

INDEPENDENT COMPLAINTS DIRECTORATE

Presentation to the Portfolio
Committee on Police

23 June 2009



Introduction

Mr E Valoyi

PROGRAMME 3:
**Complaints Registry, Information
Management and Research**

Ms N Sihlezana

THIS PROGRAMME IS MADE UP:

- Complaints Registry and Monitoring
- Communication and Marketing
- Research and Library
- ITC (Information Technology)

PURPOSE

- To ensure that new complaints are received, analyzed, processed and registered.
- To embark on various proactive oversight activities
- To maintain a database system which serves as a register of all ICD complaints.
- To manage all communication and marketing processes and activities with a view to facilitate the dissemination of information and promotion of ICD products and services to all stakeholders
- To manage Information Technology in order to ensure a smooth operation of all ICD IT system

OBJECTIVES

- Allocate and follow up on cases
- Oversee the implementation of the DVA
- Analyze all information on the database
- Produce at least 2 research reports and 1 workshop annually
- Recommend interventions to enhance human rights, focused service delivering in policing
- Further to improve the management of information through technology and the dissemination of information in order to market the organization to various stakeholders

NATURE OF PRO-ACTIVE OVERSIGHT

- Conducting cell inspections at police stations
- Conducting service delivery audits at police stations
- Conducting research to identify systematic problems with a view to recommending practical and implementable solutions

PERFORMANCE 2008/2009

1. COMPLAINTS CASE INTAKE:

The nine (9) provincial and satellite offices of the ICD received a total of 6119 complaints during 2008/9.

All new cases were captured, processed and allocated after registration.

ICD has received more complaints than in the previous financial year 2007/8.

General ICD experienced 5% increase in 2008/9 case intake compared to 2007/8 financial year.

OVERVIEW – CASES REGISTERED

2008/2009

Classification of complaints

- Class 1 refers to notifications of deaths in custody and as a result of police or municipal police action
- Class 2 refers to complaints of non-compliance with the Domestic Violence Act
- Class 3 refers to complaints of criminality
- Class 4 refers to complaints of misconduct (breach of the discipline regulations, code of conduct etc)

Table 1: Total Case Intake

Province	Death *	Domestic Violence	Criminal	Misconduct	Total
Eastern Cape	124	3	249	141	517
Free State	52	19	256	503	830
Gauteng	191	36	406	390	1023
Kwazulu-Natal	258	23	208	289	778
Limpopo	67	6	219	199	491
Mpumalanga	65	9	110	115	299
North West	59	17	222	415	713
Northern Cape	14	13	259	321	607
Western Cape	82	24	356	399	861
Grand Total	912	150	2285	2772	6119

Table 2: Deaths, in Policy Custody and as a result of Police Action

Province	2008/9	Provincial share
Eastern Cape	124	14%
Free State	52	6%
Gauteng	191	21%
Kwazulu-Natal	258	28%
Limpopo	67	7%
Mpumalanga	65	7%
North West	59	6%
Northern Cape	14	2%
Western Cape	82	9%
Grand Total	912	100%

Death in police custody	2008/9	Percentage
Injuries sustained in custody	109	36%
Injuries sustained prior to detention	73	24%
Natural causes	118	39%
Total	300	100%
Death as a result of police action	2008/9	
A suspect died during the course of a crime	129	21%
A suspect died during the course of an escape	73	12%
A suspect died during the course of an investigation	53	9%
A suspect died during the course of arrest	213	35%
An innocent bystander died during commission of a crime	12	2%
An innocent bystander died during the course of an escape of another	20	3%
Domestic Violence related and off duty deaths	39	6%
Negligent handling of a firearm leading to a death	29	5%
Negligent handling of a vehicle leading to a death	44	7%
Total(Deaths as a result of police action)	612	100
Total	912	

Suicides(Circumstances)	2008/9	Percentage
Drinking poison	5	4%
Hanging (Belt)	7	6%
Hanging(cleaning cloth)	1	1%
Hanging (Clothing)	4	4%
Hanging (handkerchief)	1	1%
Hanging (Plastic Bag)	1	1%
Hanging (Rope)	5	4%
Hanging(Scarf)	1	1%
Hanging(Shirt)	3	3%
Hanging (Shoe Laces)	10	9%
Hanging(String)	2	2%
Hanging(String from Hooded Top)	4	4%
Hanging (String from blouse)	1	1%
Hanging (String from Mattress)	3	3%

Suicides(Circumstances) Cont.	2008/9	Percentage
Hanging (String from Trousers)	1	1%
Hanging (String of Jacket)	3	3%
Hanging(Strips of Blanket)	14	13%
Hanging (Strips of a Sheet)	1	1%
Hanging (Trousers)	13	12%
Hanging (T-Shirt)	4	4%
Hanging (Underwear)	1	1%
Jumped from a building	1	1%
Shot himself/herself	17	15%
Cut himself with a machine	1	1%
Fell in a drain hole	1	1%
Jumped from a cliff	1	1%
Jumped in front of oncoming traffic	2	2%
Total(Suicides)	112	100%

Table 3: Yearly Change of Deaths

Province	2007/8	2008/9	Yearly change
Eastern Cape	93	124	33%
Free State	50	52	4%
Gauteng	169	191	13%
Kwazulu-Natal	175	258	47%
Limpopo	71	67	-6%
Mpumalanga	63	65	3%
North West	57	59	4%
Northern Cape	19	14	-26%
Western Cape	95	82	-14%
Grand Total	792	912	15%

