

## **Budget Review and Recommendations Report of the Portfolio Committee on Police on the Civilian Secretariat For Police Services (CSPS) Performance for the 2022/2023 Financial Year Dated 20 October 2023.**

The Portfolio Committee on Police, having considered the Annual Report and financial information of the Civilian Secretariat for Police Service for the 2022/23 financial year on 11 October 2023, 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).

### **Mandate of the Committee**

The mandate of the Committee therefore is to fulfil its constitutional function to:

- 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.

### **Structure of the Report**

This report is structured as follows:

- **Section 1:** Introduction. This section sets out the mandate of the Committee, the purpose of the Budgetary Review and Recommendation Report.
- **Section 2: Overview of key focus areas.** This section includes the policy determinations of the National Development Plan (NDP), Medium Term Strategic Framework (MTSF), and the strategic focus areas of the Department for 2022/23.
- **Section 3: Report of the Auditor-General of SA (AGSA).** This section provides a summary of the audit outcome of the Department for the 2022/23 financial year.
- **Section 4: Financial overview.** This section provides an overview of Departmental.
- **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 2022/23 Annual Report hearings.
- **Section 7: Committee recommendations.** This section provides the recommendations made by the Committee following the 2022/23 Annual Report hearings.
- **Section 8: Conclusion.** This section provides a conclusion of the report.

## 2. OVERVIEW OF KEY FOCUS AREAS

The Department's strategic focus for 2022/23 and over the medium term includes the following:

- Addressing the lack of trust in the police and improving police service delivery;
- The need for a localised approach to addressing crime concerns;
- Targeted implementation of the Provincial and Local Crime Prevention Frameworks and District Action Plans, in line with the District Development Model (DDM);
- The implementation of the 2016 White Paper on Safety and Security;
- Improving detective service and forensics, as well as facilitating the modernisation of the SAPS through an e-Policing Policy;
- Focus on the finalisation and implementation of an Integrated Crime and Violence Prevention Strategy (ICVPS); and
- Ensuring the implementation of a Partnership Strategy and Framework which seeks to mobilise key role-players and harness the social capital in communities by facilitating greater involvement of various community safety structures in the fight against crime.

### Medium Term Strategic Framework (2019-2024)

The MTSF (2019-2024) is the implementation and monitoring framework for the NDP and is premised on three foundational pillars: a strong and inclusive economy, capable South Africans and a capable developmental state. The MTSF proposes that the focus should be on implementation through getting all three spheres of government to work collaboratively. A district development model will be implemented to coordinate implementation at local level. The new model bridges the gap between the three spheres of government to ensure better coordination, coherence and integration of government planning and interventions. There are seven priorities laid out in the MTSF as follows:

- **Priority 1: 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 Safer Communities**
- Priority 7: A Better Africa and World

The Civilian Secretariat plays a significant role in attaining Priority 6 outcomes with respect to Social Cohesion and the building of partnerships to fight crime. The delivery mechanism to attain social cohesion and fighting crime is through the reduction of levels of contact crime through a reduction of crimes against women and children, implementing the draft integrated crime and violence prevention strategy after consultation. It implies strengthened community partnerships, increased police visibility and increased trust in the police. The Secretariat has a direct role in building such partnerships through community police forums and community safety forums in the community to increase trust in the police.

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

The Department received an unqualified audit opinion with no material findings on performance, no material findings on non-compliance with legislative requirements, and no material findings on internal control deficiencies. Based on these findings, the Department received a **clean audit**. This is an improvement compared to the previous financial year in which a matter of emphasis was raised on material underspending.

## 4. FINANCIAL OVERVIEW 2022/23

### 4.1. Overall financial performance

At the end of the 2022/23 financial year, the CSPS had spent R152.6 million or 97.9% of its Final Appropriation budget of R155.920 million, thus recording underspending of R3.2 million at year-end (this is a significant decrease in the underspending recorded in the previous financial year of R12.6 million). The slight underspending was recorded in all four budget programmes of the Department:

- Programme 1: Administration: - R1.1 million
- Programme 2: Inter-Sectoral Coordination and Strategic Partnerships: - R12 000.00

- Programme 3: Legislation and Policy Development: - R874 000.00
- Programme 4: Civilian Oversight, Monitoring and Evaluations: -R1.2 million

The bulk of the underspending on all Programmes resulted from vacant posts and an amount of R2,997 million on *Compensation of Employees* represents 91.4% of the total underspending of R3,279 million. The main vacancy which could not be filled during the financial year is that of the Secretary for Police Service.

