**7. REPORT OF THE PORTFOLIO COMMITTEE ON POLICE ON THE 2016/17 BUDGET, ANNUAL PERFORMANCE PLAN AND 2014-2019 STRATEGIC PLAN OF THE CIVILIAN SECRETARIAT FOR POLICE (CSP), DATED 19 APRIL 2016:**

The Committee examined the Budget, Annual Performance Plan for the 2016/17 financial year and the 2014-2019 Strategic Plan of the Civilian Secretariat for Police (CSP). The Committee reports as follows:

**1. INTRODUCTION**

The Civilian Secretariat for Police (CSP) derives its mandate from section 208 of the Constitution of South Africa, 1996 (Act No. 106 of 1996), which states that a civilian secretariat for the police must be established by national legislation to function under the direction of the Cabinet member responsible for policing. This also takes cognisance of section 206 of the Constitution, which entitles provincial Members of the Executive Committee (MECs) to perform certain oversight functions relating to policing.

The legislative mandate of the Civilian Secretariat is laid out in the Civilian Secretariat for Police Service Act, 2011 (Act No. 2 of 2011). The Act was promulgated on 01 December 2011 and provides for the Secretariat to provide advice to the Minister of Police. The Civilian Secretariat became a designated department on 1 April 2014 in terms of the Act, but its 2016/17 budget was still presented as part of the SAPS budget in the Estimate of National Expenditure 2016.

**1.1 Structure**

The Report provides an overview of the 2016/17 Budget Hearings of the CSP and is divided into the following sections:

**Section 1**: Introduction. This section provides an introduction to this Report as well as a summary of meetings held during the hearings.

**Section 2**: Key concerns of the Committee during the 2015/16 financial year. This section provides a summary of the key concerns raised by the Committee during the previous financial year.

**Section 3**: Strategic Priorities of the CSP for the 2016/17 financial year. This section provides a summary of the strategic focus areas for the Secretariat for the year under review.

**Section 4**: CSP Budget and Performance targets for 2016/17. This section provides an overall analysis of the estimates of national expenditure of the CSP for the 2016/17 financial year. This section also provides a programme analysis of the CSP.

**Section 5**: Committee observations. This section highlights selected observations made by the Portfolio Committee on Police on the annual performance targets and programme specific issues during the 2016/17 budget hearings and subsequent responses by the CSP.

**Section 6**: Recommendations and additional information. This section summarises the recommendations made by the Portfolio Committee on Police, as well as the additional information requested from the CSP.

**Section 7**: Conclusion. This section provides a conclusion to this Report.

**1.2 Meetings held**

The Committee received an overview of the budget for the financial year under review by the Research Unit of the Parliament of South Africa on 16 March 2016.

The Committee received a briefing by CSP on the Strategic Plan, Annual Performance Plan and 2016/17 Budget on 12 April 2016.

**2. KEY CONCERNS RAISED BY THE COMMITTEE DURING THE 2015/16 FINANCIAL YEAR**

The following section provides a summary of the key observations/concerns raised by the Portfolio Committee on Police regarding performance and financial issues during the 2015/16 financial year:

