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**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

**COMMITTEES SECTION**

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**Select Committee Security and Justice**  
**Briefing Document: Independent Police Investigative Directorate**  
**(IPID)**  
**May 2015**

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**Introduction:**

The aim of Independent Police Investigative Directorate (IPID) is to ensure independent oversight over the South African Police Services (SAPS) and Municipal Police Services (MPS) and to conduct independent and impartial investigation of identified offences allegedly committed by members of the SAPs and MPS and to make appropriate recommendations. The IPID exercises its functions in terms of the Independent Police Investigative Directorate Act, 2011 which came into effect on 1 April 2012.

In terms of government's 12 outcomes, IPID's medium term strategic focus is on ensuring that all people in South Africa are and feel safe (outcome 3), focusing on fighting corruption within the justice, crime prevention and security cluster.

**IPID investigates the following:**

- Deaths in police custody

- Investigation and Information management has the biggest budget and the IPID's focus over the medium term will be on enhancing the directorate's investigative capacity, including by improving the quality of training for investigators and the guidelines, systems and procedures used for investigation and reporting. Spending over the medium term is mainly directed

Programme	Budget: 2014/15	Budget: 2015/16
Administration	R78.3million	R74.2 million
Investigation and Information management	R147.5 million	R150.8 million
Legal Services	R5.4million	R5.1 million
Compliance, monitoring and Stakeholder Management	R3.6 million	R4.6 million
Total	R234.7 million	R234.8 million

Budget:

- Death as a result of police action
- Discharge of an official firearm
- Rape by a police officer (on or off duty)
- Torture and/or assault by a police officer
- Corruption within the police service
- Any other matter referred to the IPID by the Director, MEC or Minister

towards the development of specialised investigative skills through the establishment and operationalisation of the national specialised investigative team. The Directorate will add 16 investigators to its ranks.

- Compliance monitoring and stakeholder management are also medium term priorities, contributing to inspiring public confidence in the criminal justice system by ensuring that the directorate's recommendations are implemented and lead to disciplinary and criminal convictions.
- Underspending: Due to delays in filling posts, including appointing the 9 provincial heads of department, the directorate underspent its total budget allocation for 2012/13 by 13% and for 2013/14 by 11%. Underspending was also linked to goods and services and payments for capital assets. Cabinet approved budget reductions of R12.4million in 2015/16, R16.2million in 2016/17 and R17.8million in 2017/18 in goods and services payments for capital assets.
- Implementation of Recommendations: The Directorate will ensure regular engagement with SAPS and the Municipal Police Services and the National Prosecuting Authority to ensure implementation of recommendations. In 2013/14, the directorate secured 135 disciplinary convictions on recommendations made to the police service and 83 criminal convictions on recommendations made to the NPA.
- The Directorate will facilitate 216 community outreach events in each year of the MTEF period.

**Key Challenges:**

- Underspending across all four programmes
- Budget reductions
- High vacancy rate: Investigation and Information Management and Senior Management level.

**IPID Programmes**

Programme	Medium Term Plans	Comments/Questions
<p><b>Administration</b></p>	<ul style="list-style-type: none"> <li>• Capacitating the directorate's administrative support services and enhancing its internal control environment to ensure good governance and delivery of the department's mandate. The bulk of expenditure over the medium term will go to corporate services, internal audit and finance services to increase the sub-programme's ability to support core service delivery programmes in the departmental mandate.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Reduction of Budget:</b> What measures have been put in place to address the budget cuts?</li> <li>• How will the budget cuts affect the operation of provinces?</li> <li>• What overall measures have been planned for to ensure good governance?</li> <li>• <b>Vacancies:</b> What is being done to address the vacancy rate? What timeline has been put in place to fill vacancies?</li> <li>• What measures have been put in place to ensure effective leadership and governance in provinces?</li> </ul>
<p><b>Investigation and Information Management</b></p>	<ul style="list-style-type: none"> <li>• 92.5 % of the budget over the medium term is allocated to the investigation services sub-programme. The reprimed allocation is expected to capacitate the National Specialised Investigative Team (NSIT) over the medium term.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>NSIT:</b> Give an overview of the status of the NSIT in respect of recruitment and training of personnel specifically? What timelines have been put in place?</li> <li>• Explain in detail how the operation of this team will result in a decrease in deaths in police custody as well as criminal offences and serious misconduct alleged to have been committed by members of SAPS?</li> <li>• <i>P20 of Strategic Plan: NSIT will allow IPID's investigators</i></li> </ul>

		<p><i>to focus on priority investigations and perform their functions without fear or favour: What measures have been put in place to ensure that this team is effective and contributes to IPID's objective of conducting quality investigations which produce appropriate recommendations?</i></p> <ul style="list-style-type: none"> <li>• <b>Recommendation Reports:</b> The ENE states that the directorate will engage regularly with SAPS, Municipal Police Services and National Prosecuting Authority: what is the nature of these engagements, how often will they take place, how will follow up on recommendations occur on a provincial level?</li> </ul>
<p><b>Legal Services</b></p>	<ul style="list-style-type: none"> <li>• Provision of sound legal advice and guidance to ensure that cases forwarded for prosecution comply with legal requirements.</li> <li>• The budget over the medium term provides for an increase in the proportion of legal opinions provided to the directorate within 21 days of request, from 85% in 2013/14 to 90% in 2016/17 and contracts and service level agreements finalised by the directorate within 30 days of the request.</li> <li>• The programme has a funded establishment of 8 posts,5 of</li> </ul>	<ul style="list-style-type: none"> <li>• Have the 5 posts been filled? What timelines have been put in place to ensure the filling of the posts?</li> <li>• What training has been undertaken to ensure the provision of sound legal advice and guidance?</li> <li>• Explain how training is being undertaken in provinces?</li> </ul>

<p><b>Compliance Monitoring and Stakeholder Management</b></p>	<ul style="list-style-type: none"> <li>• Safeguarding the principles of cooperative governance, which includes monitoring the directorate's compliance with reporting obligations and the quality of recommendations referred to the police service and the National Prosecuting Authority; stakeholder management; and ensuring public awareness of the directorate's mandate and functions through community awareness programmes.</li> <li>• The bulk of spending in this programme is compensation of employees to capacitate the support that will focus on increased community participation in crime prevention and</li> </ul>	<ul style="list-style-type: none"> <li>• How will the Directorate facilitate the 216 community outreach events? How will provinces participate in these outreach events? How will the impact of these outreach events be measured?</li> <li>• What informs the types of outreach events being implemented to ensure maximum impact?</li> <li>• What measures are being put in place to ensure that the quality of recommendations are of a high standard? What benchmark is being used to determine the standard?</li> </ul>
	<ul style="list-style-type: none"> <li>• The allocation decrease in this programme between the financial years 2014/15 and 2015/16 was mainly due to Cabinet budget allocation reduction and the re-prioritisation of NSIT.</li> <li>• The increase in goods and services, specifically on legal costs and travel and subsistence, was due to consultations with various stakeholders, including the state attorney and state law advisors, on legal service matters relating to the investigation.</li> </ul>	

	safety initiatives over the MTEF period, organise campaigns that increase public awareness of the provisions of the IPID Act, the department functions and the utilisation of its services.	<ul style="list-style-type: none"><li>• Has any evaluation been undertaken in respect of recommendations and how to improve the quality of the recommendations?</li></ul>
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Source: IPID annual report, APP, Budget Vote

