

**SOUTH AFRICAN POLICE SERVICE  
BI-ANNUAL REPORT  
TO  
PARLIAMENT**



**IMPLEMENTATION OF THE DOMESTIC VIOLENCE ACT, 1998  
(ACT NO. 116 OF 1998)**

**1 APRIL 2021 TO 30 SEPTEMBER 2021**

**1. Purpose**

1.1 The purpose of this report is to provide the bi-annual report of the South African Police Service (SAPS) to Parliament on the following issues, as prescribed in paragraph 18(5)(d) of the Domestic Violence Act, 1998 (Act No. 116 of 1998), hereafter referred to as “the Act”:

- The number and particulars of complaints received against its members, in respect of any failure contemplated in subsection (4)(a).
- The disciplinary proceedings instituted, as a result thereof and the decisions emanating from such proceedings.
- Steps taken, as a result of recommendations made by the Independent Complaints Directorate. Please note that this function is now performed by Civilian Secretariat of Police Service (CSPS).

1.2 Paragraph 18, subsection 4(a) of the Act, refers to failure by any serving member to comply with an obligation imposed, in terms of National Instruction, 7 of 1999, Domestic Violence, issued by the National Commissioner of the SAPS.

1.3 The SAPS provides information on the number of serving members who have contravened the Act, the action taken against such members and also members, who are victims of domestic violence.

**2. Progress report of departmental cases to be investigated (DS4A), reported in the previous reporting period: 1 October to 2020 to 31 March 2021.**

2.1 Table 1 reflects the outcomes of eight DS4A matters, which were reported in the previous reporting period: 1 October 2020 to 31 March 2021.

**Table 1**

<b>Province</b>	<b>Brief description of alleged non-compliance</b>	<b>Outcomes</b>	<b>Total</b>
<b>Gauteng</b>	Failed to complete SAPS 508(a) and SAPS 508(b)	One verbal warning	<b>1</b>
<b>KwaZulu-Natal</b>	Failed to complete SAPS 508(a) and SAPS 508(b)	One corrective counselling	<b>3</b>
	Failed to assist a complainant to open a case	Two matters still in progress	
<b>Western Cape</b>	Failed to complete SAPS 508(a) and SAPS 508(b)	Four matters still in progress	<b>4</b>
<b>Total</b>			<b>8</b>

3. **Number and nature of complaints received against SAPS members.**

3.1 Table 2 reflects the number and nature of complaints received against serving members, in respect of any failure contemplated in paragraph 18, subsection 4(a) of the Act, for the period 1 April 2021 to 30 September 2021.

**Table 2**

<b>Number and nature of complaints</b>	
<b>Nature of complaints</b>	<b>Number of complaints</b>
Failure to complete SAPS 508(a) and 508(b)	35
Failure to record DV incidents in the Occurrence Book/Pocket Book	3
Failure to file/register a protection order	2
Failure to arrest the perpetrator	0
Failure to open a case	15
Failure to serve a protection order	0
Failure to submit a pocket book entry and endorse a case number	1
Failure to confiscate the firearm of a perpetrator	0
Failure to do a first level inspection	1
Failure to render a satisfactory service to the victim	2
<b>Total</b>	<b>59</b>

4. **Number of Complaints, per province.**

4.1 Table 3 reflects the number of complaints, per province, against members on failure to render services, for the period 1 April 2021 to 30 September 2021.

