

IPID'S RESPONSE TO QUESTIONS ON 2023/2024 ANNUAL PERFORMANCE PLAN AND BUDGET VOTE 24

PRESENTATION TO THE SELECT COMMITTEE ON SECURITY AND JUSTICE

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE (IPID)



**independent police
investigative directorate**

Department:
Independent Police Investigative Directorate
REPUBLIC OF SOUTH AFRICA

1. Introduction	3
2. IPID's 2023/24 Budget Breakdown and Provincial Allocation	4-8
3. Previous Year (2022/2023) Financial Statement	9-11
4. Recruitment and Vacancies	12-15
5. Challenges on Staffing and Resources	16-17
6. Highlight of Successes	18-20
7. Strategic Plan Annual Performance Plan Provincial Interests	21-22
8. Cases Being Investigated and Finalised per Province	23-27
9. Cases Referred to NPA and SAPS and level of Compliance per Province	28-31
10. Update on SAPS mandatory reporting discharge of official firearm	32-33
11. Joint Operations between SAPS and SANDF	34-35
12. IPID Services, Challenges, and Corrective Actions	36-38
13. Conclusion	39

1. INTRODUCTION

Introduction

1. The purpose of the presentation is present IPID's responses to the Questions received from the Select Committee on Security and Justice, on IPID's Annual Performance Plan and Budget allocation for Vote 24, for the 2023/24 financial year.
2. The responses are focused on the two letters that IPID received from the Committee, dated 01 March 2023 and 28 April 2023.
3. On 10 May 2023, the Department will further brief the Committee on its tabled Strategic Plan and Annual Performance Plan as per the Parliamentary Programme for the second term.

2. IPID 2023/24 BUDGET BREAKDOWN AND PROVINCIAL ALLOCATION



2.1 SUMMARY OF BUDGET PER PROGRAMME & ECONOMIC CLASSIFICATION OVER MTEF

PROGRAMMES	2023/24	2024/25	2025/26
	Allocated Budget	Allocated Budget	Allocated Budget
ADMINISTRATION	109,225,000	115,008,000	118,826,000
INVESTIGATION & INFO MANAGMT	236,925,000	246,262,000	258,578,000
LEGAL&INVESTI ADVISORY SERVS	6,815,000	7,211,000	7,420,000
COMPLINC MONIT & STAKHLD MNG	11,421,000	12,076,000	12,589,000
Grand Total	364,386,000	380,557,000	397,413,000
% Growth	0.24%	4.44%	4.43%
ECONOMIC CLASSIFICATION			
COMPENSATION OF EMPLOYEES	246,010,000	256,869,000	268,182,000
DEPARTMENTAL AGENCIES & ACCOUNTS	721,000	754,000	788,000
GOODS AND SERVICES	110,809,000	115,984,000	121,181,000
HOUSEHOLDS (HH)	200,000		
MACHINERY AND EQUIPMENT	6,536,000	6,837,000	7,144,000
PROVINCIAL AND LOCAL GOVERNMENTS	110,000	113,000	118,000
PAYMENTS FOR FINANCIAL ASSET			
Grand Total	364,386,000	380,557,000	397,413,000

2.2 PROVINCIAL BUDGET ALLOCATION

Allocation criteria: Size of the Province, Case intake , Number of Investigators and vastness of the Province (distance to be travelled)

PROVINCES	Adjusted Budget				Allocated Budget
	2019/20	2020/21	2021/22	2022/23	2023/24
EASTERN CAPE PROVINCIAL OFFICE	15,712,000	20,756,124	20,393,943	19,850,000	21,594,000
FREE STATE PROVINCIAL OFFICE	17,665,000	20,673,660	20,474,769	20,296,000	20,984,000
GAUTENG PROVINCIAL OFFICE	21,097,000	28,451,350	23,564,476	25,831,000	26,028,000
KWAZULU-NATAL PROVINCIAL OFFICE	18,757,125	24,818,297	22,106,997	21,672,700	23,186,000
LIMPOPO PROVINCIAL OFFICE	15,864,912	18,449,740	18,496,834	18,289,000	18,889,000
MPUMALANGA PROVINCIAL OFFICE	13,683,875	17,571,236	17,058,152	17,722,000	18,250,000
NORTH WEST PROVINCIAL OFFICE	15,103,530	16,806,281	16,121,744	16,407,000	17,162,000
NORTHERN CAPE PROVINCIAL OFFICE	13,307,147	15,167,568	14,299,165	14,279,024	15,193,000
WESTERN CAPE PROVINCIAL OFFICE	19,943,000	24,852,311	21,790,472	23,861,976	22,747,000
Grand Total	151,133,589	187,546,567	174,306,552	178,208,700	184,033,000