* **Strategic direction**: The Committee raised concerns about the perceived lack of strategic direction of the CSP in terms of effectively and efficiently delivering on its core mandate to impact positively on the South African Police Service (SAPS). Both the Strategic Plan and the APP make little mention of the recommendations of the National Development Plan (NDP) or demilitarisation of the SAPS. The Committee stated that the SAPS could not provide clarity how it will professionalise and that the Committee hoped that the CSP, as the lead policy making agency, would be able to provide some guidance.
* **Leadership stability:** The Committee raised concern about the long period of time in which the Acting Secretary of Police has been in this ‘acting’ capacity, but acknowledged that the appointment is not in the control of the CSP.
* **Demilitarisation:** The Committee raised concern about the application of the term demilitarisation of the SAPS as there was no clear contextualisation of the term and what it entails. Members stated that the Draft White Paper on the Police refers to it as ‘civilianisation’ of the SAPS. Members wanted clarity to what extent the SAPS will be civilianised, and whether it will include the disarmament of the police and the removal of military ranks. The CSP could not provide sufficient clarity on the ‘civilianisation’ of the SAPS and invited members of the Committee to serve on their working group to formulate the demilitarisation of the SAPS.
* **Capacity**: The Committee raised concern about the lack of capacity of the CSP to effectively fulfil its mandate. Reference was made to the recommendation of the Auditor-General that the restructuring of the organisational structure of the CSP will increase the quality of outputs of the CSP. The Committee stated that a new structure has been developed based on a needs analysis and will be presented to the Minister of Police shortly. The CSP agreed that the new proposed structure will be presented to the Committee as soon as it has been consulted with the Department of Public Service Administration (DPSA).
* **Vacancies**: The Committee raised concern about the vacancy rate of the CSP and requested the CSP to indicate in which programmes the most vacancies are located. A concern was also raised about the impact of these vacancies on the delivery of the CSPs mandate. The CSP stated that 64 per cent of the vacancies are located in the Administration Programme (seven vacancies), followed by two vacancies in Programme 4 and one vacancy in Programme 2.
* **Under-expenditure**: The Committee raised significant concern about consistent under-expenditure on the CSP budget. The Committee stated that financial management must be prioritised to ensure that the total budget is spent, as the CSP delivers a critical service in overseeing the performance of the SAPS. The CSP stated that the under-expenditure is a concern as it only managed to spend 79 per cent of its budget at the end of the 2014/15 financial year.
* **Goods and services**: The Committee asked the CSP to explain the increased allocation for Goods and Services in the Administration Programme. The CSP stated that the bulk of the increased allocation will be spent on access and sustainability of transferal systems, like PERSAL and BAS, which will cost the CSP R5 million per annum. Expenditure will also go toward computer hardware and telecommunications (including the procurement of handsets). This expenditure was previously carried by the SAPS when the CSP functioned as a cost centre of the SAPS.
* **Economic classification**: The Committee raised concern about the lack of detail on economic classification in the presentation of the CSP. The CSP expanded on selected items and agreed to present a more detailed breakdown in the 2016/17 financial year.
* **Vetting**: The Committee asked the CSP whether personnel, especially in the Senior Management Structure (SMS) are vetted and have valid security clearance certificates. The CSP responded that the CSP personnel are not vetted. This has implications on the functionality of the CSP. For example, the drafting of the White Paper on Safety and Security was contracted to an outside service provider due to security concerns (in addition to capacity constraints). The Committee raised serious concerns about this and flagged it as a key recommendation.
* **Internal Audit**: The Committee raised concerns about the composition and functionality of the Internal Audit Committee, especially in light of the lack of an Automated Internal Audit system, which will be procured in the current financial year. The CSP stated that the Audit Committee met for the first time in December 2014 and have been meeting monthly. The Committee is currently functioning and is composed of experienced members. The Audit Committee adopted a revised working methodology which is bearing fruit.
* The focus for the 2015/16 financial year will be on the mandate of the CSP as well as financial management to ensure 100 per cent expenditure at the end of the current financial year.
* **Chief Financial Officer (CFO):** The Committee raised concern about the lack of a permanent CFO, as the financial management of the CSP clearly needs serious attention, more especially in terms of the consistent failure to spend their budget. In light thereof, the Committee requested the CSP to report on the steps taken to fill the position.
* **CSP and CPF:** The Committee raised concern about the ineffectiveness of many Community Safety Forums (CSFs) and Community Policing Forums (CPFs). The CSP stated that many CSFs have been established and function most effectively with the active support of the respective Members of the Executive Council (MECs). There are some pockets of excellence where the role of the CSF is clearly understood.
* **CPF guidelines:** The Committee raised concern about the lack of implementation of the standardised guidelines of CPFs. One of the priorities of the Community Outreach Sub-programme is to ensure that provinces implement the CPF guidelines. Members of the Committee raised specific concern about various CPFs making up their own rules. The CSP indicated that it will focus more on this issue during the current financial year.
* **Targets**: The Committee raised concern about the low target set to conduct only one (1) Anti-crime campaign in the 2015/16 financial year, (which also remains constant across the medium term). The CSP stated that due to capacity constraints, the target is already going to be difficult to attain, but that the concern is noted.
* **Legislative schedule**: The Committee raised concern about the legislative schedule of the CSP, especially in terms of the realisation of timeframes. The Committee stated that the non-delivery on time-frames impacts on the Committee’s programme and should be strictly adhered to.
* **Targets:** The Committee raised concern about the removal of targets to monitor the implementation of various pieces of legislation by the SAPS, most notably the Child Justice Act, 2008.
* **Consultants**: The Committee raised concern about the increased projected expenditure on consultants as the reduction on all non-essential expenditure should be realised by all departments. The CSP stated that the White Paper on Safety and Security was outsourced due to capacity constraints and also due to the issue of confidentiality concerns as none of the CSP personnel are vetted. It was stated that the Minister of Police preferred to use an outside service provider. In light thereof, the CSP stated that the outsourcing should not be seen as an indictment on the skills of the CSP.
* **Decreased allocation**: The Committee raised concern about the decreased allocation to Programme 3 and questioned the impact of the decrease on the outputs of the programme. The Committee stated that the programme needs an increased allocation and not a decreased allocation.
* **Access to information:** The Committee raised concern about the repeated mention of a lack of information from the SAPS as a key risk to the CSP. The CSP stated that the lack of information is because of various security concerns relating to the use of the information and also the lack of security clearance of CSP personnel. The CSP further stated that there is a general resistance from SAPS for the CSP to step into their terrain, which makes the conclusion of the Memorandum of Understanding (MOU) between the two Departments critically important.
* **Impact of demilitarisation:** The Committee encouraged the CSP to complete the intended research on the impact of the demilitarisation of the SAPS as recommended by the NDP. The CSP noted the encouragement and need to complete the research project as soon as possible.
* **Targets:** The Committee raised concern about the significantly decreased targets to perform compliance monitoring visits to police stations from 500 in 2014/15 to 18 in 2016/17. The CSP stated that the target was disaggregated into visits conducted by the National CSP and Provincial Secretariats.
* **Domestic Violence Act, 1998 (DVA):** The Committee raised concern about the perceived lack of monitoring of the implementation of the provisions of the DVA. The Committee requested assurance from the CSP that the monitoring of compliance to the DVA is prioritised. The CSP noted the concern.
* **Statutory reports:** The Committee raised concern about the lack of compliance in the submission of statutory reports to Parliament, most notably the bi-annual DVA compliance reports. The CSP stated that some of the reports are outstanding and will be addressed. The Committee stated its dissatisfaction and the issue will receive further attention when the Committee deals with the DVA Compliance Reports.
* **Coordination of station visits**: The Committee asked whether station visits are coordinated between the various oversight bodies, like the Independent Police Investigative Directorate (IPID) and the SAPS inspectorate in order to mitigate against working in silos despite working towards the same goal. The CSP stated that there is no coordination between the various oversight bodies with regard to station visits.
* **Service delivery complaints**: The Committee raised concern about the impact the CSP has on the improvement of service delivery by the SAPS, especially in terms of service delivery complaints from the public that are not addressed. The CSP stated that this is a challenge because of the plethora of complaints mechanisms available to the public and that these should be consolidated. Robust discussion on the consolidation process is underway. The Presidency is also involved in this processes. The outcomes of the customer satisfaction surveys that will be conducted by the CSP will also be used and integrated into the consolidated approach.

