

## **Budget Review and Recommendation Report of the Portfolio Committee on Police on the 2021/22 Annual Report of the South African Police Service (SAPS), Dated 19 October 2022.**

The Portfolio Committee on Police, having considered the annual financial and service delivery performance of the South African Police Services (SAPS) for the 2021/22 financial year on 12 October 2022, reports as follows:

### **1. INTRODUCTION**

In terms of Section 5 of the Money Bills Amendment Procedures and Related Matters Act, No. 9 of 2009, the National Assembly, through its Committees, must annually compile Budgetary Review and Recommendations Reports (BRRR) that assess service delivery and financial performance of departments and may make recommendations to the Minister of Finance to amend the budget of a National Department.

The Money Bills Amendment Procedures and Related Matters Act, section 5 (3) highlights focus areas on the budgetary review and recommendation report as:

- 1) Assess service delivery performance of departments given available resources;
- 2) Evaluate the effective and efficient use and forward allocation of resources (value for money in services delivered); and
- 3) May include recommendations on the forward use of resources.

The BRRR forms a source documents for the Standing/Select Committees on Appropriations/Finance when they make recommendations to the Houses of Parliament on the Medium-Term Budget Policy Statement (MTBPS). BRRRs must be submitted for tabling in the National Assembly after the adoption of the Appropriation Bill and prior to the adoption of the reports on the Medium Term Budget Policy Statement (MTBPS), which is scheduled for 26 October 2022.

### **Mandate of the Portfolio Committee on Police**

The Committee is guided by its interest to promote effectiveness, efficiency and professional policing in South Africa. It has a desire to see a reduction in crime. The mandate of the Committee therefore is to fulfil its constitutional function to:

- Process and pass legislation;
- Scrutinise and oversee executive action and the organs of state including the South African Police Service (SAPS), the Civilian Secretariat for Police Service (CSPS), the Independent Police Investigative Directorate (IPID) and the Private Security Industry Regulatory Authority (PSIRA);
- Facilitate public participation and involvement in the legislative and other processes; and
- Engage, participate and oversee international treaties and protocols.

The Committee was briefed on the Annual Report for 2021/22 by the Department on 12 October 2022 and also met with the Auditor-General on the audit outcomes on the same date.

### **Structure of the Report**

- **Section 1: Introduction.** This sections sets out the mandate of the Committee, the purpose of this report (Budgetary Review and Recommendation Report) and the process to develop this report.
- **Section 2: Overview of key policy focus areas.** This section includes the policy determinations of the National Development Plan (NDP), priorities stated by the President during his State of the Nation Address (SONA), key departmental policy areas and key priorities of the Portfolio Committee on Police for the 2020/21 financial year.
- **Section 3: Report of the Auditor General of SA (AGSA).** This section provides the key audit findings made by the Office of the AGSA.
- **Section 4: Financial overview.** This section provides an overview of the Departmental expenditure, including irregular expenditure, fruitless and wasteful expenditure and contingent liabilities.
- **Section 5: Performance overview.** This section provides an overview of Departmental performance on predetermined key performance indicators and targets.

- **Section 6: Committee observations.** This section provides a summary of the observations made by the Committee during the 2021/22 Annual Report hearings.
- **Section 7: Recommendations.** This section contains the recommendations made by the Committee.
- **Section 8: Conclusion.** This section provides a conclusion to the Report.

## 2. OVERVIEW OF THE KEY POLICY FOCUS AREAS

### 2.1. National Development Plan (NDP)

Chapter 12 titled “Building Safer Communities” outlines the responsibilities of the policing portfolio in South Africa. The vision of Chapter 12 is that:

"In 2030, people living in South Africa feel safe at home, at school and at work, and they enjoy a community life free of fear. Women walk freely in the streets and children play safely outside. The police service is well-resourced and professional, staffed by highly skilled officers who value their work, serve the community, safeguard lives and property without discrimination, protect the peaceful against violence, and respect the rights to equality and justice."

To achieve this vision, the NDP sets out five focus areas, including:

- Strengthen the criminal justice system;
- Make the police service professional;
- Demilitarise the police;
- Build safety using an integrated approach; and
- Build community participation in safety.

### 2.2. 2019-2024 Medium Term Strategic Framework (MTSF)

The MTSF 2019–2024 aims to address challenges of unemployment, inequality and poverty through, 1) driving a strong and inclusive economy, 2) building and strengthening the capabilities of South Africans, and 3) achieving a more capable state. These underpin the seven priorities of the MTSF –

- **Priority 1: Building a capable, ethical and developmental state**
- **Priority 2:** Economic transformation and job creation
- **Priority 3:** Education, skills and health
- **Priority 4:** Consolidating the social wage through reliable and quality basic services
- **Priority 5:** Spatial integration, human settlements and local government
- **Priority 6: Social cohesion and safe communities**
- **Priority 7:** A better Africa and world

The 2021/22 SAPS APP and 2020-2025 Strategic Plan are closely aligned to the 2019-2024 MTSF and include various performance indicators required by the MTSF. In the Minister’s Foreword, he places emphasis on the value of cohesive efforts from a society-wide approach to achieve social cohesion and safe communities and acknowledges that the MTSF is a stepping-stone towards the achievement of the NDP. To realise increased police visibility, the SAPS launched the Royal Police Reserve in December 2020, and continued the implementation of the Traditional Policing and Community-in-Blue Concepts, together with the Safer Cities Framework. The SAPS believe that these initiatives will contribute to the reduction of contact crime, particularly crimes against women and children.

### 2.3. State of the Nation Address (SONA)

President Ramaphosa delivered his fifth State of the Nation Address (SONA) during a hybrid Joint Sitting of the National Assembly (NA) and the National Council of Provinces (NCOP) on 11 February 2021. Key focus areas of the 2021 SONA were economic development and fighting the COVID-19 pandemic, and the President acknowledged that the key to South Africa’s recovery is tackling crime.

During the 2021 SONA, President Ramaphosa highlighted the following priorities relating to the policing sector:

- **Resourcing of police stations:** As part as the *SA Connect project*, Government will roll out broadband to police stations.
- **Supply Chain Management:** The President noted that the COVID-19 pandemic has closed various global value chains.
- **Rural Safety:** The President committed Government's support for black small-scale farmers and pursuing programmes to assist smallholder and emerging farmers with market access, to develop skills across the entire agricultural value chain and increase the number of commercial black farmers.
- **Ministerial Performance Agreements:** In October 2019, the President signed off on Ministerial Performance Agreements with all Ministers to enhance accountability and focused performance by members of the Executive. The Presidency has published these Ministerial agreements, as well as delegated powers to Deputy Ministers, on-line.
- **Corruption:** The fight against corruption and strengthening the state was identified by the President as one of the four overriding priorities of 2021. He further stated that the testimony at the Zondo Commission of Inquiry has shown how corruption has compromised and weakened the criminal justice system. Over the past three years, efforts have been made to turn around law enforcement bodies including improved cooperation and sharing of resources between respective law enforcement agencies, enabling a more integrated approach to investigations and prosecutions.
- **Crime and violence:** The President stated, "Crime and violence continues to undermine people's sense of safety and security" and that tackling crime is central to the success of South Africa's recovery from the COVID-19 pandemic.
- **Economic crimes:** The President stated that crimes like cable theft, railway infrastructure vandalism, land invasions, construction site disruptions and attacks on truck drivers hamper economic activity and discourage investment. The President noted that Government has set up task teams in a number of provinces to deal with extortion and violence on sites of economic activity.
- **Border Safety:** The President indicated that Government is fast-tracking the implementation and capacitation of the Border Management Agency (BMA) to curb illegal immigration and cross-border crime.
- **Gender-based Violence:** The President repeated his focus on ending gender-based violence as a key priority. He indicated that he has launched the National Strategic Plan on Gender-Based Violence and Femicide in April last year and that Government has made efforts to strengthen the criminal justice system to prevent women from being traumatised again, and to ensure that perpetrators face justice. As part of this initiative, Government introduced three key pieces of legislation in Parliament last year to realise effective change in combatting gender-based violence. The President further stated that Government is making progress in reducing the backlog of gender-based violence cases and that Government continues to provide care and support to survivors of gender-based violence. To support these initiatives, the President announced that Government has allocated approximately R12 billion to implement the various components of the National Strategic Plan on Gender-Based Violence over the 2021/22 medium-term.

#### 2.4. District Development Model (DDM)

In 2019, President Ramaphosa initiated the District Development Model (DDM) to counteract Government's tendency to operate in silos that leads to a lack of coherence in planning and coordination. The SAPS acknowledges that the establishing of safe and secure communities, that are conducive to socio-economic stability, thereby supporting a better life for all, is a prerequisite for the successful development and implementation of the DDM. The DDM requires the SAPS to focus on the establishment of safe and secure communities and to collaborate with all spheres of Government in establishing an integrated planning, budgeting, implementation, reporting and monitoring process. According to the SAPS, the Department will lead the following initiatives:

- The identification of the Top 30 High Contact Crime Weight Stations will ensure a multidisciplinary approach to the significant reduction in the incidence of contact crime at the 30 police stations in the country, at which the majority of the incidents of contact crime are

reported annually. The Top 30 High Contact Crime Weight Stations are identified annually, based on the analysis of reported contact crime during the preceding financial year.

- The initiation of the Safer Cities Framework will ensure a collaborative approach by all relevant stakeholders in the public and private sectors, using a technologically driven approach to integrating all efforts related to safety and security and service delivery.
- The identified GBVF Hotspot Stations are based on the consideration of a number of variables, including, *inter alia*: the reported incidence of crimes against women, Domestic Violence and GBV-related calls received via the GBVF National Command Centre, the reported incidence of related cases reported to health facilities, and reported cases received by *Kgomotso, Khuseleka* and *Thuthuzela* Care Centres.
- The Districts that will benefit from the establishment of a newly built police station.
- Participate in the establishment of Community Safety Forums (CSFs) in all districts and metropolitan areas.

The SAPS will develop and implement a DDM Implementation Plan, within the context of its Departmental Annual Operational Plan (AOP), to structure the planning and budgeting integration during the 2020 to 2025 strategic period.

## 2.5. Priority areas 2021/22

The Department highlighted the following focus areas for the 2021/22 financial year:

- 1) **Enhancing community safety:** The Department “has recognised community safety as integral to creating a safe and secure environment that is conducive to social and economic stability, and supporting a better life for all.” The Department will continue its focus on community participation initiative in crime prevention and focus on the effective functioning of Community Policing Forums (CPFs).
- 2) **Reducing violence against women and children:** The Department will target detection rates of 75 per cent and 70 per cent for crimes against women and children, respectively. According to the Department, it will enhance the detective capacity, improve forensic support and optimise the implementation of the integrated criminal justice strategy.
- 3) **Targeting fraud and corruption:** The Department will target fraud and corruption in the public and private sectors through “responsive investigations” that will be facilitated through specialised cybercrime investigative capabilities. The Department aims to maintain an annual conviction rate of 70 per cent for cases relating to serious fraud and corruption.
- 4) **Mitigating the impact of baseline reductions:** The SAPS indicated that the Department will “explore alternatives to how it renders services in communities” in an effort to mitigate the impact of baseline reductions. This will include increasing the capacity of police stations; redirecting resources towards increasing police visibility; improving access to policing services; and enhancing frontline service delivery. This will be realised through the recruitment of entry-level officers and redeploying senior officers to stabilise areas with high levels of crime. In addition, the Department will continue to conduct virtual meetings that will reduce expenditure on related spending items to ensure that the budget is sufficient.