2.3 KEY PRIORITY AREAS OVER THE MTEF PERIOD

Over the MTEF period, the Directorate will

- Continue to focus on improving the quality of all its investigations; giving high priority to those related to alleged gender-based violence, alleged violence against people from other vulnerable groups and increasing access to its services.
- Address the continuous increasing backlog cases by implementing the case prioritization framework and appointment of highly skilled retired investigators on a contract basis.
- Develop a new case management system. The fully customised system is expected to integrate seamlessly with systems of other law enforcement agencies within the justice cluster to enable information sharing and collaboration on investigations.
- Continue with the expansion of IPID's footprint and improve access to its services, through the collaboration with provincial Community Safety Departments in Gauteng, KwaZulu-Natal and Western Cape to establish regional and district offices.

2.4 TRAINING

PROGRAMMES	2023/24
	Allocated Budget
ADMINISTRATION	391,000
INVESTIGATION & INFO MANAGMT	1,700,000
LEGAL&INVESTI ADVISORY SERVS	58,000
COMPLINC MONIT & STAKHLD MNG	120,000
Grand Total	2,269,000

1. The Department is currently in the process of entering into a Memorandum of Agreement with the Association of Certified Fraud Examiners of South Africa (ACFE).
2. They will provide anti-fraud training and education for the core function to streamline the training of investigators that will assist in professionalising the investigation environment.
3. We are also in collaboration with the University of KZN to training investigators on forensic investigation and State Security Agency to train senior managers on Cyber Security.

3. PREVIOUS YEAR (2022/2023) FINANCIAL STATEMENTS



3. PREVIOUS YEAR (2022/2023) FINANCIAL STATEMENTS

Unauthorised Expenditure

- The Directorate did not incur unauthorised expenditure in the previous financial year (2022/23).
- The balance in our financial statements is made of prior year's over expenditure in Programme 2 and 3 in the financial year 2008/09 and 2005/06 respectively.
- The submission with the required supporting documents to request an authorisation was submitted to SCOPA through National Treasury for the Committee consideration. However, by the reporting date (31 March 2023), the approval for authorisation was not yet granted despite numerous follow-ups.
- The last follow up was done by the Department and responded to by National Treasury on the letter dated 16 January 2023.

3. PREVIOUS YEAR (2022/2023) FINANCIAL STATEMENTS (2)

Fruitless and wasteful expenditure

- The Department has in the financial year under review incurred a total amount of R9 632.91 on various transactions, for interest on Telkom overdue accounts and traffic fines on the rented vehicles by officials.
- All identified transactions/cases were recorded in the Department` fruitless & wasteful expenditure` register which was forwarded to the Financial Misconduct Committee (FMC) for assessment and recommendation on the appropriate action against the implicated officials.

Irregular Expenditure:

- During the period under review, the Department did not incur or register any irregular expenditure in the register.

Material Loses:

- No material loses incurred as a result of criminal conduct in the financial year under review, 2022/23.

4. RECRUITMENT AND VACANCIES



4.1 REPRIORITISATION OF POSITIONS

1. The organisational structure was analysed and five (5) posts of investigators positions at salary level 7 were reprioritised.
2. These five posts were allocated to Northern Cape, North West, Limpopo, Gauteng and Mpumalanga Provincial Offices and recruitment was concluded.
3. The revised personnel numbers were done in order for the Department to remain within the allocated budget/ceiling in line with the budget process guidelines.

4.2 RECRUITMENT AND FILLING OF KEY POSITIONS

Position	Status
Chief Director: Investigation and Information Management (Programme 2 Manager)	The recruitment process as been finalised and the Department is in the process of filling the post.
Provincial Head: KZN	The recruitment process as been finalised and the Department is in the process of filling the post.
Deputy Provincial Head: Eastern Cape	The recruitment process was finalised and the candidate has assumed duty on 01 April 2023.
Director: Finance	The recruitment process as been finalised and the Department is in the process of filling the post.
Director: Litigation and Advisory Services	Shortlisting process was finalised and the Department will be embarking on an interview process.