**3. STRATEGIC PRIORITIES OF THE CSP FOR 2016/17**

The overall strategic goal of the Secretariat is to conduct civilian oversight over the police and provide the Minister of Police with strategic support (police advice, legislative support, public participation and monitoring and evaluation of the SAPS).

The Minister of Police has defined the strategic priorities of the Civilian Secretariat for Police very clearly in the 2016 Annual Performance Plan. These strategic priorities are defined as setting the agenda for Transformation of the South African Police Service. Legislative priorities remain the White Paper on Safety and Security and the White Paper on Police. Demilitarisation and professionalisation of the police is another priority that the Civilian secretariat is expected to play a significant role. The engagement and building of partnerships with civil society organisations by the Secretariat is critical to the success of the SAPS and building community trust in the police. Lastly, monitoring and assessment of the implementation of policies by the SAPS allows the Civilian Secretariat for police to improve on policies and ensure implementation of such policies.

According to the 2016 ENE, the Secretariat is concerned that it did not achieve any of its targets to develop any policies and this affected its contribution to Outcome 3 which states that people in South Africa should feel and are safe and secure.

The Medium Term Strategic Framework (MTSF) provides for he Secretariat’s strategic objectives to include the following:

1. Enhancing stakeholder and community participation in safety and crime prevention;
2. Developing policies for legislation for the effectiveness of the police service; and
3. Regular monitoring of the implementation of legislation, policies and regulations.

The National Development Plan proposes that crime prevention and detection should be carried out through an integrated approach between state and non-state institutions, with active involvement from civil society. The emphasis on community partnerships and citizen participation in the fight against crime is a strategic priority for the Secretariat.

As stated in the 2016 ENE, pursuant to the NDP goals, the Secretariat plans over the medium term to focus on: improving the effectiveness of policing in South Africa through regular monitoring and evaluation of the performance of the SAPS and strengthening civilian oversight of the police service by promoting crime prevention partnerships between civil society and intergovernmental and private institutions.

The outputs (strategic objectives) of the CSP are directly linked to the following Strategic outcome oriented goals (outcomes), as reflected in the CSP Strategic Plan for 2014-2019:

* **Strategic Goal 1**: A well-advised and supported Minister for a service-delivery oriented police service that is accountable.
* **Strategic Goal 2**: Quality. Timeous evidence-based strategic research, policy advice and legislative support to the Minister.
* **Strategic Goal 3**: Deepened public participation in the fight against crime.
* **Strategic Goal 4**: Enhanced accountability and transformation of the South African Police Service.

**3.1 POLICY PRIORITIES FOR 2016/17**

The CSP will focus on the following key priority projects during the 2016/17 FY:

* Monitoring the implementation of the Community Safety Forum Policy (CSF):
  + Facilitate the establishment of CSFs
  + Assessment of functionality of the established CSFs
* Facilitate the initiative to strengthen the Community Policing Forum (CPFs);
* Conduct Safety Audits;
* Conduct Customer Satisfaction Surveys;
* Support the Panel of Experts and the SAPS Transformation Task Team;
* Develop implementation plans for the White Papers on Safety and Security and Policing;
* Develop framework for Monitoring and Evaluation;
* Review monitoring and evaluation tools;
* Establishment of a uniform organisational structure for the Provincial Secretariat;
* Development and Signing of MOUs with the key and relevant stakeholders representing business, labour, and civil society;
* Development of Impact assessment tools;
* Develop a position paper on the National Police Board;
* Research on police resource allocation;
* Finalise the *Police Use of Force* policy; and
* Development of a framework for the single police service.

