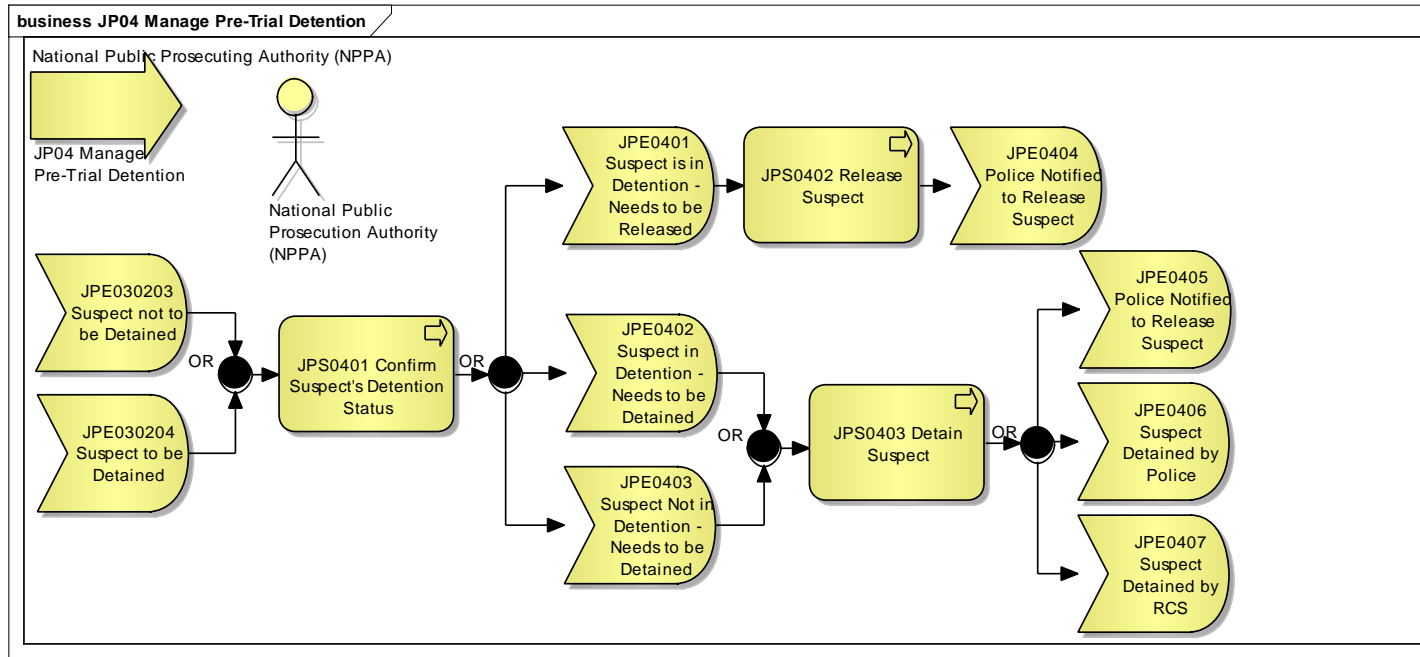


Figure 4-16: JP04 Manage Pre-Trial Detention

4.3.1.2.2.1 Level 4 JPS0401 Confirm Suspect's Detention Status

It is of crucial importance for the Prosecutor to determine if the suspect(s) are in detention. This is to protect the detainee's human rights.

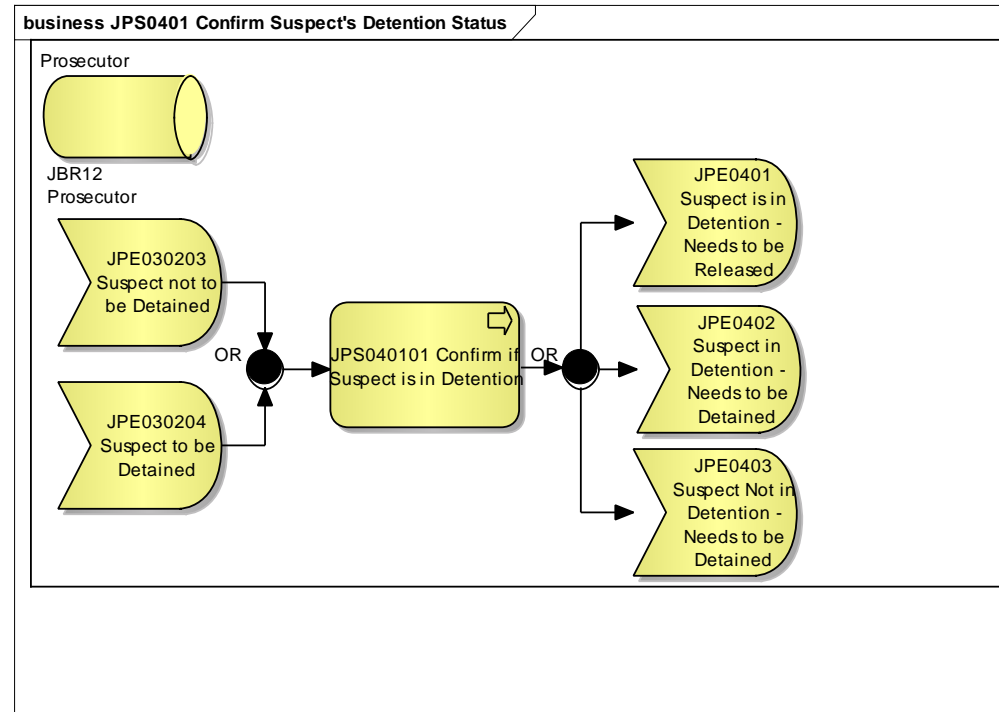


Figure 4-17: JPS0401 Confirm Suspect's Detention Status

Activity	Responsible	Description
JPS040101 Confirm if Suspect is in Detention	JBR12 Prosecutor	It is the Prosecutor's duty to confirm whether a suspect may be in detention when it was decided that detention would not be required.

4.3.1.2.2 Level 4 JPS0402 Release Suspect

If a suspect is in detention and needs to be released, the Prosecutor would submit an urgent request to the police to release the suspect.

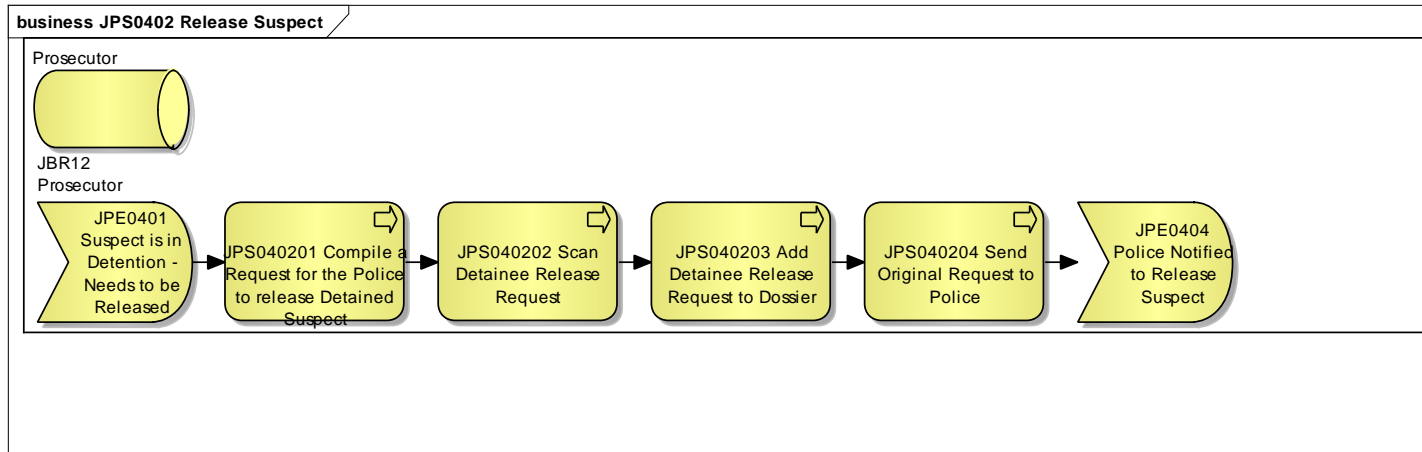


Figure 4-18: JPS0402 Release Suspect

Activity	Responsible	Description
JPS040201 Compile a Request for the Police to release Detained Suspect	JBR12 Prosecutor	The Prosecutor compiles a formal request, addressed to the police, to release the suspect in detention.
JPS040202 Scan Detainee Release Request	JBR12 Prosecutor	The physical detainee release request has to be converted into an electronic version for inclusion to the electronic version of the prosecution case file.
JPS040203 Add Detainee Release Request to Dossier	JBR12 Prosecutor	The detainee release request is appended to the prosecution case file. It is added to both the physical as well as the electronic version of the case file.

JPS040204 Send Original Request to Police	JBR12 Prosecutor	The formal detainee release request is forwarded to the police. The police is required to release the suspect on receiving the request (order).
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4.3.1.2.2.3 Level 4 JPS0403 Detain Suspect

The Prosecutor determines that the suspect should be in detention. If the suspect is not in detention, a detention warrant would be forwarded to the police. A suspect may only remain in detention for a total of 10 days without trial. Should the Prosecutor require a longer detention period, the request would need to be heard by a judge. A judge may authorise a maximum of 30 days detention.

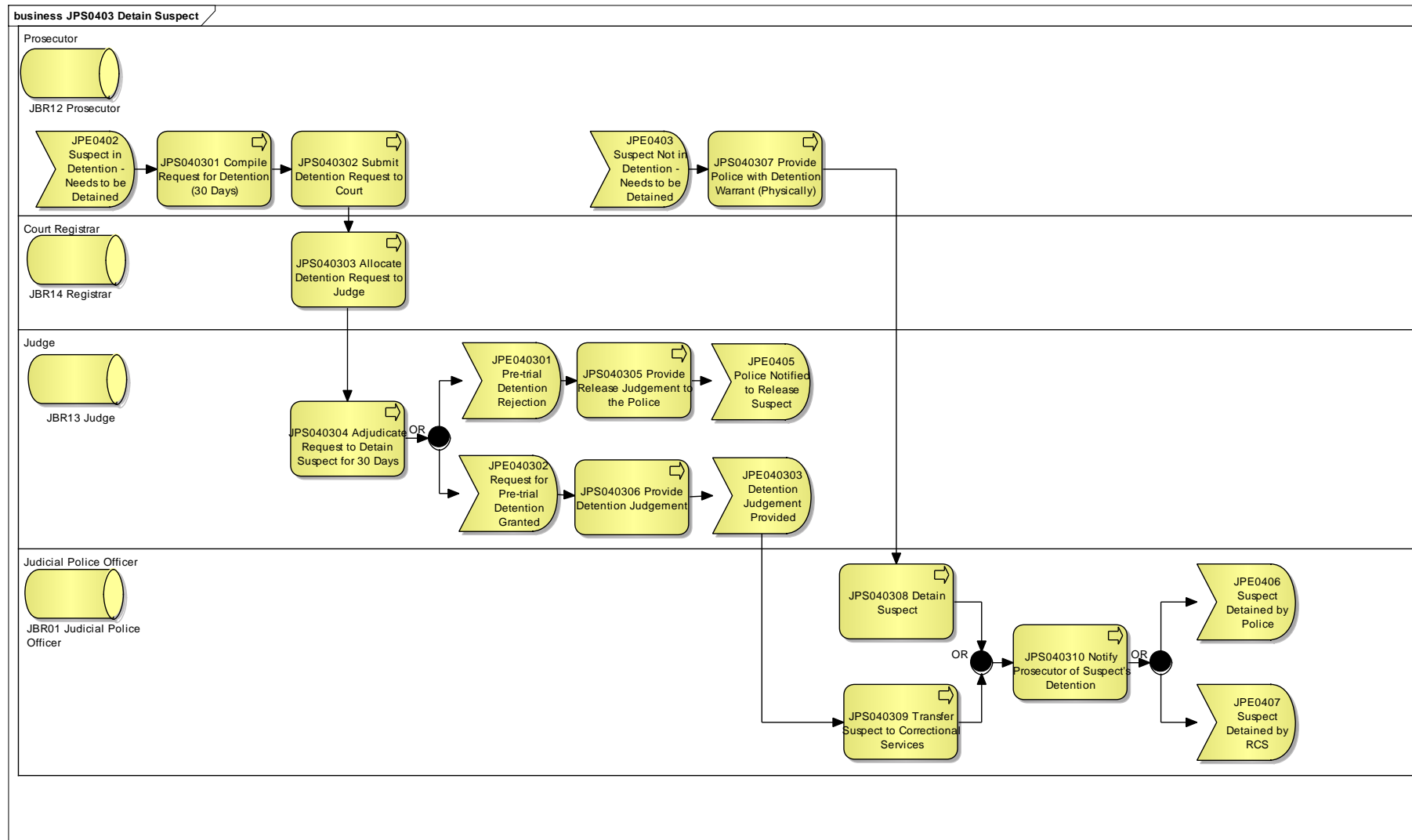


Figure 4-19: JPS0403 Detain Suspect

Activity	Responsible	Description
JPS040301 Compile Request for Detention (30 Days)	JBR12 Prosecutor	The Prosecutor may request a suspect to be detained for a maximum of 10 ((2 x 5) days. The suspect's detention needs to be renewed after 5 days of the original detention. Should it be required that the suspect needs to be detained for a period exceeding 10 days, a judgement needs to be sought.
JPS040302 Submit Detention Request to Court	JBR12 Prosecutor	The Prosecutor would submit a formal request to extend the suspect's detention to the court.
JPS040303 Allocate Detention Request to Judge	JBR14 Registrar	The Registrar (Court Registrar) would allocate a judge to hear the submission. A judge would be allocated in accordance with availability.
JPS0404 Adjudicate Request to Detain Suspect for 30 Days	JBR13 Judge	The judge would evaluate the merits of the detention request submission. In the adjudication the judge needs to evaluate the case by a number of criteria including the nature of the crime, the potential flight risk of the suspect and the possible influence / intimidation of witnesses / victims.
JPS0405 Provide Release Judgement to the Police	JBR13 Judge	In the instance of the judge rejecting the detention request, a release judgement (formal document) is handed to the police for immediate action.
JPS0406 Provide Detention Judgement	JBR13 Judge	Should the judge grant the request for an extension to the suspect's detention, a detention judgement would be provided allowing the suspect to be detained for a maximum of 30 days.

		On receiving the judgement the police needs to transfer the suspect from police detention to the Rwanda Correctional Service (RCS) for detention in a formal incarceration center.
JPS040307 Transfer Suspect to Correctional Services	JBR01 Judicial Police Officer	When a judge issues a judgement for a suspect to be detained, the suspect needs to be transferred from police holding cell (if suspect is already in detention) and incarcerated at a Correctional Service facility.
JPS040308 Provide Police with Detention Warrant (Physically)	JBR13 Prosecutor	The Prosecutor issues a physical warrant to detain the suspect.
JPS040309 Detain Suspect	JBR01 Judicial Police Officer	The police would detain the suspect in accordance to the prosecutor's request (5 days) or judgement (transfer to prison, maximum period of 30 days).
JPS040310 Notify Prosecutor of Suspect's Detention	JBR01 Judicial Police Officer	The police needs to notify that the suspect is in detention to ensure that the prosecutor acknowledges the detention (pertains to detention period and suspect's availability).

4.3.1.3 Case Adjudication

The Adjudicate Case process is the responsibility of the Case Adjudication (Judiciary) institution.

4.3.1.3.1 Level 3 JP05 Adjudicate Case

The adjudicate case process describes the manner in which a case (irrespective of nature) is procedurally managed through the judiciary

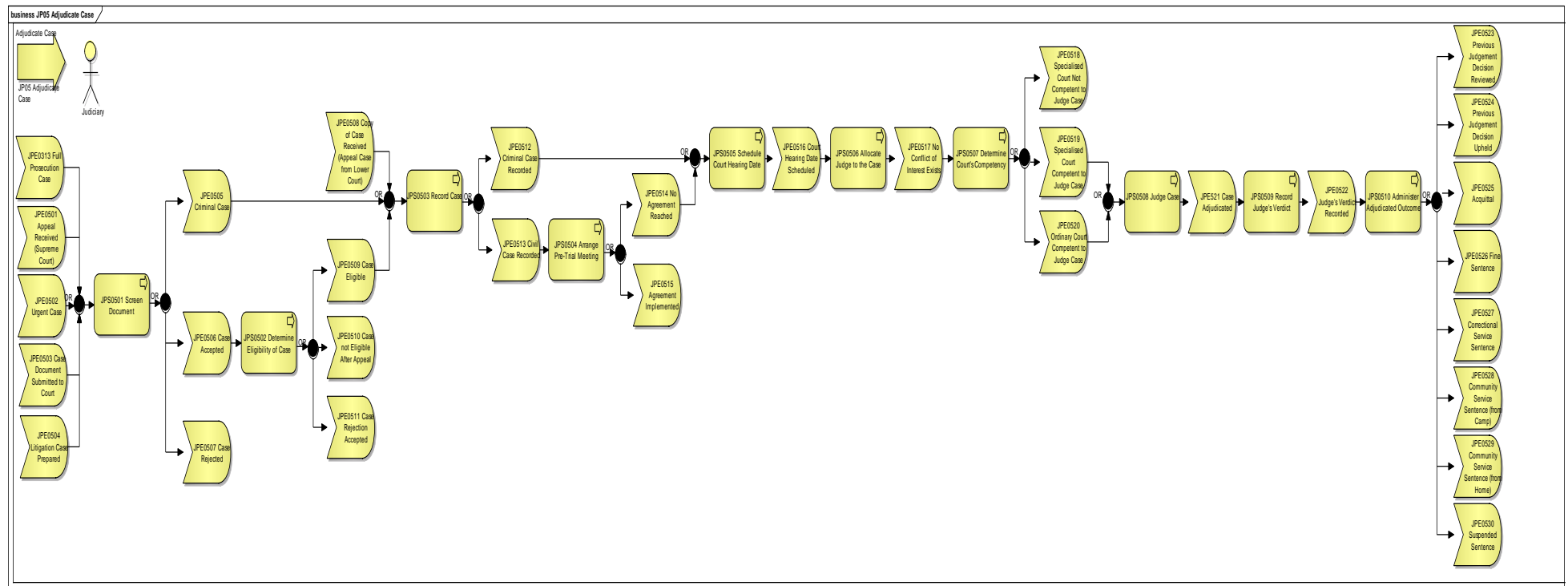


Figure 4-20: JP05 Adjudicate Case

4.3.1.3.1.1 Level 4 JPS0501 Screen Document

The Registrar needs to check the submissions for completion if it is a non-criminal case. Incomplete non-criminal submissions are rejected.

