

REPORT OF THE SELECT COMMITTEE ON SECURITY AND JUSTICE ON THE 2020/21 BUDGET VOTE 21, ANNUAL PERFORMANCE PLAN (APP) OF THE CIVILIAN SECRETARIAT FOR POLICE (CSPS), DATED 29 MAY 2020.

1. Introduction

The National Council of Provinces represents the provinces to ensure that the provincial interests are taken into account in the national sphere of government as stated in section 42(4) of the Constitution. One of these functions is to hold the government to account in respect of how the taxpayers' money is used. It detects waste within the machinery of government and public agencies. Thus it can improve the efficiency, economy and effectiveness of government operations.

It is with this in mind that the report represents an overview of the Civilian Secretariat for Police Services (CSPS) strategic plan, annual performance plans and budget. The Civilian Secretariat for Police Services (CSPS) mandate is to conduct civilian oversight of the police service and provide policy and strategic support to the Minister, including administrative support in relation to his international obligations. The Secretariat is also mandated to monitor the implementation of the Domestic Violence Act (1998) by the South African Police Service.

The Civilian Secretariat also has Provincial Secretariats who are given the mandate to perform the functions of the Civilian Secretariat for Police Service within the provincial sphere of government. Provincial secretariats do not report directly to the Department, but report to their respective heads of department (HoDs) and the Members of the Executive Council (MECs). However, the Provincial Secretariats must undertake the following tasks in order to support the objects of the CSPS:

- Align their plans and operations at the provincial sphere of government with the plans, policies and operations of the Department; and
- Integrate their strategies and systems at the provincial sphere of government with the strategies and systems of the Department. Therefore, the provincial secretariats

strategic plans, budget and performance plans are included in the annexures to this report.

On 13 May 2020, joint budget briefings were held with the Portfolio Committee on Police and the Select Committee on Security and Justice on the budget of the Civilian Secretariat for Police, through a virtual platform. The 2020/21 financial year marks the first year in which the CSPS received a separate budget Vote 21.

2. Strategic Plans

The overall strategic goal of the Secretariat is to conduct civilian oversight over the police and provide the Minister of Police with strategic support. The CSPS has a key role to reduce violent crime through the promotion of a more active citizenry and the establishment of a new social compact. This can find expression in the implementation of the 2016 White Paper on Safety and Security that is focussed on realising the vision of the NDP and calls for an integrated and holistic approach to safety and security across all government departments and civil society.

2.1 Strategic Focus 2020-2025

Over the next five years, the CSP will:¹

- Focus on the finalisation and implementation of an Integrated Crime and Violence Prevention Strategy.
- The CSPS will also ensure the implementation of a Partnership Strategy and Framework which seeks to mobilise key role-players and harness the social capital in communities by facilitating greater involvement of various community safety structures in the fight against crime.
- Develop and implement an e-Policing Policy.

¹ Please see Provincial Secretariat's Strategic plans attached hereto under Annexure A.

The Minister also approved the following Bills to be processed for public consultation:

- The Firearms Control Amendment Bill
- The South African Police Service Amendment Bill
- Protection of Constitutional Democracy against Terrorist and Related Activities Amendment Bill
- The Second Hand Goods Amendment Bill
- The Controlled Animals and Animal Products Bill
- Regulation of Gatherings Amendment Bill
- Criminal Law (Forensic Procedures) Amendment Bill.

3. Budget Allocation

The CSPS received a main appropriation of R156.3 million in 2020/21, which is a nominal increase of 9.2% (increase of R13.2 million). The CSP has four programmes including: Administration, Inter-sectoral Coordination and Strategic Partnerships, Legislation and Policy Development and Civilian Oversight, Monitoring and Evaluations.

The Administration Programme received a Main Appropriation of R69.4 million in 2020/21, which is a nominal increase of 8.78% (considering inflation, it is a real increase of 4.19%) when compared to the previous financial year. The Administration Programme received 44.4% of the total budget allocation in the Department during 2020/21.

The Inter-sectoral Coordination and Strategic Partnerships Programme received a Main Appropriation of R26.7 million in 2020/21, which is a nominal increase of 7.23% when compared to the previous financial year. Proportionally, the Programme received 17.07% of the total budget allocation of the Department.