**4. CSP BUDGET AND PERFORMANCE TARGETS FOR 2016/17**

**4.1 Overall analysis**

In total, the CSP receives a main budget allocation of R110.6 million in 2016/17. This is a nominal decrease of R2.6 million and a real decrease (taking inflation into account) of R9.4 million. The allocation for Compensation of employees is the Secretariat’s largest budget item, as the functions of the CSP is labour intensive. This item is set to constitute an average 82.3 per cent of the total medium term budget. The number of personnel is projected to stabilise at 133 posts over the medium term (including vacant posts that will be filled in 2016/17). To provide for the implementation of the 2015 public sector wage agreement and related cost of living adjustments, Cabinet has approved increases of R5 million in 2017/18 and R8 million in 2018/19 for compensation of employees. This explains the above inflation average annual growth rate of 13 per cent on compensation of employees over the medium term.

**Table 1: Table 1: CSP expenditure estimates 2016**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | **Nominal Rand change** | | **Real Rand change** | **Nominal % change** | | | **Real % change** |
| R million | **2015/16** | **2016/17** | **2017/18** | **2018/19** | **2015/16-2016/17** | **2015/16-2016/17** | | | |
| Programme 1: Administration | 46.6 | 42.9 | 48.6 | 52.3 | - 3.7 | - 6.4 | -7.94% | -13.64% | |
| Programme 2: Intersectoral Coordination and Strategic Partnerships | 21.6 | 22.2 | 25.2 | 27.3 | 0.6 | - 0.8 | 2.78% | -3.59% | |
| Programme 3: Legislation and Policy Development | 24.4 | 24.4 | 28.4 | 30.5 | 0.0 | - 1.5 | 0.00% | -6.19% | |
| Programme 4: Civilian Oversight, Monitoring and Evaluations | 20.6 | 21.1 | 23.8 | 25.9 | 0.5 | - 0.8 | 2.43% | -3.91% | |
| **TOTAL** | **113.2** | **110.6** | **126.0** | **136.0** | **- 2.6** | **- 9.4** | **-2.30%** | **-8.35%** | |
| **Economic Classification** | | | | | | | | | |
| **Current Payments** | 111.3 | 108.8 | 124.2 | 134.1 | **- 2.5** | **- 9.2** | **-2.25%** | **-8.30%** | |
| Compensation of employees | 68.3 | 79.4 | 89.8 | 98.5 | 11.1 | 6.2 | 16.25% | 9.05% | |
| Goods and services | 43.0 | 29.4 | 34.4 | 35.6 | - 13.6 | - 15.4 | -31.63% | -35.86% | |
| **Transfers and subsidies** | 0.2 | 0.2 | 0.2 | 0.2 | 0.0 | 0.0 | **0.00%** | **-6.19%** | |
| **Payments for Capital Assets** | 1.7 | 1.6 | 1.7 | 1.7 | **- 0.1** | **- 0.2** | **-5.88%** | **-11.71%** | |
| Machinery and equipment | 1.6 | 1.5 | 1.6 | 1.6 | - 0.1 | - 0.2 | -6.25% | -12.05% | |
| Software and other intangible assets | 0.1 | 0.1 | 0.1 | 0.1 | 0.0 | 0.0 | 0.00% | -6.19% | |
| **TOTAL** | 113.2 | 110.6 | 126.0 | 136.0 | **- 2.6** | **- 9.4** | **-2.30%** | **-8.35%** | |

Source: National Treasury (2016)

The allocation made to the Administration Programme has been reduced with 13.64 per cent in real terms (R6.4 million) in 2016/17 compared to the previous financial year. In nominal terms, the Administration Programme’s allocation decreased from R46.6 million in 2015/16 to R42.9 million in 2016/17 (R3.7 million less). Although the allocation for the Intersectoral Coordination and Strategic Partnerships Programme increases nominally, when taking inflation into account, the allocation decreased with R800 thousand in 2016/17 compared to the previous year. The allocation of the Legislation and Policy Development Programme remained unchanged at R24.4 million in 2016/17 compared to 2015/16. In real terms, this is a R1.5 million reduction or 6.19 per cent.

**4.2 Programme Analysis**

**4.2.1 Programme 1: Administration**

The programme provides administrative support, strategic leadership and management for the Secretariat. Its strategic objective is to enhance corporate governance in ensuring that the Secretariat achieve its mandate.

The programme consists of the following sub-programmes: Department Management, Internal Audit, Finance Services, and Corporate Services. The budget allocation for the Administration Programme increased from an adjusted appropriation of R32.3 million in 2014/15 to R36.5 million in 2015/16. This represents a real increase of 7.45 per cent (or R2.4 million) and a nominal increase of 12.6 per cent (or R4.08 million). The Administration programme received the largest allocation of the Secretariat’s five programmes.

In term of economic classification, the following is noted:

* The allocation to *Compensation of employees* increases with 9.05 per cent in real terms in 2016/17 compared to the previous financial year.
* The allocation to *Goods and services* decreased with 35.86 per cent (real terms) in 2016/17 compared to the previous financial year, from R43 million to R29.4 million.
* The allocation to *Machinery and equipment* decreased with 12 per cent (real terms) in 2016/17 compared to the previous financial year, from R1.6 million to R1.5 million.