4.3 VACANCIES PER PROVINCE

PROVINCIAL OFFICE	POST JOB TITLE DESCRIPTION
EASTERN CAPE	PERSONAL ASSISTANT
SATELLITE : MTHATA OFFICE	ASSISTANT DIRECTOR: INVESTIGATIONS
FREE STATE	PERSONAL ASSISTANT
GAUTENG	INVESTIGATOR x3
KWAZULU NATAL	PROVINCIAL HEAD
MPUMALANGA	COMPLAINTS RECEPTIONIST
	SENIOR INVESTIGATOR
NORTHERN CAPE	SENIOR INVESTIGATOR
WESTERN CAPE	ASSISTANT DIRECTOR: INVESTIGATIONS
	COMPLAINTS RECEPTIONIST
	DEPUTY DIRECTOR: CORPORATE SERVICES

5. CHALLENGES ON STAFFING AND RESOURCES



5.1 CHALLENGES ON STAFFING AND RESOURCES

1. Capacity personnel constraints taking into account high case workload which also affect turnaround time of completing an investigation.
2. Supervisors conducting investigation due to inadequate number of investigators thus impacting on effective supervision to subordinates
3. Non-existence of a Crime Analyst in IPID
4. Ineffectiveness of the Case Management System
3. Long distance travel due the vastness of majority of Provinces
4. The response time to crime scenes is not satisfactory due to the Department not having footprint in all Provincial Districts.
5. Threats and potential threats to IPID investigators
6. Limited footprint which affects service delivery

6.HIGHLIGHT OF SUCCESSES



6.1 HIGHLIGHT OF SUCCESSES

1. Establishment of additional offices through the collaboration with the Provincial Department of Community Safety
 - a) Gauteng: Temba, Heidelberg, Westonaria and Mabopane
 - b) KwaZulu/Natal: Port Shepstone, Port Dunford, Kwambonambi and Mkuze
 - c) Northern Cape: Kuruman, Springbok and Upington

2. Highlight of Investigation Successes :
 - a) Eastern Cape: 15 years imprisonment for rape of two women by police officer
 - b) Gauteng: EMPD officer was sentenced to 5 years imprisonment for kidnapping and assaulting his girlfriend by Palm Ridge Magistrate court on 17 April 2023
 - c) Gauteng: 7 EMPD police officers were arrested on the 10 September 2022 for murder, attempted murder and defeating the ends of justice.
 - d) Gauteng: 6 years for pointing a firearm, 5 years for assault GBH and one year malicious damage to property.
 - e) Free State: 10 years imprisonment for the murder of fellow colleague in Bloemfontein in 2019.

6.2 HIGHLIGHT OF SUCCESSES (2)

- e) North West: 15 years sentence for murder, 3 years for kidnapping and 1 year for assault GBH.
- f) KZN: 15 years sentence for attempted murder
- g) Mpumalanga: 1 life sentence for rape and 5 years for kidnapping, and 20 years for murder
- h) Limpopo: ex- police officer sentenced to 25 year's imprisonment for murder of a 15-year-old girl, attempted murder for the mother of the deceased
- i) Northern Cape: 22 months imprisonment for using a vehicle without owner's consent, Count 2-A Fine of 2000 Or 12 months imprisonment for drunk and driving.
- j) Western Cape: life imprisonment sentence for an ex- Gordon Bay Police officer for alleged raping his 14-year-old step daughter in the 2016 and 2017.

7. STRATEGIC PLAN AND ANNUAL PERFORMANCE PLAN PROVINCIAL INTEREST

7.1 PROVINCIAL TARGETS FOR 2023/2024

Case Classification	EC	FS	GP	KZN	LP	MP	NW	NC	WC	Total
Death in police custody	7	4	122	40	22	14	7	1	7	224
Death as a result of police	63	20	220	250	39	42	32	1	35	702
Discharge of official firearm	180	43	320	320	132	141	66	28	165	1 395
Rape by police officer	10	1	25	15	7	6	3	1	5	73
Rape in police custody	1	1	1	1	1	1	1	1	1	9
Torture	100	18	52	380	18	53	14	1	27	663
Assault	450	170	550	510	200	280	168	128	560	3 016
Corruption	8	1	32	15	3	9	2	1	1	72
Other criminal & misconduct	5	10	55	21	3	12	2	2	8	118
Systemic corruption	-	-	1	-	-	-	-	-	-	1
Non-compliance to Sect 29	1	1	15	7	1	30	2	2	1	60
Total	825	269	1 393	1 559	426	588	297	166	810	6 333