Table 4: Total Case Type- Yearly Change

Class	2007/8	2008/9	Yearly Change
Death	792	912	15%
DVA	167	150	-10%
Criminal	2102	2285	9%
Misconduct	2770	2772	0.07%
Grand Total	5830	6119	5%

Table 5: Criminal offenses

Province	2008/9	Provincial share
Eastern Cape	249	11%
Free State	258	11%
Gauteng	406	18%
Kwazulu-Natal	208	9%
Limpopo	221	10%
Mpumalanga	109	5%
North West	223	10%
Northern Cape	259	11%
Western Cape	356	16%
Grand Total	2289	100%

Table 6: Criminal offences yearly change

Province	2007/8	2008/9	Yearly change
Eastern Cape	200	249	25%
Free State	212	258	22%
Gauteng	452	406	-10%
Kwazulu-Natal	274	208	-24%
Limpopo	173	221	28%
Mpumalanga	114	109	-4%
North West	155	223	44%
Northern Cape	182	259	42%
Western Cape	339	356	5%
Grand Total	2101	2289	9%

Table 7: Misconduct

Province	2008/9	Percentage share
Eastern Cape	141	5%
Free State	503	18%
Gauteng	390	14%
Kwazulu-Natal	289	10%
Limpopo	199	7%
Mpumalanga	115	4%
North West	415	15%
Northern Cape	321	12%
Western Cape	399	14%
Grand Total	2772	100%

Table 8: Misconduct yearly change

Province	2007/8	2008/9	Yearly change
Eastern Cape	159	141	-11%
Free State	348	503	45%
Gauteng	489	390	-20%
Kwazulu-Natal	313	289	-8%
Limpopo	206	199	-3%
Mpumalanga	119	115	-3%
North West	250	415	66%
Northern Cape	340	321	-6%
Western Cape	546	399	-27%
Grand Total	2770	2772	0.07%

COMMUNICATION AND MARKETING

- **Prompt media responses** – time taken to respond to media enquiries is within the 1 hour of receipt and we do meet that target. Out of 743 media enquiries received, 80% responded to within one hour
- **ICD Marketing Activities** – The target of 5 community awareness programmes per quarter per province was exceeded . A total of 218 outreach activities were conducted nationally, representing 121%.

The events involved members of the communities and they were addressing stakeholders on the mandate and the role of the ICD in terms of DVA.

PROACTIVE OVERSIGHT 2008/2009

RESEARCH

Production of qualitative reports containing recommendations – target met

Two research reports have been conducted

The 1st research report was on the

Custody Management of persons in policy custody

OBJECTIVES

The study had two objectives that it needed to achieve. Firstly, it attempted to determine the extent of police adherence to regulations as stipulated in the Standing orders on Custody Management

Proactive Oversight (1) (Cont...)

RECOMMENDATIONS :

- The SAPS leadership needs to provide a monitoring tool that can be used to ensure compliance with the relevant policies and Standing Orders, as this will ensure that standard practice in detaining procedures prevails
- In order for police officers to conduct searches properly and safely , police stations must have separate search halls
- Liaison with the Department of Correctional Services can help reduce overcrowding in police cells
- Individual police stations must develop and nurture relations and networks with other departments at local and regional level

Proactive Research(2)

- Second Research was on the - **Vehicle Accidents Involving Police Vehicles**

OBJECTIVES

- The main objectives of this research was to determine the circumstances and factors which contribute to the vehicle accidents involving police vehicles.
- The study aimed at describing the vehicle accidents involving police vehicle in terms of locations and when they occur.
- The description was used to determine the circumstances surrounding the vehicle accidents. This was aimed at influencing policy on police driver training

Proactive Research (2) (Cont...)

FINDINGS

- The result indicate that the most vehicle accidents involving state vehicles occurred in the Western Cape, while the least occurred in Limpopo (however the size of these two provinces should also be taken into account, when considering these figures)
- Most accidents occurred in the afternoon between 14h01 and 16h00, and between 20h00 and 22h00 in the evening
- A worrying observation is that 25% of the cases in this study involved the death of young children
- The majority(60%) of the police drivers were found to be in the rank of Constable. This may be due to the fact that Constables are mostly operational and are the members tasked with patrolling duties

STAKEHOLDER WORKSHOPS

- The research component held two stakeholder workshops in which findings from the 2 research projects were discussed.
- These workshops were held as follows:
 - The 1st workshop's aim was to present the research findings, give stakeholders the opportunity to critically evaluate and comment on the ICD research findings, and also to forge relations with key stakeholders with an aim of finding lasting solutions to policing concerns.
 - The 2nd workshop 's aim was also to present the second research report findings, and to give the stakeholders especially the SAPS the opportunity to deliberate and give input into mapping out strategic interventions that will assist in minimizing the accidents involving the police vehicles

STATION AUDITS

- Various ICD provincial offices conducted audits at Police Stations to determine the level of compliance with the Domestic Violence Act and the National Instruction. Part of the audits would then include the inspection of the SAP 508(a) and (b) registers, to ensure the Community Service Centre is having a copy of the DVA available, that a list of service providers is available in the event that a victim of domestic violence needs the service.
- Further an inspection of the Victim Friendly facilities is conducted to ensure the facility is equipped to deal with the matters of domestic violence
- Target has been met and in some provinces exceeded.
- The ICD conducted 429 stations audit between June 2008-2009