**4.2.2. Legislative Boards and Bodies**

The CSP indicated that the main reason for its overspending at the end of the 2015/16 financial year was the relocation of the Firearms Appeals Board from the SAPS to the CSP. The salary costs of the Board impacted on the expenditure of the Secretariat. Currently, there are three legislative boards located within the CSP, including:

* Firearms Appeals Board;
* National Forensics Oversight and Ethics Board (DNA Board); and
* Office of the DPCI Judge.

The budget allocation made towards the Administration Programme decreased from R46.1 million in 2015/16 to R42.8 million in 2016/17, which is a real decrease of R5.8 million or 12.73 per cent. This decrease is most pronounced in the Office Accommodation subprogramme’s budget that decreased from R1.1 million in 2015/16 to R1 thousand in 2016/17, which means that the Secretariat will not have their own office accommodation during the 2016/17 financial year. The budget of the Financial Administration subprogramme also decreased from R22.4 million in 2015/16 to R17.1 million in 2016/17, which is a real decrease of 28.3 per cent. The Administration Programme received almost 40 per cent of the total CSP budget for 2016/17, making it the core functionary programme of the Secretariat.

**Table 2: 2016 Administration Expenditure Estimates**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | **Nominal Increase/ Decrease 2016/17** | **Real Increase/ Decrease 2016/17** | **Nominal % change** | **Real % change** |
| R million | **2015/16** | **2016/17** |
| Sub-programme 1: Department Management | 7 324.0 | 8 387.0 | 1 063.0 | 543.7 | 14.51% | 7.42% |
| Sub-programme 2: Corporate Services | 11 752.0 | 13 481.0 | 1 729.0 | 894.3 | 14.71% | 7.61% |
| Sub-programme 3: Financial Administration | 22 437.0 | 17 138.0 | - 5 299.0 | - 6 360.1 | -23.62% | -28.35% |
| Sub-programme 4: Office Accommodation | 1 199.0 | 1.0 | - 1 198.0 | - 1 198.1 | -99.92% | -99.92% |
| Sub-programme 5: Internal Audit | 3 398.0 | 3 891.0 | 493.0 | 252.1 | 14.51% | 7.42% |
| **TOTAL** | **46 110.0** | **42 898.0** | **- 3 212.0** | **- 5 868.0** | **-7.0%** | **-12.73%** |

Source: 2016/17 CSP APP

In term of economic classification, the cost containment measures are visible in the computer services budget, which decreased from R10.5 million in 2015/17 to R3 million in 2016/17. Overall the current payments budget decreased from R45.2 million in 2015/16 to R42 million in 2016/17.

**4.2.3 Programme 2: Intersectoral Coordination and Strategic Partnerships**

**2016/17 Budget allocations**

The budget allocation towards the Intersectoral Coordination and Strategic Partnerships Programme remained unchanged in 2015/16 compared to 2016/17 at R22 million, in nominal terms. However, in real terms, the allocation of the Programme decreased with 5.69 per cent compared to the previous financial year.

**Table 3: 2016 Intersectoral Coordination and Strategic Partnerships Expenditure Estimates**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | **Nominal Increase/ Decrease 2016/17** | **Real Increase/ Decrease 2016/17** | **Nominal Percent change 2016/17** | **Real Percent change 2016/17** | |
| **R million** | 2015/16 | 2016/17 |  | |  | | |
| Sub-programme 1: Intergovernmental, Civil Society and Public-Private Partnerships | 19 533.0 | 19 737.0 | 204.0 | - 1 018.0 | 1.04% | | -5.21% |
| Sub-programme 2: Community Outreach | 2 556.0 | 2 471.0 | - 85.0 | - 238.0 | -3.33% | | -9.31% |
| **TOTAL** | **22 089.0** | **22 208.0** | **119.0** | **- 1 256.0** | **0.5%** | | **-5.69%** |

Source: 2016/17 CSP APP

The Intergovernmental, Civil Society and Public-Private Partnerships sub-programme budget decreased with 5.2 per cent in real terms. Similarly, the budget of the Community Outreach sub-programme also decreased with 9.31 per cent in real terms in 2016/17 compared to the previous financial year. In terms of economic classification, the goods and services budget increased from R13.7 million in 2015/16 to R15.4 million in 2016/17.

**4.2.4 Programme 3: Legislation and Policy Development 2016/17 Budget allocations**

Nominally the budget allocation of the Legislation and Policy Development Programme did not change substantially in 2016/17 compared to the previous financial year. However, the R24.4 million allocation in 2016/17 represents a real decrease of 6 per cent. The decreased budget allocation is seen in both the sub-programmes of the Programme. The Legislation and Policy Development Programme receives the second largest proportional budget allocation of the CSP at 22 per cent of the total budget allocation compared to the 39 per cent proportionally allocated to the Administration Programme. Considering the legislative mandate of the CSP, in terms of the CSP Act 2011, this Programme should be the core programme of the Department and resourced in line with this mandate.