The Legislation and Policy Development Programme received a Main Appropriation of R24.8 million in 2020/21, which is a nominal increase of 13.24% (real increase of 8.47%). The Civilian Oversight, Monitoring and Evaluation Programme received a Main Appropriation of R35.4 million in 2020/21, which is a nominal increase of 8.92% when compared to the previous financial year.

3.1 Provincial Budget

OVERVIEW OF PROVINCIAL SECRETARIATS 2020/21 BUDGETS

	Programme Support	Policy & Research	Monitoring & Evaluation	Safety Promotion	Community Police Relations	Progs. Total
1 EC						
2 FS		1,867	6,271	3,449	4,583	
3 GP	5,443	8,316	72,687	123,901	43,517	253,864
4 KZN	39,230	4,316	18,893	79,336	6,514	148,289
5 LP	20,751	5,040	5,350	20,971	11,546	64,658
6 MP	414	4,793	13,050	18,868	21,872	58,997
7 NC	15,975	2,361	2,824	4,134	5,215	30,509
8 NW	2,863	2,857	14,820	28,262	5,660	54,462
9 WC	2,819	12,644	14,565	24,282	30,024	84,334
Total	87,495	42,194	148,460	303,203	128,931	

55

Source: CSP Presentation

The CSP reported that the highest budget is allocated to safety promotion which is R303.2 million followed by the monitoring and evaluation programme which is R148.4 million and then community police relations which is allocated R128.9 million. Gauteng will receive the highest budget, followed by KZN and then Western Cape with Free State obtaining the lowest budget. Western Cape has an additional budget which includes grants for a police ombudsman and law enforcement officers.²

4. Provincial Annual Performance Plans

The CSP advised the Committee that the Provincial Secretariat's APPS were aligned with theirs in the following manner;³ joint research projects, facilitating implementation of the 2016 White Paper on Safety and Security, court watch brief reports, complaints management, monitoring SAPS implementation of IPID recommendations, monitoring of compliance with DVA and the assessment reports on SAPS programmes.

² The CSP indicated that it was unable to obtain the budget for the Eastern Cape Province.

³ Please see Annexure B attached hereto for the Provincial APPS

5. Discussions / Responses by Department

5.1 SAPS Inspectorate

Members requested information pertaining to whether the CSP has drafted policy documents on the independence of the South African Police Service (SAPS) Inspectorate in order for it to have better control over performance indicators.

The Department responded that in terms of the government's Monitoring and Evaluation Framework, departments should have their own monitoring function. Therefore, the Inspectorate and National Commissioner has the responsibility of monitoring the deliverables of their own departments. However, the CSP works with the Inspectorate to conduct follow up and to ensure proposals are implemented.

5.2 DNA Board

Members queried the fact that the DNA board had come to the end of its term in January 2020 and wanted to know what the future of the board would be. Further, members recollected that at one time there was a proposal that the CSP would assume control over the board and therefore enquired as to what the role of the board would be over the next 5 years.

The Department responded that the Minister is finalising the appointment of a new board and is currently awaiting a response from the Ministers of Health, Justice and Correctional Services for their recommendations of 3 representatives who would be part of the Board. The Department informed the Committee that an MOU was signed with the DNA board which clarifies the role of the CSP and DNA board and that this MOU would remain in place with the new Board. The previous board had prepared a comprehensive hand over report which will be presented to the Minister and to the Portfolio Committee on Police. The hand over report reflects the challenges which the Board encountered and also provides proposals for the new board.

5.3 IPID and CSP

Members queried the increasing levels of distrust in police and wanted to understand whether the CSP was working with IPID to address some of these concerns.

The Department responded that it conducts quarterly meetings with IPID. These meetings include analysis of reports and the CSP advises the Minister based on these interactions. The CSP has 4 meetings per year with IPID and officials have monthly forums. The monthly meetings identify issues of concern and IPID clarifies its investigations to ensure that SAPS is implementing its recommendations.

5.4 Transformed and Accountable Police Service

Members requested clarity on the fact that the Department reflected that it had only undertaken 4 meetings towards achieving a transformed and accountable police service and wanted to know what the outcomes of these meetings were and to what extent it improved policing. Further, whether a census was done at all police stations and whether the CSP has produced a report on the findings and to what extent the findings have been implemented.