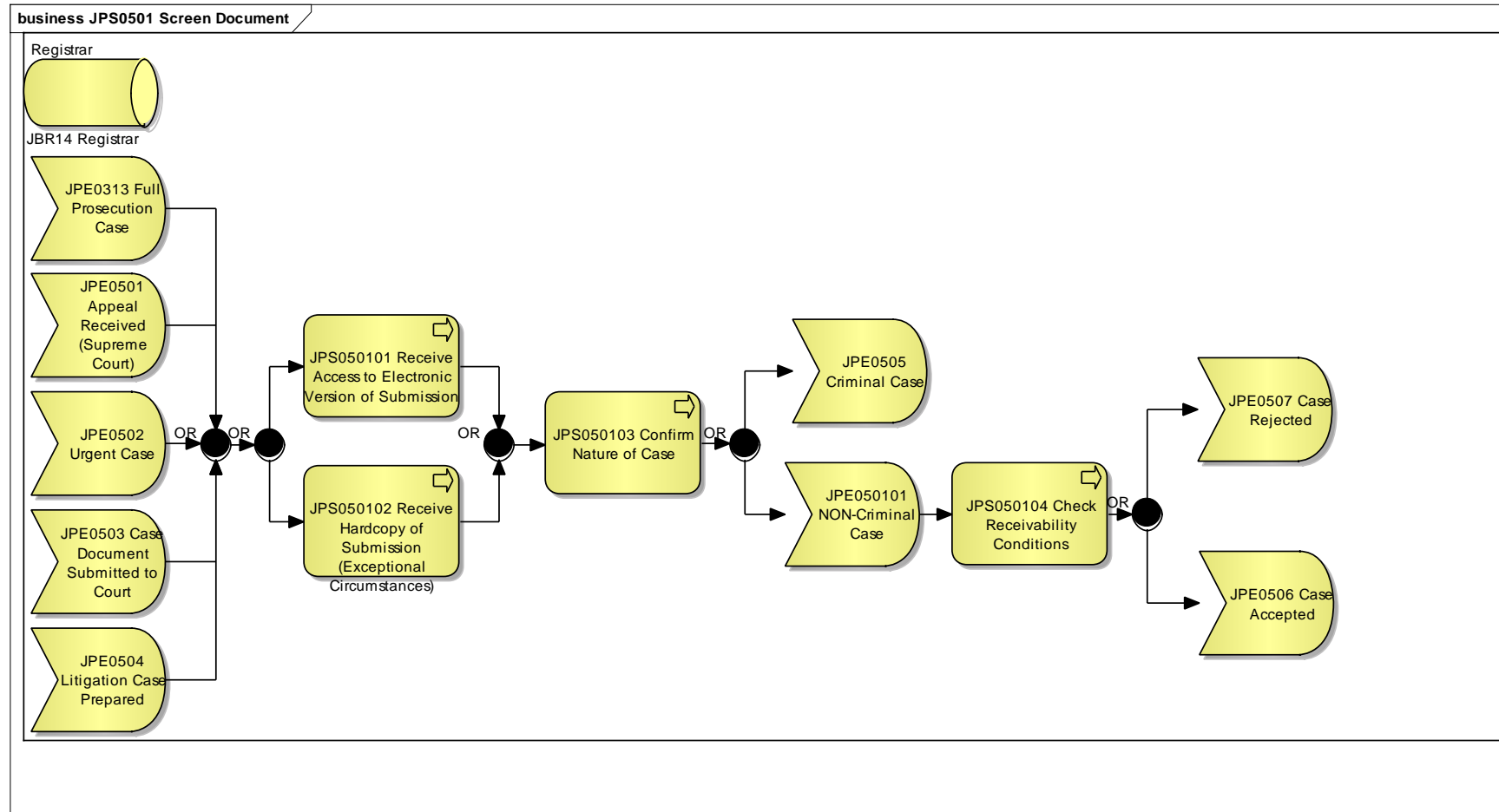


Figure 4-21: JPS0501 Screen document

Activity	Responsible	Description
JPS050101 Receive Access to Electronic Version of Submission	JBR14 Registrar	In the instance of a case being submitted by means of IECMS, the Registrar would receive notification of access being granted to the electronic submission.
JPS050102 Receive Hardcopy of Submission (Exceptional Circumstances)	JBR14 Registrar	A case may enter the court by means of a physical document being received by the Registrar.
JPS050103 Confirm Nature of Case	JBR14 Registrar	The Registrar needs to confirm the nature of the case. This would inform the type of court.
JPS050104 Check Receivability Conditions	JBR14 Registrar	The Registrar of the court confirms that the submission adheres to article 18 of the court procedural act in terms of contents.

4.3.1.3.1.2 Level 4 JPS0502 Determine Eligibility of Case

The case is evaluated to determine if it is eligible to be heard in a particular court. The rejection of a case may be appealed. The appeal of a superior court case would be heard by a judge. Appeals for other courts would be heard by the President of the Court.

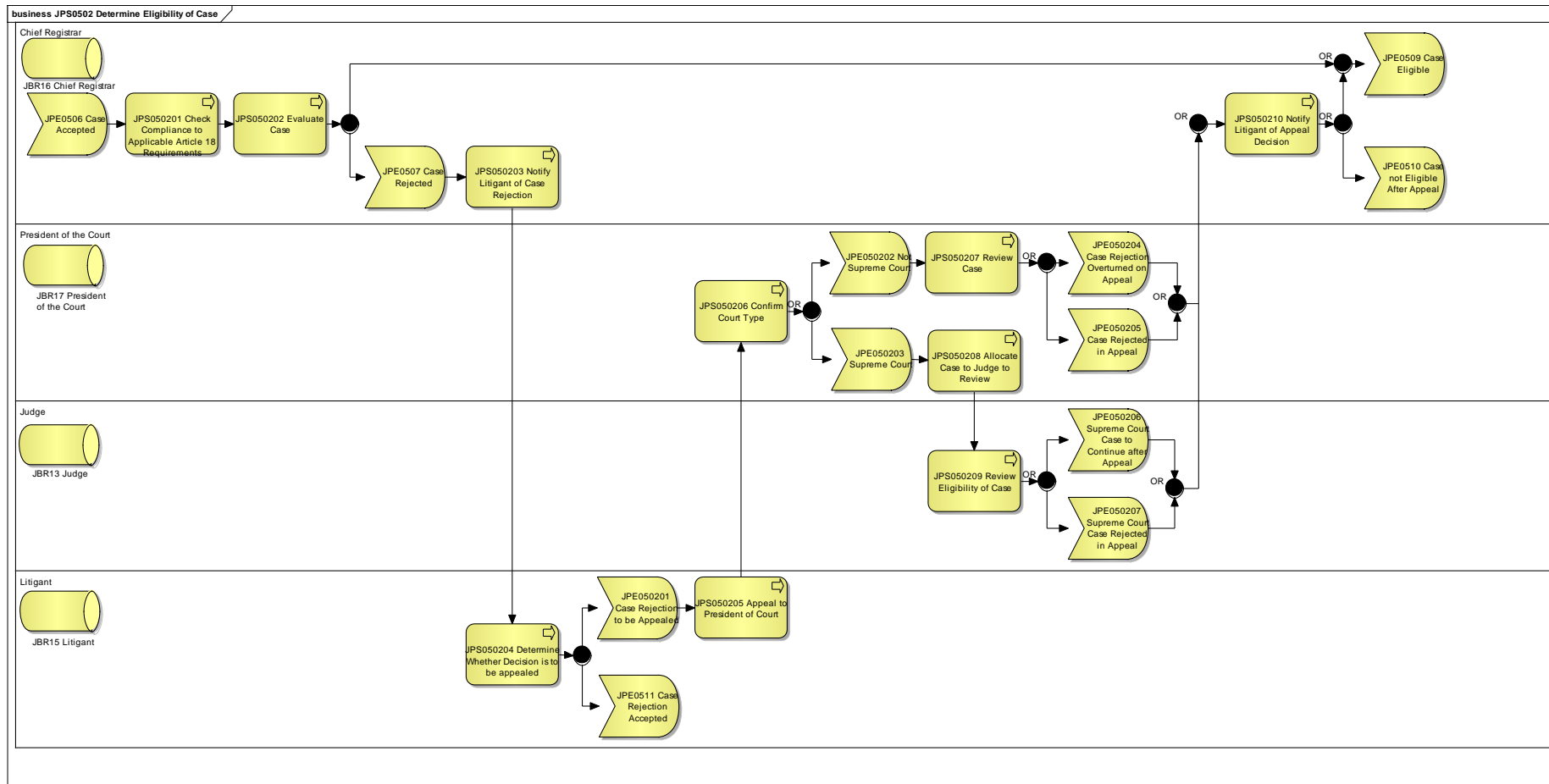


Figure 4-22: JPS0502 Determine Eligibility of Case

Activity	Responsible	Description
Check Compliance to Applicable Article 18 Requirements	JBR16 Chief Registrar	Article 18 of the Rwandan constitution states that "The right to be informed of the nature and cause of charges and the right to defence are absolute at all levels and degrees of proceedings before administrative, judicial and all other decision making organs." To this end the submission of a case needs to comply to a number of stipulations.
Evaluate Case	JBR16 Chief Registrar	The Chief Registrar studies the submission to determine if the case is eligible to be heard in court.
Notify Litigant of Case Rejection	JBR16 Chief Registrar	In the instance of a case being rejected from being heard in court, the litigant needs to be notified of the rejection. It is within the litigant's right to challenge the rejection in the form of an appeal.
Determine Whether Decision is to be appealed	JBR15 Litigant	It is within the litigant's right to appeal the rejection of a case to be heard by court. To this end the appeal argument needs to be compiled.
Appeal to President of Court	JBR15 Litigant	The litigant submits the appeal against the court rejection to the office of the President of the court.
Confirm Court Type	JBR17 President of the Court	The President of the Court needs to confirm to which court the original submission of addressed. This would inform whom is

		mandated to take a decision regarding the court rejection appeal.
Review Case	JBR17 President of the Court	Appeals against the rejection case submissions to any court, except the Supreme Court, can be reviewed by the President of the Court.
Allocate Case to Judge to Review	JBR17 President of the Court	The appeal against the rejection of cases submitted to the Supreme Court can only be reviewed by a judge.
Review Eligibility of Case	JBR13 Judge	The Judge reviews the rejected Supreme Court case to determine whether the case should continue or whether the rejection needs to be upheld.
Notify Litigant of Appeal Decision	JBR16 Chief Registrar	The Chief Registrar notifies the litigant of the decision to either uphold the original appeal or whether the case may continue.

4.3.1.3.1.3 Level 4 JPS0503 Record Case

The Registrar records the case on to the system with a sequential number by category of crime. A pre-trial hearing date is scheduled.

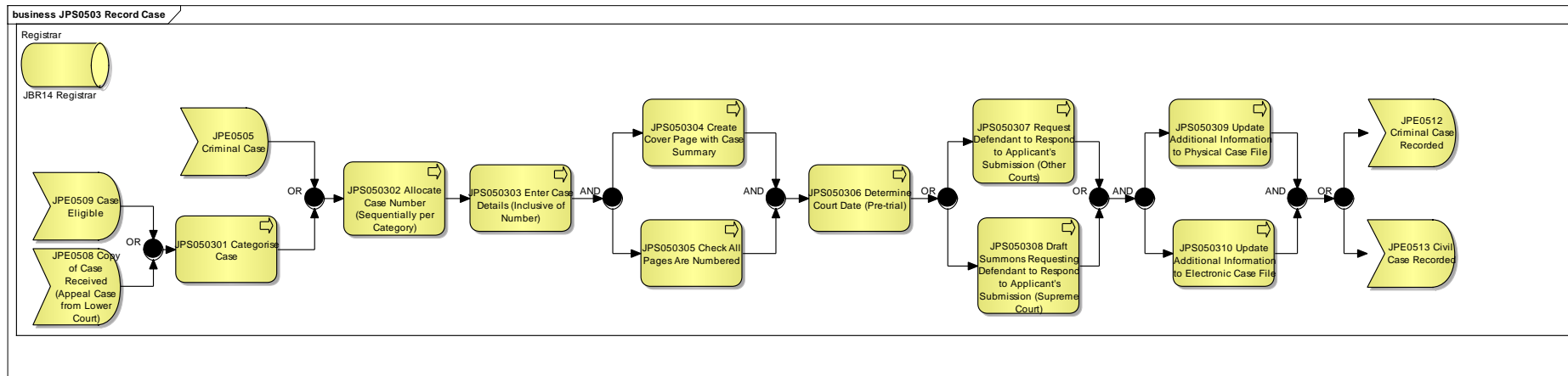


Figure 4-23: JPS0503 Record Case

Activity	Responsible	Description
JPS050301 Categorise Case	JBR14 Registrar	The Registrar categorises the case according to the nature of the case (Civil, Criminal and categories within each grouping)
JPS050302 Allocate Case Number (Sequentially per Category)	JBR14 Registrar	The Registrar allocates a Judiciary case number to the case. The number is allocated in a sequential fashion per category of the case.
JPS050303 Enter Case Details (Inclusive of Number)	JBR14 Registrar	The case detail with the allocated case number is entered onto the system.
JPS050304 Create Cover Page with Case Summary	JBR14 Registrar	The Registrar creates a cover page to the summary of the case file. Detail of the cover page includes the case number, the category of the case and the details of the parties involved.

JPS050305 Check All Pages Are Numbered	JBR14 Registrar	Ensure that each page in the dossier is numbered. The pages are numbered sequentially regardless of the logical grouping of pages in the dossier.
JPS050306 Determine Court Date (Pre-trial)	JBR14 Registrar	The Registrar determines a date that a suitable court would be available for the case to be heard in.
JPS050307 Request Defendant to Respond to Applicant's Submission (Other Courts)	JBR14 Registrar	At all courts, with the exception of the Supreme Court, the Registrar requests the Defendant to response the applicant's submission. The request is not in the form of a summons.
JPS050308 Draft Summons Requesting Defendant to Respond to Applicant's Submission (Supreme Court)	JBR14 Registrar	In a case scheduled to appear before the Supreme Court, the Registrar drafts a formal summons to be served upon the Defendant to request the defendant to respond to the applicant's submission.
JPS050309 Update Additional Information to Physical Case File	JBR14 Registrar	The registrar updates the additional information - pre-trial meeting date, etc. - to the physical case file.
JPS050310 Update Additional Information to Electronic Case File	JBR14 Registrar	The Registrar updates the electronic case file with all of the additional information such as the date of the pre-trial meeting, the summons for defendant's response, etc.

4.3.1.3.1.4 Level 4 JPS0504 Arrange Pre-Trial Meeting

A pre-trial meeting is compulsory for all non-criminal cases. The Registrar participates in the pre-trial meeting. The meeting is recorded. If an agreement has been reached the agreement would be recorded and the case closed. If no agreement can be arrived at, the case file name is appended with the original court date.

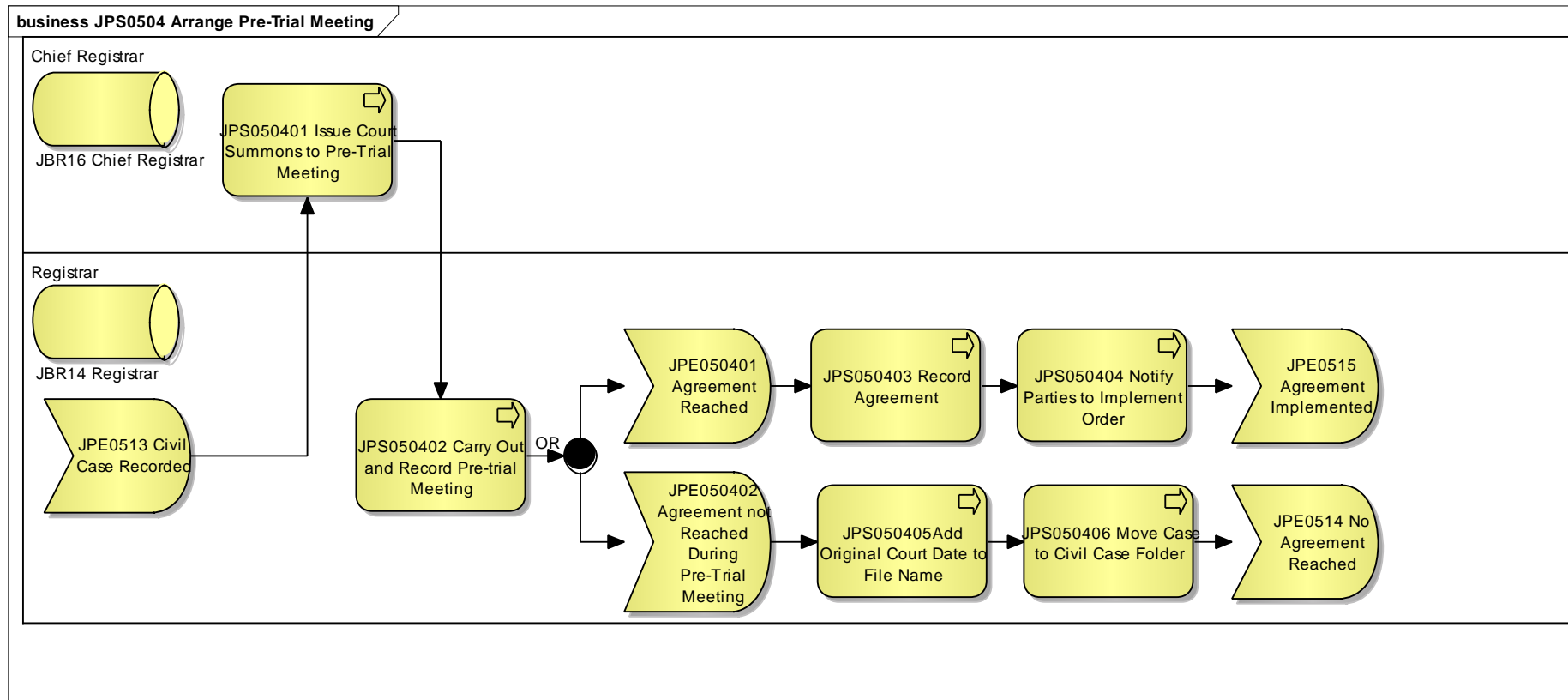


Figure 4-24: JPS0504 Arrange Pre-Trial Meeting

Activity	Responsible	Description
JPS050401 Issue Court Summons to Pre-Trial Meeting	JBR16 Chief Registrar	Non-criminal cases must, by procedural law, be preceded by a pre-trial meeting in an effort to arrive at an agreement. To this end the Chief registrar issues a court summons to the various parties to convene such a meeting.
JPS050402 Carry Out and Record Pre-trial Meeting	JBR14 Registrar	The Registrar is required to participate in the mediation process with the various parties. The mediation process is required to be recorded. The recording is to take the form of an audio recording.
JPS050403 Record Agreement	JBR14 Registrar	The agreement reached between the parties are recorded as an official and binding document.
JPS050404 Notify Parties to Implement Order	JBR14 Registrar	The Registrar officially notifies the parties to implement the agreement reached during the mediation process.
JPS050405 Add Original Court Date to File Name	JBR14 Registrar	The original court date (as provided by the registrar) is appended to the case file name. This is to signify that the case is to go forward to a court to be heard.
JPS050406 Move Case to Civil Case Folder	JBR14 Registrar	The file is moved to the civil case file signifying that the case is to be heard in a court.