**Table 3**

<b>Categories</b>	<b>Eastern Cape</b>	<b>Free State</b>	<b>Gauteng</b>	<b>Kwazulu-Natal</b>	<b>Limpopo</b>	<b>Mpumalanga</b>	<b>Northern Cape</b>	<b>North West</b>	<b>Western Cape</b>	<b>Total</b>
Failure to complete SAPS 508(a) and 508(b)	0	5	0	0	0	0	0	0	30	<b>35</b>
Failure to record DV incidents in the Occurrence Book or Pocket Book	0	2	0	0	0	0	0	0	1	<b>3</b>
Failure to file/register a protection order	0	2	0	0	0	0	0	0	0	<b>2</b>
Failure to arrest the perpetrator	0	0	0	0	0	0	0	0	0	<b>0</b>
Failure to assist a complainant to open a case	0	3	0	0	0	0	0	0	12	<b>15</b>
Failure to serve a protection order	0	0	0	0	0	0	0	0	0	<b>0</b>
Failed to submit pocket book entry and endorse a case number	0	1	0	0	0	0	0	0	0	<b>1</b>
Failure to confiscate the firearm of a perpetrator	0	0	0	0	0	0	0	0	0	<b>0</b>
Failure to do a first level inspection	0	0	1	0	0	0	0	0	0	<b>1</b>
Failure to render a satisfactory service to the victim	0	0	2	0	0	0	0	0	0	<b>2</b>
<b>Total number of complaints received</b>	<b>0</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>43</b>	<b>59</b>



**5. Number of members who failed to comply with the Domestic Violence Act, 1998 and National Instruction, 7 of 1999.**

5.1 Table 4 reflects the breakdown of the number of members, per province, who failed to comply with the Domestic Violence Act, 1998 and National Instruction, 7 of 1999, for the period 1 April 2021 to 30 September 2021.

**Table 4**

Province	April 2021	May 2021	June 2021	July 2021	August 2021	Sept 2021	Total
Eastern Cape	0	0	0	0	0	0	0
Free State	2	0	6	2	2	1	13
Gauteng	0	0	0	0	0	3	3
KwaZulu-Natal	0	0	0	0	0	0	0
Limpopo	0	0	0	0	0	0	0
Mpumalanga	0	0	0	0	0	0	0
Northern Cape	0	0	0	0	0	0	0
North West	0	0	0	0	0	0	0
Western Cape	1	17	0	0	4	21	43
<b>Total</b>	<b>3</b>	<b>17</b>	<b>6</b>	<b>2</b>	<b>6</b>	<b>25</b>	<b>59</b>

**6. Departmental action instituted against members.**

6.1 Table 5 reflects the departmental action instituted, as a result of complaints and decisions emanating from such proceedings.

**Table 5**

Departmental Action Taken	Number of members involved
DS1 Remedial steps after initial interview (not serious)	29
DS2 Verbal warning after initial interview (not serious)	14
DS3 Written warning (not serious)	5
DS3A Final written warning	0
DS4A Departmental investigation (serious) under investigation	11
DS4B Departmental investigation (serious)	0
DS4C Departmental investigation (serious)	0
Exemption granted	0
Application for exemption	0
<b>Total</b>	<b>59</b>

7. Departmental actions against members per province

7.1 The figures in table 6 reflect the decisions, per province, emanating from such proceedings instituted against members, who failed to comply with National Instruction, 7 of 1999, Domestic Violence, for the period, 1 April 2021 to 30 September 2021.

Table 6

Categories	Eastern Cape	Free State	Gauteng	Kwazulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
DS1: Remedial Steps (after initial interview, not serious)	0	1	0	0	0	0	0	0	28	29
DS2: Verbal warning (after initial interview, not serious)	0	7	0	0	0	0	0	0	7	14
DS3: Written warning (not serious)	0	2	1	0	0	0	0	0	2	5
DS3A: Final Written warning	0	0	0	0	0	0	0	0	0	0
DS4A: Departmental Investigation (serious) Under investigation	0	3	2	0	0	0	0	0	6	11
DS4B: Departmental Investigation (serious) Guilty State Sentence	0	0	0	0	0	0	0	0	0	0
DS4C Departmental Investigation (serious) Not Guilty	0	0	0	0	0	0	0	0	0	0
Exemption granted: Failure to complete SAPS 508(a) and 508(b)	0	0	0	0	0	0	0	0	0	0
Application for exemption	0	0	0	0	0	0	0	0	0	0
<b>Total number of complaints received</b>	<b>0</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>43</b>	<b>59</b>