INFORMATION TECHNOLOGY

IMPROVED FEEDBACK TO COMPLAINANTS:

- (In the process to link "SMS's" with the Case Management System. Complainants will be contacted through cell phone "sms" with regard to the progress on their cases rather than phoning them or calling them to the office)
- Remote electronic connection for Investigators and staff
(Sought to empower investigators by taking statements and printing it in the field)

PRIORITIES 2008/2009

- Increase Cell Inspections and Station Audits
- Forging relationships with NGO's that deal with Domestic Violence and the newly established Women Ministry
- Implementation of call centre – where people can call and get assistance without actually travelling distance to lodge a complaint
- Increased Communication - SAPS/MPS Strengthen the existing relationship with SAPS
- Partnerships – Considering partnerships with Business Against crime and other stakeholders.

CHALLENGES

- Inaccessibility of ICD to the public especially in rural communities.
- Increased number of perpetrators of domestic violence.
- Due to inaccessibility ICD is getting fraction of DVA complaints,
- Shortage of staff to do DVA station audits and cell inspections of 1107 stations nationally, presently there are 9 monitors (1 monitor per province)
- Vastness of the provinces which makes difficult to do all station audits and cell inspections
- Applications of exemption not coming forth from the police and ICD cannot ensure that recommendations to SAPS are implemented

Thank You

PROGRAMME 2: Investigations

Mr T Tshabalala

Mandate

- The ICD derives its powers from chapter 10 of the South African Police Service Act, 1995, as amended
- The Programme Investigation of complaints has two sub programmes:
 - *Investigation* – conducts investigation of deaths in police custody and/or as a result of police action, and complaints of misconduct and criminality
 - *Legal Services* – provides legal advisory services

Legal Services

- The component Legal Services attended to the following major issues:
 - Drafted the ICD Bill and made inputs iro the South African Police Service Amendment Act and National Prosecuting Act re DPCI
 - Civil claims
 - Review of Standard Operating Procedures
 - Stakeholder management – NFMPS
 - General legal advisory services on ICD mandate

Investigation process

The sequential flow of a typical murder investigation

Activities	Estimated time
Attend crime scene (2 investigators)	1 day (2-6 hrs)
Interview of witnesses at crime scene	4-6 hours
Collection and packaging of exhibits	2 hrs
Attend post mortem	1 day (2-3 hrs)
Re-visit crime scene, further interviews and statement taking	1 – 2 days
Update of database, progress reports to complainant and stakeholders	Monthly
Prepare recommendation to DPP	2-3 months
Serve subpoenas and attend court	4-7 days

Performance targets 2008/9

Indicator	Target
Completion of investigations in respect of deaths within 120 days	60% of notifications received from SAPS/MPS
Completion of investigations in respect of criminal offences within 120 days	50% of complaints received from SAPS/MPS
Completion of investigations in respect of misconduct within 120 days	50% of complaints

Actual Performance

Measure/indicator	Target	Performance
Finalize internal investigations in respect of deaths in custody and deaths (Class 1)	60% of notifications received from SAPS/MPS	Target met. 599 cases out of 912 finalized, representing 66% of notifications received
Finalize internal ICD investigations of Class 3 (criminal offences) cases within 120 days	50% of complaints received from SAPS/MPS	Target met. Only 1165 (51%) out of 2285 cases finalized.
Finalize internal ICD investigations of Class 4 (misconduct) cases within 120 days	50% of misconduct complaints	Target met and exceeded by 18% 1895 (68%) out of 2772 cases finalized.

Workload – 2008/9

Province	Death	DVA	Offences	Misconduct	Total
BF from 2007/8	1236	148	1968	1716	5068
Received 2008/9	912	150	2285	2772	6119
Total	2148	298	4253	4488	11187

Completed cases – current workload

Province	Death	DVA	Offences	Misconduct	Total
ACC	0	0	5	0	5
Eastern Cape	60	1	87	75	223
Free State	28	15	130	276	449
Gauteng	265	80	385	692	1422
KwaZulu-Natal	186	16	85	91	378
Limpopo	63	12	230	128	433
Mpumalanga	39	15	75	65	194
North West	88	49	237	367	741
Northern Cape	12	5	364	291	672
Western Cape	55	8	80	114	257
Total	796	201	1678	2099	4774

Completed cases – Workload B/F

Province	Death	DVA	Offences	Misconduct	Total
ACC	0	0	12	0	12
Eastern Cape	75	11	110	135	331
Free State	8	1	98	71	178
Gauteng	364	18	708	654	1744
KwaZulu-Natal	223	50	422	504	1199
Limpopo	238	14	240	144	636
Mpumalanga	201	7	122	210	540
North West	104	36	332	206	678
Northern Cape	6	6	90	74	176
Western Cape	43	11	195	93	342
Total	1262	154	2329	2091	5836

Closed Cases

PROVINCE	Substantiated	Un substantiated	Withdrawn	TOTAL
ACC	1	16	0	17
Eastern Cape	46	310	4	360
Free State	234	494	20	748
Gauteng	191	704	38	933
KwaZulu-Natal	91	566	8	665
Limpopo	141	417	8	566
Mpumalanga	251	240	48	539
North West	129	408	36	573
Northern Cape	60	523	32	615
Western Cape	184	670	131	985
Total	1328	4348	325	6001