4.3.1.3.1.5 Level 4 JPS0505 Schedule Court Hearing Date

Schedule a court hearing date. The Chief registrar would propose a suitable date and the President of the Court would make the final decision on the date.

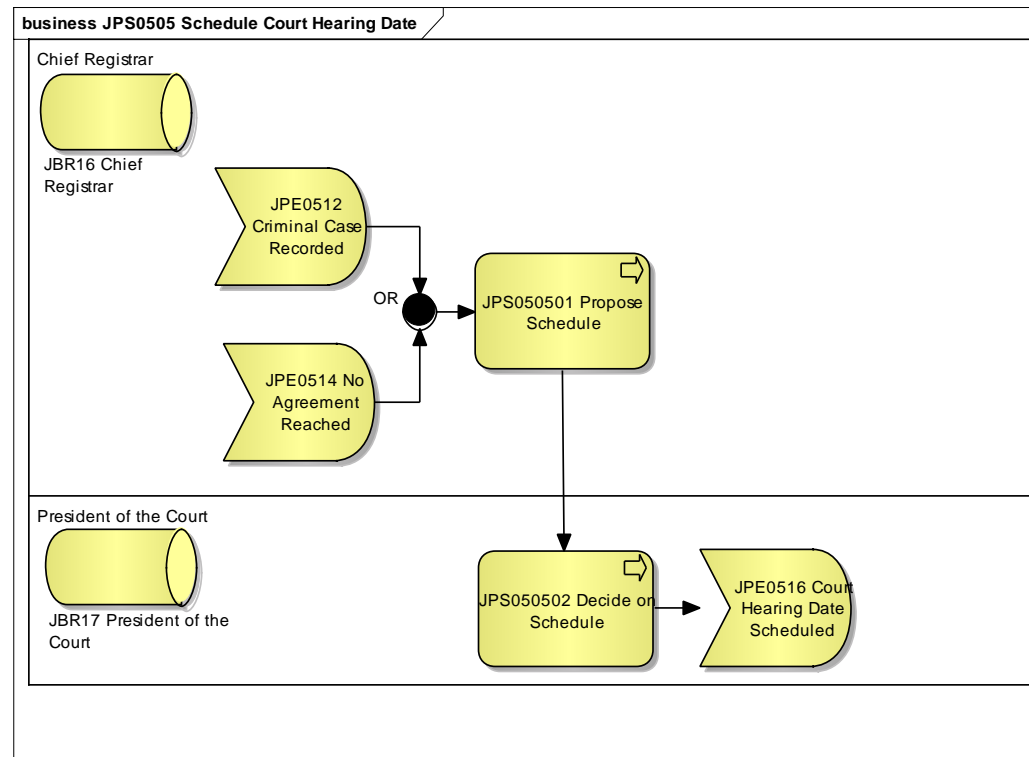


Figure 4-25: JPS0505 Schedule Court Hearing Date

Activity	Responsible	Description
JPS050501 Propose Schedule	JBR16 Chief Registrar	The Chief Registrar proposes a hearing schedule. The schedule takes into account the court availability, the availability of judges and court personnel.
JPS050510 Decide on Schedule	JBR17 President of the Court	The President of the Court considers the schedule, as proposed by the Chief Registrar, for acceptance and confirmation of the court hearing.

4.3.1.3.1.6 Level 4 JPS0506 Allocate Judge to the Case

The President of the Court appoints a Judge to the case (Seating Order). In turn the Judge needs to determine if any conflicts exists that may precludes him / her from hearing the case.

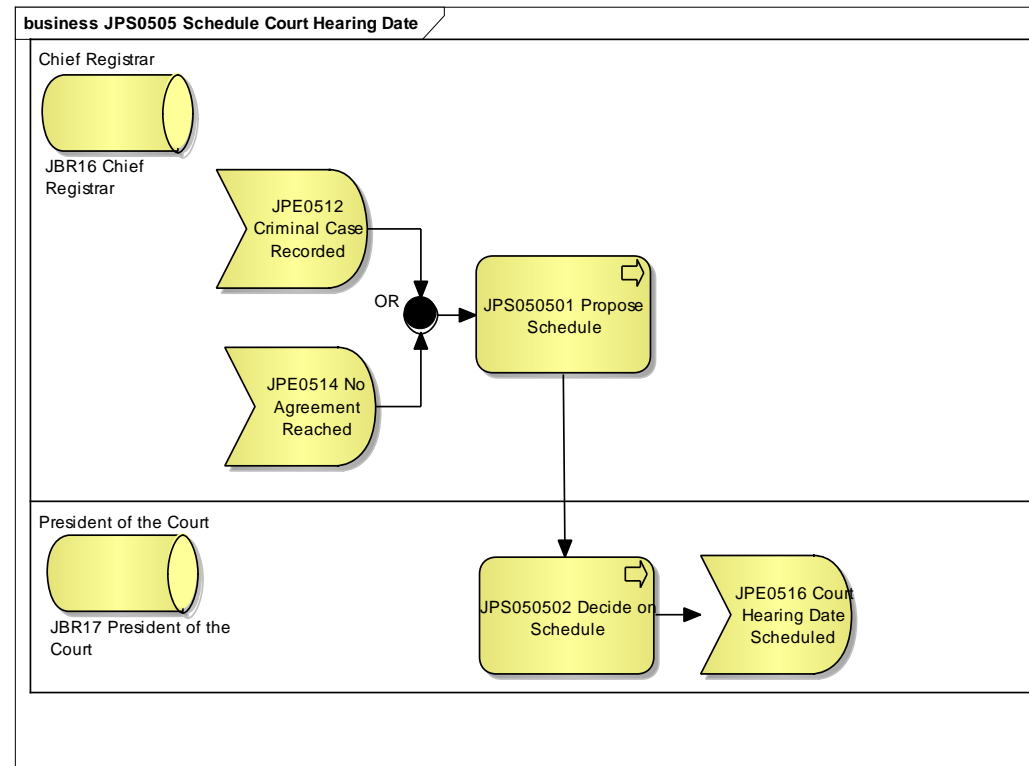


Figure 4-26: JPS0506 Allocate Judge to the Case

Activity	Responsible	Description
JPS050601 Appoint Judge to Case (Seating Order)	JBR17 President of the Court	The President of the Court considers the availability of suitable judges by consulting the rosters. The available Judges are considered and a suitable judge is appointed to the case.

JP050602 Receive Seating Order by e-Mail	JBR13 Judge	The Judge, appointed to the case by the President of the Court, receives his/her seating order from the President of the Court. This appointment is received by e-mail.
JPS050603 Determine if Conflict of Interest Exists	JBR13 Judge	The judge studies the case files to determine if there may be any conflict of interest that may exist that would impede his/her ability to hear the case.
JPS050604 Notify President of the Court by E-Mail of Conflict of Interest	JBR13 Judge	The judge notifies the President of the Court, by means of e-mail, should any conflict of interest were identified. This would disqualify the judge from hearing the case.

4.3.1.3.1.7 Level 4 JPS0507 Determine Court's Competency

The competency of the court to hear the case needs to be determined. A commercial and civil case would be canceled if the court is found to be unable to hear the case. A criminal case would be reallocated to a suitable court.

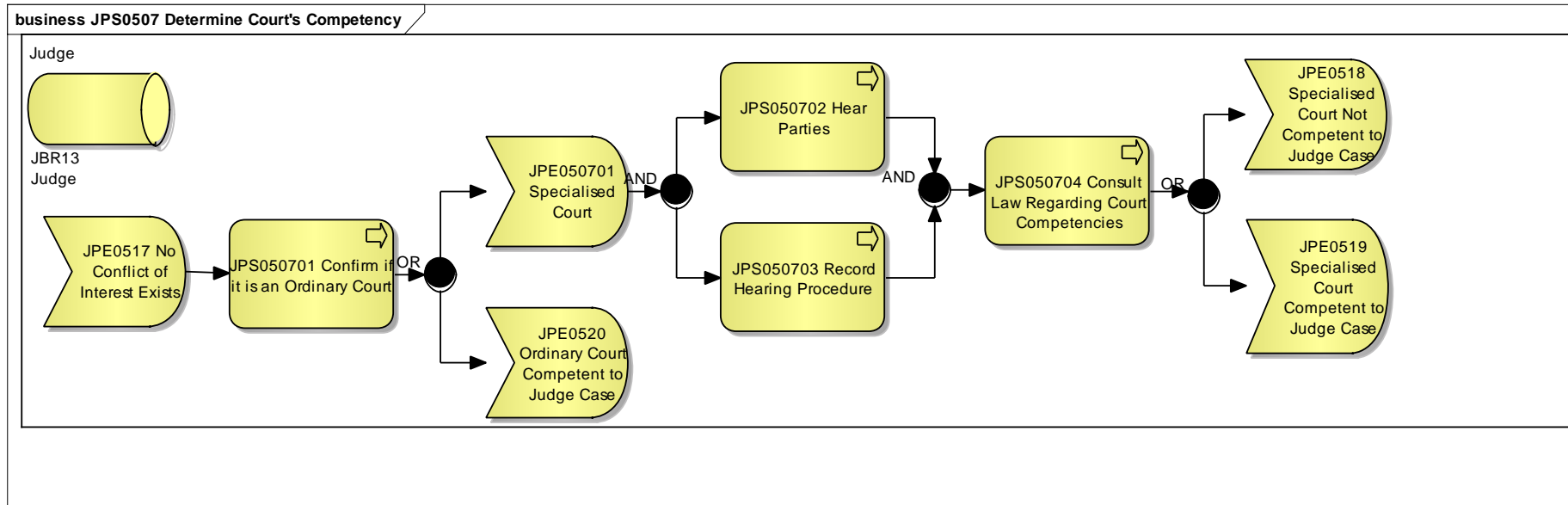


Figure 4-27: JPS0507 Determine Court's Competency

Activity	Responsible	Description
JPS050701 Confirm if it is an Ordinary Court	JBR13 Judge	No conflict of interest exist preventing the judge to hear the case. The judge needs to determine whether the court would be competent to hear the case. To this end it is determined whether the court is a restricted or an unrestricted court.
JPS050702 Hear Parties	JBR13 Judge	The various parties are heard by the judge in the instance of a restricted court. This would serve to inform the judge regarding the nature of the case.

JPS050703 Record Hearing Procedure	JBR13 Judge	The Judge's interaction with the parties are recorded. This is an audio recording.
JPS050704 Consult Law Regarding Court Competencies	JBR13 Judge	The Judge consults the law to inform the decision on whether the court can be seen as competent to hear a case or not.

4.3.1.3.1.8 Level 4 JPS0508 Judge Case

The Judge hears the case after analysing the case files, consulted precedents and applicable laws. The case would be heard on the scheduled date.

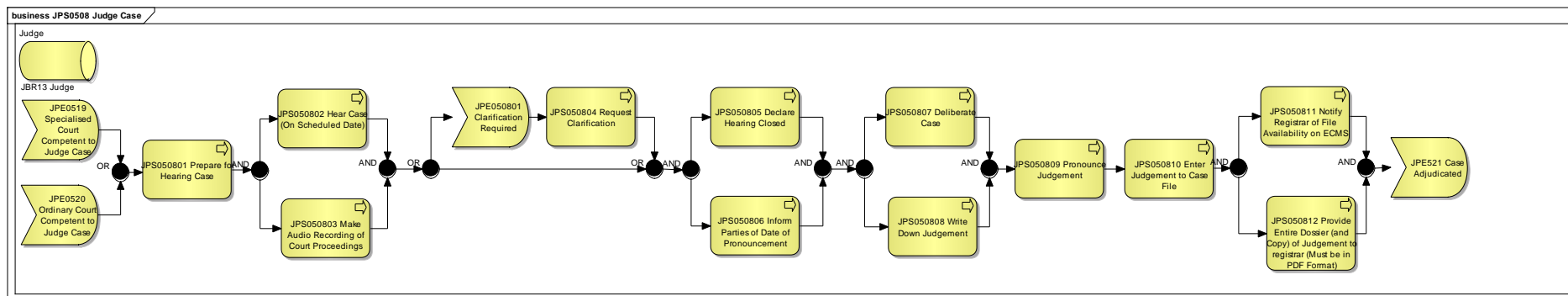


Figure 4-28: JPS0508 Judge Case

Activity	Responsible	Description
JPS050801 Prepare for Hearing Case	JBR13 Judge	The Judge would study all law entries that may pertain to the case.
JPS050802 Hear Case (On Scheduled Date)	JBR13 Judge	The Judge would hear the case on the scheduled date in court.

JPS050803 Make Audio Recording of Court Proceedings	JBR13 Judge	The court proceedings need to be recorded. An audio recording is taken of the proceedings.
JPS050804 Request Clarification	JBR13 Judge	If the Judge has identified any issue or discrepancy, clarification would be sought from the relevant party.
JPS050805 Declare Hearing Closed	JBR13 Judge	As the Judge has concluded hearing the arguments of each of the applicant (appellant) and the defendant, all clarity has been sought and received, the hearing is brought to a close.
JPS050806 Inform Parties of Date of Pronouncement	JBR13 Judge	The various parties are informed of the date that the Judge would deliver his/her pronouncement on the case.
JPS050807 Deliberate Case	JBR13 Judge	The Judge would retire to chambers and deliberate the case. Notes and recording made during the proceedings may be reviewed to arrive at a pronouncement.
JPS050808 Write Down Judgement	JBR13 Judge	The Judge is bound by procedure to write down the judgement.
JPS050809 Pronounce Judgement	JBR13 Judge	The Judge would deliver his/her pronouncement on the case on the date determined by the Judge.
JPS050810 Enter Judgement to Case File	JBR13 Judge	The judgement arrived at would be entered on to the case file.
JPS050811 Notify Registrar of File Availability on ECMS	JBR13 Judge	The Judge would notify the Registrar that the case file is available once judgement was pronounced on the case.
JPS050812 Provide Entire Dossier (and Copy) of Judgement to registrar (Must be in PDF Format)	JBR13 Judge	Provide the entire case file (and a copy) of judgement to Registrar (Must be in PDF Format)

4.3.1.3.1.9 Level 4 JPS0509 Record Judge's Decision

After the case has been adjudicated, the physical case file needs to be archived, the verdict needs to be captured on IECMS and the judgement needs to be published, if required.

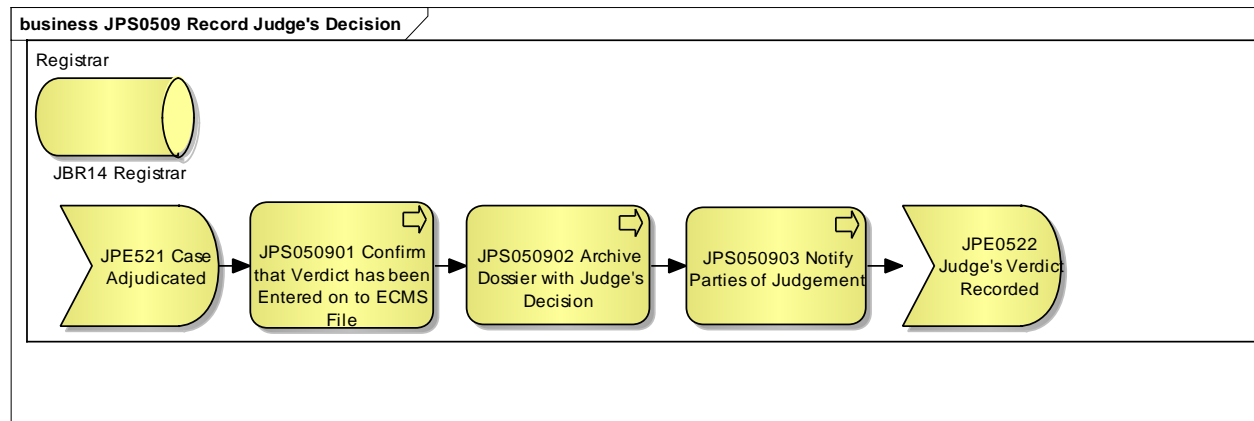


Figure 4-29: JPS0509 Record Judge's Decision

Activity	Responsible	Description
JPS050901 Confirm that Verdict has been Entered on to ECMS File	JBR14 Registrar	The Registrar confirms that the verdicts, as pronounced by the judge, has been entered on to the relevant ECMS file.
JPS050902 Archive Dossier with Judge's Decision	JBR14 Registrar	The case file, containing the judgement, is archived by the Registrar.
JPS050903 Notify Parties of Judgement	JBR14 Registrar	The relevant parties to the case are notified of the pronouncement of the judgement.

4.3.1.3.1.10 *Level 4 JPS0510 Administer Adjudicated Outcome*

The Registrar notifies the parties of the sentence. In the instance of Correctional Service sentence, the Registrar needs to compile a case file to accompany the offender to Correctional Services.