The table below shows the financial performance of the Department at the end of the 2022/23 financial year.

**Table 1: Appropriation statement 2022/23**

Programme R'000	Adjusted Appropriation	Virement	Final appropriation	Actual Expenditure	Variance	% Spent
1. Administration	71 340	2 810	74 150	73 049	1 101	98.5%
2. Intersectoral Coordination and Strategic Partnerships	27 155	(1 685)	25 470	25 458	12	100.0%
3. Legislation and Policy Development	23 586	(1 886)	21 700	20 826	874	96.0%
4. Civilian Oversight, Monitoring and Evaluations	33 839	767	34 600	33 308	1 292	96.3%
<b>Total</b>	<b>155 920</b>	<b>-</b>	<b>155 920</b>	<b>152 641</b>	<b>3 279</b>	<b>97.9%</b>

Source: 2022/23 CSPS Annual Report

The table below shows that the Department has continuously encountered challenges with spending, which has been mostly related to the Department's fixed establishment (personnel). However, in 2022/23, the Department had recorded the best spending outcome across nine financial years. The significant underspending recorded in 2021/22 was due to the re-location of offices that did not materialise.

**Table 2: Underspending over seven years 2014/15 to 2021/22**

Financial year	Underspending on total final appropriation	
	Expenditure as a % of total final appropriation	Variance on total final appropriation (R'000)
<b>2014/15</b>	66.6%	17 403
<b>2015/16</b>	89.8%	1 292
<b>2016/17</b>	89.9%	11 152
<b>2017/18</b>	94.4%	6 328
<b>2018/19</b>	94.4%	7 355
<b>2019/20</b>	96.3%	5 617
<b>2020/21</b>	95.9%	5 624
<b>2021/22</b>	91.6%	12 636
<b>2022/23</b>	97.5%	3 279

Source: CSPS Annual Reports: 2014/15 to 2022/23

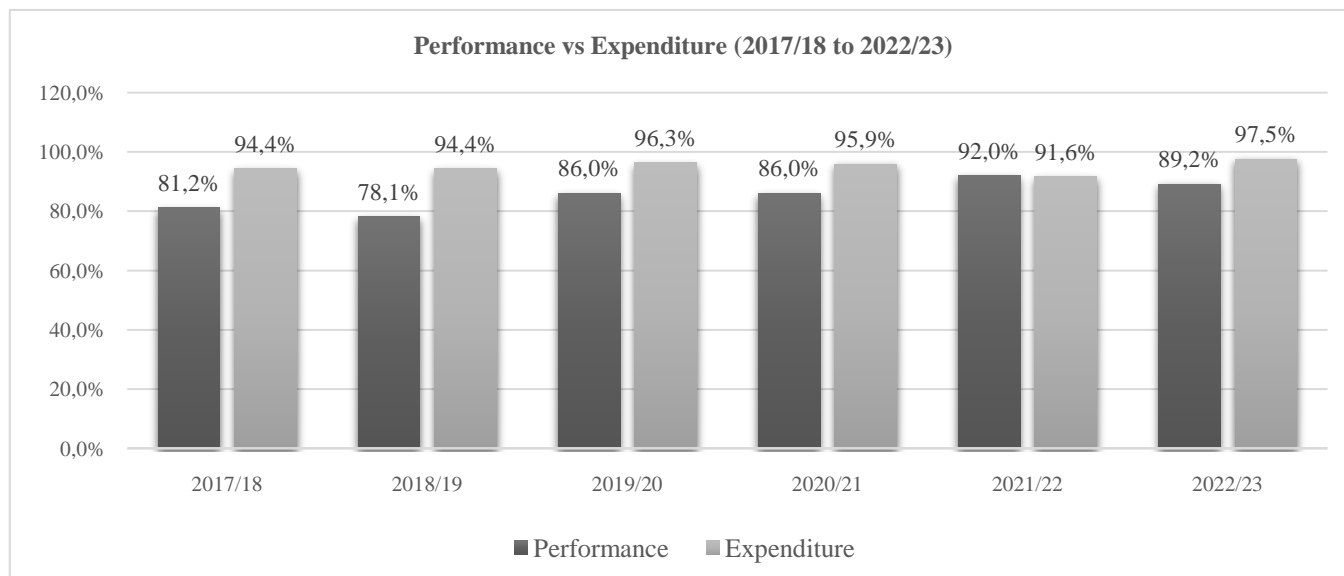
At economic classification level, the Department recorded underspending as follows:

