



**SOUTH AFRICAN POLICE SERVICE  
FEEDBACK ON RECOMMENDATIONS OF THE  
BUDGET REVIEW AND RECOMMENDATION  
REPORT DATED 25 NOVEMBER 2020**

**PORTFOLIO COMMITTEE  
ON POLICE  
24 FEBRUARY 2021**



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# BACKGROUND



## BACKGROUND

- The SAPS briefed the PCoP, on the 2019/2020 Annual Report, on 24 November 2020.
- The PCoP subsequently issued a BRRR, dated 25 November 2020, on the abovementioned briefing. It was tabled in Parliament, on 25 November 2020, in the Announcements, Tablings and Committee Reports (ATC), number 174 of 2020.
- A total of 17 recommendations are reflected in paragraph six. The SAPS is required to report on what steps are being taken to implement these recommendations.



# **FEEDBACK- PCOP RECOMMENDATIONS**



# RECOMMENDATION 1 – AUDIT ACTION PLAN

**The PCoP recommends that the SAPS urgently develop an Audit Action Implementation Plan and provide the PCoP with monthly progress reports and present quarterly reports on progress in the Committee.**

- The SAPS has developed an Audit Response Plan, which addresses findings by the AGSA, in respect of the SAPS' 2019/20 predetermined objectives (2019/20 APP) and the Financial Audit.
  - A copy of the Audit Response Action Plan was provided to the PCoP, on 7 January 2021.
- Monthly reports on actions taken to address the AGSA's findings and recommendations, in respect of the 2019/20 AGSA Audit , will be provided (1<sup>st</sup> report to be provided during the week of 22 to 26 February).
- Quarterly presentations on the implementation of the Audit Response Action Plan, which will address all AGSA audits, will be provided on the dates communicated by the PCoP.



## RECOMMENDATION 2 - CONSEQUENCE MANAGEMENT FOR THE SAPS MANAGEMENT - AG RECOMMENDATIONS (1)

The PCoP expressed its support for the National Commissioner to implement consequence management for the SAPS management, who are slow to respond to the AG recommendations. This includes police officials, who are not collaborating with one another and thereby become guilty of offences.

- The report on actions taken to address the AGSA's findings and recommendations, in respect of the 2019/20 AGSA Audit, includes a request for feedback on the application of consequence management, at the various levels of the SAPS, in respect of the AGSA's findings.
  - This information is currently being analysed to determine the nature and extent of the consequence management that was implemented, at all organisational levels, in respect of the AGSA's findings.
- In pursuance of the objective to improve consequence management in the SAPS and subsequent to the issuing of the Compliance Policy, in 2020, a National Instruction has been developed for the establishment and functioning of a Compliance Board.
  - The Compliance Board National Instruction will shortly be submitted to the Policy Committee for consideration and recommendation to the National Commissioner.



## RECOMMENDATION 2 - CONSEQUENCE MANAGEMENT FOR THE SAPS MANAGEMENT - AG RECOMMENDATIONS (2)

- The Audit Response Plan on the 2020/21 AGSA Audit includes specific key actions that are aimed at reinforcing the implementation of consequence management:
  - The establishment of Divisional and Provincial Audit Steering Committees (ASC), for the duration of the audit, to coordinate the implementation and monitoring of the Audit Response Plan.
  - The establishment of Divisional and Provincial Validation Task Teams to assess the state of preparedness of audit locations.
- The aforementioned Task Teams will ensure the following:
  - Performance information relevant to selected key performance indicators is valid, accurate and complete.
  - All internal controls, relevant to identified performance indicators, have been properly implemented and complied with.
  - The Technical Indicator Descriptions, relevant to identified performance indicators, have been properly implemented and complied with.
  - Findings made are corrected and performance information adjusted accordingly.
  - ***Appropriate consequence management (positive or negative) is initiated to address identified findings.***





## RECOMMENDATION 2 - CONSEQUENCE MANAGEMENT FOR THE SAPS MANAGEMENT - AG RECOMMENDATIONS (3)

- The application of appropriate consequence management will be verified by the Task Team Leaders and will be reviewed by the relevant ASC.
- The ASCs will coordinate the compilation of Audit Readiness Certificates, from identified audit locations, in respect of the following:
  - All identified audit locations have been certified.
  - Performance information relevant to selected key performance indicators have been certified as valid, accurate and complete.
  - All internal controls, relevant to identified performance indicators, have been properly implemented and complied with.
  - The Technical Indicator Descriptions, relevant to identified performance indicators, have been properly implemented and complied with.
  - Findings made were corrected and performance information adjusted accordingly.
  - ***Appropriate consequence management was initiated to address identified findings.***
  - Monitor action plans to address findings .
  - ***Monitor the outcome of consequence management.***