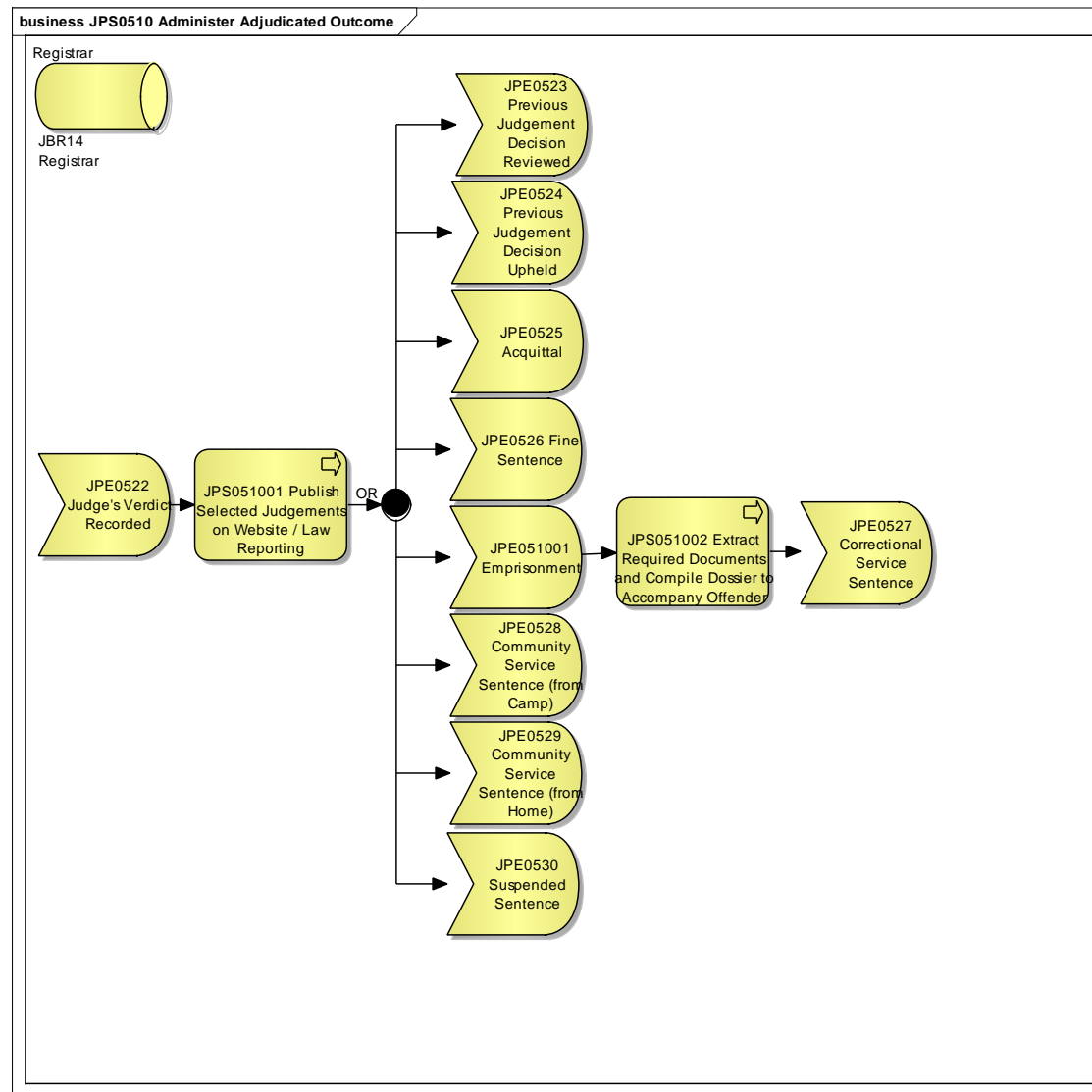


Figure 4-30: JPS0510 Administer Adjudicated Outcome

Activity	Responsible	Description
JPS051001 Publish Selected Judgements on Website / Law Reporting	JBR14 Registrar	The Registrar would publish the result and content of selected judgements on to the Judicial web site. Selected judgements may be summarised per category and published in Law reports (Journals)
JPS051002 Extract Required Documents and Compile Dossier to Accompany Offender	JBR14 Registrar	<p>The Registrar would extract all required documents from the case file to compile a dossier which would accompany the offender to Correctional Service in the event of the offender being sentenced to imprisonment. This dossier has to contain:</p> <ul style="list-style-type: none"> • Judgement Decision • Arrest Warrant • Police Statement

4.3.1.4 Detention and Rehabilitation

The function “Detention and Rehabilitation” is the responsibility of the institution Rwanda Correctional Services (RCS). The function consists of two processes titled “Detain Inmate / Detainee” and “Rehabilitate Offender”.

4.3.1.4.1 Level 3 JP06 Detain Inmate / Detainee

This sub-process contains the inmate lifecycle. The inmate’s well-being, sentence duration and development are monitored and documented.

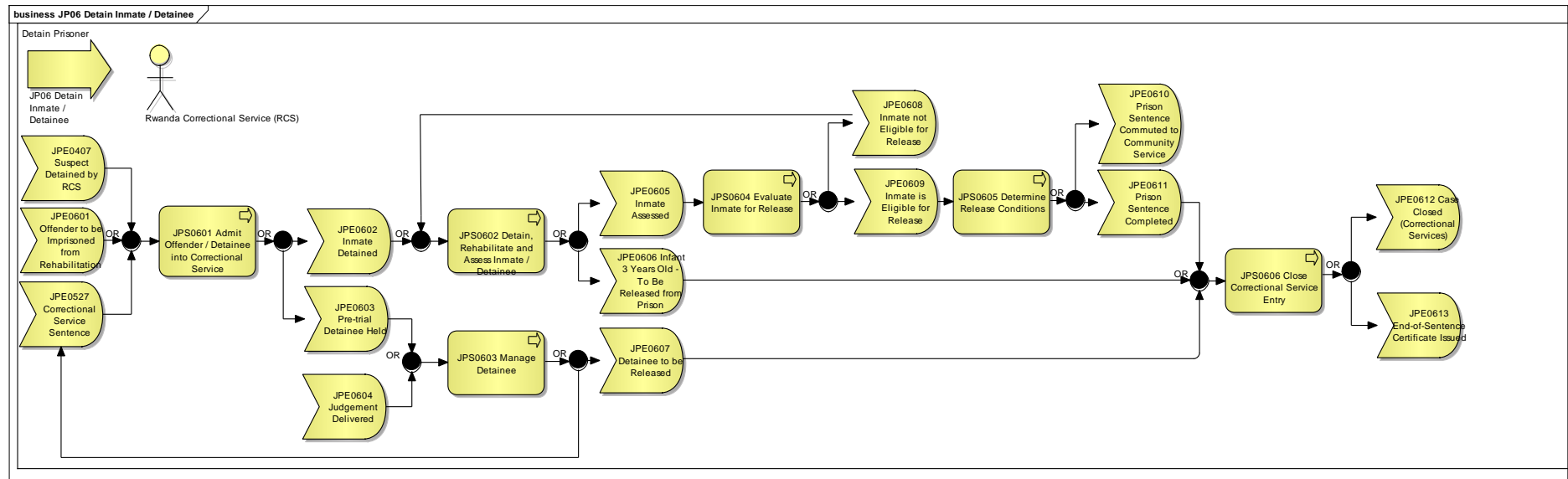


Figure 4-31: JP06 Detain Inmate / Detainee

4.3.1.4.1.1 Level 4 JPS0601 Admit Offender / Detainee into Correctional Service

The offender / detainee is accepted into a Correctional Services facility. This entails the confirmation of identity, a medical examination and ensuring that the offender's valuables are taken for safekeeping.

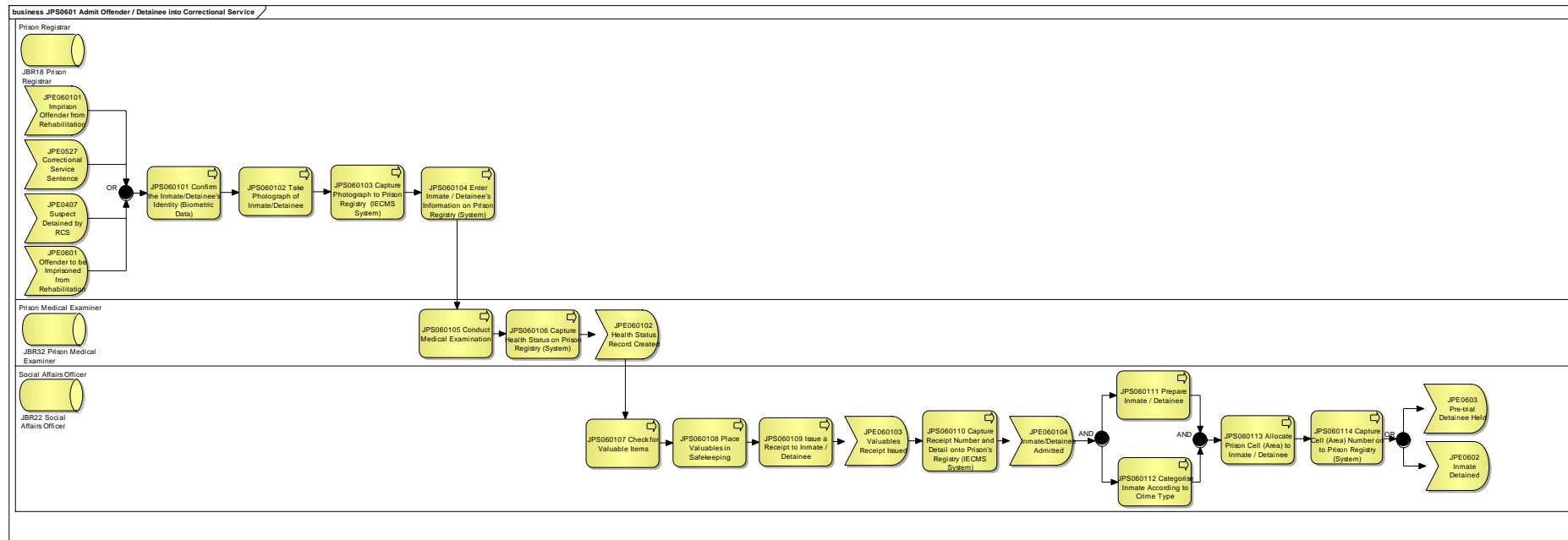


Figure 4-32: JPS0601 Admit Offender / Detainee into Correctional Service

Activity	Responsible	Description
JPS060101 Confirm the Inmate/Detainee's Identity (Biometric Data)	JBR18 Prison Registrar	Confirm the identity of the person reporting for incarceration. In the process ensure that the person is the same person as the person whom was sentenced to Correctional Service.

JPS060102 Take Photograph of Inmate/Detainee	JBR18 Prison Registrar	An image needs to be taken of the inmate / detainee to be retained for record purposes.
JPS060103 Capture Photograph to Prison Registry (IECMS System)	JBR18 Prison Registrar	Update the Prison Registry (System) with the photograph taken of the inmate / detainee.
JPS060104 Enter Inmate / Detainee's Information on Prison Registry (System)	JBR18 Prison Registrar	Enter all the particulars of the inmate / detainee to the Prison Registry (System). This particulars include items as the inmate / detainee's next of kin, sentence, medical records, etc. In the instance that an infant needs to accompany the parent: capture the particulars of the infant with that of the parent.
JPS060105 Conduct Medical Examination	JBR32 Prison Medical Examiner	The Correctional Service's medical examiner subjects the inmate / detainee to a thorough medical examination. This include the analysis of the inmate / detainee's prior medical conditions and reports.
JPS060106 Capture Health Status on Prison Registry (System)	JBR32 Prison Medical Examiner	The result and detail of the medical examination is captured on the registry system on the inmate / detainee's file. The health check and information includes the inmate / detainee's mental state.
JPS060107 Check for Valuable Items	JBR22 Prison Social Affairs Officer	The facility's social worker ensures that the inmate / detainee submits all valuables for safekeeping.
JPS060108 Place Valuables in Safekeeping	JBR22 Prison Social Affairs Officer	The social worker ensures that all the inmate / detainee's valuables are placed in an environment where it can be kept secure.

JPS060109 Issue a Receipt to Inmate / Detainee	JBR22 Prison Social Affairs Officer	A receipt is issued to the inmate / detainee listing each item of value that was submitted for safekeeping.
JPS060110 Capture Receipt Number and Detail onto Prison's Registry (IECMS System)	JBR22 Prison Social Affairs Officer	The reference number of the receipt is captured, with the list and description of the valuables, to the Prison Registry system.
JPS060111 Prepare Inmate / Detainee	JBR22 Prison Social Affairs Officer	The inmate / detainee is prepared for incarceration. To this end the inmate / detainee gets issued with uniforms, etc.
JPS060112 Categorise Inmate According to Crime Type	JBR22 Prison Social Affairs Officer	The inmate / detainee is categorised by crime type. This would inform the decision of inmate / detainee's placement within the facility.
JPS060113 Allocate Prison Cell (Area) to Inmate / Detainee	JBR22 Prison Social Affairs Officer	The inmate / detainee is grouped and allocated an area of detention suitable to the crime type.
JPS060114 Capture Cell (Area) Number on to Prison Registry (System)	JBR22 Prison Social Affairs Officer	The area to which the inmate / detainee is allocated is captured on to the Prison Registry (System) against the inmate / detainee's information.

4.3.1.4.1.2 Level 4 JPS0602 Manage Pre-trial Detainee

The detainee's detention period is closely monitored. A detainee may not be held in detention for an excess of 30 days without appearing before a Judge.

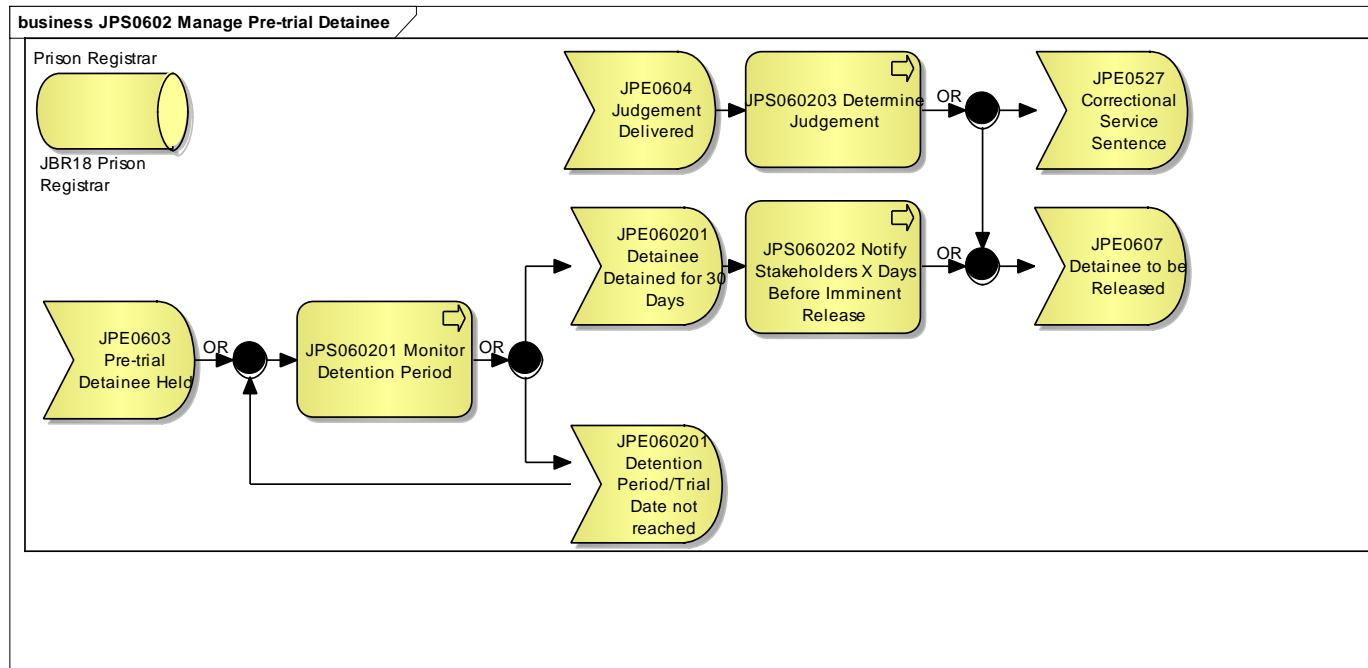


Figure 4-33: JPS0602 Manage Detainee

Activity	Responsible	Description
JPS060201 Monitor Detention Period	JBR18 Prison Registrar	The Prison Registrar needs to ensure that the inmate / detainee's incarceration does not exceed the period as directed by the sentence.

JPS060202 Notify Stakeholders X Days Before Imminent Release	JBR18 Prison Registrar	The system monitors the adjudicated sentence / detention against the actual time served. As the release date approaches, the Prisoner Registrar is alerted to the fact and needs to notify the stakeholders (Prosecutor, Defence and Judge) of the imminent release date.
JPS060203 Determine Judgement	JBR18 Prison Registrar	Confirm the result of the adjudicated case against the inmate / detainee.

4.3.1.4.1.3 Level 4 JPS0603 *Detain, Rehabilitate and Assess Inmate*

An inmate's "life in prison" is monitored. This includes the inmate's physical and mental health, visitors, behaviour and participation in activities.