8. CASES BEING INVESTIGATED AND FINALISED



8.1 INTAKE FROM 01 APRIL TO 28 FEBRUARY 2023

Case Classification	EC	FS	GP	KZN	LP	MP	NW	NC	NSIT	WC	Total
Death in police custody	24	11	44	22	34	28	20	6	0	13	202
Death as a result of police	36	14	96	101	23	28	21	2	0	29	350
Discharge of official firearm	57	56	143	90	56	66	51	29	0	79	627
Rape by police officer	16	7	23	21	11	3	4	15	0	13	113
Rape in police custody	0	0	0	0	1	0	1	1	0	1	4
Assault	272	370	500	291	191	259	188	163	1	784	3019
Torture	36	29	15	47	16	33	6	0	1	13	196
Corruption	2	3	30	7	2	6	0	0	8		58
Other criminal & misconduct	2	43	15	7	11	20	1	5	2	23	129
Systemic corruption	0	0	0	0	0	0	0	0	1	0	1
Non-compliance to Sect 29	1	1	7	2	2	5	3	3	0	1	25
Total	446	534	873	588	347	448	295	224	13	956	4724

8.2 ACTIVE CASES BY 28 FEBRUARY 2023 (including backlog)

Case Classification	EC	FS	GP	KZN	LP	MP	NW	NC	NSIT	WC	Total
Death in police custody	24	12	135	44	39	34	20	6	0	17	331
Death as a result of police	71	24	351	412	54	87	50	3	4	64	1 120
Discharge of official firearm	274	71	626	526	171	184	86	35	0	249	2 222
Rape by police officer	20	7	44	33	11	7	6	15	0	15	158
Rape in police custody	0	0	0	0	1	0	1	1	0	1	4
Torture	1 128	385	2 356	2 043	423	671	339	226	4	2 611	10 186
Assault	136	30	54	483	22	83	16	1	3	35	863
Corruption	8	3	88	19	3	8	2	0	62	1	194
Other criminal & misconduct	4	43	109	35	12	29	2	5	31	32	302
Systemic corruption	0	0	1	0	0	0	0	0	1	0	2
Non-compliance to Sect 29	1	1	26	10	2	44	3	3	3	2	95
Total	1 666	576	3 790	3 605	738	1 147	525	295	108	3 027	15 477

8.3 BACKLOG CASES BY 28 FEBRUARY 2023

Case Classification	EC	FS	GP	KZN	LP	MP	NW	NC	NSI T	WC	Total
Death in police custody	0	1	91	22	5	6	0	0	0	4	129
Death as a result of police	35	10	255	311	31	59	29	1	4	35	770
Discharge of official firearm	217	15	483	436	115	118	35	6	0	170	1595
Rape by police officer	4	0	21	12	0	4	2	0	0	2	45
Rape in police custody	0	0	0	0	0	0	0	0	0	0	0
Assault	856	15	1 856	1 752	232	412	151	63	3	1 827	7 167
Torture	100	1	39	436	6	50	10	1	2	22	667
Corruption	6	0	58	12	1	2	2	0	54	1	136
Other criminal & misconduct	2	0	94	28	1	9	1	0	29	9	173
Systemic corruption	0	0	1	0	0	0	0	0	0	0	1
Non-compliance to Sect 29	0	0	19	8	0	39	0		3	1	70
Total	1 220	42	2 917	3 017	391	699	230	71	95	2 071	10 753

8.4 CASES FINALISED BY 28 FEBRUARY 2023

Case Classification	EC	FS	GP	KZN	LP	MP	NW	NC	NSIT	WC	Total
Death in police custody	19	13	30	15	29	28	17	4	0	13	168
Death as a result of police	23	12	59	50	14	14	9	2	0	28	211
Discharge of official firearm	42	55	58	68	31	54	35	24	0	60	427
Rape by police officer	10	11	17	12	4	4	6	14	0	9	87
Rape in police custody	0	0	0	0	1	0	0	1	0	1	3
Torture	181	333	248	169	171	179	180	160	2	580	2 203
Assault	22	26	2	35	4	16	8	0	1	9	123
Corruption	0	4	20	1	0	2	0	0	3	0	30
Other criminal & misconduct	2	37	19	7	8	16	0	2	2	21	114
Systemic corruption	0	0	0	0	0	0	0	0	2	0	2
Non-compliance to Sect 29	1		3	1	1	12	4	1	1	0	24
Total	300	491	456	358	263	325	259	208	11	721	3 392

9. CASES REFERRED TO NPA AND SAPS



9.1 CASES REFERRED TO SAPS AND LEVEL OF COMPLIANCE BY 28 FEBRUARY 2023

Province	Total Referred	Initiated	Level Of Compliance (%)
National Office	44	26	59%
Eastern Cape	95	74	78%
Free State	84	31	37%
Gauteng	92	68	74%
KwaZulu-Natal	58	18	31%
Limpopo	30	16	53%
Mpumalanga	58	43	74%
North West	67	57	85%
Northern Cape	31	26	84%
Western Cape	160	4	3%
Total	719	363	50%