**Table 4: Legislation and Policy Development Programme: 2016**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | **Nominal Increase/ Decrease 2016/17** | **Real Increase/ Decrease 2016/17** | **Nominal Percent change 2016/17** | **Real Percent change 2016/17** |
| **R million** | **2015/16** | **2016/17** |  | |  | |
| Sub-programme 1: Policy Development and Research | 12 165.0 | 12 284.0 | 119.0 | - 641.5 | 0.98% | -5.27% |
| Sub-programme 2: Legislation | 12 216.0 | 12 146.0 | - 70.0 | - 822.0 | -0.57% | -6.73% |
| **TOTAL** | **24 381.0** | **24 430.0** | **49.0** | **- 1 463.6** | **0.2%** | **-6.00%** |

Source: 2016/17 CSP APP

The Policy Development and Research and Legislation sub-programme is evenly resourced with budgets of R12.8 million and R12.1 million respectively. In terms of economic classification, the goods and services budget decreased from R9.9 million in 2015/16 to R7.7 million in 2016/17, but increases again to R9.5 million (2017/18) and R9.8 million (2018/19) during the medium-term. The advertising budget of the Programme increased from R89 thousand to R215 thousand in 2016/17 compared to the previous financial year.

**4.2.5 Programme 4: Civilian Oversight, Monitoring and Evaluation**

The purpose of this programme is to oversee, monitor and report on the performance of the SAPS. The strategic objective of the programme is to conduct effective oversight, monitoring and evaluation that contributes towards an accountable and transformed police service. The programme consists of the following three sub-programmes, namely: Police Performance, Conduct and Compliance Monitoring; Policy and Programme Evaluations; and Information Management.

The Civilian Oversight, Monitoring and Evaluations Performance Programme budget increased in nominal terms with 2.2 per cent, however in real terms the budget decreased with 4.13 per cent. The Police Performance, Conduct and Compliance sub-programme received 44 per cent of the total budget allocation of the Programme. The sub-programme also received a substantial budget decrease of 11 per cent in real terms from R9.98 million in 2015/16 to R9.46 million in 2016/17.

**Table 5: Civilian Oversight, Monitoring and Evaluation Programme:**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | | **Nominal Increase/ Decrease 2016/17** | **Real Increase/ Decrease 2016/17** | **Nominal Percent change 2016/17** | | **Real Percent change 2016/17** |
| **R million** | **2015/16** | | **2016/17** |  | |  | | |
| Sub-programme 1: Police Performance, Conduct and Compliance | | 9 982.0 | 9 468.0 | - 514.0 | - 1 100.2 | | -5.15% | -11.02% |
| Sub-programme 2: Policy and Programme Evaluations | | 6 304.0 | 6 811.0 | 507.0 | 85.3 | | 8.04% | 1.35% |
| Sub-programme 3: Information Management | | 4 318.0 | 4 777.0 | 459.0 | 163.2 | | 10.63% | 3.78% |
| **TOTAL** | | **20 604.0** | **21 056.0** | **452.0** | **- 851.7** | | **2.2%** | **-4.13%** |

Source: 2016/17 CSP APP

Conversely, both the Policy and Programme Evaluations and Information Management sub-programmes received increased budget allocations, which increased with 1.35 per cent and 3.78 per cent respectively.

**5. COMMITTEE OBSERVATIONS**

The Committee made the following observations on the strategic priorities of the Civilian Secretariat during the 2016/17 budget hearings:

**5.1 General**

**Strategic Direction:** The Committee was concerned about the role of the CSP and its mandate to develop policies that would contribute to more effective policing. Policies on demilitarisation and professionalism were urgent and the Committee wanted to know to what extent the CSF was able to influence the strategic direction of the SAPS with respect to models of policing and the aims of the NDP. The Department reported that they have been able to stabilise the Secretariat as there were lots of distortions in the environment. They have also embarked on a back to basics approach and consider themselves the organisational development arm of the SAPS. The CSP now have proper workplace skills plans, equity plans and have instituted an Audit and Risk Committee.

**National Forensics Oversight and Ethics Board:** The Committee expressed its concern that during a presentation in February 2016, the members of the Forensics Board indicated that they did not have a ring-fenced budget. The Committee noted its concerns especially in view of the fact that the five civilian Board members were paying for their costs out of their own pockets. The Committee suggested that the Civilian Secretariat rectify the management of the situation as the Board was required to play a very important oversight role with respect to the Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No 37 of 2013). The Secretariat responded by indicating that by the time the Forensics Board was established, the MTEF was already finalised and that they have now to apply to the MTEC process for such funding in the next process. In the meantime, the CSP will cover travel and accommodation fees. The CSP has so far paid over R400 000 on travel and accommodation cost.