## 2.6. Key priorities of the Portfolio Committee on Police

During the 2021/22 financial year, the Committee focused on the following oversight areas:

- Appointment of the Critical Infrastructure Council;
- Reduction of the backlog in the Forensic Science Laboratory Component;
- Reduction in backlog in the Central Firearm Registry (CFR);
- Discipline management in the SAPS and implementation of recommendations by the Independent Police Investigative Directorate (IPID);
- July 2021 Unrest that affected areas of KwaZulu-Natal and Gauteng;
- SAPS Organisational Structure and Stability;
- Western Cape Community Policing Forums (CPFs);
- Panel of Experts Report on Policing and Crowd Management;

- Crime Statistics;
- Criminal Law (Forensic Procedures) Amendment Bill; and
- Underspending on the SAPS budget.

### 3. REPORT OF THE AUDITOR-GENERAL OF SOUTH AFRICA (AGSA)

The Department received an **unqualified audit with four matters of emphasis** in 2021/22. The Department had qualified audits between 2016/17 and 2019/20.

#### 3.1. Matters of emphasis

The matters of emphasis include:

1. **Significant uncertainties:** The SAPS is a defendant in a number of lawsuits. The ultimate outcome of these matters cannot be determined and no provision for any liability that may result was made in the financial statements. **Repeat finding.**
2. **Significant subsequent event:** A total of 30 police stations/buildings were affected by the floods that took place in KwaZulu-Natal during April 2022 (6 devolved, 2 are leased facilities and 22 non-devolved which have been reported to the Department of Public Works and Infrastructure). Two police stations were also affected by fire after March 2022. An estimate of the financial effect is not yet determined.
3. **Restatement of corresponding figure:** As disclosed in financial statement notes, corresponding figures for 31 March 2021 were restated as a result of an error in the financial statements of the department at, and for the year ended, 31 March 2022.
4. **Fruitless and wasteful expenditure:** Fruitless and wasteful expenditure of R1.8 billion is still under assessment to determine whether it meets the definition.

#### 3.2. Report on the audit of the Annual Performance Report

The AG evaluates the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework for the following selected programme presented in the annual performance report of the SAPS for the year ended 31 March 2022:

##### **The material findings in respect of the usefulness and reliability of the Visible Policing Programme are as follows:**

According to the AG, the achievement in the Annual Report did not agree with the supporting evidence provided for the indicators listed below and showed material differences in the **Visible Policing Programme (all repeat findings):**

- 1) Percentage reduction in the number of contact crimes
- 2) Number of reported contact crimes at the identified 30 high crime weight station
- 3) Percentage reduction in the number of contact crimes against women (18 years and above)
- 4) Percentage reduction in the number of contact crimes against children (18 years and below)
- 5) Number of stolen or lost and illegal firearms recovered
- 6) Number of identifiable stolen or lost SAPS firearms recovered
- 7) Percentage of identified illegal liquor outlets closed

According to the AG, the achievement in the Annual Report did not agree with the supporting evidence provided for the indicators listed below and showed material differences in the **Detective Services Programme:**

- 1) Percentage of outstanding case dockets related to contact crimes older than three years
- 2) Percentage of outstanding crime to crime DNA investigative leads finalised
- 3) Percentage of the outstanding integrated ballistics identification systems investigative leads finalised
- 4) Percentage of biology DNA intelligence case exhibits (entries) finalised
- 5) Percentage of results of trial updated in respect of the following: not guilty verdict

#### 6) Percentage of outstanding fingerprint investigative leads finalised

During the presentation made by the Office of the AG, the Office stated: "Achievement of targets not aligned to the realities of the country in terms of crimes, due to achievements not supported by accurate records and material limitations experienced. Higher achievement by Department are reported however this is not translated to actual realities of society. Low achievement of targets and indicators of the department in the following outputs, reduction of contact crimes, as well the enhanced forensic evidence are two areas that are directly linked to the mandate of the department to prevent, combat and investigate crime. The above translate to the department not being able to fully execute their mandate as set out in the constitution."

### 3.3. Compliance with legislation

**The material findings on compliance with specific matters in key legislation are as follows:**

- **Procurement and contract management:** Some of the contracts were awarded to bidders based on evaluation/adjudication criteria that differed from those stipulated in the original invitation for bidding as required by Treasury Regulation 16A6.3(a) and (b).
- **Expenditure management:** Effective and appropriate steps were not taken to prevent irregular expenditure of R152 million disclosed in note 24 to the financial statements, as required by section 38(1)(c)(ii) of the PFMA and treasury regulation 9.1.1. The majority of the irregular expenditure was caused by non-compliance with the bids requirements.
- **Consequence management:** The AG was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred and permitted irregular expenditure in prior years, as required by section 38(1)(h)(iii) of the PFMA. Losses resulting from fruitless and wasteful expenditure were not recovered from the liable persons, as required by treasury regulation 9.1.4.

### 3.4. Internal control deficiencies

The AG highlighted the following:

- 1) Action plans to address prior year audit findings on performance information were not adequately implemented to ensure that key root causes were addressed.
- 2) Consequence management was not effected against officials who incurred and permitted irregular expenditure in the previous periods.
- 3) Management did not always ensure that the department's state of records was adequate to support all the achievements reported on its performance.
- 4) Daily and monthly reconciliations were not always performed effectively to ensure that the reported information agrees with the underlying records.
- 5) The department did not have adequate controls to monitor and identified non-compliance.

## 4. FINANCIAL OVERVIEW

### 4.1 Appropriation statement

The SAPS received a Final Appropriation of R100.4 billion in 2021/22, of which the Department had spent R99.59 billion or 99.1% thus recording underspending of R878.4 million at year-end. This is a significant improvement compared to the previous financial year, during which the Department only spent 95.9% of its Final Appropriation budget of R99.5 billion, thus recording underspending of R4.07 billion at year-end.

The Department recorded underspending in all of its five budget Programmes:

- Administration: R317.8 million unspent (98.4% expenditure)
- Visible Policing: R12.8 million unspent (100% expenditure). *Note: The amount of underspending is too small to affect the percentage expenditure of the Programme.*
- Detective Services: R518.6 million (97.4% expenditure)
- Crime Intelligence: R19.2 million (99.6% expenditure)

- Protection and Security Services: R9.7 million (99.7% expenditure)

**Table 1: Appropriation statement for 2021/22**

R'000	Adjusted Appropriation	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation
<b>Programme</b>					
Administration	20 258 973	19 844 295	19 526 400	317 895	98.4%
Visible Policing	52 224 222	52 610 222	52 597 380	12 842	100.0%
Detective Services	20 232 517	20 232 517	19 713 853	518 664	97.4%
Crime Intelligence	4 296 649	4 296 649	4 277 394	19 255	99.6%
PSS	3 461 472	3 490 150	3 480 365	9 785	99.7%
<b>Total</b>	<b>100 473 833</b>	<b>100 473 833</b>	<b>99 595 392</b>	<b>878 441</b>	<b>99.1%</b>
<b>Economic Classification</b>					
<b>Current payments</b>	<b>94 978 106</b>	<b>95 190 598</b>	<b>94 754 519</b>	<b>436 079</b>	<b>99.5%</b>
Compensation of employees	78 668 276	78 668 276	78 411 934	256 342	99.7%
Goods and Services	16 309 830	16 522 322	16 342 585	179 737	98.9%
<b>Transfers and subsidies</b>	<b>1 901 319</b>	<b>2 069 007</b>	<b>2 068 007</b>	<b>1 000</b>	<b>100.0%</b>
<b>Payments of capital assets</b>	<b>3 594 408</b>	<b>3 143 937</b>	<b>2 702 575</b>	<b>441 362</b>	<b>86.0%</b>
<b>Buildings and other fixed structures</b>	<b>989 777</b>	<b>614 843</b>	<b>405 196</b>	<b>209 647</b>	<b>65.90%</b>
<i>Buildings</i>	<i>696 670</i>	<i>317 484</i>	<i>317 484</i>	<i>0</i>	<i>100.0%</i>
<i>Other fixed structures</i>	<i>293 107</i>	<i>297 359</i>	<i>87 712</i>	<i>209 647</i>	<i>29.5%</i>
<b>Machinery and equipment</b>	<b>2 589 842</b>	<b>2 467 780</b>	<b>2 238 986</b>	<b>228 794</b>	<b>90.7%</b>
<b>Total</b>	<b>100 473 833</b>	<b>100 473 833</b>	<b>99 595 392</b>	<b>878 441</b>	<b>99.1%</b>

Source: SAPS 2021/22 Annual Report

#### 4.2 Expenditure at Programme level

**Programme 1: Administration.** At the end of the 2021/22 financial year, the Programme had spent R19.5 billion or 98.4% its Final Appropriation of R19.4 billion, thus underspending by R317.8 million.

The underspending was recorded under the *Corporate Services* subprogramme, which underspent with R288.9 million. The *Ministry* subprogramme spent 71.5% of its budget or R44.7 million of its available Final Appropriation of R62.5 million.

**Programme 2: Visible Policing.** At the end of the 2021/22 financial year, the Programme had spent R52.5 billion or 100% of its available budget of R52.6 billion, thus recording underspending of R12.8 million (this is not a sufficient amount to affect the percentage expenditure). The underspending is a significant improvement compared to the previous financial year, during which the Programme underspent by R2.5 billion. The total underspending was recorded in *Crime Prevention* subprogramme (in 2020/21, this subprogramme underspent with R2.4 billion). At economic classification level, the bulk of the underspending was recorded on Goods and services.

**Programme 3: Detective Services.** At the end of the 2021/22 financial year, the Programme had spent R19.7 billion or 97.4% of its available budget of R20.2 billion, thus recording underspending of R518.4 million. Of the Programme's four subprogrammes, only the Crime Investigations subprogramme spent 100% of the available budget. The remaining three subprogrammes recorded the following:

- *Criminal Record Centre (CRC)* subprogramme: Spent 92.7% of its available budget.
  - Under economic classification, only 20% of the available budget was spent on *machinery and equipment*.
- *Forensic Science Laboratory (FSL)* subprogramme: Spent 89.4% of its available budget.
- *Specialised Investigations (DPCI)* subprogramme: Spent 92.8% of its available budget.

**Programme 4: Crime Intelligence.** At the end of the 2021/22 financial year, the Programme had spent R4.27 billion or 99.6% of its available budget of R4.29 billion, thus recording underspending of R19.2 million.