9.2 CASES REFERRED TO NPA AND OUTCOMES

Province	Cases Referred	Outcome			
		Awaiting Decision	Decline To Prosecute	Prosecute	Withdrawn
Eastern Cape	202	128	70	3	1
Free State	292	144	144	2	2
Gauteng	216	191	21	4	-
KwaZulu-Natal	151	128	23	-	-
Limpopo	150	66	71	13	-
Mpumalanga	196	78	108	9	1
North West	143	86	52	-	5
Northern Cape	156	79	71	6	-
NSIT	1	1	-	-	-
Western Cape	368	268	84	16	-
Total	1 875	1 169	644	53	9

9.3 REASONS FOR DECLINE TO PROSECUTE

Province	Inquest	No prospect of successful Prosecution	Reason Not Provided	Total
Eastern Cape	3	9	55	70
Free State	-	131	-	144
Gauteng	1	18	-	21
KwaZulu-Natal	3	2	18	23
Limpopo	2	12	56	71
Mpumalanga	3	24	81	108
North West	-	48	-	52
Northern Cape	1	69	-	71
NSIT	-	-	-	-
Western Cape	11	4	66	84
Total	24	344	276	644

10. SAPS MANDATORY REPORTING FOR UNLAWFUL DISCHARGE OF OFFICIAL FIREARM

10.1 SAPS MANDATORY REPORTING FOR UNLAWFUL DISCHARGE OF OFFICIAL FIREARM

Province	2021/2022	2022/2023	% Change
Eastern Cape	84	60	-29%
Free State	55	61	11%
Gauteng	197	152	-23%
KwaZulu-Natal	119	98	-18%
Limpopo	55	63	15%
Mpumalanga	95	82	-14%
North West	43	60	40%
Northern Cape	31	37	19%
Western Cape	65	90	38%
Total	744	703	-6%

The 2022/2023 statistics are as at end of February 2023. The information will be updated after the end of the financial year, when we brief the Committee on 10 May 2023.

11. JOINT OPERATIONS BETWEEN SAPS AND SANDF



11.1 CASES BEING INVESTIGATED

1. The MoU between the Military Ombudsman is completed and the Executive Director has signed, awaiting the signature of the accounting officer of the Military Ombudsman to sign off.
2. In the year 2020 a case of Death was reported as per Athlone CAS 151/02/2020 (**IPID Ref 2020020259**). It was alleged that the deceased died as result of assault by both members of the South African Police Service and the Military. However, IPID has been struggling to obtain information in relation to the members of the SANDF that were involved. IPID made several attempts to source the information but to no avail. IPID will consider alternative legal steps to source the information required in terms of the applicable clause as per the Criminal Procedure Act to compel the Military to avail the information required for investigation.

12. IPID SERVICES, CHALLENGES AND CORRECTIVE ACTIONS



12. IPID SERVICES, CHALLENGES AND CORRECTIVE ACTION

1. The Department has not conducted an impact assessment of its services due to the non-existence of a Research Unit.
2. The services that IPID is providing directly to the public is investigation of complaints of alleged criminal or misconduct committed by members of the police service (SAPS and MPS).
3. The type of cases investigated are informed by section 28 of the IPID Act of 2011.

4. Challenges

- a) Limited footprint of IPID offices which impacts on accessibility to services efficiency of investigations.
- b) Limited human resources with approximately 171 investigators to service the entire country.
- c) Inadequate specialised investigation skills.
- d) Dependency on other organs of state; such as Forensic Science Laboratory and Department of Health

12. IPID SERVICES, CHALLENGES AND CORRECTIVE ACTION (2)

5. Corrective Actions

- a) Since 2021, the department adopted a district model strategy to expand its footprint. The department collaborated with the Department of Community Safety which resulted in the establishment of 11 new offices.
- b) Reprioritisation of positions to ensure optimal utilisation of available resources to enable service delivery
- c) Collaboration with the University of KwaZulu/Natal and ACFE for the training of investigators.
- d) Establishment of a Quality Assurance component to improve the quality of investigation and reduce the number of Nolle prosequi cases as well as withdrawal of cases by NPA
- e) Appointment of five (5) investigators on a contract to assist with backlog cases
- f) Procurement of tools of the trade for investigators
- g) Establish a Policy and Research Unit to analyze the cause of the different crimes committed and the impact of the interventions done by IPID
- h) As part of Professionalizing of SAPS, the Department in conjunction with Universities and the National School of Government will develop a module that will be included in their Entry-level Training requirements at the College. The Department will engage SAPS on this matter.

13. CONCLUSION

IPID management would like to appreciate the support of the Committee. Any additional information that the Committee may require, the department will provide it as directed by the Committee.