**Leadership**: The Committee raised its concerns that the Department was not stabilised in view of the change in leadership and the non-appointment of a permanent Secretary, CFO and Chief Director for the Monitoring and Evaluation Directorate. This brought into question the ability of the leadership to steady the ship and provide strategic direction to the Civilian Secretariat. The Committee questioned the delay in the finalisation of some of the posts that have been vacant for over 18 months. In response the Civilian Secretariat reported that all the posts were advertised and they were in the process of shortlisting candidates. The Secretariat also noted that there were three Secretaries (two Acting) in an 18 month period and they too wanted to stabilise the Department

**Legislation**: The Committee again raised its concerns that the intended pieces of legislation were not forthcoming which all affect the quality of police services. The Committee requested that the Secretariat stick to its deadlines as the SAPS Amendment Bill, the National Strategic Infrastructure Bill amongst others were priorities. The policy White Papers on Police and on Safety and Security at the time of the meeting were still not processed in Cabinet. The Acting Secretary reported that the two White Papers has in fact been to Cabinet Committees and were about to be placed before a full Cabinet meeting for ratification. The Department provided a full legislative programme to the Committee. The Department presented the National Critical Infrastructure Bill to the JCPS cluster and they recommended that it be processed for public comment.

**NDP Objectives:** The Committeequestioned whether the Department has taken on board all the NDP targets and to what extent the CSP was making sure that community participation and partnerships were at the centre of its work. The Secretariat responded by indicating that it convened a National Dialogue on Crime Prevention and that it has launched a campaign against police killing and crimes against women and children. Community outreach was a priority with respect to izimbizo convened to discuss crime. The National Police Board is also one of the goals of the NDP and the Secretariat is working to finalise the model through finalising a policy on the National Police Board.

**MTSF Targets**: The Committee raised concerns about the attainment of MTSF targets during the 2918/19 FY when the targets must be achieved. The Committee noted its concern about the fact that the current targets were not well aligned with the MTSF targets and that not all MTSF targets were included in the Department’s 2016/17 APP.

**APP Targets and Indicators:** The Committee was concerned that the targets for the various indicators were low and not well thought through. There had been concerns about the 2016/17 APP and the fact that there were very few figures provided for targets and the Committee wanted the Secretariat to review the targets and indicators. The Committee was also concerned that the Departmental targets were below the MTSF targets. The CSF responded by indicating that the customer satisfaction surveys they intend to conduct , the safety audits and the Community Safety Forum assessments were all part of the MTSF targets. The CSF agreed to review the indicators and targets.

**Community Police Forums and Community Safety Forums:** The Committee noted that there has been little progress on the policies for Community Police Forums and that it has become critical for the Secretariat to finalise the matter of funding to CPFs and Community Safety Forums (CSFs). The Committee also wanted to know what co-ordination was taking place with other departments in respect of harnessing the support to CPF and CSFs. The Department reported that it is giving attention to the matter of strengthening the CPFs and will report to the Committee once it is finalised.

**Monitoring Tool Costs**: The Committee again expressed its concerns about the development costs for the monitoring tool. The matter has now dragged on a few years and the Committee was of the opinion that it should come to finality. The Secretariat reported that they were working very closely with Statistics South Africa to develop the tool and also had discussions with the Heads of Provincial Secretariats to align the approach and design.

**Increase in advertising and contractor budget**: The Committee noted that the budget allocations for advertising and contractors increased significantly and wanted an explanation for the increase. The Department reported that the increases in both line items of the budget were related to the calling for public comment and also public engagement contractors on the two White Papers and public comment and engagement.

**ICT Capacity and Architecture**: The Committee raised concerns about the independence of the CSP in relation to the police’s IT systems with respect to financial accounting. The Department stated that they were independent of the SAPS systems with respect to the PERSAL and BAS systems. They are currently doing the procurement manually because they require the LOGIS system to do procurement. The Department also informed that they will be developing their own knowledge and information centre portal and they have budgeted R4.7 million for a very comprehensive system.

**Complaints management**: The Committee noted that the area of complaints management is a weak area and that the CSP should consider developing better protocols when managing complaints. The Secretariat responded that they were currently referring complaints to the SAPS Inspectorate Division, but that they were reconsidering this and will report on it.

**Domestic Violence Act compliance:** The Committee questioned the efficacy of the Domestic Violence Act implementation administered by the CSP. In particular the SAPS’ implementation of the recommendations from the IPID was problematic because they did not investigate police men and women who are involved in domestic violence against their partners. The CSP indicated that they were giving the matters priority and reports in its quarterly assessments on compliance with the legislation by the police. The CSP intends to launch a customer satisfaction survey to gauge the perception of the communities on the compliance by the SAPS.

**SAPS Structure:** The Committee wanted to know what role the Secretariat was playing in the development of governance processes of the SAPS. In particular the structure of the SAPS has changed and the number of Lieutenant Generals had increased in the management structure. The Committee was concerned about the manner in which the Secretariat was able to influence such developments through its own research. The Secretariat stated that they did not make any contribution to the restructuring of the SAPS as it was the prerogative and preserve of the Minister of Police. The Secretariat sometimes had to deal with court cases which the police were responsible for and they would be addressing these matters in the White Paper on Police.

**6. RECOMMENDATIONS AND ADDITIONAL INFORMATION**

This section provides a summary of the recommendations made by the Committee and also a summary of the additional information requested during the 2016/17 budget hearings.