The Department responded that a report has been compiled and it has been shared with the Minister. The report reflects a baseline which shows that on an annual basis about 25% of police stations are visited and each police station is required to present an improvement plan, which is monitored by the CSP. For the next 4 years, one area will be identified and the CSP will now focus on detective services and an evaluation and assessment will be done in respect of training.

5.5. Crime Prevention Strategy

Members were of the view that the crime prevention strategy is an important area of work and wanted to know why this strategy remains incomplete. Members were also concerned about the targets being very low, for example one activity per year was cited in the CSP presentation.

The Department responded that the indicator reflecting one activity per year, is due to the length of time taken to conduct research and the development of policies. The Department responded that the Crime Prevention Strategy relates to the White Paper on Safety and Security, which requires consultation with the three spheres of government. The CSP will conduct virtual consultations in order to finalise this matter by December 2020. The CSP will also send letters to provinces, including SALGA to finalise the strategy this year.

5.6 DVA reporting

Members were concerned that the CSP did not have an indicator related to sign language reporting and wanted to know how persons with disabilities are being catered for in respect of reporting domestic violence complaints. Members also wanted to understand how CSP is monitoring the compliance of SAPS with the Domestic Violence Act.

The Department responded that CSP has to be more pro-active in its monitoring of DVA compliance at police stations. The CSP has established compliance forums which identify challenging issues and the CSP works with SAPS to resolve these challenges. The CSP shared an example of one police station where they had worked with the police station to do awareness raising and trained ambassadors on Domestic Violence. In respect of sign language and other languages, the CSP has conducted a survey of whether police stations have capacity and have found that they do not have the necessary capacity. Police stations have indicated that to address this challenge, they use people in communities to assist them with different languages, including sign language.

5.7 Budget Cuts and Audits

Members queried the fact that in the 2018/19 financial year, there had been a decline and the reasons advanced were that the internal and external audits were not implemented. Members requested the reasons for this. Members also wanted to understand how the CSP was going to address the budgetary cuts on goods and services.

The Department responded that in respect of the reprioritization of budgets, they have suggested to treasury that instead of taking all the money from goods and services, treasury

should instead take money from the compensation of employees' budget. In respect of the audits, the Department indicated that it had clean audits for three years and had merely encountered a challenge in respect of the implementation of a new system of the payment of supplies within 30 days. However, CSP has been able to respond to all the audit findings.

5.8 Community Policing Forums (CPFs)

Members wanted to understand why CPFs were not deemed essential services at the beginning of lockdown, particularly in light of the fact that they work closely with communities. Members further enquired as to why it was that the CSP did not motivate for their inclusion in essential services. Members also requested information on the status of CPF structures and the training being implemented.

The Department responded that SAPS had declined to utilise the CPFs who are governed by the regulations of SAPS. The Deputy Minister indicated that the Secretariat should have motivated for the CPFs at the beginning of lockdown and that this matter will be reviewed moving forward. In respect of training of CPFs the Department indicated that the content of the training is guided by the White Paper on Safety and Security. Community safety matters goes beyond policing citizens and it is for this reason that CPFs have to be active. The CSP conducts training but they were of the view that CPFs should be able to have relationships with provinces, municipalities and mayors. As a mitigation strategy, the CSP will enter into an MOU between SALGA and COGTA.

5.9 Firearms Amendment Bill

Members wanted to know how far the Department was in finalising the Firearms Amendment Bill.

The Department responded that the Minister had approved the Bill for processing and consultation. The consultation process required that the bill be discussed with the JCPS cluster but due to Covid-19 this process was delayed. However, the CSP committed to ensuring that the process continues.

5.10 DPCI Judge

Members wanted to understand the relationship between the DPCI judge and CSP and also queried why the DPCI judge had cancelled four community engagements.

The Department acknowledged that there were some challenges in relations with the office of the DPCI judge. The Department further indicated that the DPCI judge decided to cancel the community engagement programmes and that the CSP had no influence over the decisions of the judge.

6. Recommendations

6.1 Members recommended that in respect of the budgets for provinces, there was a need for further engagement with the Department to engage more deeply with the provincial secretariats on their budgets and activities.