**Programme 5: Protection and Security Services.** At the end of the 2021/22 financial year, the Programme had spent R3.48 billion or 99.7% of its available budget of R3.49 billion, thus recording underspending of R9.7 million. The largest underspending was recorded in the *VIP Protection* subprogramme, which underspent with R6.34 million.

#### 4.3 Irregular expenditure

In 2021/22, the Department had an opening balance for irregular expenditure of R1.7 billion, which is an increase compared to that of the previous financial year. The Committee should note the balance has consistently increased over the past four-year period. In 2021/22, the Department incurred irregular expenditure of R151.3 million

#### 4.4 Fruitless and wasteful expenditure

The Department had an opening balance of R14.0 million in fruitless and wasteful expenditure at the start of the 2021/22 financial year. During 2021/22, the Department incurred R621 000 in fruitless and wasteful expenditure, which is an increase from the previous financial year. During 2021/22, the Department recovered R286 000 and R5.836 million was written off, which gave the Department a closing balance of R9.04 million at year-end.

**The AG noted fruitless and wasteful expenditure as a matter of emphasis** in that fruitless and wasteful expenditure of R1.8 billion is still under assessment to determine whether it meets the definition.

**Note:** The SAPS has written off R1.4 million in interest-claims against the state, which was highlighted as a concern by the AG. In 2020/21, R4.129 million was written off for interest paid on late payments by the Department.

#### 4.5 Civil claims against the Police

**New claims:** During 2021/22, a total number of 13 262 new civil claims were registered, valued at R67 615 742 066.77 (R67.6 billion).

**Payments:** A total of 4 598 payments (court orders and settlements), valued at R470 499 128.38 (R470.5 million) were made, of which arrest and detention claims were the highest pay outs, viz. R346 220 870.81 (R346.2 million), which is 73% of the total payments. The number of payments increased significantly compared to the previous financial year, during which a total of 2 899 payments (court orders and settlements) were made, to the value of R367.2 million, of which arrest and detention claims were the highest pay outs amounting to R239.2 million (R239 299 759.27).

**Pending claims: A total number of 46 020 claims, valued at R112 154 944 454.37 (R112.1 billion), were still pending, as at 31 March 2022.** In 2021/22, there were 12 733 civil claims for wrongful arrest and detention, amounting to R12.1 billion.

**In 2021/22, the AG raised, as a matter of emphasis, significant uncertainties in that the SAPS is a defendant in a number of lawsuits.** The ultimate outcome of these matters cannot be determined and no provision for any liability that may result was made in the financial statements. The AG made the same finding in 2020/21.

In 2021/22, the **Civilian Secretariat for Police Service** undertook an analysis of the policy framework of SAPS civil litigation process (SAPS National Instruction 25 of 2019), including:

- The management of civil claims lodged against the Minister of Police
- The root causes and contributing factors to civil claims
- The interventions for managing civil claims in the SAPS

**According to the Secretariat, the root causes of civil claims demonstrate that at the core of the claims against the SAPS are:**

- **Poor conduct of members**
- **Lack of discipline**
- **Poor consequence management**



The analysis concluded that **“the increase in civil claims against the Minister is not due to the lack of a regulatory framework, but rather due to the unlawful behaviour of members.”**

According to the Civilian Secretariat for Police Service, the SAPS must review its operational policy and interventions to manage civil claims because it is ineffective. The review must focus on the proactive aspects of managing civil claims to effectively address the serious operational challenges and poor management.

#### 4.6 Priority issues raised by Members

The continuous underspending on the SAPS Budget has been raised as a serious concern by Members over the past couple of years. Although the amount underspent is significantly less than in the previous financial year, the SAPS should use their allocated budget effectively to fulfil their Constitutional mandate. Coupled thereto is a lack of linkages or alignment between performance and expenditure. Therefore, investing in initiatives may not have the desired impact on the reduction of crime. The SAPS should invest more effort to show a link on how the Department’s significant budget is used to combat and prevent crime.

#### 4.7 COVID-19 Expenditure

By the end of March 2022, the SAPS had spent R73.9 million on COVID-19 related *goods and services*, which is a significant decrease compared to the previous financial year during which the Department had spent R1.7 billion on COVID-19 related *goods and services*. In 2021/22, the bulk of expenditure on COVID-19 related *goods and services* was for consumable supplies (R56.2 million).

### 5. PERFORMANCE OVERVIEW

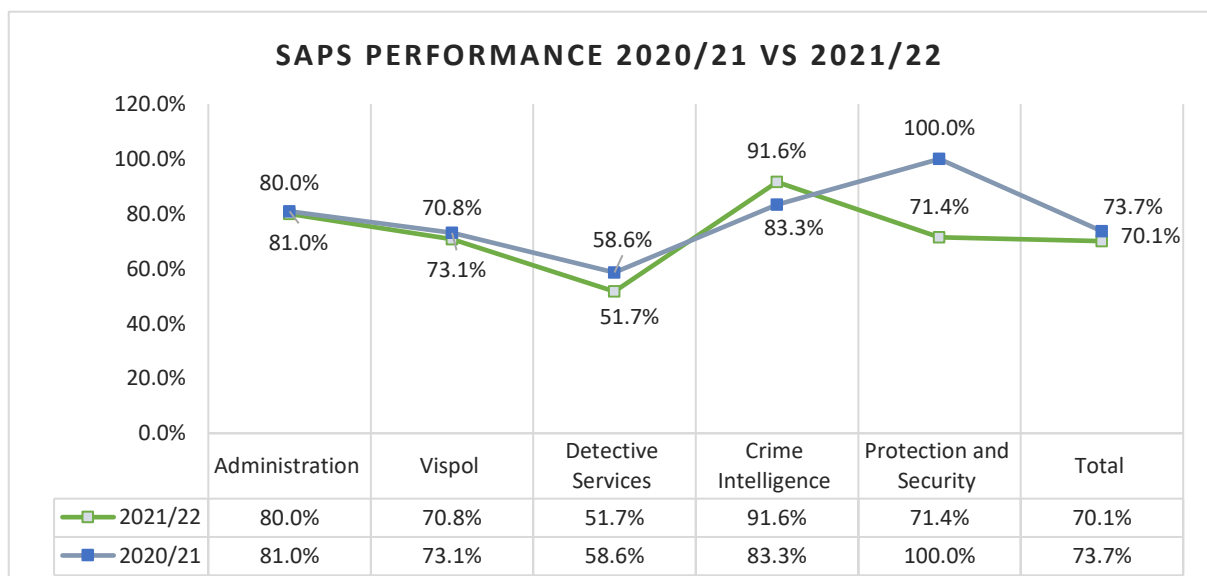
Financial and service delivery performance should be read together when considering the performance of the SAPS. There should be some alignment between performance and expenditure. The focus of oversight should be placed on the quality of performance indicators and targets and whether these measure an improvement in service delivery.

#### 5.1 Overall performance for 2021/22

At the end of the 2021/22 financial year, the Department achieved 70.1% of its performance targets (69 from 97 targets), which shows a decrease in performance compared to the 73.7% achievement rate in the 2020/21 financial year.

**Overall the SAPS achieved 68 from 97 performance targets  
Achievement rate of 70.1%**

The figure below provides a summary of the Department’s performance at the end of the 2021/22 financial year against that of the previous financial year. The performance on predetermined targets of the Administration programme decreased slightly from 81% in 2020/21 to 80% in 2021/22. Similar, the achievement rate of the Visible Policing programme decreased from 73.1% in 2020/21 to 70.8% in



2021/22. The achievement of predetermined targets in the Detective Services programme decreased from 58.6% in 2020/21 to 51.7% in 2021/22, which is largely due to the poor performance in the Criminal Record Centre and Forensic Science Laboratory subprogrammes which achieved none of its targets in 2021/22. The achievement rate on predetermined targets for the Crime Intelligence programme improved from 83.3% in 2020/21 to 91.6% in 2021/22, while that of the Protection and Security Services Programme decreased from 100% in 2020/21 to 71.4% in 2021/22 due to two security breaches recorded in 2021/22.

## 5.2 Programme performance for 2021/22

### 5.2.1 Programme 1: Administration

**Administration achieved 20 from 25 performance targets  
Achievement rate of 80%**

At the end of the 2021/22 financial year, the Administration Programme achieved 20 of its 25 targets, thus four targets were not achieved. The following should be noted:

#### Targets not achieved during the 2021/22 financial year

<p>Number of <b>SAPS-owned firearms</b> reported as stolen/lost</p> <ul style="list-style-type: none"> <li>• Target: Reduce to 508 (10%)</li> <li>• Achieved: 712</li> <li>• Deviation: -204</li> </ul>	<p>The number of <b>new police stations</b> established, as per the SAPS Infrastructure Development Programme</p> <ul style="list-style-type: none"> <li>• Target: 3</li> <li>• Achieved: 2</li> <li>• Deviation: -1</li> </ul> <p><b>Note:</b> The completion of the construction of Riemvasmaak Police Station, in the Northern Cape, was earmarked for April 2021. This was due to COVID-19 Regulations, community unrest/disputes, interference by local business forums, lack of skilled labour and sourcing of building materials.</p> <p><b>Note:</b> The SAPS bought 33 mobile contact points.</p>	<p>Percentage compliance with the <b>SAPS' Ethics and Integrity Plan</b> - Overall target achieved, but one sub-target was not achieved:</p> <ul style="list-style-type: none"> <li>• 100%% of Financial Management and Supply Chain Management financial disclosures submitted by 31 August 2021 (-7.91% points)</li> </ul>
<p>Percentage decrease in the number of incidents of confirmed <b>irregular expenditure</b>.</p> <ul style="list-style-type: none"> <li>• Target: 67.5% decrease</li> <li>• Achieved: Increased, by 352,63% from 19 confirmed incidents, in 2020/21, to 86 confirmed incidents, in 2021/22.</li> <li>• Deviation: Increased by 352.63%</li> </ul>	<p>Percentage decrease in the number of incidents of confirmed <b>fruitless and wasteful expenditure</b>.</p> <ul style="list-style-type: none"> <li>• Target: 70% decrease</li> <li>• Achieved: Increased, by 191,67% from 36 confirmed incidents, in 2020/21 to 105, in 2021/22.</li> <li>• Deviation: Increased by 191.67%</li> </ul>	

#### 5.3.1.1 Priority issues raised by Members

##### Police Infrastructure

In 2021/22, 33 mobile contact points were procured and deployed as part of the SAPSs Mobile Community Services initiative to “improve police presence, to ensure accessibility, to enhance service

delivery in crime hotspots and to enhance and strengthen the relationship between communities and the police.” However, during a Parliamentary oversight visit in September 2022 to the Bergnek community in Limpopo, the community expressed significant concern about the lack of police resources and viewed the establishment of a Contact Point in Bergnek, resourced with one police member, as a negative and indicated that this shows that the police does not understand of care about the community’s significant crime challenges.

During 2021/22, the construction of three police stations was planned, but only two were finalised, including Mabieskraal and Moeka Vuma (North West). During this period, security upgrades at eight police stations in Mpumalanga were completed.