**6.1 Additional information**

The Committee requested additional information (to be submitted within six months) through written responses to supplement the information gathered during hearings on the 2016/17 budget hearings of the CSP:

* The Committee requested that the Secretariat provides it with a comprehensive list of legislative boards and bodies located within the CSP budget. The CSP should also indicate the budget requirements of these bodies.
* The CSP must submit a copy of its revised legislative schedule.
* The CSP must submit a written report on its capacitation plan and the filling of outstanding vacancies.
* The CSP must provide a report on the development and implementation of the Monitoring Tool with timelines for implementation.
* The CSP must provide the Committee with a report on its Knowledge and Information Portal with budget and the timelines for its implementation.
* The CSP must provide the Committee with a plan for the capacitation and support to CPFs and include which other departments are supporting the payment of CPFs.
* The CSP must provide a copy of the Implementation Plan for the White Paper on Safety and Security.

**6.2 Recommendations**

The Committee made several recommendations to the CSP during the 2016/17 budget hearings. These included the following:

**6.2.1 Budget recommendations:**

1. The Committee recommends that the CSP should plan on alternative financial support with respect to the shortfall in its budget and provide a plan to the Committee for supplementing such shortfalls for the 2016/17 FY.
2. The Committee recommends that the CSP develop a financial recovery plan to cut under-spending in all programmes and report such to the Committee with timelines.
3. The Committee recommends that the CSP reviews its APP indicators and targets with a view to align it to the MTSF and the MTEF budget.
4. The Committee recommends that all the budgets of legislative Boards and bodies linked to the Secretariat budget should be ring-fenced in the Appropriations Bill.
5. The Committee recommends that the Secretary, CFO and Chief Director for Monitoring and Evaluation should be appointed without delay and that the appointments should be reported to the Committee.
6. The Committee recommends that the CSP makes extra efforts to be fully compliant to the provisions of the Civilian Secretariat for Police Act, 2011 (Act No 2 of 2011).
7. The Committee recommended that the CSP should closely monitor the performance of the joint Audit and Risk Management Committee and that the Department reports on its progress within 6 months.

**6.2.2 Performance recommendations:**

1. The Committee recommends that the Strategic Plan and APP (2017/18) of the CSP should be realigned to focus on the delivery of its core mandate and should be less inward looking. Further, the Committee recommends that the strategic link between the priorities of the CSP and the NDP should be set out clearly in the 2017/18 financial year.
2. The Committee recommends that performance indicators and accompanying targets should adhere to the SMART criteria.
3. The Committee recommends that the CSP reviews all its targets to make sure that it aligns to the MTSF targets.

1. The Committee recommends that the CSP Regulations should be prioritised for finalisation and should be submitted to the Committee.
2. The Committee recommends that the Secretariat finalise its policies on Demilitarisation and Professionalisation of the SAPS within the next three months (before end July 2016) and make it available to the Committee and the SAPS. It should be noted that the policies mentioned are required as separate documents from the White Paper on Police and the White Paper on Safety and Security.
3. The Committee recommends that the CSP should adhere to the legislative schedule submitted to the office of the Leader of Government Business in the National Assembly takes account of the entire process including possible delays, into account.
4. The Committee recommends that the CSP provides it with a report from its Audit and Risk Management Committee on its functioning and the risks facing the CSP.

1. The Committee recommends that the appointment of a permanent Secretary of Police should be prioritised by the Minister of Police in order to ensure leadership stability.
2. The Committee recommends that the Guidelines on Community Police Forums are implemented in the provinces and report be provided to the Committee on quarterly basis.
3. The Committee recommends that the CSP provide the Forensic Oversight and Accountability Board with proper support in carrying out its mandate and provide a quarterly report on the functioning, programme and budget of the Board.
4. The Committee recommends that the CSP develop a complaints registry and management process and provide a report to the Committee in three months.

1. The Committee recommends that the CSP should endeavour to coordinate station visits with other oversight bodies, in order to ensure a greater coverage of stations being visited and avoid the duplication of visited stations.
2. The Committee recommends that the Department improve co-ordination with the various provinces in respect of its programme and update the Committee on such co-operation and coordination.
3. The Committee recommends that the Department develops all the outputs for implementation of the NDP within six months.

**7. CONCLUSION**

The Committee welcomed the progress shown by the Civilian Secretariat for Police in stabilising the establishment. The fact that all the staff have been vetted is evidence of this progress. The Committee also acknowledged the work done by the CSP and stated that more can be done to affect positive behavioural changes of the SAPS.

In conclusion, the Committee indicated that it will continue to fulfil its Constitutional mandate which is guided by the Parliamentary rules in conducting oversight over the functioning of CSP in order to ensure proper and effective functioning and compliance with the legislative mandate and policy requirements of the CSP.

The Portfolio Committee on Police supports the budget of the Civilian Secretariat for Police for 2016/17 as a Department within Vote 23 (Police) and recommends that the budget be adopted. The Democratic Alliance (DA) reserve their position on the budget.

**Report to be considered.**