- Current payments: Spent 98.0%
- Transfers and subsidies: Spent 94.7%
- Payments for capital assets: Spent 93.7%

In 2022/23, R107 462.00 was transferred to the South African Safety and Security Education and Training Authority (SASSETA).

#### 4.2. Expenditure against performance

The table below shows financial performance against service delivery performance across the past six financial years. Ideally, there should be a close correlation between funds spent and the achievement of predetermined performance targets at year-end. Between 2017/18 and 2020/21, the Department had recorded significantly higher spending against performance. The closest correlation between spending and performance can be seen in 2021/22 where performance was higher than expenditure, but this shifted again in 2022/23 where the correlation widened-up again.



### 4.3. Expenditure per Programme

**Programme 1: Administration:** The Programme had an Adjusted budget of R71.340 million, which increased to a Final appropriation of R74.150 million (plus R2.810 million during budget adjustments) of which the Programme had spent R73.049 million or 98.5%. Thus underspending of R1.101 million was recorded at year-end.

**Programme 2: Intersectoral Coordination and Strategic Partnerships:** The Programme had an Adjusted appropriation of R27.155 million, which was increased to a Final appropriation of R25.470 million (less R1.685 million during the budget adjustments), of which the Programme had spent 100%. A slight underspending of R12 000.00 was recorded at year-end. The monetary value of the underspending is too small to be recorded as a percentage of underspending).

**Programme 3: Legislation and Policy Development:** The Programme had an Adjusted appropriation of R23.586 million, which was decreased to a Final appropriation of R21.700 million (less R1.886 million during the budget adjustments), of which the programme had spent 96.0% of its allocation, thus underspending by R874 000.00 at year-end.

**Programme 4: Civilian Oversight, Monitoring and Evaluations:** The Programme had an Adjusted appropriation of R33.839 million which was reduced slightly to a Final appropriation of R34.600 million (less R761 000.00 during the budget adjustments), of which the Programme had spent 96.3%, thus leaving R1.292 million unspent at year-end.

It must be noted that under this Programme, the *Police Performance, Conduct and Compliance subprogramme* overspent by R1.066 million at year-end, located mainly in Compensation of Employees (105.6% spent) and Goods and services (109.2% spent). The overspending was offset by underspending in Office of the Directorate for Priority Crime Investigation (DPCI) Judge and the National Forensic Oversight and Ethics Board (DNA Board) subprogrammes.

It is concerning that the Office of the DPCI Judge and the DNA Board recorded significant underspending at the end of the 2022/23 financial year. The Office of the DPCI Judge spent R6.226

million (83.9%) of its Final Budget, thus underspending by R1.192 million. The DNA Board spent 72.8% of its Final Appropriation of R3.780 million, thus underspending R1.027 million at year-end.

The main underspending in the Office of the DPCI Judge was on machinery and equipment (only 40.9% spent), and in the DNA Board the main underspending was under compensation of employees (65.6% spent).

#### 4.4. Unauthorised expenditure

The Department did not incur any unauthorised expenditure during 2022/23, but continues to have a large amount of historical unauthorised expenditure awaiting authorisation (R5.6 million) due to overspending of appropriated funds in 2015/16. According to the Department, a letter was sent to National Treasury in March 2019 to request that the process be taken forward for authorisation of the amount by Parliament. The process is ongoing.

#### 4.5. Irregular expenditure

The Department has incurred R1.129 million in irregular expenditure in 2022/23. At year-end, the Department had a closing balance of R28.6 million in irregular expenditure of which the majority is carried over from previous financial years.