## RECOMMENDATION 2 - CONSEQUENCE MANAGEMENT FOR THE SAPS MANAGEMENT - AG RECOMMENDATIONS (4)

- The implementation of the Audit Response Plan will be reported to and monitored by the National ASCs regarding the audits in respect of the reported information associated with the 2020/21 APP and the Financial Management Services, Supply Chain Management and Technology Management Services audits.
- The National ASCs will report to the Board of Commissioners on the implementation of the Audit Response Plan.
- The SAPS Audit Committee will monitor the implementation of the Audit Response Plan.
- The PCoP will be provided with a clear indication of the consequence management that has been applied.



## RECOMMENDATION 3 – IMPLEMENTATION OF PROPER RECORD KEEPING (1)

The PCoP recommends that the SAPS implement proper record keeping in all sections, divisions, provinces and nationally, to ensure greater availability of evidence of its actions (related to the monitoring of and reporting on the Annual Performance Plan).

- National Instruction, 21 of 2019, on Archives and Records Management, has been issued to all provinces and divisions.
- Record keeping, in respect of the performance indicators that are included in the 2020/21 APP, is regulated by means of various internal controls, including National Instructions, Official Directives, Policies and SOPs.
- Inspections and audits are conducted, in relation to the various internal controls that relate directly to record keeping and associated processes.
- The Audit Response Action Plan includes various key actions related to ensuring proper record keeping.
- During November/December of 2020/21, an intervention was initiated during which the Internal Audit Component and the Division: Inspectorate deployed teams to identified stations to assess record keeping.



## RECOMMENDATION 3 – IMPLEMENTATION OF PROPER RECORD KEEPING (2)

- In relation to the Financial Audit, the findings leading to the qualification are related to Auditors not being provided with sufficient documentation, as source documents that the SAPS and SITA had submitted, were not acceptable, as the AGSA's view was that it had to contain details such as the bill of quantities.
- The SAPS is in the process of finalising this aspect in that a fair valuation approach will be followed, as per National Treasury's Modified Cash Standard, with regard to the valuation of the entire network infrastructure, subsequent to which the SAPS will produce the source documents from original equipment manufacturers.



## RECOMMENDATION 4 – IMPLEMENTATION OF AG RECOMMENDATIONS

**The PCoP recommends that the Minister, Deputy Minister and the National Commissioner present to the PCoP, on the non-compliance and capacity of the SAPS to implement the recommendations of the AG.**

→ The recommendation is noted and the Department will present, as requested, on dates determined by the PCoP.



## RECOMMENDATION 5 – ADDITIONAL FUNDING FOR INFRASTRUCTURE

**The PCoP recommends that the SAPS request additional funding to get their infrastructure plans back on track.**

- The delay in the execution of infrastructure projects, was not necessarily due to budget constraints, but due to the change of priorities, non-performance of contractors, community interference, including the impact of COVID-19 on the construction industry.
- Additional funding for the security upgrades and repair of police stations, in 2022/23, including the activation of the provincial top five priorities, for the construction of police stations will be made available.
- The budget for 2021/22, has been fully committed and additional projects cannot be activated, due to capacity constraints, e.g. the non-availability of construction project managers and other professionals, e.g. civil, structural and mechanical engineers.
- The establishment of SAPS provincial maintenance units is being investigated by the SAPS, Component: Organisational Development. These units will enhance the acceleration of the building programme.



## RECOMMENDATION 6 – ADDITIONAL FUNDING FOR FSL

**The PCoP recommends that the SAPS sources additional funding to assist the Forensic Science Laboratory (FSL).**

- The budgetary requirements of the FSL were addressed, in the 2020/21 financial year and any requests for adjustments to the baseline, will be considered during the resource allocation process, for the 2021/22 financial year, once the budgets are concluded.
- The FSL remains a priority for the SAPS, in relation to resource allocation.