Workload – End March 2009

Province	Death	DVA	Offences	Misconduct	Total
ACC	0	0	0	0	0
Eastern Cape	96	4	214	98	412
Free State	12	7	84	40	143
Gauteng	207	30	340	487	1064
KwaZulu-Natal	235	8	245	209	697
Limpopo	88	9	197	106	400
Mpumalanga	42	3	97	73	215
North West	58	23	215	129	425
Northern Cape	1	0	51	0	52
Western Cape	91	41	223	355	710
Total	830	125	1666	1497	4118

Recommendations - DPP

Province	Death	Criminal Offence	Total
ACC	0	11	11
Eastern Cape	50	63	113
Free State	39	114	153
Gauteng	2	4	6
KwaZulu-Natal	31	24	55
Limpopo	18	15	33
Mpumalanga	8	3	11
North West	11	39	50
Northern Cape	13	282	295
Western Cape	23	10	33
Total	195	565	760

Recommendations - SAPS

Province	Deaths	DVA	Criminal Offences	Misconduct	Total
ACC	0	0	8	0	8
Eastern Cape	16	0	16	2	34
Free State	23	0	103	124	250
Gauteng	10	21	22	70	123
KwaZulu-Natal	12	1	43	1	57
Limpopo	1	2	1	1	5
Mpumalanga	9	3	3	0	15
North West	28	12	125	282	447
Northern Cape	5	5	108	138	256
Western Cape	7	0	3	4	14
Total	111	44	432	622	1209

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Bultfontein 2007110453	Assault GBH	Guilty – R2400 fine or 2 years imprisonment
Botshabelo 2004050270	Assault GBH	Guilty – 3 years imprisonment suspended for 5 years
Senekal 2008040389	Murder	Guilty – 17 years imprisonment
Potchefstroom 2008020398	Assault GBH	Guilty – R5000 fine or 1 year imprisonment;
Kopanong 2008090411	Assault	Guilty – R5000 fine or 6 months imprisonment
Makwassie 2006010249	Assault GBH	Guilty – 3 Years imprisonment or R8000 fine

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Mafikeng 2007110263	Attempted Murder	Guilty – R3000 fine or 18 months imprisonment wholly suspended for 3 years
Ipelegeng 2005100249	Attempted Murder	Guilty – 5 Years imprisonment with no option of a fine
New Castle 2003100159	Rape and 2x Indecent Assault	Guilty – 15 years imprisonment
Ixopo 200305030	Murder and Attempted Murder	Guilty – 12 years imprisonment for murder and acquitted on attempted murder
Melmoth 2002050301	Rape	Guilty – 15 Years imprisonment
Bekhithemba 2006110337	Murder	Guilty – 8 Years imprisonment

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Mayville 2007020190	Attempted Murder	Guilty – 5 years imprisonment wholly suspended for 5 years
Pomeroy 2007080278	Culpable Homicide	Guilty – 6 years imprisonment wholly suspended for 5 years
Himeville 2005010484	Attempted Murder	Guilty – 10 years imprisonment
Himeville 2005010532	Murder	Guilty – 20 years imprisonment
Mountain Rise 2007050148	Assault	Guilty – 8 months imprisonment suspended for 5 years on condition that accused member is not convicted for assault or violation of any condition or future condition of the protection order ito DVA

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Phoenix 2004010251	Murder	Guilty – 10 years imprisonment
Paarl East 2003110167	Murder; Possession of firearm and ammunition and housebreaking with intent to commit theft	Guilty – 18 Years imprisonment for murder, 1 year for possession of firearm, 1 year for possession of ammunition and 1 year for housebreaking and theft. The sentences to run concurrently with the 18 years murder sentence.
Grassy Park 2003010499	Murder	Guilty – 5 years suspended for 5 years, 3 years correctional supervision and declared unfit to possess a firearm ito the Firearms Control Act
Ravensmead 2004080664	Culpable Homicide and Negligent Driving	Guilty – R20000 fine or 12 months imprisonment plus 18 months suspended for 5 years. Member acquitted on second charge

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Wynberg 2003110051	Assault	Guilty – 2 years imprisonment suspended for 5 years
Katlehong 2006120315	Murder	Guilty – 15 years imprisonment
Moroka 2008070298	Culpable Homicide	Guilty – R1000 fine or 5 years imprisonment
Moroka 2006090397	Murder	Guilty – 18 years imprisonment
Motetema 2003100137	Rape	Guilty – 12 years imprisonment
Polokwane 2006110116	Murder	Guilty – 16 years imprisonment
Bolobedu 2008040152	2x counts of assault and crimen injuria	Paid admission of guilt fine of R1200

Convictions – Criminal cases

SAPS STATION & ICD CCN	OFFENCE/ MISCONDUCT	FINDINGS & SENTENCE
Mthatha 2006030144	Escaping from lawful custody	Guilty - R2000 fine or 6 months imprisonment
Mt Frere 2007050405	Assault GBH	Guilty - Accused 1 , R2000 fine of 200 days imprisonment ; Accused 2, R4000 or 400 days imprisonment
Msobomvu 2008040310	Assault & Crimen Injuria	Guilty – 30 days suspended for 3 years
East London 2006070281	Murder	Guilty - 5 years imprisonment suspended for 3 years
Maluti 2006010179	Murder	12 years imprisonment