#### 4.6. Fruitless and wasteful expenditure

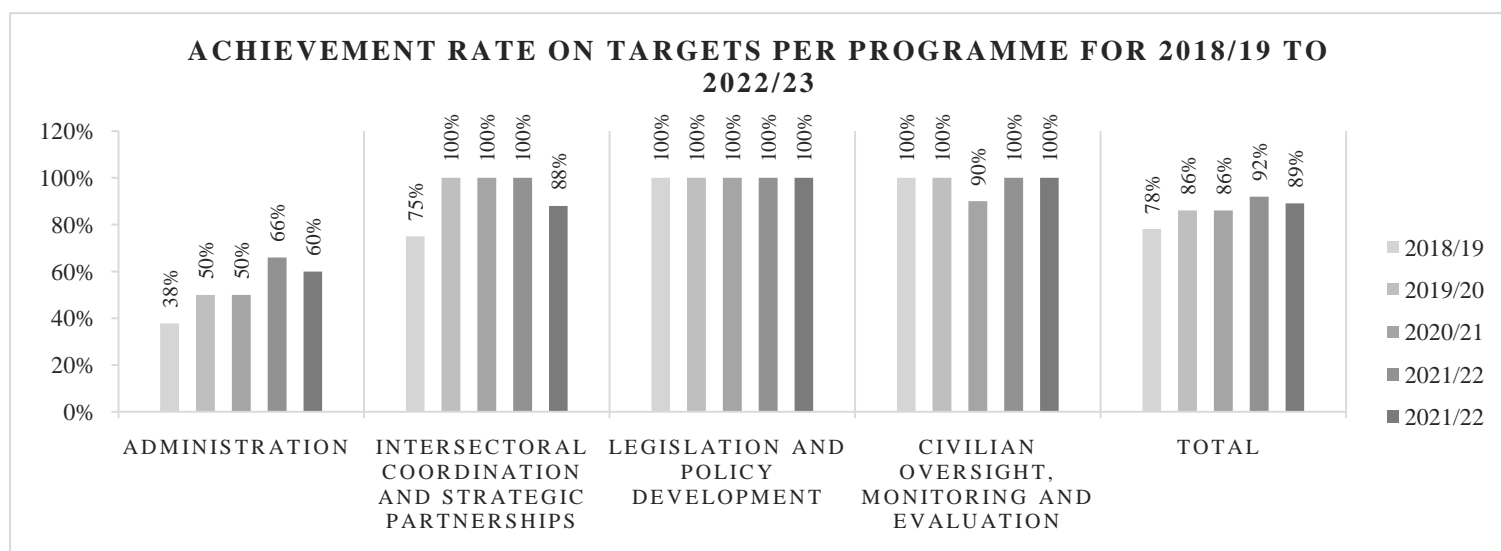
The Department did not incur any fruitless and wasteful expenditure in the 2022/23 financial year. At year-end, the Department had a closing balance of R32 000.00 stemming from previous financial years.

### 5. PERFORMANCE OVERVIEW 2022/23

The overall performance of the Department declined from 92.3% achievement on predetermined targets in 2021/22 to 89.2% in 2022/23. Two of the budget programmes achieved 100% of their performance targets (many of which recorded over-achievement), while the Administration and Intersectoral Coordination and Strategic Partnerships Programmes did not achieve all performance targets. Although the change on performance in percentage value seems large, the Department only failed to achieve three targets (one additional to the previous financial year in which only two performance targets were missed). At year end, the Department achieved 25 from a total of 28 targets in 2022/23. The graph below shows the progression in budget programmes between 2018/19 and 2022/23.

#### 5.1. Programme 1: Administration

The Administration Programme achieved 60% of planned targets and had spent 98.5% (R1.1 million



unspent) of its budget allocation.