In terms of the current state of police station, the following should be noted:

- Excellent condition: 1% (10 stations)
- Good condition: 15% (168 stations)
- Fair condition: 69% (801 stations)
- Very poor condition: 15% (179 stations)

### **Police Safety Strategy**

The amended Police Safety Strategy has been implemented, in all nine provinces and the National Police Safety Committee convened, quarterly, to ensure that all matters related to police safety are addressed on all levels. A total number of 110 police members were murdered, 28 on duty and 82 off duty, during 2021/22, compared to 81 in 2020/21. **Note:** The SAPS should also report on armed robberies/attacks at police stations and stolen items, such as firearms and ammunition.

### **Service delivery complaints**

In 2021/22, the Department received a total number of 11 060 service complaints, nationally, of which 8 395 or 75,90% were finalised, within 30 working days, exceeding the set target for the finalisation of 70% service complaints, within 30 working days. Furthermore, a total number of 597 GBVF-related service complaints were received, nationally, of which 471 or 78,89% were finalised, within 14 working days. From the 98 Domestic Violence Act-related service complaints received, nationally, 44 or 44,90% were finalised, within three working days.

### **SAPS Vehicles and Garages**

The SAPS has 54 994 transport assets, including 50 960 vehicles, 34 aircrafts, 137 boats, 157 machinery (e.g. forklifts), 949 motorcycles and 2 757 trailers. However, the 2021/22 Annual Report does not provide details on the status of SAPS garages, maintenance on, or servicing of transport assets. Members have consistently raised concerns about alleged corruption taking place at garages, such as private vehicles being serviced at SAPS garages. The SAPS should be encouraged to include the maintenance of all transport assets, status and capacitation of SAPS garages and maintenance in their future Annual Reports.

### **Impact of COVID-19**

As at 31 March 2022, there was a total number of 47 461 confirmed COVID-19 cases in the SAPS (1,28% of the total number of cases recorded), of which the most confirmed cases were recorded at head office and national divisions/components (10 519). A total of 884 fatalities were recorded during 2021/22.

### **Organisational Structure**

Members have consistently raised concern about the organisational structure of the SAPS and that it has become clumsy organisation that is orientated towards administration and not service delivery. The SAPS should indicate whether their organisational structure will be reviewed to address these concerns.

## **5.2.2 Programme 2: Visible Policing**

<p><b>Visible Policing Programme achieved 17 from 24 performance targets</b> <b>Achievement rate of 70.6%</b></p>
---

At the end of the 2021/22 financial year, the Visible Policing Programme achieved 17 from 24 performance targets (7 targets not achieved). One of the key events that took place under the Visible Policing Programme during the 2021/22 financial year was the July 2021/22 unrest. According to the SAPS, “the civil unrest, in the Gauteng and KwaZulu-Natal Provinces, had a profound impact on the Country’s economy, but also on internal and external perceptions of the effectiveness of the Government’s safety and security capabilities.” The July/August civil unrest has also had a marked impact on the SAPS, as the total expenditure concerning the July/August civil unrest, is over R940 million.

**Targets not achieved during the 2021/22 financial year per subprogramme**

<b>Subprogramme: Crime Prevention: Achieved 8 from 15 targets (7 not achieved)</b>		
<p>Increase the number of identifiable stolen, lost <b>SAPS firearms recovered</b></p> <ul style="list-style-type: none"> <li>• Target: Increase to 593 (10%)</li> <li>• Achieved: 215</li> <li>• Deviation: -378</li> </ul>	<p>Percentage of new <b>firearm license applications</b> finalised within 120 working days</p> <ul style="list-style-type: none"> <li>• Target: 90%</li> <li>• Achieved: 51.31% (73 344 finalised from a total of 144 895 received)</li> <li>• Deviation: -38.69% points</li> </ul> <p><b>Reason for deviation:</b> Delay in the finalisation of Integrated Ballistic Identification System (IBIS) reports for firearm amnesty applications and AFIS reports for competency applications. The finalisation of firearm licenses is dependent on both reports.</p>	<p>Percentage reduction in the number of <b>contact crimes</b></p> <ul style="list-style-type: none"> <li>• Target: Decrease to 532 634 (7.48%)</li> <li>• Achieved: Reported contact crimes increased, by 13,5% from 535 869, in 2020/21 to 608 059, in 2021/22.</li> <li>• Deviation: Increased by 13.5%</li> </ul>
<p>Percentage reduction in the number of <b>contact crimes at Top 30 High Contact Crime Weight Stations</b></p> <ul style="list-style-type: none"> <li>• Target: Decrease to 80 761 (7.42%)</li> <li>• Achieved: Reported contact crimes at the identified Top 30 High Contact Crime Weight Stations increased, by 11,1% from 76 940, in 2020/21 to 85 510, in 2021/22.</li> <li>• Deviation: Increased by 11.1%</li> </ul>	<p>Number of <b>escapes from custody</b></p> <ul style="list-style-type: none"> <li>• Target: Decrease to 526 (2%)</li> <li>• Achieved: A total of 568 persons escaped from police custody.</li> <li>• Deviation: -42</li> </ul> <p><b>Note:</b> 201 escapees were re-arrested within 24 hours after the incident occurred – Unclear whether the rest of escapees were re-arrested (367).</p>	<p>Percentage reduction in the number of <b>contact crimes against women</b> (18 years and above)</p> <ul style="list-style-type: none"> <li>• Target: Decrease to 39 497 (6.73%)</li> <li>• Achieved: Reported contact crimes against women increased, by 15,6% from 155 062, in 2020/21 to 179 208, in 2021/22.</li> <li>• Deviation: Increased by 15.6%</li> </ul>
<p>Percentage reduction in the number of <b>contact crimes against children</b> (below 18 years)</p> <ul style="list-style-type: none"> <li>• Target: Decrease to 36 839 (6.73%)</li> <li>• Achieved: Reported contact crimes against children increased, by 13,3% from 39 878, in 2020/21 to 45 197, in 2021/22.</li> <li>• Deviation: Increased by 13.9%</li> </ul>		

<b>Specialised Interventions subprogramme</b>
100% of targets achieved in 2021/22 (4 targets)
<b>Border Security subprogramme</b>
100% of targets achieved in 2021/22 (5 targets)

### 5.3.2.1 Priority issues raised by Members

#### Firearms Control

From 1 April 2021 to 31 March 2022, a total number of **581 235 firearm-related applications were received** from individuals and institutions. The total number of applications received, comprises:

- 226 205 competency certificates
- 131 247 new firearm licences
- 213 631 firearm licence renewals
- 7 962 import/export permits
- 1 726 commercial import/export permits
- 464 temporary authorisations.

A total of 158 306 or 30,33% applications were finalised, within the stipulated turnaround time of 120 working days. The number of outstanding applications is still a concern.

#### Rural Safety

The reviewed National Rural Safety Strategy has been implemented in 2020 and will run until 31 March 2025. The Strategy addresses rural safety as part of an integrated and holistic day-to-day crime prevention approach, addressing the needs of the total rural community, including the farming community as a focus area. During 2021/22, a total number of 905 police stations were classified as rural or urban-rural mix police stations for the purposes of implementing the reviewed National Rural Safety Strategy. The Rural Safety Strategy was implemented at 808 or 89,28% of the 905 identified rural or urban-rural mix police stations. Rural communities face significant challenges with specific or unique crimes affecting these areas, such as stock theft. The geographic spread of specialised Stock Theft Units is often not ideal and located in urban areas where the need is not pronounced.

#### Capacitation of Public Order Policing

During the 2022 State of the Nation Address (SONA), President Ramaphosa mentioned that the staffing of the Public Order Police (POP) Unit of the SAPS will be brought to an acceptable level, with the aid of training courses in place. In responding effectively to public unrest, the capacitation of public order policing, through recruitment, has been prioritised. According to the SAPS, POP will receive an additional 4 000 members, during 2022/23. An amount of R150 million was allocated to the specialised operational environment, as part of once-off allocations over a three-year period, for capital modernisation, including procurement of armoured vehicles and aircraft and a further R9 million allocation has been set aside for the procurement of protective gear for POP members.

The SAPS has 47 Provincial POP Units, as well as four reserve units, in Pretoria, Durban, Cape Town and Mbombela. The human resource capability decreased, with 164, from 6 004 members, in 2020/21 to 5 840 members, in 2021/22, comprising of 5 456 SAPS Act members and 384 PSA personnel. In terms of armoured vehicles, a total of 574 selective armoured vehicles were active, of which 256, were reported operable/serviceable.

#### Border safety

South Africa has 72 ports of entry, including 53 land ports, nine sea ports and 10 international airports. A total number of 3 782 planned crime prevention and combating actions were undertaken, including 258 roadblocks, 79 497 vehicle patrols, 1 395 checkpoints, 83 483 foot patrols and 3 553 vessel patrol inspections, to enhance the national security and territorial integrity at ports of entry.

In 2021/22, the SAPS embarked on a recruitment drive to capacitate Border Policing Reaction Teams, at Durban Harbour, Port Elizabeth International Airport, Port Elizabeth Harbour, Ngqura Harbour, King Shaka International Airport, Cape Town International Airport and Cape Town Harbour, in order to conform to international prescripts in the border policing environment.

The SAPS did not mention the **Border Management Agency (BMA)** in their 2021/22 Annual Report, yet the establishment of the BMA has a significant impact on the border security functionalities of the

SAPS. As part of the BMA, 200 guards have been deployed to control and patrol borders. The Commissioner of the BMA<sup>1</sup> has the same authority as the Commissioner of SAPS. The guard will also be responsible for control on the movement of goods and people with a specific focus on illegal foreigners entering the country.<sup>2</sup> The BMA has its own insignia and uniforms as well as a fleet of 15 Toyota Land Cruisers and the Minister of Home Affairs announced the further procurement of other tools or trade during his 2022 Budget Vote Speech in Parliament.

### **Impact of environmental design**

One of the key pillars of the 2022 Integrated Crime and Violence Prevention Strategy (ICVPS) is Pillar 5: Safety Through Environmental Design. According to the ICVPS, “crime prevention through environmental design aims to reduce the causes of, and opportunities for criminal events and to address the fear of crime by applying sound planning, design and management principles to the built environment.” The SAPS should highlight specific challenges encountered through ineffective or bad environmental design and how stakeholder such as local municipalities are approached to fix street lights etc.

### **5.2.3 Crime statistics 2021/22**

The SAPS started to release quarterly crime statistics in 2020/21, based on a Cabinet decision that was taken in 2016. There was significant concern raised because the Department did not release annual crime statistics for the full financial year (only quarterly statistics), thus comparisons on annual statistics could not be done. Although the 2020/21 crime statistics were included in text in the 2020/21 Annual Report, the datasets were not available. **In 2021/22, the SAPS has included a full set of crime statistics over a ten-year period for national and provincial datasets. This should be commended as a positive step in transparency and accountability.**

In 2021/22, overall crime increased by 8.7% compared to the previous financial year. All main categories, except property-related crimes, increased significantly over this period. Contact crimes increased by 13.5% compared to the 2020/21 financial year. All categories of contact crimes increased across this period, with murder increasing the most by 26.6%. Total sexual offences increased by 14.2% in 2021/22 compared to the previous financial year, with rape increasing by 15.2%. All subcategories of aggravated robbery increased during 2021/22 compared to the previous financial year. Robbery of cash-in-transit increased by 550% from two such robberies in 2020/21 to 13 in 2021/22.