6.2 Members recommended that the DNA Board hand over report be dealt with expeditiously and that the process of finalising a new Board be sped up to ensure continuity in the work of the Board.

6.3 Members recommended that the CSP finalises the necessary MOUs with IPID and the DPCI judge to ensure strengthened working relationships which will improve oversight over the police and the DPCI.

6.4 Members recommended that the CSP conduct virtual consultations with the three spheres of government and SALGA to speed up and finalise the Crime Prevention Strategy by December 2020.

6.5 Members recommended that the Department develop a comprehensive strategy which should be implemented at all police stations on a provincial level to enhance and improve the reporting of domestic violence incidents at police stations. Members encouraged the CSP to be more pro-active in addressing the challenges at police stations in respect of ensuring compliance with the Domestic Violence Act.

6.6 Members recommended that the CSP urgently finalises all outstanding MOUs with SALGA and COGTA to ensure that CPFs are functional and operational, particularly during lockdown as their input will be invaluable in assisting the police with the implementation of crime prevention strategies.

6.7 Members recommended that the Office of the DPCI judge adheres to its mandate and ensures that it initiates and attends community engagements which will in turn increase awareness in communities of the functions of the DPCI judge.

6.8 Members recommended that the CSP develops and implements working protocols with Provincial Secretariats to streamline the roles and functions clearly.

7. Conclusion

The Committee welcomed the presentation by the CSP and recognised the challenges the Department is encountering in various areas of work. The Committee wishes to encourage the Department to strive towards fulfilling its mandate and obligations.

The Select Committee supports Budget Vote 21.

Report to be considered.

ANNEXURE A

Provincial Secretariat Strategic Plans

Province	Outcome	Outcome Indicator	Baseline	5 year indicator
North-West	Society that works together in respecting and abiding by the law	Level of safety	2 Community safety satisfaction survey conducted	Community safety satisfaction survey conducted every 2 years
Limpopo	Increased feelings of safety in communities	Number of functional community safety structures	28 CSFs 117 CSFs	
		Number of social crime prevention programmes	350	20
		Number of SAPS components compliant with relevant legislation	New Indicator	20
KZN	Improved quality of policing	Reduce percentage of contact crime	1.1%	10%
		Increased proportion of citizens feel safe walking alone during the day	79%	85%
		Increased proportion of citizens feel safe walking alone during the night	32%	40%
		Reduction of Gender based Violence (New Indicator)	New	40%
		Reduced percentage of complaints against the police		10% less than baseline
	Improved community policing	Increase number of functional Community Safety Structures	141	1230
		Increase in voluntary participation of communities in crime prevention	1225	10% above the baseline
Mpumalanga	Reduction of contact crime	Functional community safety forums	Functional CSF	20 Functional CSFs
		Functional Community Policing Forums (CPFS)	Functional CPFs	Functional CPFs
		Compliant police stations to policing policy prescripts	89	90
		Reduced incidences of GBV and Contact crimes	4 social crime prevention programmes	4 social crime prevention programmes
Northern Cape	Accountable Police Service	Increased percentage of service delivery complaints against SAPS resolved	54%	60%
	Increased feelings of safety in communities	Provincial Crime Prevention Strategy implemented	1	1
	Community participation in public policing	Functional CPFs implemented at police stations, Functional CPF's implemented at police stations, according to set guidelines according to set guidelines	65%	100%
Eastern Cape	Increased levels of compliance by the South African Police Service	Number of recommendations implemented	New Indicator	100%
Western Cape	Contribute to the efficiency of safety partners and law enforcement	Improved use of evidence-led data to influence resource allocation of law enforcement agencies	5 (status reports)	6
		Increased functionality of safety partners	600	

	agencies through oversight			
	Contribute toward the reduction of crime in areas where law enforcement officers are deployed	Increase in law enforcement officers deployed	3000	6
	Capacitated community safety structures	Increase in accredited Neighbourhood Watch structures	500	6
Free State	Reduced levels of crime through improved police service delivery	Number of Police Stations assessed and reports compiled on oversight assessments		555
		Number of reports compiled on the management of service delivery complaints against SAPS		20
		Number of monitoring reports compiled on implementation of IPID recommendations by SAPS		20
		Number of CSFs assessed on functionality		25
		Number of CPFs assessed on functionality		555