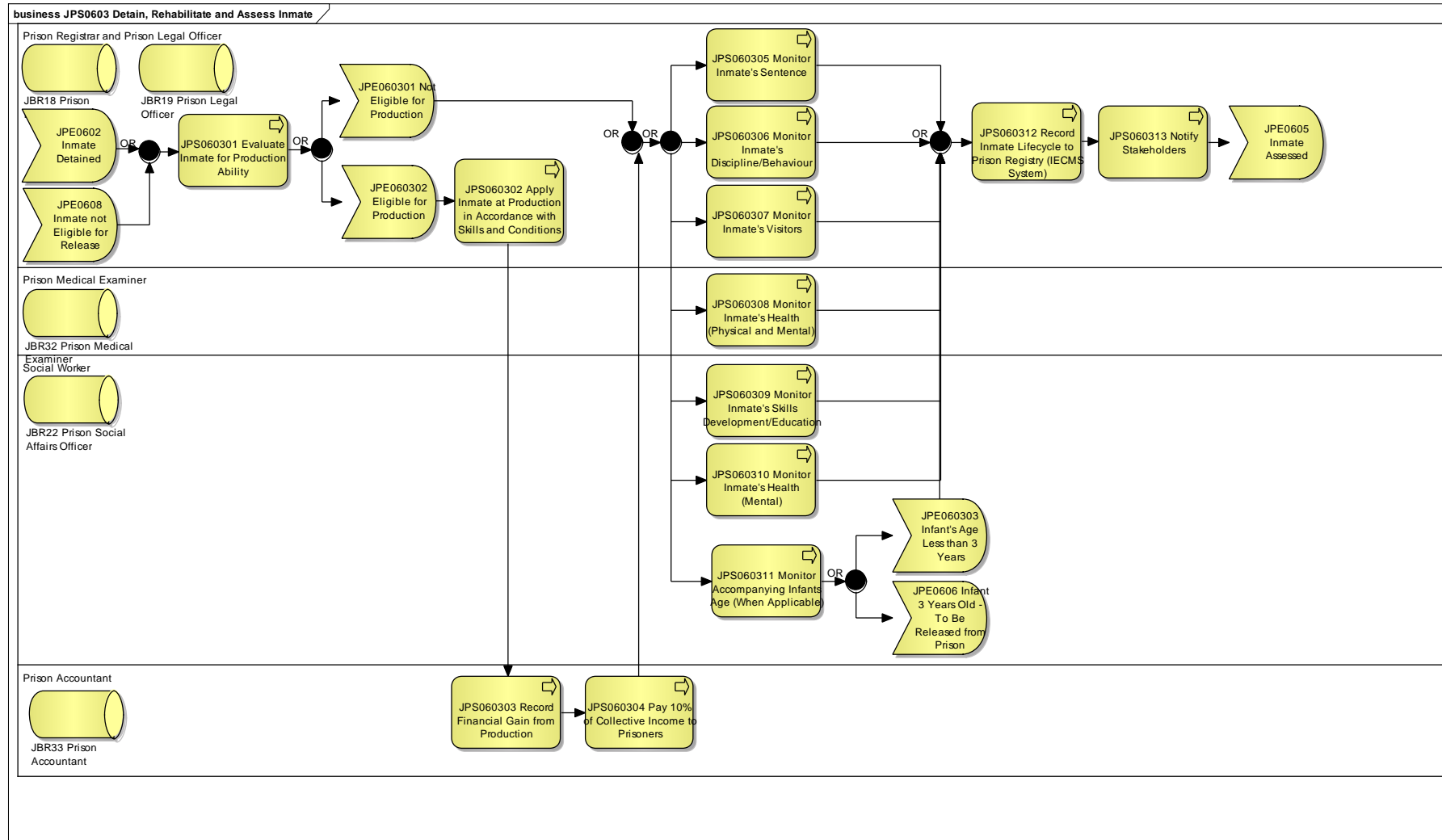


Figure 4-34: JPS0603 Detain, rehabilitate and Assess Inmate

Activity	Responsible	Description
JPS060301 Evaluate Inmate for Production Ability	JBR18 Prison Registrar JBR19 Prison Legal Officer	Specific conditions exist to indicate the readiness of a inmate participate in production. Some of the conditions that need to be met is that the inmate must have served a percentage of the sentence and that the nature of the crime does not put the community at risk.
JPS060302 Apply Inmate at Production in Accordance with Skills and Conditions	JBR18 Prison Registrar JBR19 Prison Legal Officer	The Prison Registrar and Prison Legal Officer apply the eligible prisoner at a type of production work congruent to the inmate's abilities and skills. The nature of the crime also inform the inmate's ability to work within certain communities.
JPS060303 Record Financial Gain from Production	JBR33 Prison Accountant	The Financial Administrator administers the income gained from production work. The total earnings per task is recorded to the income ledger.
JPS060304 Pay 10% of Collective Income to Prisoners	JBR33 Prison Accountant	The Financial Administrator pays out 10% of the total earnings to the broader prison community. The balance is retained by Correctional Services.
JPS060305 Monitor Inmate's Sentence	JBR18 Prison Registrar JBR19 Prison Legal Officer	The Prison registrar and Prison Legal Officer ensure that the time the inmate serves is compared against the sentence handed down.
JPS060306 Monitor Inmate's Discipline/Behaviour	JBR18 Prison Registrar JBR19 Prison Legal Officer	The inmate's discipline and behaviour is constantly monitored. The inmate's result may mean that an inmate may be (conditionally) released.

JPS060307 Monitor Inmate's Visitors	JBR18 Prison Registrar JBR19 Prison Legal Officer	The number of visitors an inmate receives is captured by the system. At present o particular details are captured and the suggestion for the future may entail capturing the visitor's detail as well.
JPS060308 Monitor Inmate's Health (Physical and Mental)	JBR32 Prison Medical Examiner	The inmate's medical examiner needs to monitor the physical and mental condition of each inmate.
JPS060309 Monitor Inmate's Skills Development/Education	JBR22 Prison Social Affairs Officer	The inmate's skills development / Education need to be closely monitored
JPS060310 Monitor Inmate's Health (Mental)	JBR22 Prison Social Affairs Officer	The prison's social worker continually monitors the inmate's mental health. The inmate's physical health is also monitored and recorded.
JPS060311 Monitor Accompanying Infants Age (When Applicable)	JBR22 Prison Social Affairs Officer	An infant, accompanying the mother into the prison may remain in the prison environment up to a maximum age of 3 years old. The age of the infant needs to be monitored to ensure adherence to this policy.
JPS060312 Record Inmate Lifecycle to Prison Registry (IECMS System)	JBR18 Prison Registrar JBR19 Prison Legal Officer	The Prison Registrar and Prison Legal Officer ensure that the status of the inmate is continually updated to the prison register (system).
JPS060313 Notify Stakeholders	JBR18 Prison Registrar JBR19 Prison Legal Officer	The various parties, related to the inmate and the inmate's sentence, need to be kept abreast of the inmate's sentence status, health and well-being.

4.3.1.4.1.4 Level 4 JPS0604 Evaluate Inmate for Release

The Inmate is evaluated to determine if he / she would be eligible for parole. An Inmate may also be released on receiving a presidential pardon.

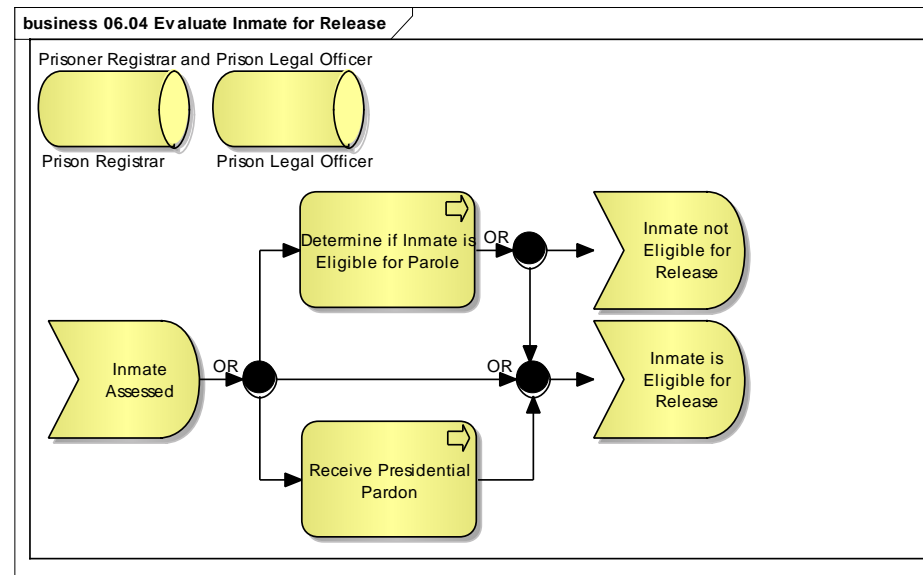


Figure 4-35: JPS0604 Evaluate Inmate for Release

Activity	Responsible	Description
JPS060401 Determine if Inmate is Eligible for Parole	JBR18 Prison Registrar JBR19 Prison Legal Officer	The Prisoner Registrar and Prison Legal Officer determine if an inmate is eligible for parole based on the original sentence, social worker's reports, behaviour, etc.
JPS060402 Receive Presidential Pardon	JBR18 Prison Registrar JBR19 Prison Legal Officer	It is within the rights of the president to pardon an inmate. A pardoned inmate is automatically eligible for parole.

4.3.1.4.1.5 Level 4 JPS0605 Determine Release Conditions

On sentencing an offender, the Judge may set specific release conditions. The inmate's specific conditions need to be confirmed before releasing the inmate.

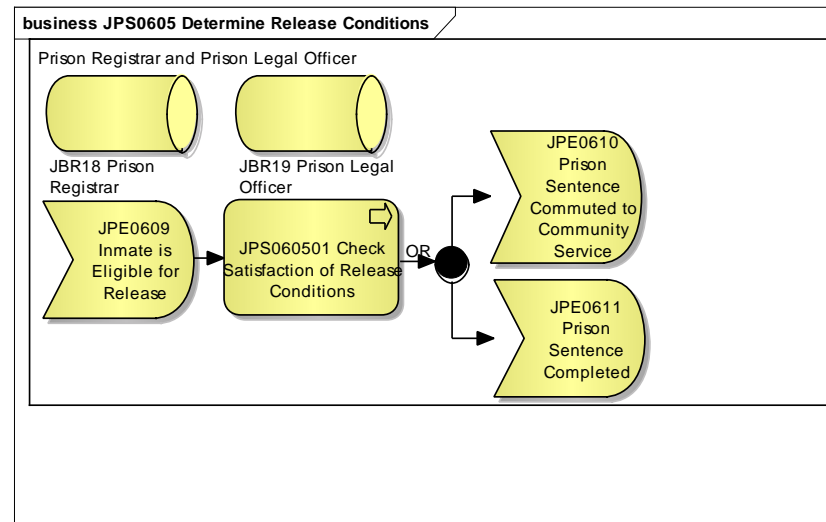


Figure 4-36: JPS0605 Determine Release Conditions

Activity	Responsible	Description
JPS060501 Check Satisfaction of Release Conditions	JBR18 Prison Registrar JBR19 Prison Legal Officer	The Prison Registrar and Prison Legal Officer need to be au-fait with the inmate's release conditions. Conditions as: <ul style="list-style-type: none"> • Unconditional • Release to Community Corrections • Release to house arrest • etc.

4.3.1.4.1.6 Level 4 JPS0606 Close Correctional Service Entry

The inmate / detainee's incarceration has come to an end. Valuables are returned and an end-of-sentence certificate is issued. The IECMS system is updated with the inmate / detainee's status.

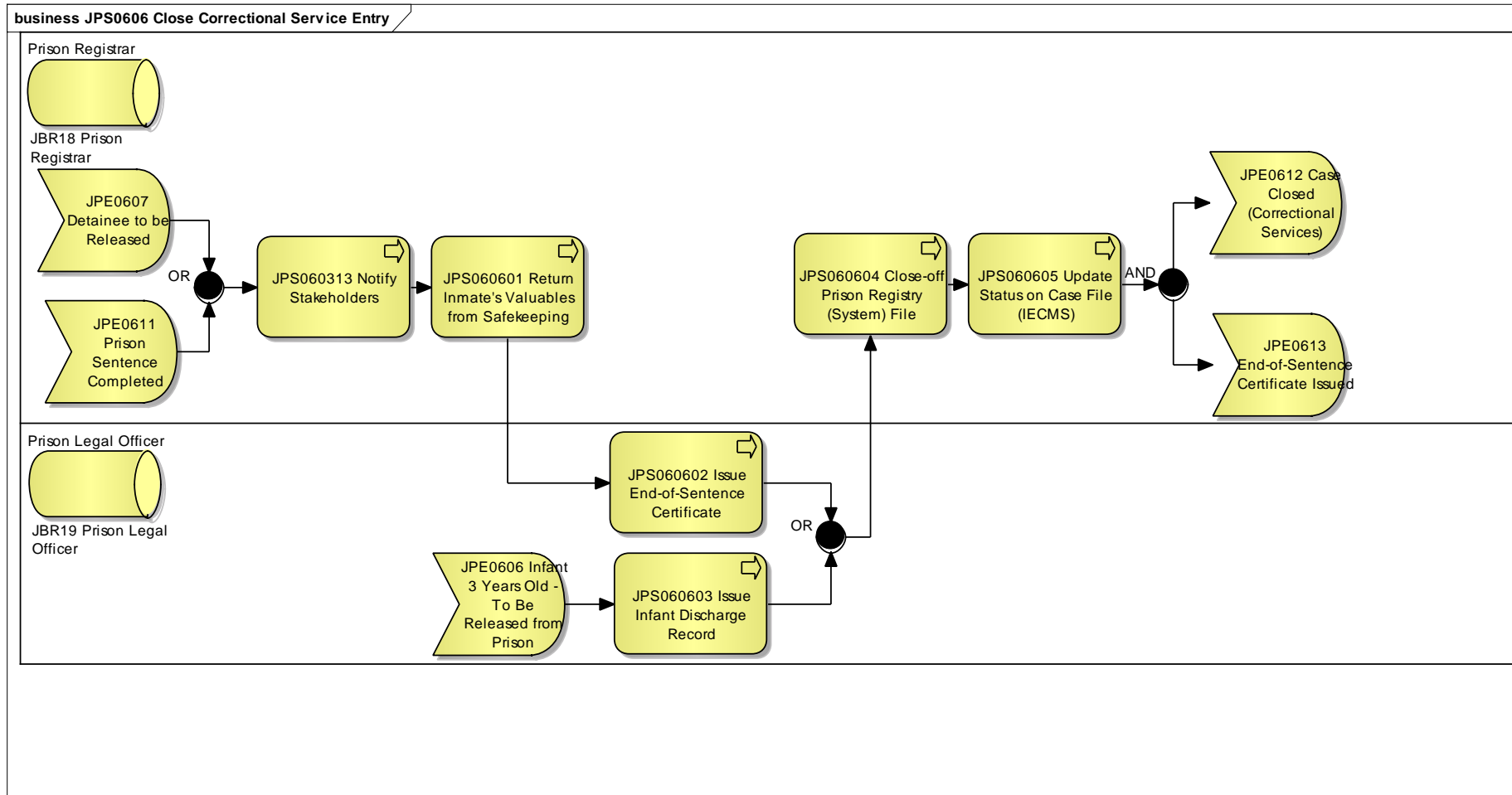


Figure 4-37: JPS0606 Close Correctional Service Entry

Activity	Responsible	Description
JPS060113 Notify Stakeholders	JBR18 Prison Registrar	The various parties, related to the inmate and the inmate's sentence, need to be kept abreast of the inmate's sentence status, health and well-being.
JPS060601 Return Inmate's Valuables from Safekeeping	JBR18 Prison Registrar	Each item that was submitted by the inmate for safekeeping needs to be returned to the inmate from safekeeping. The inmate needs to confirm that each item - as listed on the valuables receipt - is returned.
JPS060602 Issue End-of-Sentence Certificate	JBR19 Prison Legal Officer	The prison authorities (Prison Registrar) needs to issue the inmate with an end-of-sentence certificate. This is an official document that signifies that an inmate has been released and by implication, rehabilitated.
JPS060603 Issue Infant Discharge Record	JBR19 Prison Legal Officer	An infant may remain in the prison environment to a maximum age of 3 years old. On reaching that age the infant needs to be taken from the prison environment. The Prison Legal Officer issues a discharge record as the infant is discharged.
JPS060604 Close-off Prison Registry (System) File	JBR18 Prison Registrar	The prison file that was kept for the inmate, needs to be closed off. The file is updated with the release date.
JPS060605 Update Status on Case File (IECMS)	JBR18 Prison Registrar	The release status of the inmate needs to be updated on the case file (ECMS). This would bring closure to the judicial case file.

4.3.1.4.2 Level 3 JP07 Rehabilitate Offender

As an alternative to being incarcerated in prison, an offender may be sentenced to serve time in a Community Corrections facility (camp or TIG). The aim of the camp is to rehabilitate the offender.

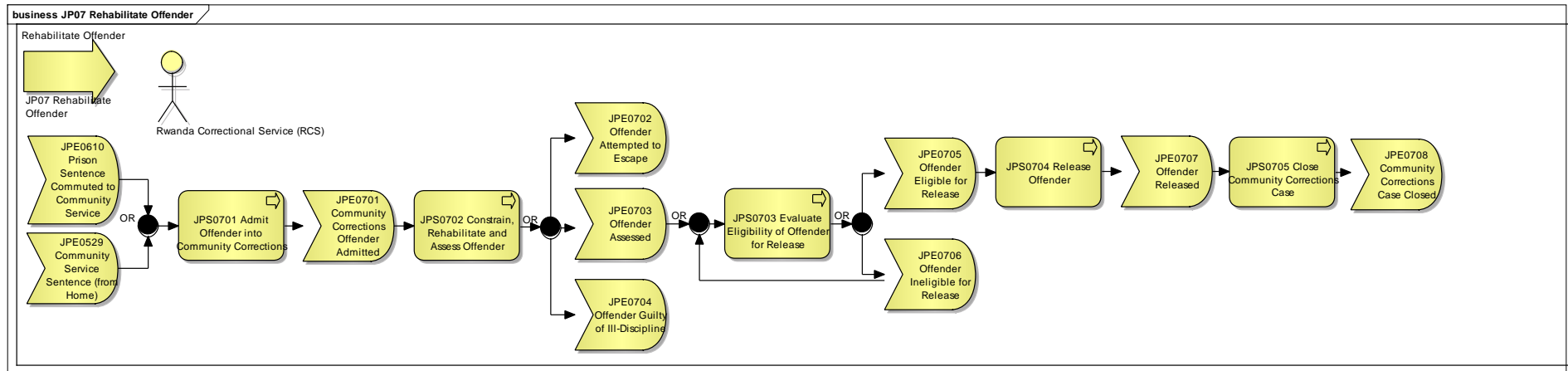


Figure 4-38: JP07 Rehabilitate Offender

4.3.1.4.2.1 Level 4 JP0701 Admit Offender into Community Corrections

The detainee gets inducted into the Community Corrections facility. To this end the detainee's biometrics are confirmed, valuables confiscated for safekeeping and undergoes a medical examination.