Crimes committed against women increased, by 15,6% from 155 062, in 2020/21 to 179 208, in 2021/22. Murder, sexual offences, common assault and attempted murder contributed to the increase. Crimes committed against children increased, by 13,3% from 39 878, in 2020/21 to 45 197, in 2021/22.

According to the SAPS, the overall increase can be attributed to the following eight factors:<sup>3</sup>

- 1) A lack of intelligence/information to guide planning
- 2) Failure to deploy adequate resources at identified hotspots
- 3) Inadequate operational readiness at police stations to deploy during operations
- 4) A lack of key infrastructure in informal settlement areas making it difficult to police
- 5) High unemployment rate
- 6) Illegal shebeens that operates for long hours
- 7) The proliferation of illegal firearms
- 8) Community negativity towards the police, coupled with high moral decay

According to the SAPS, reported contact crime at the Top 30 High Contact Crime Weight Stations increased, by 11,1%, from 76 940, in 2020/21 to 85 510, in 2021/22.

There was a significant increase in the following 10 police station precincts:

- 1) Cape Town Central (Western Cape) increased by 54,8%;

---

<sup>1</sup> The BMA Commissioner, Dr Mike Masiapata, was appointed in October 2021 with former SAPS Major General David Chilembe as Deputy Commissioner.

<sup>2</sup> <https://businesstech.co.za/news/government/605642/major-border-change-for-south-africa-takes-effect-this-week/>

<sup>3</sup> SAPS 2021/22 Annual Report, page 155

- 2) Phoenix (KwaZulu-Natal) increased by 34,1%;
- 3) Durban Central (KwaZulu-Natal) increased, by 32,3%;
- 4) Harare (Western Cape) increased by 30,7%;
- 5) Kagiso (Gauteng) increased by 29,4%;
- 6) Temba (Gauteng) increased by 23,5%;
- 7) Johannesburg Central (Gauteng) increased by 21,8%;
- 8) Alexandra (Gauteng) increased by 21,3%;
- 9) Jeppe (Gauteng) increased by 18,7%; and
- 10) Randfontein (Gauteng) increased by 17,1%.

#### 5.2.4 Programme 3: Detective Services

**Detective Services Programme achieved 15 from 29 performance targets  
Achievement rate of 51.7%**

The Detective Services Programme achieved 15 of its 29 performance targets, thus not achieving 14 targets at the end of the 2021/22 financial year. The underperformance is mainly recorded in the Criminal Record Centre and Forensic Services Laboratory subprogrammes which achieved none of its performance targets in 2020/21. The subprogramme also recorded significant deviations between the targeted and achieved performance. The Directorate for Priority Crime Investigation (DPCI) or Special Investigations subprogramme achieved 100% of its targets in 2021/22. The following should be noted:

#### Targets not achieved during the 2020/21 financial year per subprogramme

<b>Subprogramme: Crime Investigations: Achieved 8 from 14 targets (57.1%)</b>		
Percent increase in detection rate for <b>contact crimes</b> <ul style="list-style-type: none"> <li>• Target: 55.77%</li> <li>• Achieved: 46.36% (376 784 from a total of 812 808)</li> <li>• Deviation: -9.41% points</li> </ul>	Percentage increase in detection rate for contact crimes at the identified <b>30 high crime weight stations</b> <ul style="list-style-type: none"> <li>• Target: 40%</li> <li>• Achieved: 33.50% (40 362 from a total of 120 498)</li> <li>• Deviation: -6.5% points</li> </ul>	Percentage increase in detection rate for crimes committed against <b>women 18 years and above</b> (murder, attempted murder, all sexual offences, common assault and assault GBH) <ul style="list-style-type: none"> <li>• Target: 75.25%</li> <li>• Achieved: 69.97% (148 249 from a total of 211 876)</li> <li>• Deviation: -5.28% points</li> </ul>
Percentage increase in detection rate for crimes committed against <b>children</b> under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH) <ul style="list-style-type: none"> <li>• Target: 70,15%</li> <li>• Achieved: 61.84% (36 438 from a total of 58 921)</li> <li>• Deviation: -8.31%</li> </ul>	Percentage of identified drug syndicates neutralised with arrests <ul style="list-style-type: none"> <li>• Target: 60%</li> <li>• Achieved: 36.36% (4 from a total of 11)</li> <li>• Deviation: -23.64%</li> </ul> <p><b>Reason for deviation</b> The shortage of detectives with specialised investigative skills required for the environment, significantly affects the ability to address the complexity of organised crime.</p>	Percentage of identified organised Criminal groups neutralised with arrests <ul style="list-style-type: none"> <li>• Target: 60%</li> <li>• Achieved: 20% (2 from a total of 10)</li> <li>• Deviation: -40% points</li> </ul>
<b>Subprogramme: Criminal Record Centre: Achieved 0 from 3 targets (0%)</b>		
Percentage of results of trial updated in respect of guilty verdicts <ul style="list-style-type: none"> <li>• Target: 95% of results of</li> </ul>	Percentage of results of trial updated in respect of not guilty verdicts <ul style="list-style-type: none"> <li>• Target: 95% of results of</li> </ul>	Percentage of original previous conviction reports generated <ul style="list-style-type: none"> <li>• Target: 95% original previous conviction reports</li> </ul>

<p>trial (guilty) updated, within 20 calendar days</p> <ul style="list-style-type: none"> <li>Achieved: 91,87% (131 602 from a total of 143 243) of results of trial (guilty) updated, within 20 calendar days.</li> <li>Deviation: -3.13%</li> </ul>	<p>trial (not guilty/withdrawn) updated, within 20 calendar days</p> <ul style="list-style-type: none"> <li>Achieved: 94.73% (731 564 from a total of 772 233) of results of trial (not guilty/withdrawn) updated, within 20 calendar days.</li> <li>Deviation: -0.27%</li> </ul>	<p>generated, within 15 calendar days</p> <ul style="list-style-type: none"> <li>Achieved: 91,08% (832 868 from a total of 914 397) of original previous conviction reports generated, within 15 calendar days.</li> <li>Deviation: -3.92% points</li> </ul>
<p><b>Subprogramme: Forensic Science Laboratory: Achieved 0 from 5 targets (0%)</b></p>		
<p>Percentage of <b>routine case</b> exhibits (entries) finalised</p> <ul style="list-style-type: none"> <li>Target: 75,00% within 35 calendar days</li> <li>Achieved: 22.75% (30 746 from a total of 135 147)</li> <li>Deviation: -52.25% points</li> </ul> <p><b>Reason for deviation:</b></p> <ul style="list-style-type: none"> <li>The lack of maintenance on infrastructure/building by the DPWI, especially on environmental conditions, good laboratory and building-related equipment contributed to the underperformance, e.g. air conditioner equipment not repaired in time.</li> <li>High volumes of backlogs generated, during 2019, owing to the lack of consumables and maintenance contracts.</li> <li>Periodic flooding at the laboratory, in KwaZulu-Natal impacted negatively on performance and service delivery.</li> </ul>	<p>Percentage of case exhibits (entries) not yet finalised exceeding the prescribed time frame</p> <ul style="list-style-type: none"> <li>Target: <b>Backlog</b> not exceeding 10% of registered case exhibits (entries)</li> <li>Achieved: 57.46% (308 186 from a total of 536 350)</li> <li>Deviation: -47.46% points</li> </ul> <p><b>Reason for deviation:</b></p> <ul style="list-style-type: none"> <li>The lack of maintenance on infrastructure/building by the DPWI, especially on environmental conditions, good laboratory and building-related equipment contributed to the underperformance, e.g. air conditioner equipment not repaired in time.</li> <li>High volumes of backlogs generated, during 2019, owing to the lack of consumables and maintenance contracts.</li> <li>Periodic flooding at the laboratory, in KwaZulu-Natal impacted negatively on performance and service delivery.</li> </ul>	<p>Percentage of <b>non-routine</b> case exhibits (entries) finalised</p> <ul style="list-style-type: none"> <li>Target: 70,00% within 113 calendar days</li> <li>Achieved: 51.38% (2 042 from a total of 3 974)</li> <li>Deviation: -18.62% points</li> </ul> <p><b>Reason for deviation:</b></p> <ul style="list-style-type: none"> <li>The lack of maintenance on infrastructure/building by the DPWI, especially on environmental conditions, good laboratory and building-related equipment contributed to the underperformance, e.g. air conditioner equipment not repaired in time.</li> <li>High volumes of backlogs generated, during 2019, owing to the lack of consumables and maintenance contracts.</li> <li>Periodic flooding at the laboratory, in KwaZulu-Natal impacted negatively on performance and service delivery.</li> </ul>
<p>Percentage of <b>Ballistics Intelligence</b> (IBIS) case exhibits (entries) finalised</p> <ul style="list-style-type: none"> <li>Target: 95,00% within 35 calendar days</li> <li>Achieved: 91.16% (59 659 from a total of 65 441)</li> <li>Deviation: -3.84% points</li> </ul> <p><b>Reason for deviation:</b></p> <ul style="list-style-type: none"> <li>Lack of integration between the Starlab (DNA</li> </ul>	<p>Percentage of <b>Biology DNA Intelligence</b> case exhibits (entries) finalised</p> <ul style="list-style-type: none"> <li>Target: 80,00% within 90 calendar days</li> <li>Achieved: 8.78% (22 244 from a total of 253 428)</li> <li>Deviation: -71.22%</li> </ul> <p><b>Reason for deviation:</b></p> <ul style="list-style-type: none"> <li>The FSL Admin System is not configured to process</li> </ul>	



<p>processing system) and the FSLAdmin System delayed the production output of the forensic product. The process is supposed to be an automated process. Assistance from the SAPS Technology Management Services and SITA was required, from time to time, to release the sample from Starlab, owing to the lack of integration.</p>	<p>case files, in bulk.</p> <ul style="list-style-type: none"> <li>- A lack of consumables (fomamide (HiDi)) for the Crime Index (CI) and Reference Index (RI) Systems, Polymer POP-4 for 3130XL and POP for 3500XL) and Isopropanol to prepare the working solution in the CI and RI Systems, for two weeks.</li> <li>- A lack of spin columns used to process semen samples (GBVF) in the manual system, for two months.</li> <li>- A lack of alcohol for sample submission (manual, CI and RI System), for seven days.</li> <li>- The STRLab System was not functional to print a statistical report, for five days.</li> </ul>	
--	--	--

The performance of the *Forensic Science Laboratory* subprogramme has seen a consistent decrease over the past four financial years, with the backlog in DNA analysis rising sharply to unacceptably high levels of case exhibits not finalised within 90 days.