Convictions – Disciplinary cases

MISCONDUCT	FINDINGS & SENTENCE
61 x cases of improper performance of duties or neglect of duties	Guilty – Sentences ranged from verbal warning or reprimand to final written warning
Aiding a prisoner to escape	Guilty – Suspended dismissal of 12 months
11 x cases of assault GBH	Guilty – Sentences ranged from verbal to final written warning, fine and dismissal from the service
3 x cases of rape	Guilty – Dismissal from the service
2 x cases of corruption	Guilty – Dismissal from the service

Challenges

- The SAPS has presence in at least over 1100 police stations and there are also 6 well established Municipal Police Services
- ICD has presence in 9 provincial offices and are all situated in major centers with 6 satellite offices (Upington; Mthatha; Bethlehem; Thohoyandou; Rustenburg and Empangeni) 16 more required
- ICD services not accessible to complainants especially those in remote areas
- Services costly both for provider and consumer
- ICD operate an average radius of 130 000 km² in the majority of provinces, while SAPS operate \pm 50 km² in metro areas and twice the number in remote areas
 - Average of 6 hours to travel from a provincial office to the furthest point of the province

Challenges

Operational challenges:

- Late notifications of deaths by the SAPS which result in potential tempering with crime scenes
- Lack of cooperation from mortuaries in outlying areas
- Long distances to be traveled to crime scenes
- Vast distances to visit witnesses and collect evidence
- Longer waiting period to obtain forensic reports
- Budgetary constraints necessitate sharing of official vehicles as well as other resources
- Recommendations that cannot be enforced

Priorities

- Establishment of the 16 satellite offices
- Implementation of the restructuring programme

Thank You

FINANCIAL MANAGEMENT

Ms E Verster

FINANCIAL YEAR 2008/9

Budgetary allocation: R 98 497 000

Personnel Structure: 270 staff members

Priorities:

Funding the operations of the three Programmes

- Establish 4 more Satellite Offices (Bethlehem, Rustenburg, Thoyoyandou, Upington)
- Establish a Call Centre
- Fully establish the sub-directorate: Asset Management

FINANCIAL YEAR 2008/9

Challenges experienced during the financial year

- Annually, ICD's Senior Management plans operations and, the budget is then carefully split and allocated in terms of priorities which would address the mandate and improve on service delivery
- Soon after the first six months, suitable alternative accommodation for the Eastern Cape, KwaZulu-Natal and Empangeni Offices required additional funding from the ICD's budget
- The result was that the already stretched budget had to be extended to allow for the additional expenditures
- To prevent unnecessary strain on the budget, the Executive Director requested – late in October 2008 - that all travelling, except with regard to investigations, be limited
- In January 2009, departments were requested to make provision for the salary increases of SMS members – the ICD had no "savings" to fall back on and this last request "broke the camel's back"
- At the end of the March 2009, the ICD over spent its budget – with less than 1% (or R800 000) – due to the unexpected additional expenditure

Financial year 2008/09 - Budget and Expenditure per Item

	Final Appropriation R`000	Actual Expenditure R`000	Variance %
Compensation of Employees (salaries and allowances)	56 604	58 017	102.5
Goods and Services	37 601	37 601	100
Financial transactions in assets / liabilities	-	7	100
Transfers (S A Safety and Security Education & Training Authority)	56	56	100
Machinery and Equipment	4 236	4 236	100
Total	98 497	99 297	0,8

Financial year 2008/09 - Budget and Expenditure per Programme

Programme	Budget (Final appropriation) R'000	Expenditure R'000	% of total expenditure	Number of posts
Programme 1: Administration <u>Management:</u> ED's Office; 4 X CD Offices; Centralized Support Services: N/O & Prov.	35 631	33 525	34	77
Programme 2 : Investigation of Complaints <u>National:</u> Legal Service; Deputy Director: Investigations; Anti Corruption Command 4 <u>Provinces:</u> 9 X Heads and Investigators	49 964	54 522	55	154
Programme 3: Complaints Registry, Monitoring & Research <u>National:</u> Information Technology; Communication; Library; Research; Stats. 21 <u>Provinces:</u> Complaints Registry & Monitoring 18	12 902	11 250	11	39
Over spending		800	0,8	
TOTAL	98 497	99 297		270

Financial year 2008/09

Budget and Expenditure per Office

Provinces / Offices	Budget R'000	Expenditure R'000	% of total Expenditure
Eastern Cape	5 865	6 665	11
Free State	6 976	7 140	12
Gauteng	6 049	6 784	11
KwaZulu-Natal	7 660	8 628	15
Limpopo	7 510	6 709	11
Mpumalanga	3 778	4 773	8
Northern Cape	6 510	6 232	11
North West	7 234	6 701	11
Western Cape	5 786	5 655	10
Sub-total:	57 368	59 287	60
National Office	41 129	40 010	40
Total	98 497	99 297	100.8

MAJOR EXPENDITURE ITEMS – A COMPARISON BETWEEN 2007/08 AND 2008/09

Items	2007/08 R'000	2008/09 R'000
Compensation	56 604	58 017
Owned and leasehold property	6 989	8 275
Travel and subsistence	6 514	8 342
Government motor transport	2 704	4 425
Computer services	1 667	2 688
Communication	1 849	2 574
Audit cost – external	661	1 355
Operating leases	427	1 064
Assets less than R5 000	1 059	1 424