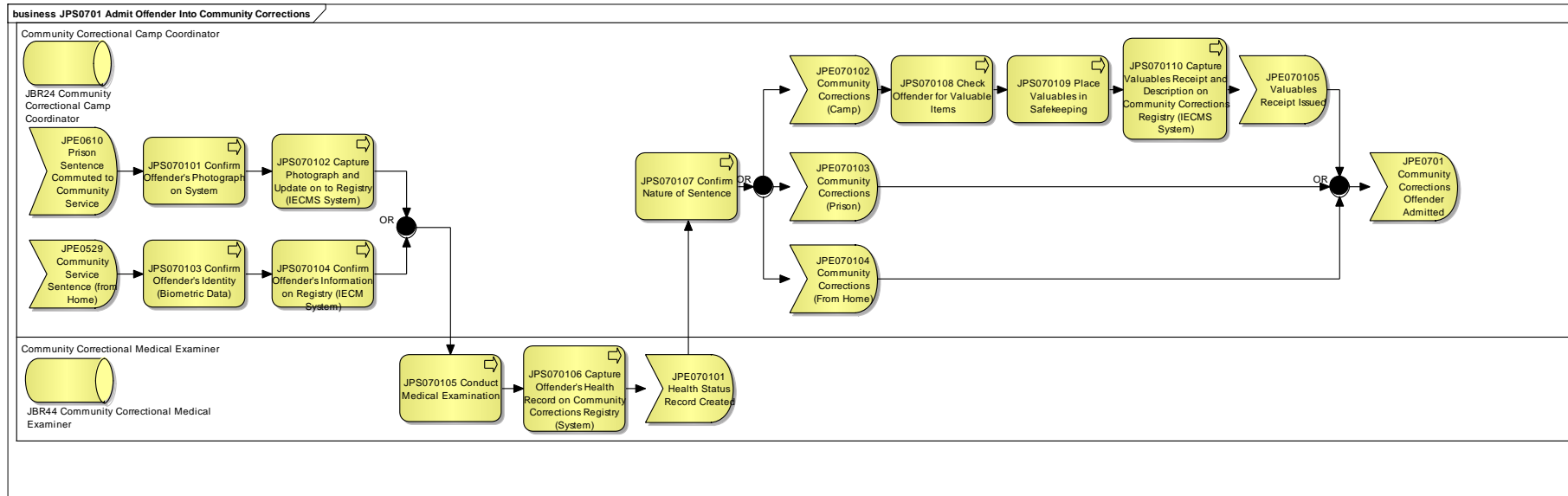


Figure 4-39: JPS0701 Admit Offender into Community Corrections

Activity	Responsible	Description
JPS070101 Confirm Offender's Photograph on System	JBR24 Community Correctional Camp Coordinator	Confirm that a photograph of the offender is available on the system.
JPS070102 Capture Photograph and Update on to Registry (IECMS System)	JBR24 Community Correctional Camp Coordinator	Take a photograph of the offender and captures the second photograph against the offender's name on to the system.

JPS070103 Confirm Offender's Identity (Biometric Data)	JBR24 Correctional Coordinator	Community Camp	The Camp Coordinator confirms that the person reporting for Community Corrections are indeed the person sentenced to serve the sentence. To this end biometric information is applied.
JPS070104 Confirm Offender's Information on Registry (IECM System)	JBR24 Correctional Coordinator	Community Camp	The offender's information should already be available on the system. The Camp Coordinator confirms that the offender's information exists on the system.
JPS070105 Conduct Medical Examination	JBR44 Correction's Examiner	Community Medical	The offender needs to undergo a medical examination on being admitted to Community Corrections. To this end the Community Correction's Medical Examiner examines the offender.
JPS070106 Capture Offender's Health Record on Community Corrections Registry (System)	JBR44 Correction's Examiner	Community Medical	The particulars of the medical examination is captured on to the system, updating the offender's file.
JPS070107 Confirm Nature of Sentence	JBR24 Correctional Coordinator	Community Camp	An offender's sentence may consist of either an outright community corrections sentence or the offender might be a prisoner that needs to serve parole at the community corrections facility.
JPS070108 Check Offender for Valuable Items	JBR24 Correctional Coordinator	Community Camp	The offender needs to hand over any and all of the valuables that he / she may have on them at time of admission.

JPS070109 Place Valuables in Safekeeping	JBR24 Correctional Coordinator	Community Camp	The Community Correctional Camp Coordinator needs to place all offender's valuables in safekeeping for the duration of the sentence.
JPS070110 Capture Valuables Receipt and Description on Community Corrections Registry (IECMS System)	JBR24 Correctional Coordinator	Community Camp	A receipt is issued to the offender detailing and listing the valuables taken for safekeeping. The receipt and the details of the valuables need to be captured on to the system.

4.3.1.4.2.2 Level 4 JPS0702 Constrain, Rehabilitate and Assess Offender

This sub-process represents the offender's life-cycle within the Community Corrections system. The offender is continually monitored in regards of, sentence duration, mental and physical well-being, participation in activities, eligibility for production work and behaviour. Continued miss-behaviour and escape or attempt thereof may result in a detainee being sent to the Correctional Services prison facility.

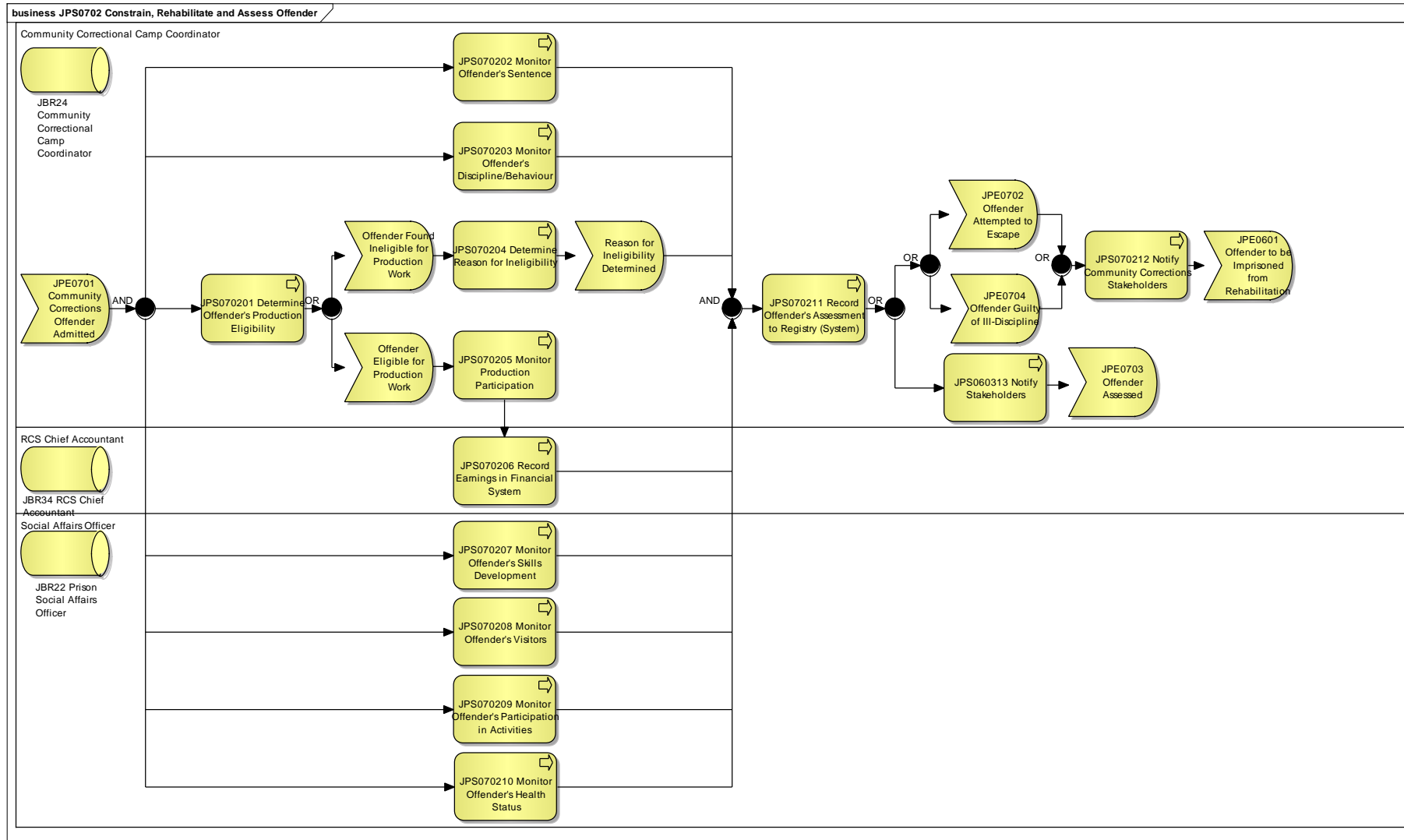


Figure 4-40: JPS0702 Constrain, Rehabilitate and Assess Offender

Activity			Responsible		Description
JPS070201	Determine	Offender's Production Eligibility	JBR24	Community Correctional Camp Coordinator	The offender's eligibility to be applied for production work is determined. A number of conditions need to be met allowing an offender to be applied as a worker (e.g. at least 25% of the sentence must have been served, etc.).
JPS070202	Monitor Offender's Sentence		JBR24	Community Correctional Camp Coordinator	The Community Correctional Camp Coordinator needs to monitor and manage the offender's time served against the sentence.
JPS070203	Monitor	Offender's Discipline/Behaviour	JBR24	Community Correctional Camp Coordinator	The Community Correctional Camp Coordinator needs to monitor and document the offender's behaviour and discipline.
JPS070204	Determine	Reason for Ineligibility	JBR24	Community Correctional Camp Coordinator	If the offender cannot become eligible for production work, determine the reason for the ineligibility. Reasons may be that the offender may have a handicap (e.g. blindness) that may prevent application to production work.
JPS070205	Monitor	Production Participation	JBR24	Community Correctional Camp Coordinator	The offender's participation in production work needs to be monitored and documented. This may, as an example, inform the offender's skill development.
JPS070206	Record Earnings in Financial System		JBR34	RCS Chief Accountant	The earnings, per offender, need to be monitored and documented. This may assist in determining a tariff for an offender's service.

JPS070207 Monitor Offender's Skills Development	JBR22 Prison Social Affairs Officer	Monitor how an offender's skills are developed as the sentence served progresses.
JPS070208 Monitor Offender's Visitors	JBR22 Prison Social Affairs Officer	Monitor and document the particulars of an offender's visitors. This is maintained across the duration of the offender's sentence.
JPS070209 Monitor Offender's Participation in Activities	JBR22 Prison Social Affairs Officer	The Social Worker needs to monitor the offender's participation in in-camp activities.
JPS070210 Monitor Offender's Health Status	JBR22 Prison Social Affairs Officer	The offender's physical and mental well-being is continually monitored.
JPS070211 Record Offender's Assessment to Registry (System)	JBR24 Community Correctional Camp Coordinator	Each of the items that are subject to monitoring needs to be documented on the prison's central repository.
JPS060313 Notify Stakeholders	JBR24 Community Correctional Camp Coordinator	The various parties, related to the inmate and the inmate's sentence, need to be kept abreast of the inmate's sentence status, health and well-being.
JPS070212 Notify Community Corrections Stakeholders	JBR24 Community Correctional Camp Coordinator	Any transgression of the camp rules must be reported to the relevant authorities and stakeholders. An escape may put the offender's ability to do production work and the offender's duration of community corrections sentence at risk.

4.3.1.4.2.3 Level 4 JPS0703 Evaluate Eligibility of Offender for Release

The offender's eligibility for release is evaluated. Good behaviour may constitute eligibility. Duration of sentence would make an offender eligible to be released as the sentence period runs out.

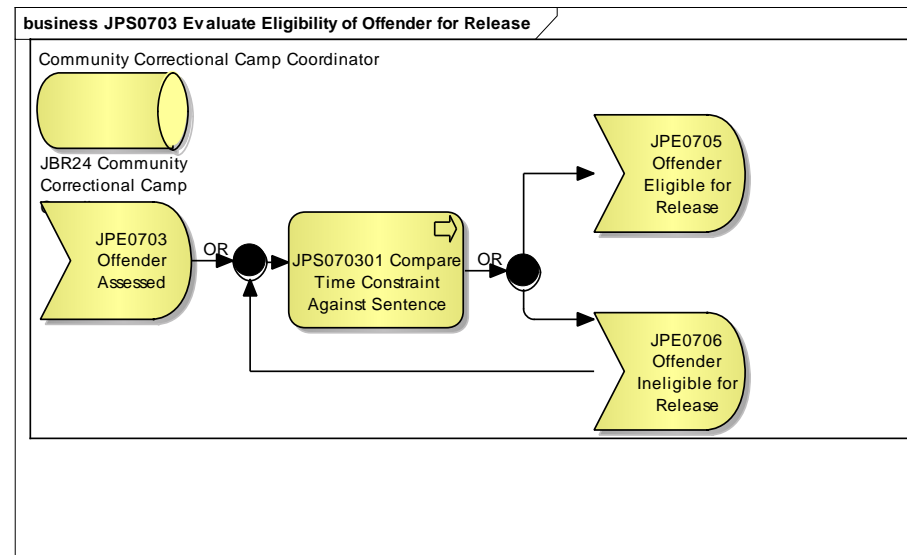


Figure 4-41: JPS0703 Evaluate Eligibility of Offender for Release

Activity	Responsible	Description
JPS070301 Compare Time Constraint Against Sentence	JBR24 Community Correctional Camp Coordinator	The Community Correctional Camp Coordinator needs to monitor and manage the offender's time served against the sentence.

4.3.1.4.2.4 Level 4 JPS0704 Release Offender

The offender needs to be released. To this end an end-of-sentence certificate is issued to the offender, the system is updated and the offender's valuables are returned. The offender is subsequently set free.

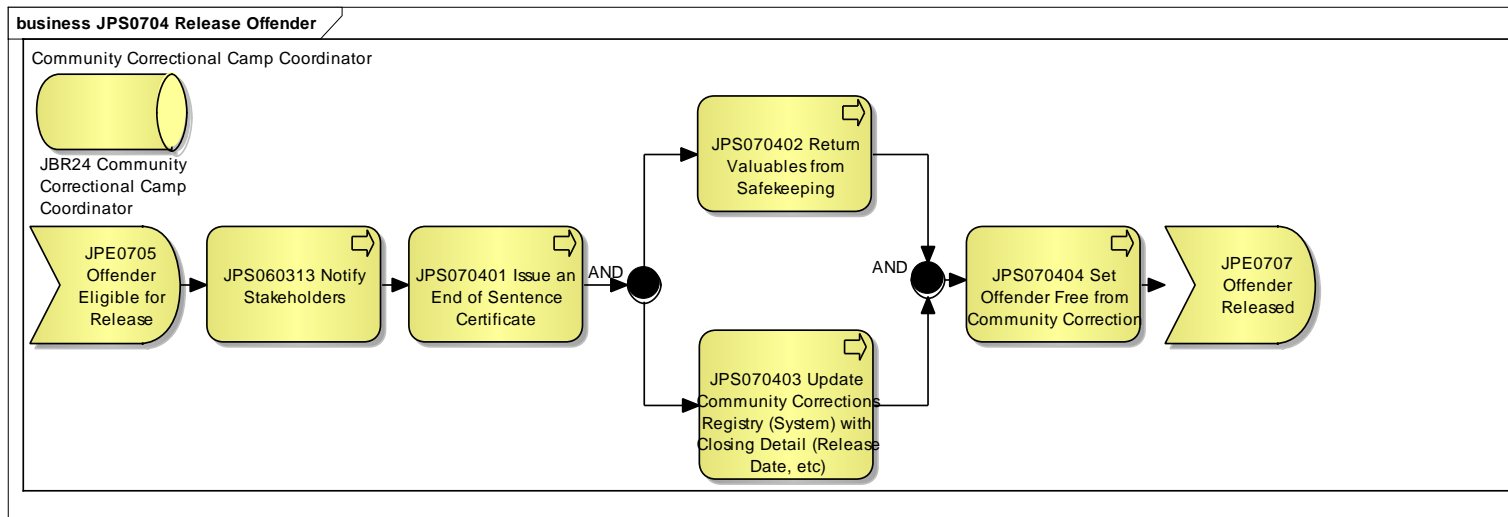


Figure 4-42: JPS0704 Release Offender

Activity	Responsible	Description
JPS060313 Notify Stakeholders	JBR24 Community Correctional Camp Coordinator	The various parties, related to the inmate and the inmate's sentence, need to be kept abreast of the inmate's sentence status, health and well-being.

JPS070401 Issue an End of Sentence Certificate	JBR24 Correctional Coordinator	Community Camp	An official certificate, the "End of Sentence Certificate" is issued to the offender on release. This is to certify that the offender has served his / her sentence as handed down by a judge.
JPS070402 Return Valuables from Safekeeping	JBR24 Correctional Coordinator	Community Camp	Return all the valuables that may have been submitted, by the offender for camp safekeeping, back to the offender. Ensure that each items as listed on the valuables receipt is handed back.
JPS070403 Update Community Corrections Registry (System) with Closing Detail (Release Date, etc)	JBR24 Correctional Coordinator	Community Camp	The Community Corrections Registry system is updated with the end-of-sentence detail pertaining to the offender.
JPS070404 Set Offender Free from Community Correction	JBR24 Correctional Coordinator	Community Camp	The Community Correctional Camp Coordinator actions the physical returning back to the broad community of the offender.

4.3.1.4.2.5 Level 4 JPS0705 Close Community Corrections Entries

The system entries pertaining to the released offender are confirmed as complete and subsequently archived.

