

SUBMISSION TO THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES ON THE FUNCTIONING OF THE CRIMINAL RECORD SYSTEM **17 MARCH 2021**



ON A JOURNEY TO A SAFER SOUTH AFRICA

Creating a safe and secure, crime free environment, that is conducive for social and economic stability, supporting a better life for all.

#PatrioticandSelflessService



PRESENTATION OVERVIEW

- Legislative framework
- Geographical spread of Local Criminal Record Centres (LCRC) and service points
- Purpose of Police Clearance Certificate (PCC) and Police Clearance Report (PCR)
- Differences between Police Clearance Certificate (PCC) and Police Clearance Report (PCR)
- Process flows
- Statistics (personnel vs workload)
- Resource requirements
- Challenges
- Conclusion

LEGISLATIVE FRAMEWORK



- Constitution of the Republic of South Africa, 1996;
- Criminal Procedure Act, 1977(Act No. 51 of 1977);
- South African Police Service Act, 1995 (Act No. 68 of 1995);
- Criminal Law (Forensic Procedures) Amendment Act, 2010 (Act No. 6 of 2010); and
- Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No. 37 of 2013).

GEOGRAPHICAL SPREAD OF LCRC & SERVICE POINTS



- Component CR&CSM consists of -
 - 97 LCRC sites of which 60 are equipped with AFIS ; and
 - 36 service points.

| Province | Total LCRC's | Total Service Points | Total LCRC's with AFIS office |
|----------|--------------|----------------------|-------------------------------|
| EC | 17 | 4 | 7 |
| FS | 7 | 4 | 5 |
| GP | 13 | 5 | 8 |
| KZN | 11 | 8 | 8 |
| LMP | 13 | 5 | 8 |
| MP | 8 | 5 | 5 |
| NC | 9 | 1 | 5 |
| NW | 8 | 3 | 6 |
| WC | 11 | 1 | 8 |
| TOTAL | 97 | 36 | 60 |



PURPOSE OF PCC AND PCR



Police Clearance Certificate (PCC)

- Required for international travel;
- international employment; and
- immigration and Emigration.

Police Clearance Report (PCR)

- Required for employment within RSA;
- licensing/permits (e.g. firearm licence, PSIRA etc.); and
- expungement of a criminal record.



DIFFERENCE BETWEEN PCC & PCR



| Police Clearance Certificate (PCC) | Police Clearance Report (PCR) |
|---|---|
| Displays only the convicted criminal record information of the applicant. | Displays the convicted criminal record information and pending criminal cases recorded against the applicant. |
| Application fee for processing is R 150 (Fee is annually revised). | Application fee for processing is R 70 (Fee is annually revised). |
| Printed on paper with special security features. | Printed on an ordinary paper without security features. |
| Extended processing time (3 weeks excluding postal time). | Shorter processing time (1 to 2 weeks). |
| A centralized service that is only performed at national level in Pretoria. | Decentralized service performed at the Local Criminal Record Centres countrywide. |
| Information translated into English. | Information displayed in language captured. |



PCC PROCESS FLOW



An applicant applies at any police station. Application must be accompanied by -

- A complete set of fingerprints of the applicant taken by a police official on an official police form;
- completed application form;
- Proof of payment of the required fee; and
- a certified copy of the RSA ID or passport.



The applicant may select any of the following options for the submission of the application for processing in Pretoria:

- Request the police station to post it;
- courier or post it via registered mail to Pretoria at own costs; or
- Hand deliver it to the CRC office in Pretoria at own cost.



CRC will upon receipt of the application, register it and send a SMS to the applicant;

the application will be processed; and

upon finalization, a SMS will again be sent to the applicant. The return method as selected by the applicant will be used for dispatching of the certificate.



PCR PROCESS FLOW



An applicant applies at any police station. Application must be accompanied by -

- A complete set of fingerprints of the applicant taken by a police official on a form SAPS 91(a);
- Indemnity form;
- Proof of payment of the required fee; and
- a certified copy of the RSA ID or passport.



The police station will submit the application to the nearest LCRC for processing.



LCRC will process the application upon receipt thereof and return the PCR to the police station of origin.

The employer or applicant will collect the PCR from the police station.



STATISTICS (Personnel vs Workload)

| | 2017 / 2018 | 2018 / 2019 | 2019 / 2020 |
|-------------------------------|-------------|-------------|-------------|
| LCRC PERSONNEL STRENGHT | 497 | 494 | 482 |
| TOTAL PCR | 1 009 831 | 990 153 | 929 495 |
| | | | |
| PERSONNEL STRENGHT | 131 | 125 | 115 |
| TOTAL PCC | 316 218 | 315 287 | 375 095 |



RESOURCE REQUIREMENTS

| RESOURCES | PCC | PCR |
|--------------------|---------------------------------------|--|
| Compensation | R18 648 300 | R90 444 255 |
| Human Capacity | 100 appointments on PA salary level 5 | 485 appointments on PA salary level 5 (5 per LCRC) |
| Goods and Services | R5 000 000 | R20 000 000 |
| Capital Assets | R3 000 000 | R10 000 000 |
| | | |

- Projected figures are based on guestimates and will be subjected to a feasibility study to determine the actual totals.
- The front line government officials capacity is used as a baseline to project the resource requirements the workload will increase with approximately 800 000 applications.



CHALLENGES

- Insufficient human and physical resources;
- Insufficient budget allocation;
- Increasing workload as a result of additional legislative obligations placed on the SAPS without proper consultation with SAPS;
- Evolving requirements for the services due to different legislation requirement eg. race, gender or age of a victim etc.;
- Increasing demand resulting in duplication of requests of PCR and PCC;
- Impact of COVID-19 on the services rendered;
- Evolving technology and inadequate network infrastructure; and
- Constraints in further decentralization due to capacity (human, financial and physical resources).



CONCLUSION



- Guide the applicants to apply for correct and applicable document (continuous public awareness);
- PCR will be a preferred option and easily accessible; and
- capacitate the environment with resources.



THANK YOU



The end.....