TRAVEL AND SUBSISTENCE EXPENDITURE PER PROGRAMME, PER OFFICE FOR 2008/09

Offices	Total Exp. R'000		Prog 1 – Admin. R'000		Prog 2 – Inv. R'000		Prog 3 – C/ R R'000	
Provinces								
Eastern Cape		984		102		865		17
Free State		842		110		718		14
Gauteng		195		9		179		7
KwaZulu-Natal		999		130		868		1
Limpopo		419		52		366		1
Mpumalanga		548		60		465		23
Northern Cape		754		69		677		8
North West		742		68		666		8
Western Cape		303		33		253		17
Sub-total	5 786	(69%)	633	(8%)	5 057	(62%)	96	(1%)
National Office		2 556		1 369		470		717
Total	8342		2 002	(24%)	5 527	(66%)	813	(8%)

GOVERNMENT GARAGE EXPENDITURE PER PROGRAMME, PER OFFICE FOR 2008/09

Offices	Total Exp. R'000	Prog 1 – Adm. R'000	Prog 2 – Inv. R'000	Prog 3 –C/R R'000
Provinces: Eastern Cape	407	84	275	48
Free State	456	196	233	27
Gauteng	257	19	220	18
KwaZulu-Natal	651	70	540	41
Limpopo	431	62	318	51
Mpumalanga	372	22	306	44
Northern Cape	362	16	333	13
North West	357	48	284	25
Western Cape	397	2	394	1
Sub-total	3 690 (83%)	519 (12%)	2 903 (65%)	268 (6%)
National Office	735	474	81	180
Total	4 425	993 (22%)	2 984 (67%)	448 65

DEBT MANAGEMENT

How does debt occur / develop?

- Payments made to service providers or **employees**
- Under calculation of **TAX**
- Overpayment of **SALARY / ALLOWANCES**
- Cancellation of **BURSARY**
- Termination of **SERVICE**

Value of ICD's DEBT?

- Less than **R316 000**
- Mostly ex-employees

DEBT MANAGEMENT AS ON 31 MARCH 2009

Number of Debtors	Type of Debt	Balance of Debt R
1	Accommodation	11 210
15	Bursary	62 846
1	SMS Vehicle allowance	3 558
20	Salary	191 682
1	Subsidized Vehicle	5 196
1	State Guarantee	6 203
33	Tax	34 458
72		315 153

FINANCIAL YEAR 2008/9
REPORT FROM THE AUDITOR-GENERAL

- Prior to the 2005/6 financial year - ICD received **clean reports** in terms of financial management

- Financial year: 2005/6 - **Qualification** -
Suspense Account: Major outstanding balance due to change from FMS to BAS

- Financial year: 2006/7 - **Qualification** -
Asset Management
ICD had no unit to implement the Government Reform on Asset Man.

- Financial year: 2007/8 - **Qualification** -
No Asset Management Unit
Asset Management thus still problematic

DETAIL OF IMPROVEMENTS MADE IN TERMS OF THE FINDINGS OF THE AUDITOR-GENERAL, FOR THE 2007/08 YEAR

Qualification:

- **- Commitments overstated and not accurately reflected in the AFS**
- Since the translation of the financial system to SCOA-Toning all outstanding balances have been cleared
- Meetings between SCM and Finance now correct discrepancies monthly.

- **- Capital assets not substantiated its opening and closing balances**
- The Component: Asset Management only established as from 1/4/08
- LOGIS and BAS systems could never be reconciled and BAS reports were regarded as reliable
- Verification of all assets embarked on
- Opening and closing balances now corrected.

DETAIL OF IMPROVEMENTS MADE IN TERMS OF THE FINDINGS OF THE AUDITOR-GENERAL, FOR THE 2007/08 YEAR (CONT...)

- Unsubstantiated amount of R17 m relating to adjustments

- The unit: Asset Management was opened up as from 1/4/08 – 3 staff members
- A team of 4 staff members visited every Provincial Office to verify the assets and uniquely number each and every asset
- The discrepancies found were as a result of insufficient knowledge of the LOGIS system and use of the wrong selections and reason codes(move of furniture between offices)
- In the meanwhile the National Office reconciled the information of ICD assets on the Logis and the Vulindlela systems
- During the last semester the various Provincial Offices were once more visited to verify the status of the assets and to ensure that all assets are correctly numbered and registered on LOGIS.
- *Challenge:* The ICD's limited budget does not enhance the retention of lower level staff since they leave the ICD for higher salaries to perform the same activities, elsewhere.

DETAIL OF IMPROVEMENTS MADE IN TERMS OF THE FINDINGS OF THE AUDITOR-GENERAL, FOR THE 2007/08 YEAR (CONT...)

- Disposals of R8 m not verified its completeness

- Prior to 2008/9 the ICD not yet disposed of any of its assets
- Disposals so recorded were once more incorrectly captured assets
- After the physical verification of all the assets, the LOGIS system could be updated
- The major discrepancy has been the move of furniture/assets
- Another training intervention was embarked on to ensure skills and knowledge transfer
- Information on LOGIS now updated.