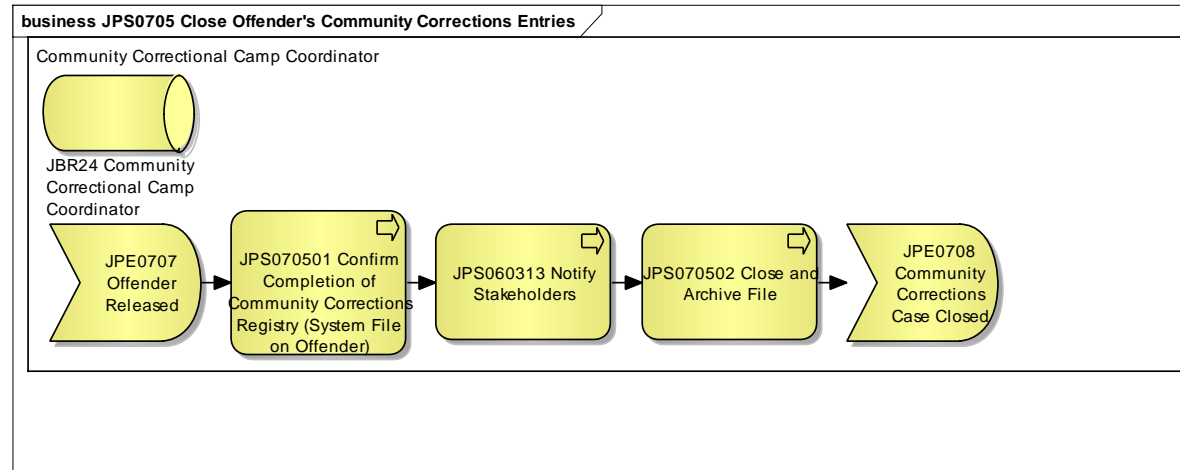


Figure 4-43: JPS0705 Close Community Corrections

Activity	Responsible	Description
JPS070501 Confirm Completion of Community Corrections Registry (System File on Offender)	JBR24 Community Correctional Camp Coordinator	The offender has been set free. The Community Correctional Camp Coordinator checks the appropriate registries to ensure that the files are completed.
JPS060313 Notify Stakeholders	JBR24 Community Correctional Camp Coordinator	The various parties, related to the inmate and the inmate's sentence, need to be kept abreast of the inmate's sentence status, health and well-being.
JPS070502 Close and Archive File	JBR24 Community Correctional Camp Coordinator	The offender's Community Correction's registry entry is closed off.

4.3.1.5 Public Civil and Private Litigation

The function “Public Civil and Private Litigation” consists of two processes with different responsibilities. The process “Public Civil Litigation” is the responsibility of the Ministry of Justice (Minijust). The second process, “Private Litigation” is the responsibility of the Rwanda Bar Association.

4.3.1.5.1 Level 3 JP08 Private Litigation

The title of this Level 3 Process was changed to “Private Litigation” from “Private Civil Litigation” as defined during the Segment Architecture phase. This change was made on request from business.

Private Litigation refers to the representation of a litigant by a legal practitioner. Every legal practitioner is required to have membership to the Rwanda Bar Association. A person may approach the Bar Association to arrange for legal representation or, should the litigant be indigent, to qualify for legal representation by means of Legal Aid.

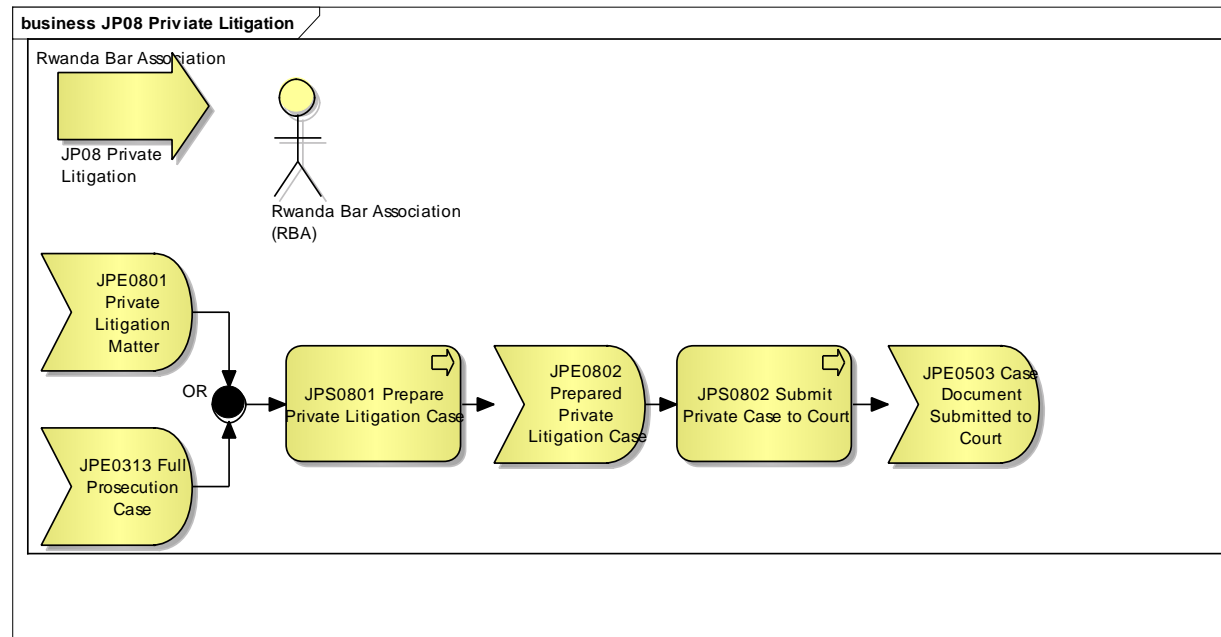


Figure 4-44: JP08 Private Litigation

4.3.1.5.1.1 Level 4 JPS0801 Prepare Litigation Case

The legal practitioner prepares a litigation case by investigating the case independently. The legal practitioner may need to represent the client during interrogation and would advise the client on a cause of action that may be followed.

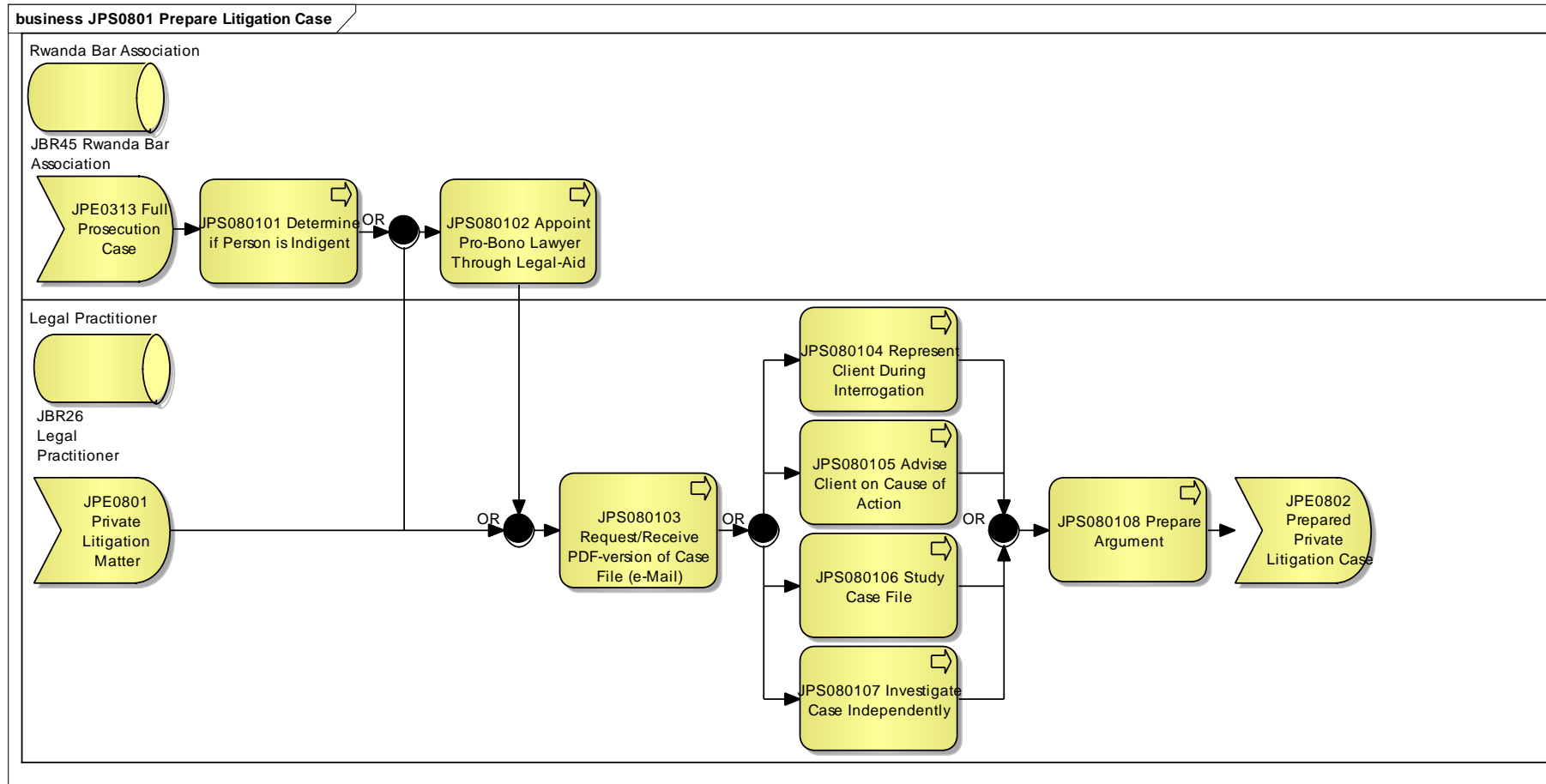


Figure 4-45: JPS0801 Prepare Litigation Case

Activity	Responsible	Description
JPS080101 Determine if Person is Indigent	JBR45 Rwanda Bar Association	It is everybody's right to enjoy legal representation. The Rwanda Bar Association determines if a person, approaching them, can afford the services of a legal representative.
JPS080102 Appoint Pro-Bono Lawyer Through Legal-Aid	JBR45 Rwanda Bar Association	Legal representation would be appointed to a person through legal aid, should a person be indigent. The representation would be selected from legal firms performing pro-bono (services without monetary compensation) work.
JPS080103 Request/Receive PDF-version of Case File (e-Mail)	JBR26 Legal Practitioner	The Legal Practitioner receives the file, by means of e-mail, in a .PDF format.
JPS080104 Represent Client During Interrogation	JBR26 Legal Practitioner	The Legal Practitioner needs to represent the client during the cause of interrogation. The person being interrogated has the right to have legal representation during the interrogation.
JPS080105 Advise Client on Cause of Action	JBR26 Legal Practitioner	The Legal Practitioner needs to advise the client of the most prudent cause of action to be taken for the specific case.
JPS080106 Study Case File	JBR26 Legal Practitioner	The Legal Practitioner studies the client case file once the file has been received.
JPS080107 Investigate Case Independently	JBR26 Legal Practitioner	The Legal Practitioner would more than likely conduct an independent investigation of the case.
JPS080108 Prepare Argument	JBR26 Legal Practitioner	The defence of the client (or officially termed "Argument") is prepared based on interviews and independent investigations.

4.3.1.5.1.2 Level 4 JPS0802 Submit Private Case to Court

The legal practitioner is required by the Judiciary procedural act to send the reply to the prosecutor's argument and the prepared argument to the prosecutor (if representing a defendant) as well as to the court.

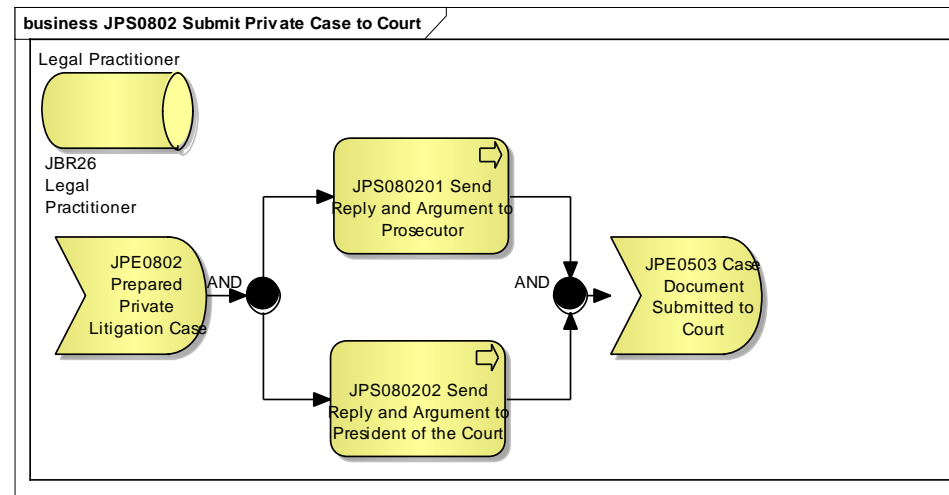


Figure 4-46: JPS0802 Submit Private Case to Court

Activity	Responsible	Description
JPS080201 Send Reply and Argument to President of the Court	JBR26 Legal Practitioner	The two parties - Prosecution and Defense, need to forward their respective arguments to the President of the Court before the case commences.
JPS080202 Send Reply and Argument to Prosecutor	JBR26 Legal Practitioner	According to the Rwanda Court Procedure act the prosecution and defence are required to share their respective arguments with one another. The defendant (Legal Practitioner) sends the defence argument to the Prosecutor.

4.3.1.5.2 Level 3 JP10 Public Civil Litigation

MINIJUST is the legal representative of the state and all its departments. As such it advises the state and acts on its behalf in all legal matters.

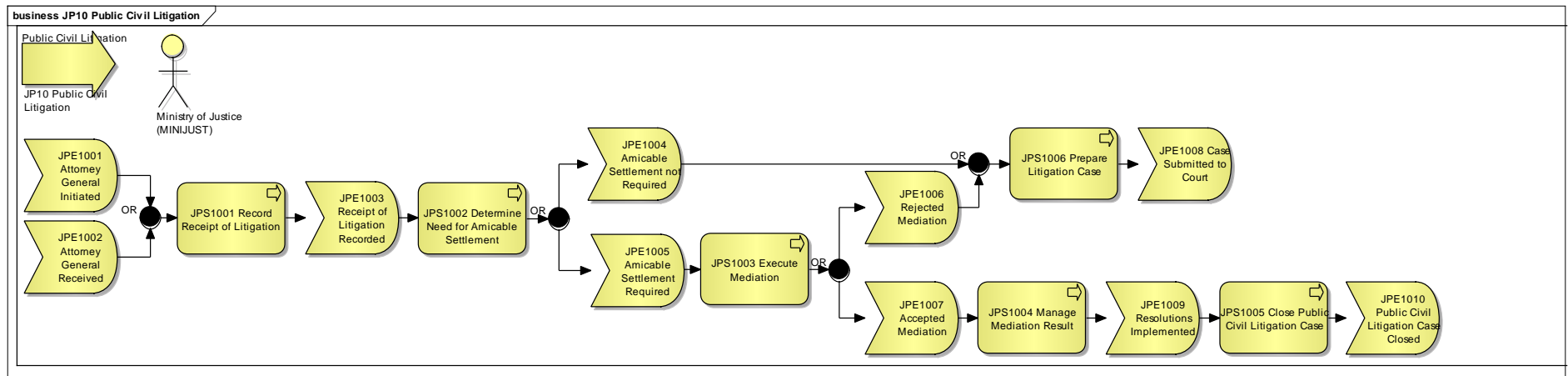


Figure 4-47: JP10 Public Civil Litigation

4.3.1.5.2.1 Level 4 JPS1001 Record Receipt of Litigation

The Ministry of Justice (MINIJUST) is the legal counsel and representative of the state. As such any legal action taken against the state or any of its departments are received by MINIJUST.

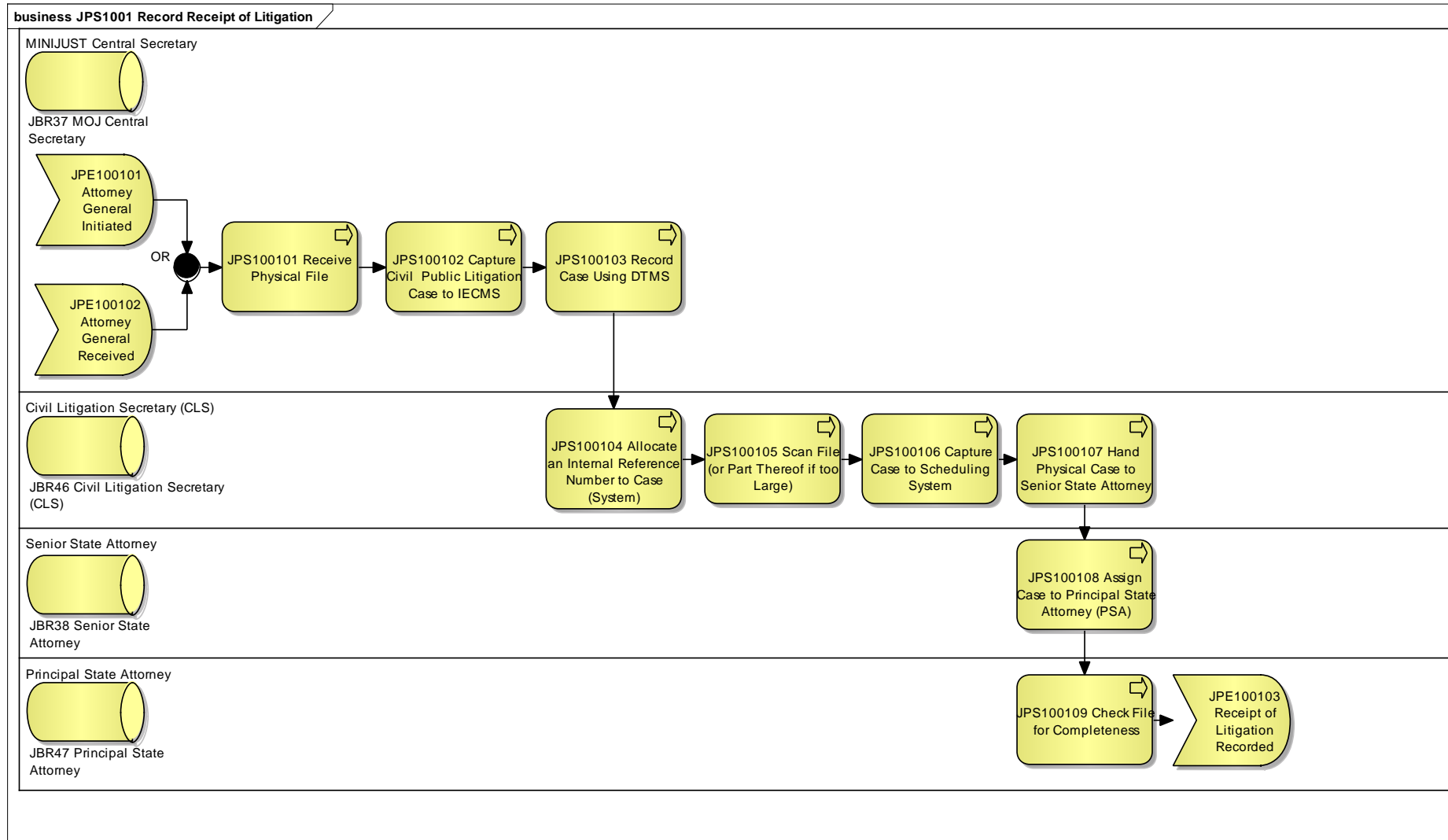


Figure 4-48: JPS1001 Record Receipt of Litigation

Activity	Responsible	Description
JPS100101 Receive Physical File	JBR37 MOJ Central Secretary	Public Civil Litigation files are received / initiated in a hardcopy format.
JPS100102 Capture Civil Public Litigation Case to IECMS	JBR37 MOJ Central Secretary	The MINIJUST Central Secretary captures the receipt of a Civil Litigation Case to the IECM system before distributing it.
JPS100103 Public Civil Litigation files are received / initiated in a hardcopy format.	JBR37 MOJ Central Secretary	The MINIJUST Central Secretary record each case file received using to the DTMS.
JPS100104 Allocate an Internal Reference Number to Case (System)	JBR46 Civil Litigation Secretary (CLS)	An internal reference number is allocated by the MINIJUST Central Secretary to the case.
JPS100105 Scan File (or Part Thereof if too Large)	JBR46 Civil Litigation Secretary (CLS)	The case file received by the MINIJUST Central Secretary is scanned to create an electronic copy thereof. In the instance where the case file proofs too large to feasibly scan, a summary of the file, with the most crucial information, is scanned.
JPS100106 Capture Case to Scheduling System	JBR46 Civil Litigation Secretary (CLS)	The Civil Litigation Secretary (CLS) captures the case to the MINIJUST scheduling system.
JPS100107 Hand Physical Case to Senior State Attorney	JBR46 Civil Litigation Secretary (CLS)	The physical case file is handed by the Civil Litigation Secretary to the office of the Senior State Attorney.
JPS100108 Assign Case to Principal State Attorney (PSA)	JBR38 Senior State Attorney	The Senior State Attorney assigns the case to a Principal State Attorney to process.
JPS100109 Check File for Completeness	JBR47 Principal State Attorney	The Principal State Attorney checks the case file to ensure that the file is complete.