As at the end of March 2022, the backlog of case exhibits (entries) was at 57,46%, compared to 84,56%, in 2020/21. A total of 308 186 case exhibits (entries) are backlogged.

During 2021/22, the SAPS received a total number of 536 350 case exhibits (entries), compared to 355 648 in the previous financial year. A total number of 457 990 or 85,39% case exhibits (entries) were finalised, in 2021/22, compared to 130 353 or 36,65% case exhibits (entries) finalised, in 2020/21. In 2021/22, a total number of 135 147 routine case exhibits (entries) were received, of which 30 746 or 22,75% were finalised, within 35 calendar days, compared to 27 983 or 32,23% finalised, in the previous financial year.

The FSL achieved a completion rate of 51,38% or 2 042 from a total of 3 974 with regard to non-routine case exhibits (entries), within the planned turnaround time of 113 calendar days, compared to 61,70% or 1 226 from a total of 1 987, during the previous financial year.

A total of 8,78% or 22 244 biology intelligence case exhibits (entries) were finalised within the planned turnaround time of 90 calendar days, during the reporting period, compared to 14,59% or 706 biology intelligence case exhibits (entries) finalised, during 2020/21.

In 2021/22, the size of the National Forensic DNA Database stood at 856 814 forensic DNA profiles (in 2020/21 the size was 743 730 and in 2018/19, there were 1 616 535 profiles on the database). In 2021/22, a total of 183 289 DNA profiles were added to the DNA Database and 49 653 profiles were expunged.

The performance target for taking **buccal samples from Schedule 8 offenders** is in *the Crime Investigations* subprogramme, but relates directly to the utilisation of forensic investigative aids in the investigation of crime and the enhancement of the DNA database. During 2021/22, 128 515 buccal samples were taken from a total number of 154 879 suspects arrested for Schedule 8 offences.

A total number of 334 944 evidence collection kits were procured during 2021/22, valued at R72 079 885.23. A total number of 524 076 evidence collection kits were distributed to end-users from orders received, in 2021/22 and buffer stock carried over from the 2020/21 financial year, in order to enhance the investigation of crime. Upon requisitioning, these kits were distributed to police stations and units in a controlled manner, while a reasonable buffer stock was kept on hand at the provisioning stores, in Pretoria, Cape Town and Kwazulu-Natal for a consistent supply of evidence collection kits.

#### 5.2.4.1 Directorate for Priority Crime Investigations (DPCI)

The Directorate for Priority Crime Investigations (DPCI) achieved 7 from 7 performance targets and recorded an achievement of 100% with most targets over-achieved.

During 2021/22, a total of 2 809 arrests were effected, compared to 2 253 in the previous financial year, which is an increase of 556 arrests. Convictions amounting to 296 166 charges were secured in court, compared to 38 411 charges in the previous financial year, which is an increase of 257 755 charges. Seizures with an estimated value of R697 million, consisting of counterfeit goods, precious metals and wildlife, as well as R2 billion in narcotics.

#### 5.2.5 Programme 4: Crime Intelligence

**Crime Intelligence Programme achieved 11 from 12 performance targets  
Achievement rate of 91.6%**

The Crime Intelligence Programme achieved 11 of its 12 performance targets of the 2021/22 financial year, which is a performance rate of 91.6%. It should be noted that a high achievement rate on performance indicators does not indicate that the Crime Intelligence Division operated optimally during the 2021/22 financial year. The identified failures in the early detection capabilities during the July 2021 serves as an example.

##### Target not achieved during the 2021/22 financial year

Percentage of **arrests of identified transnational crime** suspects facilitated, in relation to requests received from INTERPOL member countries.

- Target: 100%
- Achieved: 92.59% (25 from a total of 27 requests facilitated)
- Deviation: -7.41%

##### Reason for deviation:

The full extradition documents were not received from the requesting countries for the SAPS to facilitate the arrests within the reporting time frame

#### 5.2.6 Programme 5: Protection and Security Services

**Protection and Security Services Programme achieved 5 from 7 performance targets  
Achievement rate of 71.4%**

The Protection and Security Services Programme achieved five of its seven performance targets for 2021/22, thus not achieving two targets.

##### Targets not achieved in 2021/22

<b>Protection and Security Services Static Protection Subprogramme</b>	<b>Presidential Protection Services Static Protection Subprogramme</b>
Number of security breaches at identified government installations and identified VIP residences <ul style="list-style-type: none"> <li>• Target: Zero security breaches</li> <li>• Achieved: Two security breaches</li> </ul>	Number of security breaches at identified government installations <ul style="list-style-type: none"> <li>• Target: Zero security breaches</li> <li>• Achieved: One security breach</li> <li>• Deviation: -1</li> </ul>

<ul style="list-style-type: none"> <li>• Deviation: -2</li> </ul> <p><b>Reason for deviation</b></p> <ul style="list-style-type: none"> <li>– Housebreaking and theft at a VIP residence and arson, at Parliament, due to insufficient and dysfunctional security measures on site; insufficient members to cover all posts, in terms of the Static SOPs (i.e., two members per post); and extended mandate.</li> <li>– Insufficient visits by commanders and Static Rapid Response.</li> </ul>	<p><b>Reason for deviation</b></p> <ul style="list-style-type: none"> <li>– Member not adhering to SOPs.</li> <li>– Consequence management to be instituted.</li> </ul>
---	---

### Provision of in-transit protection

- During the period under review, in-transit protection was provided to 62 national and 124 provincial dignitaries, as well as 17 ad hoc and 15 foreign dignitaries that visited South Africa.
- There was a total number of 15 274 South African VIP movements within South Africa and abroad. No security breaches occurred during the protection of South African VIPs, within South Africa, during major/special, national or provincial events, or during visits by foreign VIPs to the country, as well as on visits abroad, by South African VIPs.

### Provision of static protection

- Operational protection was provided at one major event, three special events and 79 provincial events, including the State of the Nation Address (SONA), State of the Province Addresses (SOPAs), the African National Congress (ANC) January 8 Statement and Manifesto Launch, National Executive Committees and Cabinet Lekgotlas.
- During 2021/22, a total number of 85 054 protection services were provided by 14 Static Units, which covered 83 identified VIP residences and 40 strategic installations, which are located throughout South Africa, as well as 11 buildings occupied by the SAPS. Two security breaches occurred, a housebreaking and theft at a VIP residence and arson, at Parliament.

## 6. HUMAN RESOURCE MANAGEMENT

### 5.3 Establishment and personnel changes

At the end of the 2021/22 financial year, the SAPS had 176 180 employees (compared to 181 344 in 2020/21) against a year-end establishment of 175 345. As such, the Department has 835 more employees that is funded and has a negative vacancy rate of 0.5%. All budget programmes of the SAPS, except Detective Services, have slightly more personnel that is allowed. The Detective Services programme had a vacancy rate of 2.3% at the end of March 2022. During the 2021/22 financial year, the SAPS recorded total expenditure of R78.4 billion on compensation of employees.

At the end of the 2021/22 financial year, 5 574 personnel left the employment of the Department, of which the majority was due to resignation (1 901), followed by retirement (1 786) and death (1 228). According to the Department, the most prominent reasons for employees resigning from the Service, was due to more lucrative work prospects, including better compensation opportunities. The decrease in retirements could be as a result of the early retirement without penalisation initiative that took place, between March 2020 and March 2021, or owing to the fact that there was an increase in resignations.

Approval was granted for the recruitment of 3 000 new entry level police trainees, during 2019/20, comprising of 2 000 current serving PSA employees to the Police Service Act and 1 000 current serving reservists as permanent members. The Minister of Police directed that 7 000 additional trainees need are to be enlisted, by 1 April 2022 and additional funding was made available by National Treasury for the enlistment of the additional trainees.

## 5.4 Police/Population Ratio

In 2020/21, the Department had a fixed establishment of 176 180 employees, of which 139 901 were SAPS Act employees and 36 279 were Public Service Act employees. Over the last eight years (2014/15 to 2021/22), the police/population ratio<sup>4</sup> increased year-on-year. The generally accepted benchmark is one police officer to 450 people, as such, the SAPS is within the benchmark. **However, the police/population ratio is highly dependent on the crime level of an individual country and one size (or ratio) does not fit all.**

In 2014/15, the police/population ratio was one police member to 358 citizens (1:358) compared to a police/population ratio of one police member to 430 citizens (1:430) in 2021/22.

**The table below illustrates the increase in the police/pollution ratio over the past eight years between 2014/15 and 2021/22:**

**Table 3: Changes in the police/population ratio over eight years**

Financial year	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>SAPS Act Employees</b>	150 950	151 834	151 651	150 791	150 855	147 035	144 253	139 901
<b>Police/Population ratio</b>	1:358	1:362	1:369	1:375	1:383	1:400	1:413	1:430

*Source: SAPS Annual Reports 2014/15 – 2021/22*

## 5.5 Section 35 Terminations

The SAPS did not award any section 35 terminations during 2021/22.

## 5.6 Regulation 47 Appointments/promotions

In 2021/22, the SAPS did not make any Regulation 47 appointments. Under section 47(n) of the 2018 SAPS Employment Regulations, the National Commissioner may upon written motivation and in consultation with the Minister, promote an employee into a post without advertising the post.

This section of the Employment Regulations (section 45 of the 2008 Employment Regulations) has been an area of serious contention in the past, especially between 2015/16 and 2017/18. During a previous Portfolio Committee meeting that focused on SAPS promotions, POPCRU stated that regulation 47 proportions are grossly misused and that the careers of many police members had been stifled by this misuse. The table below illustrates the point. The Committee should be cognisant of the possibility of abuse.

**Table 4: Regulation 47 Appointments / Promotions from 2013/14 to 2021/22**

Financial year	Number of Regulation 47 Appointments / Promotions
2021/22	0
2020/21	3
2019/20	6
2018/19	2
2017/18	47
2016/17	83
2015/16	41
2014/15	10
2013/14	1

## 7. COMMITTEE OBSERVATIONS

<sup>4</sup> The Police/Population ratio is calculated on SAPS Act employees only and not the fixed establishment (that includes administration personnel).

The Committee made the following observations:

- 1) The Committee welcomed the presentation made by the Office of the AG and commended the professionalism displayed. The Committee further appreciated the objective assessment made by the Office of the AG.
- 2) The Committee raised concern about the apparent systemic institutional, management and administrative crises in the Department as identified by the Office of the AG and noted that these should not arise in a professional administration. It was noted that most of the Committee's attention, when assessing performance, is focussed on crime statistics, but that more focus should be placed on the broader management issues affecting the Department and leading to a decline in police performance.
- 3) The Committee raised concern about the continuous AG findings on compliance with legislation, especially in the Supply Chain Management environment. Members also the lack of consequence management in the Department, especially related to the incurring of irregular, and fruitless and wasteful expenditure. The Committee questioned whether the Office of the AG is satisfied with the steps taken by the Department to implement consequence management to deter the incurring of irregular, unauthorised, and fruitless and wasteful expenditure and noted that the Committee needs deeper insight into this area to effectively hold the Department and Minister to account. The Committee further noted that irregular, unauthorised, and fruitless and wasteful expenditure is tantamount to underspending as the intended funds are not utilised in a responsible and economic manner to improve policing services at local policing level.