- Non-cash additions to the amount of R4 m not supported

- Similar as the problem identified above (disposals)
- The major discrepancy has been the move of furniture/assets
- Physical verification of assets was embarked on
- Training was provided and LOGIS now updated.

REQUEST TO THE MEDIUM TERM EXPENDITURE COMMITTEE (MTEC) FINANCIAL YEAR 2009/2012

Three Policy Options or Funding Proposals put forward

- 1 Funding to implement the **approved establishment** - 535 posts
Funded posts = 270
Additional posts required = 265

- 2 Immediate funding to ensure staff retention and career growth
Restructuring to increase the Investigative unit – 36 posts
Implement the results of the **Job Evaluation** process – lower level salary increases - 60 posts

- 3 Gradual increase in funding to increase ICD's accessibility
Open up 16 more **Satellite Offices** – 64 posts
Marketing of ICD services to the Community - Provincial staff - 18 posts
Upgrade Call Centre and IT database

REQUEST TO THE MEDIUM TERM EXPENDITURE COMMITTEE (MTEC) FINANCIAL YEAR 2009/2012 (CONT...)

Financial Implications

Policy Options	2009/10 R`000	2010/11 R`000	2011/12 R`000
1. Approved structure of 535 posts (265)	32 771	42 171	42 514
2. Restructuring to increase Investigative unit	10 300	11 021	11 792
Job evaluation results implement	19 999	21 398	22 895
3. Increase ICD accessibility through 16 Satellite Offices, Improved marketing and communication	21 000	40 750	67 200
	5 657	6 052	6 475
Total	89 727	121 392	150 876

**REQUEST TO THE MEDIUM TERM EXPENDITURE COMMITTEE (MTEC)
FINANCIAL YEARS: 2009/2012 (CONT...)**

BUDGETARY CUT AND FUNDING RECEIVED

	Baseline allocation		
	R `000		
	2009/10	2010/11	2011/12
On 24 November 2008 advised of proposed allocation	118 018	130 770	143 487
On 15 January 2009 advised of amended allocation	114 865	127 092	139 515
Cut on ICD budget due to economic crises	3 153	3 678	3 972

FINANCIAL YEAR 2009/10

Budget and Expenditure to 31 May 2009

Programme	Budget R`000	Expenditure R`000	%	Number of Posts
Programme 1: Administration	43 803	5 682	13	90
Programme 2: Investigation of Complaints	55 135	8 446	15	154
Programme 3: Complaints Registry, Information Management and Research	15 927	1 246	8	43
Total	114 865	15 374	13	287

REQUEST TO THE MEDIUM TERM EXPENDITURE COMMITTEE (MTEC)

FINANCIAL YEARS: 2010/2013

Challenges:

- Unfunded personnel structure (535 posts)
- Lack of funding to “restructure” P2 and P3
- Staff retention strategy ineffective due to limiting budget
- Vastness of Provinces: Long distances to crime scenes
Accessibility of Offices
- Increase in SAPS capacity
- Legislative lacuna
- Outdated electronic Database/ Case management system
- High staff turnover in Support Services (Programme 1)
- Flat structure negatively impact career growth
- Programme 1 - knowledge transfer to Provinces limited, due to capacity constraint
- Programme 1 - lack of segregation of duties

REQUEST TO THE MEDIUM TERM EXPENDITURE COMMITTEE (MTEC) FOR ADDITIONAL FUNDING FOR THE FINANCIAL YEARS: 2010/2013 (CONT...)

Funding implications

Policy Options	R `000		
	2010/11	2011/12	2012/13
Indicative baseline allocation in respect of the carry-through cost	126 092	139 515	146 518
1 "Restructuring" of Programme 2 and Programme 3 to increase the ICD's investigative capacity	6 958	7 375	7 818
2 Strengthen Support Services (Programme 1) in the Provinces to ensure increased compliance to prescripts	6 130	4 885	5 129
3 Improve ICD's accessibility : - Opening up another satellite office - Increase communication and marketing services (including Call Centre) - Upgrade the case management system / database	2 737	2 192	2 315
	7 375	5 421	5 986
	1 000	2 500	3 500
TOTAL	24 200	22 373	24 748 77

Thank you

Questions ?

PROGRAMME 1 : Administration

Mr M Matsomela

Objective

- To provide for the overall management and organization of the Department

Programme 1: Components

- Human Resource Management
- Financial Management
- Supply Chain and Asset Management
- Auxiliary Services
- Service Delivery and Training
- Security Management
- Internal Auditing
- Integrity Strengthening and Risk Management

BACKGROUND

- The ICD was established in 1997 in terms of the SAPS Act,
- The structure approved by DPSA in 1997 was for 535 posts ,however funds were allocated for only 36 posts,
- As of April 2009 the funded posts on the ICD structure are 287, twelve years since establishment the total staff complement is only half the approved structure.
- The ICD has identified opening 22 satellite offices, however only six have so far been opened at the following provinces: KwaZulu Natal – Empangeni, Eastern Cape – Umthatha, Limpopo – Thohoyandou, North West – Rustenburg, Free State – Bethlehem, Northern Cape – Upington. New satellite offices still to be opened in Gauteng- Vanderbilj Park, Mpumalanga – KwaMhlanga, Western Cape - George