4.3.1.5.2.2 Level 4 JPS1002 Determine Need for Amicable Settlement

In the instance of the state being the defendant the Principal State Attorney would determine, based on meetings with relevant state departments and the merits of the case.

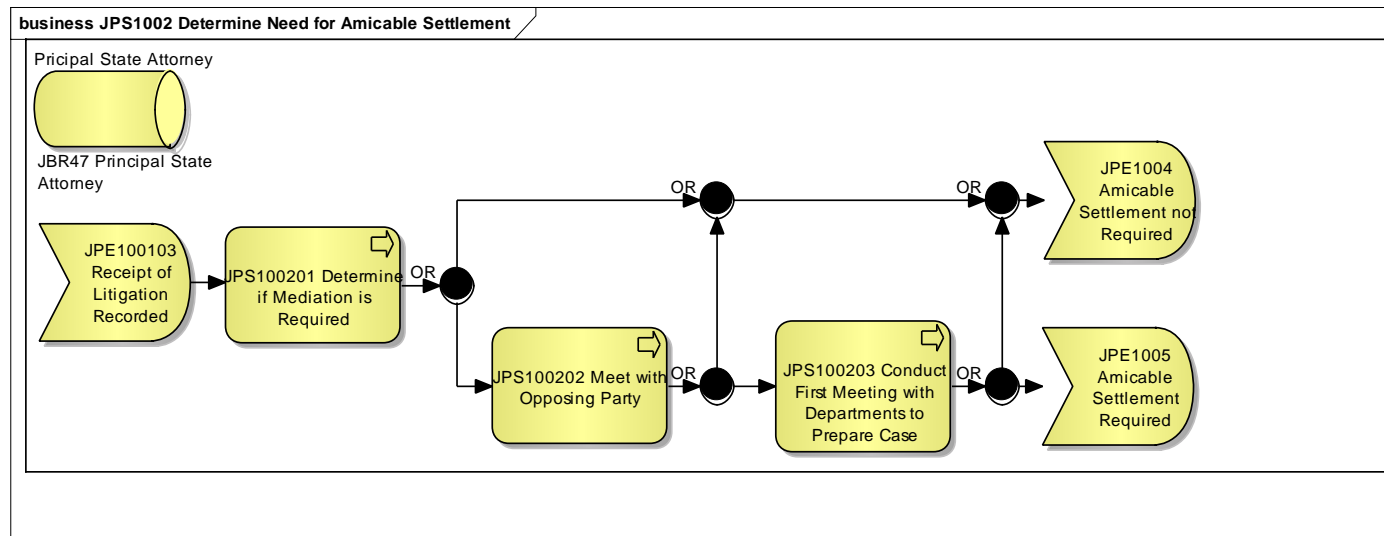


Figure 4-49: JPS1002 Determine Need for Amicable Settlement

Activity	Responsible	Description
JPS100201 Conduct First Meeting with Departments to Prepare Case	JBR47 Principal State Attorney	A meeting is arranged with the various state departments involved in the case. The Principal State Attorney determines from the meeting if an amicable settlement should be sought.
JPS100202 Determine if Mediation is Required	JBR47 Principal State Attorney	The Principal State Attorney determinate if mediation would be required. Only those cases made against the state are

		considered for mediation. Those cases initiated by the state are never considered for mediation.
JPS100203 Meet with Opposing Party	JBR47 Principal State Attorney	An initial meeting with the opposing part is arranged. The Principal State department utilises the initial meeting to determine the intent of the opposing party.

4.3.1.5.2.3 Level 4 JPS1003 Execute Mediation

The State Attorney would lead the mediation process with the opposing party. Beforehand the maximum liability of the state gets determined. The court needs to be kept informed if the state has received a summons.

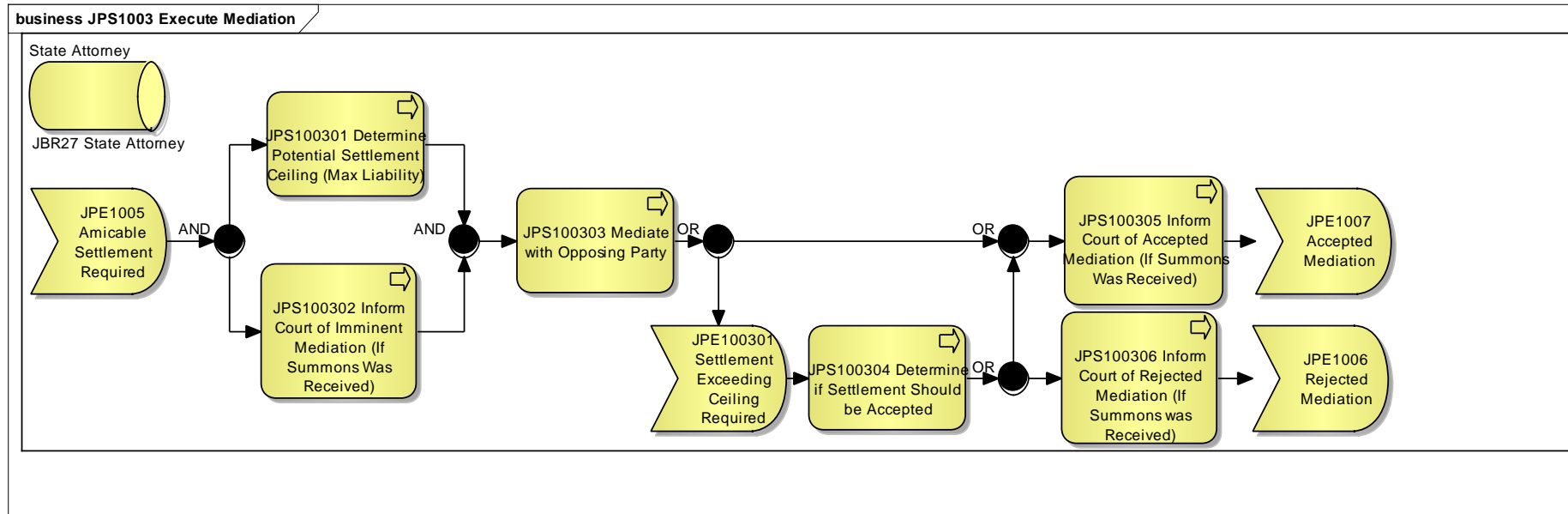


Figure 4-50: JPS1003 Execute Mediation

Activity	Responsible	Description
JPS100301 Determine Potential Settlement Ceiling (Max Liability)	JBR27 State Attorney	The State Attorney determines what the potential settlement ceiling may be. This is called the state's maximum liability. Settlements would be entertained up to the amount arrived at.
JPS100302 Inform Court of Imminent Mediation (If Summons Was Received)	JBR27 State Attorney	In the instance that the state was summons to appear in court, the State Attorney would inform the court of the arranged mediation process the state is embarking upon.
JPS100303 Mediate with Opposing Party	JBR27 State Attorney	The State Attorney meets with the opposing party in an effort to reach a settlement before the case goes to court.

JPS100304 Determine if Settlement Should be Accepted	JBR27 State Attorney	In the instance that the settlement exceeds the maximum liability, the State Attorney needs to consider the state of the case to determine whether the settlement needs to be accepted - despite the settlement exceeding the ceiling decided upon.
JPS100305 Inform Court of Accepted Mediation (If Summons Was Received)	JBR27 State Attorney	Inform the court that the case has been settled and would not proceed to court.
JPS100306 Inform Court of Rejected Mediation (If Summons was Received)	JBR27 State Attorney	Inform the court that the attempt to mediate was unsuccessful and that, as a consequence, the case would proceed to court.

4.3.1.5.2.4 Level 4 JPS1004 Manage Mediation Result

In the instance that the state needs to pay a settlement to the opposing party certain procedures need to be followed. As an example: the identification of all the beneficiaries need to be established before the settlement is paid out.

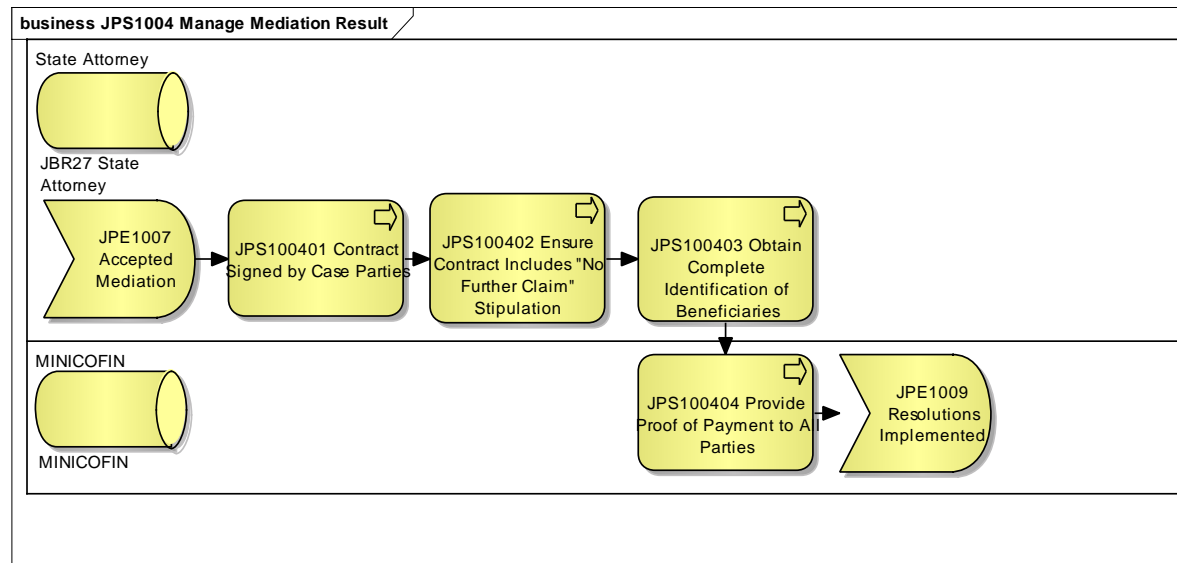


Figure 4-51: JPS1004 Manage Mediation Result

Activity	Responsible	Description
JPS100401 Contract Signed by Case Parties	JBR27 State Attorney	The State Attorney signs the settlement contract with the opposing party.
JPS100402 Ensure Contract Includes "No Further Claim" Stipulation	JBR27 State Attorney	All settlement contracts between the state and an opposing party must at all times contain the stipulation that the opposing party has "No further claim" against the state.

JPS100403 Obtain Complete Identification of Beneficiaries	JBR27 State Attorney	The opposing party has to provide the state a complete list of the beneficiaries of the settlement. The submission of this list is compulsory.
JPS100404 Provide Proof of Payment to All Parties	MINICOFIN	The Ministry of Finance provides the opposing party with a proof once payment has been made.

4.3.1.5.2.5 Level 4 JPS1005 Close Public Civil Litigation Case

On completion of the case the case files - physical and electronic - need to be archived. The notes on the proceedings need to be made available to maintain transparency.

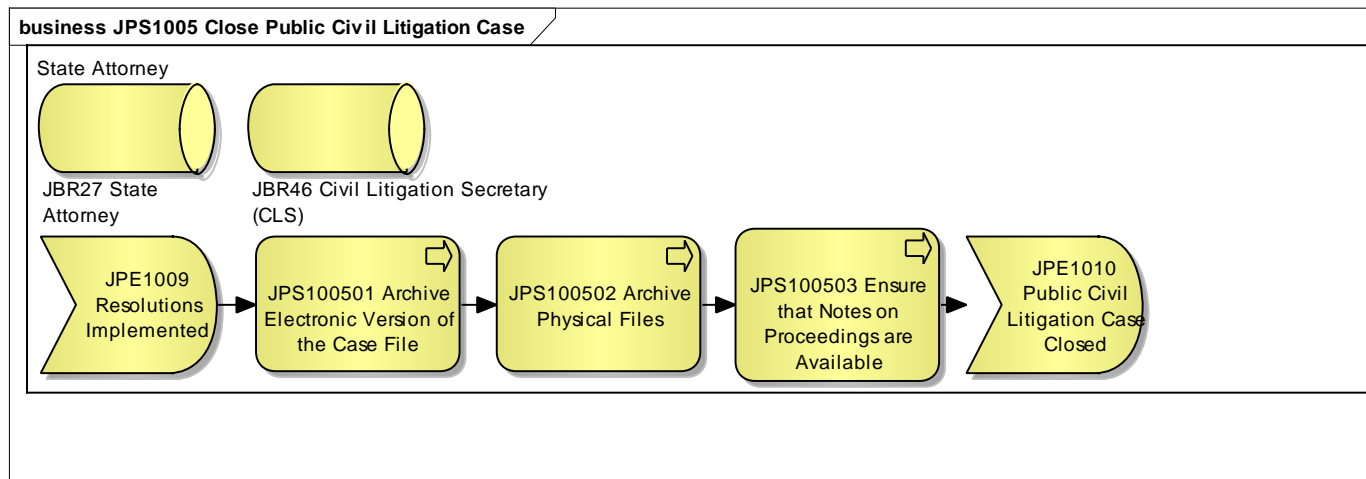


Figure 4-52: JPS1005 Close Public Civil Litigation Case

Activity	Responsible	Description
JPS100501 Archive Electronic Version of the Case File	JBR27 State Attorney	The electronic version of the case file is archived on conclusion of the case.
JPS100502 Archive Physical Files	JBR27 State Attorney	The physical case file is archived on conclusion of the case.
JPS100503 Ensure that Notes on Proceedings are Available	JBR27 State Attorney	The notes taken and kept during the progression of the case needs to remain available. The notes may be required in the transparent MINIJUST and to provide future state litigants with precedents.

4.3.1.5.2.6 Level 4 JPS1006 Prepare Litigation Case

The Principal State Attorney prepares and submits the physical / electronic brief to the court and opposing parties.

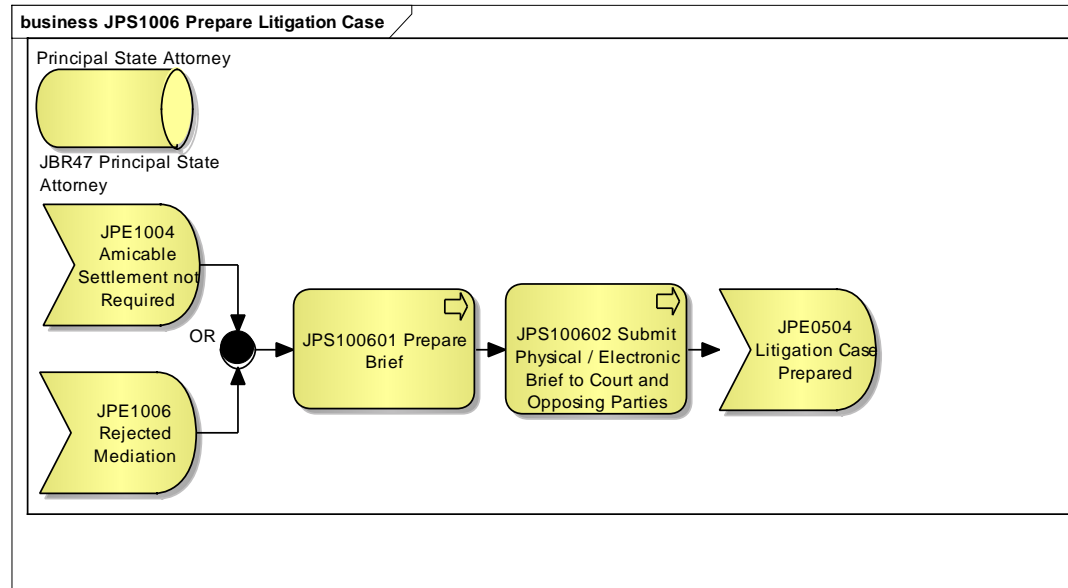


Figure 4-53: JPS1006 Prepare Litigation Case

Activity	Responsible	Description
JPS100601 Prepare Brief	JBR47 Principal State Attorney	The Principal State Attorney and the team prepares the brief for the court.
JPS100602 Submit Physical / Electronic Brief to Court and Opposing Parties	JBR47 Principal State Attorney	The brief, prepared by the Principal State Attorney has to be submitted to the court as well as to the opposing parties.