## RECOMMENDATION 7 – REVIEW OF TENDERS BEFORE SIGN-OFF (1)

**The PCoP recommends that the SAPS reviews all tenders, before signing off on them.**

- The SAPS is in compliance with the process that is prescribed by the Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999) and the Supply Chain Management (SCM) User Manual: Directives in Respect of Acquisition, as follows:
- The cross-functional Bid Committee members are appointed, in writing, to serve on Bid Specification, Bid Evaluation (BEC) and Bid Adjudication Committees (BAC).
  - SCM practitioners, senior managers and end users, in the SAPS, are also nominated to be part of the Bid Committees.
  - After the closing date for bid advertisements, the BEC evaluates the bids and compiles a written submission to the BAC, to ensure fairness and compliance and makes recommendations to the BAC for the awarding of the bid to a service provider, according to bid specification criteria.





## RECOMMENDATION 7 – REVIEW OF TENDERS BEFORE SIGN-OFF (2)

**The PCoP recommends that the SAPS reviews all tenders, before signing off on them.**

- The BAC will then adjudicate the written submission from the BEC for fairness, correctness and compliance against predetermined bid criteria and draw up the resolution for the awarding of the bid to a service provider.
  - The Component Head: Procurement and Contract Management, Division: SCM, reviews all contracts to ensure the correctness thereof, before they are signed off.
  - The Divisional Commissioner: SCM, as the Chairperson of the BAC, signs off the contracts with the winning bidders, within 10 days after approval by the BAC.
- These processes are subject to internal and external audit.



# RECOMMENDATION 8 – STEPS TO PREVENT THE SPREAD OF COVID-19 AT POLICE STATIONS (1)

The PCoP notes the effects of the COVID-19 pandemic and the number of police officers, who have succumbed to the virus and recommends that the SAPS takes more effective steps to prevent the spread of the virus at police stations.

→ National, Divisional and Provincial Steering Committees have been established to guide the containment and management of COVID-19 in the SAPS.

→ Steering Committee Meetings are conducted weekly.

→ The SAPS has developed and implemented protocols that are aligned with the Disaster Management Act Regulations.

→ Ongoing implementation of protocols.

→ COVID-19 Steering Committees monitor and assess compliance with protocols at Divisions, Provinces, Districts and Stations and render support and guidance, where required

→ Monthly.



# RECOMMENDATION 8 – STEPS TO PREVENT THE SPREAD OF COVID-19 AT POLICE STATIONS (2)

→ Continuous monitoring, analysis and reporting of cases is conducted

→ Daily.

→ Rotation system for personnel, which does not negatively impact on service delivery.

→ Guided by the Lockdown Regulations, as announced by the President of the Republic of South Africa.

→ Compliance Officers are being appointed at national, provincial and stations levels who will supplement compliance monitoring done by Steering Committees.

→ Ongoing.

→ Distribution of PPE for all members.

→ Ongoing to ensure adequate stock levels.



# RECOMMENDATION 8 – STEPS TO PREVENT THE SPREAD OF COVID-19 AT POLICE STATIONS (3)

→ Decontamination of affected buildings.

→ Immediately after a positive case has been reported.

→ Deep cleaning of offices.

→ Ongoing.

- Training of members:
- On the protocols.
  - COVID-19 infections.
  - Screening process.
  - Testing, referral and treatment.
  - Quarantine/isolation.
  - Sanitisation of office space and vehicles.

→ Ongoing to include relevant updates.



# RECOMMENDATION 8 – STEPS TO PREVENT THE SPREAD OF COVID-19 AT POLICE STATIONS (4)

- Inspections are conducted at all levels to ensure compliance with COVID-19 protocols.
- The Division: Inspectorate executed 4 611 Covid-19 Compliance Inspections at both SAPS premises and operational sites (roadblocks), during the first 3 quarters of 2020/21. Compliance deficiencies that were identified were immediately corrected.

→ Ongoing.

- Provisioning of sick bays in all buildings for members that reported on duty and whilst on duty do not feel well. This includes the monitoring of their temperature and symptoms.

→ As the need arises.

- Continuous counselling of members, whilst in isolation/quarantine.

→ Ongoing.



# RECOMMENDATION 8 – STEPS TO PREVENT THE SPREAD OF COVID-19 AT POLICE STATIONS (5)

→ The SAPS works closely with medical aid schemes, in providing support to members, who are infected and affected by the virus.

→ Ongoing.

→ Reporting of cases, trends, challenges and new developments.

→ Ongoing.