Indicator	Planned target 2022/23	Actual Achievement 2022/23	Deviation	Reason for deviation
<b>Corporate Services Subprogramme</b>				
Vacancy rate of not more than 7% of the total post establishment	Not more than 7%	7%	0	N/A
Percentage implementation of the Human Capital Strategy	100%	83%	(17%)	Certain key activities in the implementation plan could not be executed due to inadequate human resources in specialist areas such as labour relations and employee health and wellness
Percentage implementation of the Information and Communication Technology (ICT) Strategy	100%	100%	0	N/A
<b>Financial Administration Subprogramme</b>				
Percentage of payments made to creditors within 30 days	100%	99%	(1%)	The target could not be achieved due to the unavailability of systems caused by a breakdown of the fibre-line.
Percentage of expenditure in relation to budget allocated	98%	98%	0%	N/A

## 5.2. Programme 2: Intersectoral Coordination and Strategic Partnerships

The Intersectoral Coordination and Strategic Partnerships Programme achieved 88.8% of its annual performance targets and had spent 100% (small amount of R12 000.00 unspent, which does not register) of its allocated budget.

Indicator	Planned target 2022/23	Actual Achievement 2022/23	Deviation	Reason for deviation
<b>Intergovernmental, Civil Society and Public-Private Partnerships Subprogramme</b>				
Number of memorandum of understanding (MoU) signed with stakeholders per year to build safer communities	2	2	0	N/A
Number of MoUs implemented to build safer communities	3	3	0	N/A

<b>Indicator</b>	<b>Planned target 2022/23</b>	<b>Actual Achievement 2022/23</b>	<b>Deviation</b>	<b>Reason for deviation</b>
Number of workshops facilitated with provincial secretariats and municipalities on the establishment of Community Safety Forums (CSFs) per year	9	13	+4	The additional achievement was as a result of the high demand for workshops on the establishment of CSFs.
Number of provincial capacity-building workshops held on crime prevention policies per year	9	13	+4	The anti-crime campaigns conducted were timely responses to the fight against gender-based violence and femicide, and social crime prevention measures taken to address this challenge. This contributed to the over-achievement of the indicator.
Number of Anti-Crime Campaigns conducted per year	3	4	+1	The increase in reported GBV and gang-related cases, and the demand for additional campaigns, resulted in the over-achievement of the indicator.
Number of assessment reports on implementing Community Policing Forum (CPF) regulations/ standards approved by the Secretary for Police per year	2	0	-2	There was no CPF assessment report received at the time of reporting.
Number of provincial CPF training workshops facilitated on the civilian oversight role of CPFs	9	9	0	N/A
<b>Community Outreach Subprogramme</b>				
Number of Izimbizo/public participation programs held with communities to promote community safety per year	8	17	+9	There was a need to conduct additional Izimbizo for the period under review.
Number of response plans on the Izimbizo / public participation programmes held to promote community safety (feedback to communities)	3	3	0	N/A

In terms of Community Safety Forums (CSFs), the Department facilitated 13 CSF workshops in municipalities.

### **5.3. Programme 3: Policy Development and Research**

The Policy Development and Research Programme's performance remained at 100% compared to the previous financial year. Despite this performance, the Programme had only spent 96.0% of its allocated budget (R874 000.00 unspent).

Indicator	Planned target 2022/23	Actual Achievement 2022/23	Deviation	Reason for deviation
<b>Policy Development and Research Subprogramme</b>				
Number of draft National Policing Policies submitted to the Secretary for Police Service for approval per year	1	1	0	N/A
Number of research reports on policing and safety approved by the Secretary for Police Service per year	1	1	0	N/A
Percentage implementation of the Knowledge and Information Management Strategy	100%	100%	0	N/A
<b>Legislation Subprogramme</b>				
Number of Bills submitted to the Minister for Cabinet approval per year	2	2	0	N/A

During 2022/23, the Criminal Law (Forensic Procedures) Amendment Bill was assented to and signed by the President in December 2022. A signed Proclamation was published in the Gazette on 24 February 2023, which outlined 3 March 2023 as the date of commencement of the Bill. The Protection of Constitutional Democracy Against Terrorist and Related Activities (POCDATARA) Amendment Bill was assented to and signed by the President on 29 December 2022 and published in the Gazette. The Proclamation Notice to put the Bill into operation was published in the Gazette on 4 January 2023.

The Department conducted a joint oversight project with Provincial Secretariats to determine the alignment of provincial safety strategies with the 2016 White Paper on Safety and Security (WSS) and the Integrated Crime and Violence Prevention Strategy (ICVPS). Further, the Department conducted research on the analysis of murder case dockets.