The Office of the AG explained that the framework set by National Treasury provides 90 days for investigations into whether possible irregular and fruitless and wasteful expenditure conforms to the definition thereof. After confirmation is made, the process of consequence management starts, but there is no set timeframe in which these steps must be concluded. The main challenge that occurs is when employees leave the employment of the Department, in which case consequence management cannot be implemented. The Office of the AG recommended that consequence management should start from the most recent cases where consequence management steps can be taken. It was further mentioned that consequence management steps must be expedited. The lack of urgency in addressing these cases might signal that this behaviour is condoned and not taken seriously.

- 4) The Committee raised concern about the continuous and consistent decline in the Detective Services Programme, which is most evident in the Forensic Science Laboratory subprogramme. It was noted that the misalignment between expenditure and the achievement of performance targets within the Detective Services Programme points to a serious problem.

The Committee further raised concern about the decline in the personnel numbers of the Detective Services Programme due to a lack of appropriate remuneration compared to colleagues in other components, such as Visible Policing. It was further noted that Detectives require highly specialised skills to conduct investigations and that this should be recognised and rewarded. Many trained detectives are transferring to other components, like Visible Policing, for better remuneration. The loss of skills in the Detective Services Programme should be addressed as a matter of urgency as the positive prosecution of cases are dependent on the quality of investigations.

The Minister of Police raised concern about the continuous reductions to the SAPS budget. He acknowledged that the number of police officers are dwindling and highlighted the changes in the pollution/police ratio since 2010. The Minister further stated that the COVID-19 lockdown had a significant impact of the intake and training of new recruits. The Department had received approval to recruit and train 10 000 new recruits, but this is not sufficient to address the critical shortage in personnel. The Minister further indicated that, of this total (of 10 000 new recruits), 4 000 recruits are allocated to the Public Order Policing Units based on the recommendations made by the Farlam Commission of Enquiry. In relation thereto, the

capacity of the Public Order Policing Units should be at 12 000 but is currently at 5 000, thus even with the additional personnel allocation, the Units are still under-resourced.

In relation to overall policing numbers, the Minister indicated that there are not enough police officers in Visible Policing to prevent crime and that the numbers are not comparable to other countries where there is high police visibility. Despite an application to National Treasury to increase the number of police recruits, an intake of only 5 000 was approved.

The Department stated that the number of detectives has declined significantly over recent years and that the SAPS has approximately 17 000 detectives, which is not sufficient. The Department indicated that a review of service allowances is underway which has not been increased over many years.

- 5) The Committee noted the comments made by the Office of the AG in terms of the reactive approach by the Department, whereas the mandate should be proactive in preventing crime. The Committee questioned what steps can be taken by the Department to measure targets that are more proactive in nature. The Committee further questioned the manner in which targets are developed and whether the Office of the AG has any input into the planning of performance targets. The Committee further raised concern that targets are generally set too low and must be increased. The Committee proposed that performance targets should be set by the Department in consultation with the Committee.

The Office of the AG indicated that targets should be benchmarked against the resources available in the various budget programmes of the Department to ensure that target can be met during a financial year. In terms of the proactive versus reactive nature of policing targets, it was noted that the objective of the Visible Policing Programme refers to proactive policing strategies to prevent crime and the AG focussed its audit specifically based on the proactive targets to prevent crime. Performance targets must be aligned to the objective of Departmental Programmes.

The Department indicated that the SAPS is a service-orientated organisation and, as such, it is challenging to identify targets that are reflective of the different programmes. The DPME has implemented a results-based approach to planning which directs Departments to include outcome or impact indicators in its Annual Performance Plans. The Departments stated that, for instance, the ultimate outcome of the Visible Policing Programme is the absence of crime (or a significant yearly reduction of crime). The Department further indicated that proactive measures on crime prevention are included in lower level planning documents such as Annual Operational Plans. The development of result-based indicators also has to take into account priorities set out by the President in his State of the Nation Address (SONA), the Minister of Police and through the MTSF. The Department noted the AG's focus on the target included in the Visible Policing Programme to conduct awareness campaigns as a proactive measure to prevent crime. The Department highlighted the need to reduce the number of annual performance targets and indicated that the majority of targets are legacy indicators. The Department aims to be responsive to new priorities that arise such as gender-based violence and femicide (GBVF). The Department further indicated that the focus should be placed on the apex indicators relating to safer communities as per the MTSF and NDP.

The Department further noted that the Policing Strategy that will be presented to the Committee in November 2022 has various proactive measures to prevent crime imbedded into the Strategy. In conclusion, the Department noted that there are areas with clean audits within the SAPS. The Department will continue with engagement with the DPME and AG to refine performance targets to make sure that the correct services are measured within the Department to achieve its objectives and Constitutional mandate.

- 6) The Committee raised concern that the SAPS are seemingly failing in their prime responsibilities in terms of their Constitutional mandate, especially in the Visible Policing and Detective Services Programmes, which is delivering the core services of the Department. It was further noted that the police are regressing in terms of performance and that serious intervention is needed to improve service delivery. Members questioned what will be done differently to turn the Department around.

- 7) The Committee noted that problematic behaviour that could lead to criminality can and should be identified at school level and questioned what interventions can be put in place to deter and prevent this behaviour before it leads to serious criminality.
- 8) The Committee proposed the inclusion of police-orientated subjects in school curriculums to foster an interest in policing to create a possible pool for the recruitment of passionate police officers.
- 9) The Committee raised concerns about the low targets set in the Detective Services Programme and the lack of alignment between expenditure and the achievement of targets. It was further noted that value for money is not measured and that the reported achievements are not felt by citizens of the country.
- 10) The Committee raised concern around the delays identified in the development and implementation of the Integrated Case Docket Management System (ICDMS) and the Integrated Person Management (IPM) System. The Department indicated that SITA was given a mandate to procure on behalf of the Department and that the Department may request SITA to give approval to procure independently. The ICDMS is the entry point of the criminal justice system value chain and must be fully functional. The Department expressed concern about the loss of expertise and skills in this environment as many information systems in the Department are aging. However, the Department indicated that the process is being tracked and the risks are being mitigated. It is expected that the system will be fully operation in the 2024/25 financial year. The Department indicated that the procurement strategy for the IPM has been revised by SITA.
- 11) The Committee raised concern about the repeat findings made by the Office of the AG and suggested that the change must start with a review of the management structure of the SAPS in order to realise improvements in findings. The Committee noted that continuous failure to implement consequence management is due to cover ups and police members protecting each other. The Committee questioned whether it is in the AG's mandate to recommend changes in management. The Office of the AG noted that they can recommend skills development as such needs are identified during the audit.

The Minister of Police noted that there have been several changes in the management structure of the SAPS, notably the Head of Supply Chain Management, to address continuous challenges in the Supply Chain Management environment.

- 12) The Committee raised concern that appointments and promotions are often not based on performance and qualifications, but rather on more nefarious reasons such as nepotism. The Committee noted that the performance of the police cannot improve if qualified personnel, equipped with the necessary qualifications, are not appointed.
- 13) The Committee raised concern about the relationship between the Department and the Office of the AG and questioned whether the Department takes the findings and recommendations by the Office of the AG seriously. In response, the Office of the AG confirmed that there is a good working relationship between them and the Department and that recommendations are taken seriously by the Department.
- 14) The Committee raised concern about the poor record keeping systems in the SAPS that are continuously highlighted as a reason for adverse findings on the reliability of performance by the Department. The Committee noted that these systems must be improved and that failing systems can lead to the loss of critical information, such as case dockets which, in turn, leads to victims of crime not receiving justice. The Office of the AG highlighted that many of the measuring methods of targets are complex and there is much engagement on the crafting of targets and implementation of recommendations. The Office of the AG further confirmed that the audit process is extensive and that records are inspected, and not only controls.

The Department acknowledge the challenge faced with record keeping and explained that it has more than 1 300 business units reporting to the national office. The Department indicated

that this is not an excuse, but does challenge the effectiveness of systems. The Department further requested that timeframes for responding to findings by the Office of the AG be extended to allow additional time to respond to audit findings.

- 15) The Committee raised concern about dependencies on other Departments for the SAPS to perform their functions, such as SITA and DPWI, which has constrained the Department in performing critical functions. The Committee questioned whether the SAPS can be allowed to procure various ICT independently from SITA to enable the Department to take full responsibility in this environment and especially for service delivery.

The Office of the AG noted the reasons provided by the Department for variances on performance, especially in the Forensic Science Laboratory subprogramme and that dependencies on DPWI were raised, but the Office of the AG highlighted that this has been a continuous reason without it being addressed. The Office of the AG noted that the Department should have developed alternative action plans and processes to ensure the effective delivery on the mandate of the Department.

The Minister raised his concern on this point as the laboratory in KwaZulu-Natal has flooded several times over the past couple of years and that the Department is dependent on the DPWI to secure alternative accommodation. The Minister further highlighted the fact that neither he nor the Deputy Minister have offices and are working from their private residences.

- 16) The Committee highlighted the comment made by the Office of the AG in terms of enhanced processing of forensic evidence case exhibits (entries), in that *“overall from our understanding this is one of the core functions of the department, and the process is 100% within the control of the department however this was one of the worse performance targets when compared to other functions of the department”*. (Slide 14 of the AG’s presentation). In light thereof, the Committee indicated that external dependencies should no longer be accepted as an excuse for continued under performance by the Forensic Science Laboratories. The Committee further stated that the same excuses cannot be used without an action plan to address these areas of underperformance.

The Minister of Police indicated that the constant flooding of the KZN laboratory is having a significant impact on the entire environment, as case exhibits are redirected to other laboratories and overloading them. The Minister further highlighted the fact that 16 contracts have collapsed in this environment under the management of the previous National Commissioner of Police, but indicated that the 16 lapsed contracts are in place currently and that machinery are being maintained.

**The Committee resolved to conduct oversight visits to assess the condition of all forensic laboratories countrywide.**

- 17) The Committee questioned the role of the Department’s Audit Committee to assist the Department to avoid repeat findings. The Office of the AG works closely with the Audit Committee to implement action plans to ensure that repeat findings are addressed. The Audit Committee noted that they are a key stakeholder in the combined assurance process of the Department. The Audit Committee is an advisory oversight structure. The Audit Committee noted that audit action plans are not fully implemented and that consequent management takes too long to be implemented. Based on the responses provided, the Committee thanked the Audit Committee for the work they are doing. The Minister of Police noted a challenge with some internal fighting within the Audit and Internal Audit Committees.
- 18) The Committee noted that the presentation of the Office of the AG should be regarded as a shame on the police and points to a failure in service delivery as the reliability of reported performance on important targets (especially on contact crime and recovery of lost/stolen firearms) were questioned by the AG and material differences were identified. The Committee further raised concern that these material differences are confirming the previous fears of the Committee in that correct statistics are not presented by the Department, misleading the Committee. The Committee reminded the Department that misleading Parliament is a criminal offence and further questioned information provided on the reduction of the DNA backlog and



progress made on the CFR. The Committee reiterated the importance of the Department providing accurate information to Parliament.