→ POLMED has contracted external service providers in all provinces to assist members who require quarantine and isolation sites.

→ Ongoing, as the need arises.

→ The SAPS is included in Phase 2 of the Dept. of Health's Vaccination Roll-out Plan.

→ The SAPS, together with POLMED and GEMS, will develop a vaccination Roll-out Plan for the organisation.

→ In accordance with the timelines stipulated by the Dept. of Health.



## RECOMMENDATION 9 – AREAS OF UNDERPERFORMANCE (1)

The PCoP recommends that the under-performance in INTERPOL arrests, communication infrastructure and detection rates be addressed and a report be provided to the PCoP on action steps, that the SAPS will take to turn around the underperformance.

### INTERPOL arrests

- The measurement of the completion of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries, is considered to be facilitated (finalised) in the following ways:
  - The day the suspect is extradited.
  - Decision date, if the Minister/Court decides on non-extradition.
- This approach has the effect of the SAPS having to report that the arrest of a suspect has not been finalised, despite the suspect having been arrested by the SAPS. The Division: Crime Intelligence will, therefore, amend the Technical Indicator Description to indicate the successful completion of an arrested suspect, once the arrest has been effected.



## RECOMMENDATION 9 – AREAS OF UNDERPERFORMANCE (2)

### Communication Infrastructure

- The delay in the finalisation of the radio-communication infrastructure-related bids processes resulted in the reported underperformance.
  - However, R8.3 million was spent on the upgrading of 26 high sites, through the procurement of radio infrastructure spares for the maintenance of radio high sites and the payment of radio frequency spectrum licenses.
- During 2020/21, the SAPS did, however, make use of quotations, in order to prevent delays in the modernisation of high sites.
  - A total of 5 high sites have been modernised, as a result, which is above the targeted 3 high sites, as per the Addendum to the 2020/21 Annual Performance Plan.
- The SAPS will target high sites that can be modernised using the quotation-based approach during 2021/22, however, should the bid process be completed, the completion of additional high sites will be possible.
- Bi-weekly meetings with all role-players are conducted, in order to monitor the progress of the bids.





# RECOMMENDATION 9 – AREAS OF UNDERPERFORMANCE (3)

## Detection rates

- The following actions are in place to address the underperformance:
  - Utilising the DNA data base, to link suspects and cases.
  - Conducting of weekly suspect raids.
  - Conducting performance interventions at national and provincial levels (taking the COVID-19 Regulations into consideration).
  - Enhance measures to continuously monitor and update the CAS/ICDMS (CAS audits, 1<sup>st</sup> and 2<sup>nd</sup> level inspections)
  - Ongoing awareness campaigns to educate the community on early reporting, basic safety and strict enforcement of liquor-related regulations, in collaboration with the Division: Visible Policing.
  - The utilisation and enhancement of partnerships with external role players, e.g. the South African Banking Risk Information Centre and the Insurance Crime Bureau.
- The loss of skilled and experienced investigators through service terminations poses a threat to the functioning of the Detective Service, as it increases the volume of dockets on hand for available investigators.
  - The Division: Detective Service will embark on a recruitment drive at SAPS Training Colleges (recruited students will go through a series of detective training, in conjunction with in-service training).
  - The Division: Detective Service has proposed the re-enlistment of experienced detectives back into the SAPS.



## RECOMMENDATION 10 – ADDRESSING CORRUPTION

**The PCoP supports the National Commissioner in his endeavour to deal with corruption within the SAPS, nationally.**

- The support of the PCoP, in this regard, is appreciated.
- The PCoP will be provided with information, if required, on the action taken by the SAPS to deal with internal corruption.



# RECOMMENDATION 11 – REVIEW AND CONSULTATION OF THE RURAL SAFETY STRATEGY

**The PCoP recommends that the Rural Safety Plan be revisited and consulted with all relevant sections of the agricultural community.**

- The SAPS Rural Safety Strategy was launched on 19 October 2019 and provides a broad strategic framework to address crime in rural areas.
- During the review of the Strategy, in 2018, extensive consultation took place, including:
  - Consultation sessions in all 9 provinces.
  - Participation by national and provincial government departments, including the Department of Agriculture, the Department of Rural Development and Land Reform, the Department of Justice and Constitutional Development, the Department of Human Settlements, the Department of Cooperative Governance and Traditional Affairs, the South African National Defence Force and the National Prosecuting Authority.
  - Organised agriculture, including AgriSA, TAU-SA, the African Farmers Association of South Africa (AFASA) and the National Emergent Red Meat Producers Organisation (NERPO).
  - Farm workers unions, including Food and Allied Workers Union (FAWU).
  - Other civil society organisations, including AfriForum.