ANNEXURE B

Provincial Secretariats Annual Performance Plans⁴

Province	Output Indicators
North-West	Number of municipalities implementing Crime prevention programmes Number of community structures mobilised to participate in community policing Percentage of recommendations implemented by the SAPS Number of Research projects conducted
Limpopo	% of recommendations implemented by SAPS based on the monitoring tools Number of DVA initiatives conducted % of IPID recommendations implemented by SAPS % of service delivery complaints resolved % of research recommendations implemented Number of SAPS Components monitored (SAPS components compliant with legislation) Number of research projects on policing Number of CPFs assessed on functionality Number of CSFs assessed on functionality Number of capacity building workshops for Community Safety structures conducted
KZN	Number of Community Safety Forums assessed for functionality Number of functional CPFs assessed Number of ward safety committee structures established Number of reports on interventions to support provincial community safety structures Number of reports on interventions to support district community safety structures Number of crime prevention programmes implemented Number of reports on targeted Integrated Law Enforcement Initiatives produced Number of reports on deployment of crime prevention volunteers
Mpumalanga	Number of research studies conducted to inform advocacy on contact crime Number of research recommendations submitted to stakeholders for implementation Number of research conducted on special project as per CSPA directive Number of national monitoring tool (NMT) Improvement plans monitored Number of DVA Audit Improvement plans monitored

⁴ In the presentation to the Committee, Gauteng's APP was not included.

	<p>Percentage of monitored IPID recommendations implemented by SAPS Percentage of service delivery complaints against SAPS resolved Number of Priority District Courts monitored through the court watching briefs programme Number of CSPS special projects conducted Number of CSFs assessed Number of CPFs assessed</p>
Northern Cape	<p>% of IPID recommendations implemented Number of National Monitoring Tools Conducted % of DVA Tools recommendations implemented Number of Community Satisfaction surveys completed Number of social crime prevention programmes implemented Number of Victim Friendly facilities assessed Number of School safety assessments conducted (Northern Cape School Safety Implementation Protocol Implemented) Percentage of police stations that have functional CPFs Percentage of municipalities that have functional CSFs</p>
Eastern Cape	<p>Number of reports on oversight recommendations implemented Number of oversight engagements with SAPS Number of analysis on police stations monitored Number of analysis on SAPS compliance with the Domestic Violence Act (DVA) Number of monitoring and evaluation special projects conducted Number of analysis on policing accountability engagements convened Number of reports on court watching brief programme Percentage of complaints received, referred and followed up Number of monitoring report compiled on SAPS implementation of IPID recommendations Number police stations monitored on service delivery Number of police stations monitored on compliance with the Domestic Violence Act (DVA) Number of policing accountability engagements convened Number of oversight reports on the election of CPF Percentage of complaints received, referred and followed up Number of social crime prevention programmes implemented Approved PSS Action plan (provincial safety strategy) Number of schools supported with Safety Patrollers Number of community engagements Number of assessments conducted on the implementation of SAPS Rural Safety Strategy Number of analysis on the oversight of CPF elections Number of assessments conducted on CSF</p>
Western Cape	<p>Monitoring reports on the implementation of IPID recommendations by police Police stations visited Reports on inefficiencies identified at police stations during oversight visits Consolidated reports on oversight visits Priority police stations monitored through the Court Watching Briefs programme Social crime prevention programmes implemented Areas where school based safety initiatives are implemented Community outreach initiatives implemented Safety partners assessed on functionality Schools where Neighbourhood Watch structures are deployed Reports on Neighbourhood Watch Projects implemented Reports on SAPS service delivery complaints received and the status thereof</p>
Free State	<p>Number of Police Stations assessed and reports compiled on oversight assessments Number of Special projects conducted and reports compiled Number of Audits conducted at Police Stations on compliance with the Domestic Violence Act. Number of Public Awareness campaigns conducted on the Domestic Violence Act (DVA) Number of Victim Empowerment Programmes implemented Number of reports compiled on management of service delivery complaints against SAPS Number of reports reflecting the number and status of complaints Number of reports on the nature of complaints Number of reports regarding the investigation of complaints Number of research reports on policing Number of customer satisfaction survey reports compiled Number of community outreach Programmes conducted (public meetings, road shows, etc.)</p>