STAFF COMPLEMENT PER PROGRAMME

Programmes	No of posts 2009/2010	No of posts 2008/2009
Programme: Administration	90	77
Programme: Investigation	154	154
Programme: Information Management	43	39
Total funded posts	287	270

STAFF COMPLEMENT PER OFFICE

Office	Approved posts 2008/2009	Approved posts 2009/2010	Vacancies as at 31 May 2009
National Office	89	99	18 (P1=11;P3=7)
Gauteng	23	24	1 (P1=1)
Limpopo	21	21	-
Eastern Cape	20	20	1 (P1=1)
Western Cape	20	21	3 (P1=1;P3=2)
Northern Cape	18	19	1 (P1=1)
Mpumalanga	15	16	2 (P1=1;P3=1)
KZN	25	26	3 (P1=1;P2=1;P3=1)
North West	20	21	2 (P1=1;P2=1)
Free State	19	20	1 (P1=1)
Total	270	287	32

Growth: Additional 17 (6%) more positions for 2009/2010 financial year.

STAFF COMPLEMENT (cont...)

- **2008/2009**
 - (33%) 89= Head office
 - (67%) 181 = Provinces
 - **Total: 270**
- **2009/2010**
 - (34%) 99= Head Office
 - (66%) 188 = Provinces
 - **Total : 287**

NEW POSTS AS FROM 1/04/2009

Office	posts
National Office	10
Provinces	7
Total	17
Breakdown of posts per office	
National Office	10
Gauteng	1
KZN	1
Mpumalanga	1
Free State	1
Northern Cape	1
North West	1
Western Cape	1
Total	17

MISCONDUCT CASES

No of cases	Office	Nature of misconduct	Progress
3	KZN	1) Fraudulent petrol claims 2) Putting the name of the department into disrepute	Finalized
1	Mpumalanga	Abuse of state vehicle	Finalized
1	National office	Contravention of IT policy	Finalized
1	Western Cape	Dishonesty	Hearing finalized. Awaiting outcome of appeal
1	North west	Leaking of information	Finalized
1	Mpumalanga	Abuse of state vehicle	Finalized
CASES STILL PENDING			
3	KZN	1) Fraud 2) Dereliction of duties.	

Distribution of vehicles

Office	No of GG Vehicles	No of Sub-cars	Total
National office	10	2	12
Gauteng	4	8	12
Western Cape	5	4	9
Northern Cape	3	5	8
Eastern Cape	5	3	8
Mpumalanga	3	4	7
Free State	4	7	11
North West	3	3	6
Limpopo	4	6	10
KZN	3	9	12
TOTAL	44	51	95

TRAINING AND DEVELOPMENT

- 121 employees were exposed to training. The training included management training and training on transversal systems
- 67 employees were awarded bursaries to study. The study areas includes Policing, legal and administration.

CHALLENGES

- Lack of human resources.
- Due to lack funds the restructuring process could not be implemented.
- Staff retention – staff is lost to other departments who are paying better. 66 employees left the department during the financial year.
- Due to lack of funds some critical units (such job evaluation unit, Internal Audit, Security, Records Management, etc)are yet to be established and or beefed up.
- Career advancement is limited due to the flatness of the structure.

Thank you

GLOSSARY AND ABBREVIATIONS

Case classification	Explanation of the different classes of cases received by the ICD
Class 1	Death in custody and as a result of police action
Class 2	Domestic Violence Act
Class 3	Criminal Offences
Class 4	Misconduct (breach of the disciplinary regulations, code of conduct, etc)

GLOSSARY AND ABBREVIATIONS (cont...)

AFU – Asset Forfeiture unit	CD – Chief Director
ACC – Anti Corruption Command	CFO – Chief financial Officer
Air Condit – Air conditioner	Comp – Computer
Accom - Accommodation	C/Hardware – Computer Hardware
AG – Auditor-General	Comp security – Computer Security
BAS – Basic Accounting System	DVA – Domestic Violence Act
CAS - Criminal Administration System	DPP – Directorate of Public Prosecution
CCN – Case Control Number	DMPS – Durban Metro Police Service
Com – Communication Comm - Committee	D PH – Deputy Provincial Head
Cell – Cellular phone	DD:I – Deputy Director: Investigations

GLOSSARY AND ABBREVIATIONS (cont...)

Dom – Domestic	G/motor – Government Motor
DPW – Department of Public Works	H/O – Head Office
D/allow – Daily Allowance	H O – Head Office
Dev – Develop	HRM – Human Resource Management
D / lines – Data lines	IT – Information Technology
ED – Executive Director	Legal S – Legal Service
Emp – Employee	Lib – Library
Exp – Expenditure	MPS – Municipal Police Service
Fin – Financial	M/levy – Monthly levy
FMS – Financial Management System	Mon – Monitor
GG – Government Garage	N O – National Office

GLOSSARY AND ABBREVIATIONS (cont...)

NGO – Non-Governmental Organization	SCM – Supply Chain Management
O/spending – Over spending	Stat - Statistician
PM – Programme Manager	S & T – Subsistence and Travel (allowance)
PFMA – Public Finance Management Act	S O – Satellite Office
p Km – per Kilometer	Tel – Telephone
P/Bag – Private Bag	U/spending – Under spending
Res – Research	VCT – Voluntary Counseling & Testing
SITA – State Information Technology Agency	W/shop – Workshop
S/by allow – Standby allowance	
SMS – Senior Management Service	