# RECOMMENDATION 11 – REVIEW AND CONSULTATION OF THE RURAL SAFETY STRATEGY (2)

- In October 2020, the Inter-Ministerial Committee (IMC) on Land Reform appointed a Task Team to, inter alia, review the Rural Safety Strategy to determine whether it is adequate and improve it if necessary.
  - Issues related to evictions, security of tenure, stock theft, land reform and allocation, also had to be addressed by the IMC.
  - In addition, a dispute resolution mechanism, to support SAPS in dealing with conflict in relation to evictions, must also be addressed.
- The IMC Task Team is led by the Department of Agriculture, Rural Development and Land Reform and includes the Department of Cooperative Government and Traditional Affairs, the SAPS, the Department of Human Settlements and the South African Local Government Authority (SALGA).
- The IMC Task Team engaged in consultation with provincial and local government, in December 2020 and with civil society organisations, in January 2021.



# RECOMMENDATION 11 – REVIEW AND CONSULTATION OF THE RURAL SAFETY STRATEGY (3)

- Consultation included agricultural organisations including Agri SA, NAFU, AFASA, TAU SA and Afriforum.
- Feedback on the aforementioned consultations was presented to the IMC Land Reform Technical Committee, on 5 January 2021.
- The Minister and Deputy Minister of Police have embarked on engagements with rural communities and stakeholders, in which other departments and Ministries were also invited to participate. The following community engagements took place:
  - Normandien (KwaZulu-Natal), on 2 September 2020 and 21 September 2020.
  - Senekal/Bethlehem (Free State), on 13 October 2020 and 12 November 2020.
  - Giyani (Limpopo), on 28 November 2020.



## RECOMMENDATION 12 – MEMBERS GUILTY OF CORRUPTION AND FRAUD RELATED TO PPE

**The PCoP recommends that a report, on consequence management for police officers, who have made themselves guilty of personal protection equipment (PPE) fraud and corruption, be made available to the PCoP.**

- To date, there is no record of any SAPS employees, who have made themselves guilty of PPE fraud and corruption.
- There are, however, investigations into the procurement of PPE by the SAPS, which are still in process.
- The outcomes of these investigations will be promptly reported to the PCoP.



# RECOMMENDATION 13 – ELECTRONIC CRIME REPORTING AND FEEDBACK SYSTEM (1)

**The PCoP recommends that the SAPS fast-tracks an electronic Crime Reporting and Feedback System, to allow victims of crime to report crimes online and receive such feedback online.**

- The online reporting of crime is being considered, as part of the broader process of the SAPS, to respond to the policing implications of the Fourth Industrial Revolution, which includes both potential threats and opportunities.
- The MySAPS application, already allows for crime information or a tipoff to be provided, without going to a police station and for members of the public to obtain information, in respect of SAPS services.
  - However, the opening of a criminal case still relies on the personal engagement between a police official and a complainant.
- The police official who opens a docket, must determine whether the reported matter constitutes a crime and if so, to ensure that the correct crime is identified and registered, after he or she has confirmed that all the elements of the specific crime are present.
  - The onus is on the police official registering the case, to verify the facts and avoid the allocation of resources to an investigation or matter, which does not constitute a crime.



# RECOMMENDATION 13 – ELECTRONIC CRIME REPORTING AND FEEDBACK SYSTEM (2)

- The opening of a criminal case requires that the complainant or victim submits a signed affidavit.
  - The affidavit is the basis of the criminal complaint and must be signed by the complainant to be admitted as evidence, as without an affidavit there can be no criminal prosecution.
  - Court cases rely on affidavits and require a complainant to testify to these statements.
  - Delays in the court proceedings will be caused if the identity of the complainant is not verified when the statement is taken.
- The admissibility of statements, made and signed through electronic platforms, will have to be established, before the SAPS can introduce such measures.
  - This will require changes, not just to how the SAPS deals with the reporting of crime, but to how information and statements are presented in court.
- The current process used for reporting crime also protects against false or fabricated complaints, as perjury charges can be brought against a complainant who makes a false statement.
  - This cannot be done if an affidavit is not made, in person, to a police officer.