- 7.2. Regular inspections of the relevant registers and forms are conducted by officers, to monitor compliance by members, as part of monitoring the implementation of National Instruction, 7 of 1999 and to initiate departmental action against members. Minor incidents of non-compliance, are rectified immediately. Members are encouraged to ensure compliance, during station lectures and on/off duty parades.
8. **SAPS members in contravention of the Act (alleged perpetrators) and those who were victims of domestic violence.**
- 8.1 The figures, in table 7, reflect the information submitted by provinces, for the period, 1 April 2021 to 30 September 2021, regarding SAPS members who are alleged perpetrators and victims of domestic violence.

**Table 7**

<b>Provinces</b>	<b>Number of members who are identified as alleged DV perpetrators (SAPS 508c)</b>	<b>Number of police stations at which members are identified as alleged DV perpetrators (SAPS 508c)</b>	<b>Number of members identified as victims of DV (SAPS 508d)</b>	<b>Number of police stations at which members are identified as victims of DV (SAPS 508d)</b>
Eastern Cape	1	1	1	1
Free State	26	19	19	15
Gauteng	26	17	9	7
KwaZulu-Natal	6	6	5	5
Limpopo	2	2	0	0
Mpumalanga	4	3	2	2
Northern Cape	3	3	1	1
North West	3	3	2	1
Western Cape	76	41	34	18
<b>Total</b>	<b>147</b>	<b>95</b>	<b>73</b>	<b>50</b>



**9. Seizure of firearms, from SAPS members, who are alleged perpetrators of domestic violence.**

9.1 Table 8 reflects the total number of SAPS owned firearms, withdrawn from members, identified as alleged perpetrators of domestic violence, for the period 1 April 2021 to 30 September 2021.

**Table 8**

Provinces	Number of firearms seized from SAPS members	Number of firearms not seized from SAPS members	Number of members not issued with official firearm	Number of private firearms seized from SAPS members	Total
Eastern Cape	1	0	0	0	1
Free State	16	0	10	0	26
Gauteng	17	0	9	2	28
KwaZulu-Natal	6	0	0	0	6
Limpopo	2	0	0	0	2
Mpumalanga	4	0	0	0	4
Northern Cape	2	0	1	0	3
North West	1	0	2	0	3
Western Cape	26	0	50	0	76
<b>Total</b>	<b>75</b>	<b>0</b>	<b>72</b>	<b>2</b>	<b>149</b>

9.2 A total of 77 firearms were seized from the SAPS members, for the period 1 April 2021 to 30 September 2021. A total of 75 firearms had been allocated to members on their personal equipment inventory (SAPS 108) and two additional, private firearms, were seized from the members.

9.3 A total of 72 members were not issued with SAPS 108 firearms.

**10. Mitigating plans.**

10.1 Gender-Based Violence (GBV) Steering Committee, which is held quarterly, to monitor implementation.

10.2 Inter-Divisional Forum, which is held monthly, to address implementation gaps identified.

10.3 Compliance forum, held every quarter and led by the Civilian Secretariat of Police Service (CSPS).



- 10.4 Joint capacity work sessions, between the SAPS and the CSPS, targeting Station Commanders, Visible Policing Commanders and Relief Commanders.
- 10.5 Monitoring the implementation of the SAPS National GBV and Sexual Offences Action Plan, which was approved by the National Commissioner, on 15 March 2021.
- 10.6 Implementation of the SAPS GBV Case Management Intervention Plan, to establish GBV desks, at all police stations.



**NATIONAL COMMISSIONER SOUTH AFRICAN POLICE SERVICE  
KJ SITOLE (SOEG)**

**GENERAL**

Date: 2021 -12- 15

Report approved/not approved for tabling



**MINISTER OF POLICE  
GENERAL BH CELE, MP**

Date:

13/01/2022