The Minister stated that the Department is working closely with the Statistician General of South Africa to ensure the reliability of crime statistics and requested to meet with the Office of the AG together with the Statistician General.

- 19) The Committee noted that various police stations are in chaos and that accurate information are not (and cannot be) received from these stations due to poor management, lack of consequence management and corruption. The Committee indicated that the Minister and Senior Management must visit police stations to identify challenges and intervene timeously.
- 20) The Committee welcomed the presentation of the DPCI and commended the Directorate on the successes achieved throughout the 2021/22 financial year.
- 21) The Committee raised concern about the fact that, despite police stations being built, they are not operational and specific mention was made to the Chatty Police Station (Eastern Cape) that was completed in 2021/22 but not yet functional. The Committee questioned the reasons for the delay in completion and operationalisation? The Department indicated that the Chatty station is operational but that the personnel numbers are not ideal. It has not been officially opened by the Minister of Police but is operational.
- 22) The Committee raised concern about the overspending on the budget for compensation of employees in the Protection and Security Services Programme. The Department highlighted that the Programme is labour intensive and the increase in spending is largely based on overtime worked by personnel in this environment.
- 23) The Committee raised concern on the possible misuse of SAPS helicopters in attending to Ministerial engagements instead of crime prevention and reaction interventions. The Department dispelled the concerns and indicated that helicopters are used in crime prevention operations.
- 24) The Committee questioned the number of cross-border operations conducted to recover stolen vehicles with a specific reference made to vehicles found in Malawi. The Department indicated that many operations are held and indicated that getting vehicles back to South Africa is complex, but it is in progress.
- 25) The Committee requested clarity on the functions of the Government Security Regulator and whether the security personnel in Parliament fall under the mandate of the SAPS. The Department explained that the protection services of Parliament does not report to the SAPS but to the Secretary of Parliament. The Department indicated that they have engaged in talks to possibly reconfigure the structure to clarify the different responsibilities within the Parliamentary precinct.
- 26) The Committee requested the Department to indicate the value of assets seized by the DPCI from the private sector. The Directorate indicated that the figure provided includes assets seized from individuals from the private and public sectors.
- 27) The Committee noted concern on the misuse of Victim Friendly Rooms at police stations for other purposes, including office accommodation, and not for its intended purpose. It was also noted that Victim Friendly Rooms are often not well resourced and are not 'friendly' at all. The Department indicated that where victim friendly rooms are not available, such facilities are available at other institutions such as hospitals.
- 28) The Committee raised concerns about the increase in the number and monetary value of civil claims brought against the Department during the 2021/22 financial year. The Department indicated that processes are underway to address the increases in the number of civil claims and to identify the stations that are contributing the most to civil claims and implementing interventions to address this challenge. The Department further noted that most of the pending cases are *dominus litis*, meaning that the plaintive must approach the court in terms

of obtaining set down dates. It was further noted that the Department is putting proactive steps in place to identify cases that have been dormant for some time and are being worked off in terms of the Standing Operating Procedures of the Department. The claim amounts are beyond the control of the Department and does not indicate the actual amounts that will be paid if so found.

- 29) The Committee raised concern on the significant increase in fruitless and wasteful expenditure over the past four financial years, and that adequately steps to address further increases are not recorded in future planning. The Department indicated that various factors lead to these cases, but that steps are taken to down-manage the number of cases recorded.
- 30) The Committee raised concern about the backlog in cases not resolved that are older than 3 years and that this backlog translates into unsolved cases. The Committee further raised concern about the caseload of detectives and indicated that the caseloads on individual detectives are too high and cannot be properly investigated. The Committee further highlighted that fact that a guilty or not guilty verdict are highly dependent on the quality of investigations and that the quality must not be jeopardised due to insufficient personnel/detectives. The Department noted the concerns of the Committee and highlighted that the closure of cases is a priority of the Department and is receiving special attention.
- 31) The Committee expressed concern on the continued backlog in the analysis of DNA case exhibits and that this is affecting the entire criminal justice system value chain and leading to a failure to bring perpetrators of gender-based violence and femicide (especially in rape cases) to account and securing justice for the victims of these crimes. The Committee requested the Department to provide the latest backlog in DNA case exhibits.

The Minister indicated that specialists that have left the Department have been brought back to strengthen the capacity of the environment and allocations for overtime have been approved to increase productivity and working-hours to reduce the backlog in DNA analysis. The latest backlog is 84 000 case exhibits. The Department claimed that this backlog will be addressed by December 2022 and will only deal with the daily supply of DNA case exhibits.

- 32) The Committee questioned what charges that were brought against so-called *zama zama*'s or illegal miners that were arrested in Stilfontein as there are rumours that the suspects were arrested on charges of conspiracy to commit robbery, despite many firearms being confiscated during the specific operations. The Directorate (DPCI) indicated that the suspects have not yet been arraigned, but that preliminary charges include conspiracy to commit robbery, possession of illegal ammunition and firearms and contravention of the Immigration Act. Additional charges may follow.
- 33) The Committee raised concern about the lack of response to telephone calls from Members to the National Commissioner.
- 34) The Committee noted that a collaborative approach is needed to address illegal mining in South Africa and proposed that the South African National Defence Force (SANDF) should be involved in operations to address illegal mining.

The Minister of Police acknowledged that the SAPS cannot deal with illegal mining in isolation from other Departments, especially the Department of Home Affairs, to address challenges with illegal immigration and the Department of Defence in terms of border patrols. The Minister indicated that the Department of Mineral Resources and Energy is key to addressing illegal mining, to rehabilitate mines and close disused mine shafts. The Minister indicated that there are approximately 6 000 such mine shafts across South Africa.

- 35) The Committee raised concern about a lawyer allegedly carrying large sums of cash (R250 000.00) to pay bail for illegal miners that were arrested in Mpumalanga. The Provincial Commissioner of Mpumalanga did not have knowledge of this, but noted that the allegations will be investigated. However, the Minister questioned whether it is a crime in itself to carry large sums of cash. The Committee questioned whether the Financial Intelligence Centre Act,

2001 (No 38 of 2001) are not used as a key piece of legislation to investigate serious allegations of money-laundering.

## **8. COMMITTEE RECOMMENDATIONS AND REPORTING REQUIREMENTS**

*Note: Recommendations must adhere to the SMART principle in being specific, measurable, achievable, relevant and time-bound. This enables the Committee to track progress and identify missed milestones.*

### **8.1. Recommendations to National Treasury**

The Committee recommends the following:

- 1) The Committee recommends that National Treasury review its decision to disallow the recruitment of additional personnel and that the Department should be adequately resourced, especially in terms of personnel, to execute their mandate. It is recommended that 10 000 recruits be allowed for the 2023/24 financial year.
- 2) The Committee recommends that National Treasury should increase the budget of the Department to employ additional personnel, especially qualified and skilled detectives. National Treasury could consider ring-fencing this funding to ensure that it is spent as intended.
- 3) The Committee further recommends that ring fenced funds should be made available to adjust the service allowances of detectives to retain skilled personnel and attract new detectives.

### **8.2. Recommendations on service delivery performance**

The Committee recommends the following:

- 1) The Committee recommends that the Department should review, refine and reduce their annual performance indicators to focus on apex priorities and the achievement of the Department's Constitutional mandate. Further thereto, the Department should submit the proposed revised performance indicators for the 2023/24 financial year for the Committee's consideration by 20 January 2023.
- 2) The Committee recommends that performance indicators and associated targets must be benchmarked against the available resources of each budget programme to ensure that targets can be achieved. A report on this benchmarking should be submitted to the Committee by 20 January 2023.
- 3) The Committee recommends that performance indicators should be more proactive in nature as opposed to reactive, focused on aspect such as crime prevention awareness campaigns.
- 4) The Committee recommends that the record-keeping system of the Department should be simplified to ensure reliable information. Efforts should be made to investigate possible interventions such as decentralisation.
- 5) The Committee recommends that the Department should expedite consequence management steps against employees incurring irregular, and fruitless and wasteful expenditure. Please see below reporting requirements in this regard.
- 6) The Committee recommends that consequence management should be implemented on the most recent cases of irregular, unauthorised, and fruitless and wasteful expenditure and then work backwards to older cases to ensure that members are held to account before leaving the Department. The speedy finalisation and outcome of these cases should act as a deterrent to others in an effort to reduce and prevent incurrence of any expenditure incurred that is against the provisions of the PMFA.
- 7) The Committee recommends that the review of service allowances for Detectives should be completed before the end of 2022 and progress must be reported, in writing by 20 January 2023.
- 8) The Committee recommends that the Office of the AG considers the inclusion of timeframes in its regulations for consequence management steps to be finalised to prevent the Department from delaying the implementation of consequence management.
- 9) The Committee recommends that the Department of Public Works and Infrastructure should relocate the forensic laboratory located in Amanzimtoti as a matter of priority. The Committee further recommends that the re-location should be finalized in the second quarter of the

2023/24 financial year. The Department of Public Works and Infrastructure is requested to submit a progress report on 15 November 2022.

- 10) The Committee recommends that the Department should endeavor to clear the backlog in the analysis of DNA (biology) case exhibits by December 2022.

### **8.3. Reporting requirements**

The Committee requests the following information to be submitted:

- 1) The Department should submit a report highlighting the material differences identified by the Office of the AG in reported performance on targets in the Visible Policing and Detective Services Programmes of the Department. This report should be submitted by 05 November 2022.
- 2) The Department should submit an update on the down-management of cases of irregular, and fruitless and wasteful expenditure, and what consequence management steps were taken against personnel found guilty of contravening legislative prescripts. This report should be submitted by 20 January 2023.
- 3) The Department should submit bi-annual progress reports on the implementation of its Audit Action Plan focused on addressing the material differences identified by the Office of the AG on various targets in the Visible Policing and Detective Services Programmes. The first such report must be submitted by March 2023.
- 4) The Department should submit a report detailing the financial losses suffered by the continuous flooding of the forensic laboratory located in Ananzimtoti.
- 5) The Department is requested to submit an analysis report highlighting the key policing areas that are negatively impacted by external dependencies, specifically related to the Department of Public Works and Infrastructure, SITA and the Department of Health.

## **10. CONCLUSION**

The Committee thanks the Ministry of Police, the National Commissioner, the Auditor General and the Management of SAPS for their efforts in creating the conditions for progress in the SAPS audit opinion. The Committee is under no illusion that there is still a long way to go to the ideal finding of a clean audit, but we are hopeful that this will be achieved in the foreseeable future. The Committee thanks all its members and its staff for its work to ensure the SAPS and the Executive are held to account.

**Report to be considered.**