# RECOMMENDATION 13 – ELECTRONIC CRIME REPORTING AND FEEDBACK SYSTEM (3)

- These impediments to introducing an electronic system for reporting of crime are not insurmountable, but require careful consideration, consultation and stringent control measures to guard against false statements and inadmissibility of information provided by complaints.
  - The requirement of biometric information to be provided and verified in transactions, e.g. applications for firearm licenses, competency certificates and criminal record information, also limits the scope for changing these processes entirely to an online platform.
- In respect of providing feedback to victims or complainants, the SAPS already provides for a SMS to be sent to a victim or complainant when a case is registered with the details of the investigating officer, who is allocated to the case.



# RECOMMENDATION 13 – ELECTRONIC CRIME REPORTING AND FEEDBACK SYSTEM (4)

- The following additional system notifications to a complainant were implemented on the CAS/ICDMS, on 6 February 2021:
- Cases transferred to another station (the crime was reported at a particular station but was committed within the jurisdiction of another station).
  - When case is booked out to the Director of Public Prosecutor (DPP), for a decision.
  - When case is booked out to the Senior Public Prosecutor (SPP), for a decision.
  - Investigation complete - Unfounded.
  - Investigation complete - Undetected.
  - Investigation Complete - Withdrawn reason for withdrawal is provided.
  - Investigation Complete - Warrant of Arrest Issued.
  - Investigation Complete - Closed as File.
  - Accused charged.
  - Court verdict captured (Guilty/Not Guilty/Acquitted).
  - Case has been referred to the Inquest Court.



## RECOMMENDATION 14 – REGULATION 45 APPOINTMENTS

**The PCoP recommends that all Regulation 45 appointments be announced in the PCoP, by the National Commissioner and the abridged CV's be made available to the members.**

- A total of 6 Regulation 45 appointments were effected during the period 1 April 2019 to 31 March 2020, as per the SAPS 2019/20 Annual Report.
- One Regulation 45 appointment was made during 2020/21 and the PCoP was informed of the appointment.
- The recommendation by the PCoP, will be complied with by the SAPS.



# RECOMMENDATION 15 – DPCI ASSESSMENT OF ORGANISED CRIME COLLUSION WITH SAPS MEMBERS

**The PCoP recommends that the Directorate for Priority Crime Investigation (DPCI), provides a national and provincial assessment of organised crime and its collusion with police officers.**

- The DPCI currently has 22 cases, where organised crime has colluded with 25 police officials.
- A total of 17 of these cases are currently in court.
- One case has been finalised, where the police official was sentenced.
- Four cases are awaiting the decision of the SPP.



## RECOMMENDATION 16 – REPORT ON KINNEAR CASE

**The PCoP recommends that the SAPS National Commissioner provide it with a report, into the assassination of Lt Col Kinnear and the consequence management steps it will follow, if police collusion is found in his death.**

- The PCoP will be briefed, by the National Commissioner, in February 2021, with regard to the outcome of the internal investigation.
- The internal investigation was concluded, on 17 November 2020 and recommendations were made that departmental steps be taken against the identified senior managers.
- Three senior managers were identified and served with notices, in this regard.
- The required functionaries have been appointed to handle the disciplinary proceedings.
- The criminal investigation, relating to the death of Lt Col Kinnear, is being dealt with by the DPCI.
- The Independent Police Investigative Directorate (IPID) was informed of the matter, on 1 December 2020, provided with a copy of the report and subsequently initiated a criminal investigation into the matter.



# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (1)

**The PCoP recommends that the SAPS provides a report on its role within the Justice, Crime Prevention and Security (JCPS) Cluster, to drastically reduce the incidences of gender-based violence and femicide (GBVF) and bring perpetrators to book.**

- The SAPS’ role, in respect of the prevention, combating and investigation of GBVF, is enshrined in the RSA Constitution, SAPS Act and other relevant legislations.
- Primary roles include:
  - Responding to complaints (reported incidents of crime), as received from victims or members of the public.
  - Serving protection orders to offenders, in terms of the Domestic Violence Act.
  - Investigating reported crime, in line with the provisions of the Criminal Procedure Act.
  - Arresting perpetrators of GBV and any other related offences.
  - Preparation and presentation of evidence to a court of law.
  - Protection of and support for victims of crime.
- These activities support the Criminal Justice System (CJS), as an entry point to the criminal justice process, as the SAPS serves as an entry point for the victims of GBVF.



# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (2)

→ Interventions to support the implementation of the GBVF National Strategic Plan:

- The SAPS is involved in the revision of legislation that focusses on the strengthening of efforts to address gender based violence, namely the -
  - Domestic Violence Amendment Bill;
  - Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill; and
  - Criminal and Related Matters Amendment Bill.
- Development of an Integrated Gender-Based Violence and Sexual Offences Strategy, for the JCPS Cluster.
- The SAPS has established a high-level GBVF Committee, at national level, that will provide strategic direction on all matters related to GBVF, which is led by the Divisional Commissioners, Visible Policing and Detective Service.
- A National Action Plan on GBVF, which was presented to the PCoP, in 2020, has been finalised.
- Provincial GBVF Committees have been established in seven provinces, to ensure proper coordination and implementation of the National GBV Action Plan.
- The SAPS is establishing GBVF desks at police stations, prioritising the Top 30 GBVF Police Stations, identified by the Presidency, as the first phase.



# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (3)

→ Interventions to support the implementation of the GBVF National Strategic Plan (continued):

- Regular capacity building sessions for members and annual compliance inspections, at the Top 30 GBVF Police Stations, are conducted.
- Buccal sample, adult and paediatric sexual assault evidence collection kits are available at all police stations and FCS Units.
  - The availability of these kits is monitored by the Division: Supply Chain Management, on a weekly basis.
- The Division: Supply Chain Management has initiated a procurement process to supply Victim Friendly Rooms (VFRs) to police stations without appropriate facilities (the SAPS currently has 1 090 VFRs, including 1 001 at police stations, 38 at satellite police stations, one at a contact point, two at international airports and 48 at FCS Units).





# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (4)

- The SAPS also works with various stakeholders, within and outside of the JCPS structure, to prevent GBVF. The following are some of the measures that SAPS has undertaken:
- A partnership agreement, through a Memorandum of Understanding with Cape Mental Health, to enable victims, with mental challenges, to access the services of the SAPS.
  - A Service Level Agreement with the Department of Social Development (DSD), to streamline the processing of victims, from police stations to shelters, or places of safety.
  - A partnership agreement with the Commission for Gender Equality (CGE) on issues of capacity building, focusing on members and relevant role-players, to ensure that possible secondary victimisation is eliminated.
  - A partnership agreement with DEAFSA, to ensure that victims with hearing impairments, are catered for appropriately.
  - 11 community outreach programmes have been conducted across the country to raise awareness on GBV.
  - A Standard Operating Procedure on Victim Empowerment, to streamline the referral of victims at station level, has been implemented.



# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (5)

- A GBVF Compliance Assessment Tool was developed and piloted at three stations (Mamelodi East, Hercules and Atteridgeville), during the 16 Days of Activism Programme in November/December 2020.
  - It will be utilised in 2021/22 during annual compliance inspections, at the Top 30 GBVF Police Stations.
- The SAPS has an established capability, within the Division: Inspectorate, to manage complaints related to the services provided by the SAPS, regarding GBVF.
  - During the period 1 April 2020 to 31 January 2021, a total of 563 service delivery complaints were received.
  - 404 complaints were finalised within 14 working days.
  - 118 complaints were finalised after 14 working days.
  - 41 complaints are still under investigation.
  - 91 departmental actions against SAPS members were initiated, as a result of the investigation of the complaints.



# RECOMMENDATION 17 – SAPS’ ROLE IN THE JCPS CLUSTER TO REDUCE GBVF (6)

- The 185 SAPS Family Violence, Child Protection and Sexual Offences (FCS) Units have a key role to play in the investigation of GBVF-related cases.
- The FCS capability ensures continuous engagement with the Department of Justice, during monthly National Technical Interim Steering Committee Meeting on Sexual Offences, to promote cooperation at all levels.
- The FCS has effective cooperation with Thutuzela Care Centres, the GBVF Command Centre and One Stop Centres, in respect of the referral of victims and the investigation of reported cases.
- As at the end of December 2020 the following successes can be reported, from the FCS Unit:
  - 229 accused received 293 life sentences, on 256 cases.
  - 706 awareness campaigns conducted.
  - 6 358 suspect raids conducted.
  - 9 631 suspects were arrested.



**THANK YOU**