#### 5.4. Programme 4: Civilian Oversight, Monitoring and Evaluation

The Civilian Oversight, Monitoring and Evaluation Programme achieved 100% of its annual performance targets in 2022/23 and spent 96.3% of its allocated budget at year-end (R1.29 million unspent).

Indicator	Planned target 2022/23	Actual Achievement 2022/23	Deviation	Reason for deviation
<b>Police Performance, Conduct and Compliance Monitoring Subprogramme</b>				
Number of Police Oversight initiatives undertaken	3	3	0	N/A
Number of SAPS Budget and Programme Performance Assessment Reports approved by the Secretary per year	1	1	0	N/A



Indicator	Planned target 2022/23	Actual Achievement 2022/23	Deviation	Reason for deviation
Number of assessments reports on Complaints Management approved by the Secretary per year	2	2	0	N/A
Number of reports on SAPS Implementation of IPID Recommendations approved by the Secretary per year	2	2	0	N/A
Number of assessments on police conduct and integrity undertaken	1	1	0	N/A
Number of monitoring reports on compliance and implementation of the Domestic Violence Act by SAPS approved by the Secretary per year	2	2	0	N/A
Number of reports on the implementation of and compliance to legislation and policies approved by the Secretary per year	2	2	0	N/A
Number of reports on the functioning of the <u>National Forensic DNA Database</u> assessed per year	4	4	0	N/A
<b>Policy and Programme Evaluations Subprogramme</b>				
Number of assessment reports on SAPS programmes	1	1	0	N/A
Number of evaluation reports on legislation and policies	1	1	0	N/A

In terms of oversight monitoring and evaluation, the Department conducted an evaluation of the implementation of the Second-Hand Goods Act of 2009 to assess whether the Act is being implemented as intended. The findings of this evaluation will be used in the amendments to the Second-Hand Goods Act.

The Department conducted a pilot of the national monitoring and domestic violence assessment tool at 34 police stations, in preparation for the 2023/24 Police Station Census Project.

### 5.5. Human Resource Management

At the end of the 2022/23 financial year, the Department had filled 146 of its 157 post establishment, resulting in a vacancy rate of 7%. The Department remained compliant with the legislated employment equity targets, having exceeded the 50% target of the number of female appointments in the senior management echelon; the 2% target of persons employed with disabilities, and at least 30% of the staff complement comprising of youth.

Despite the fact that the Department has an overall vacancy rate of 7% (thus achieving an appropriate vacancy rate as stipulated for Government Departments), it is concerning that the highest vacancy rate is in the Senior Management salary band (levels 13-16). The Department had five vacancies in this level (vacancy rate of 15.63%), of which the Accounting Officer is one (Secretary for Police/Director-General). This position has been vacant for almost two years (22 months). All six Chief-Director positions are filled, while four Director positions are vacant.

In the 2022/23 financial year, the Department had an overall turnover rate of 6.29%, of which the highest turnover was within the *Senior Management Service Bands A (L13)* at 13.04% turnover. In

total, 15 employees (10.27% of the total number of employees) left the employment of the Department, of which the majority of employees were appointed and transferred into the Department (12) and nine terminations and transfers to other Public Service Departments. In terms of labour relations, the Department had three grievances and four disputes logged.

## 6. COMMITTEE OBSERVATIONS

The Committee made the following observations during the 2022/23 Annual Report hearings of the Department:

- 1) The Committee noted that the Department had previously committed to review the SAPS Disciplinary Regulations and questioned the progress made in this regard, especially in terms of the implementation of IPID recommendations and consequence management. Members stated that without such a review and subsequent amendments, the IPID will remain impotent to effectively fulfil its mandate and enforce recommendations, and by implication consequence management in the SAPS will remain weak. The Department indicated the review has been completed and findings were shared with the SAPS. However, the implementation and further consultations must be led by the SAPS as it involves internal labour relations. Any amendments to the Disciplinary Regulations must also be consulted at the Safety and Security Sectoral Bargaining Council (SSSBC).
- 2) The Committee questioned whether the recommendations made by the Department and the IPID to SAPS are monitored to verify the implementation thereof. The Department indicated that they had some challenges in the past, but that through various engagements with the SAPS Management the challenges had been resolved to some extent. The Department indicated that, going forward, they will brief the Board of Commissioners on a quarterly basis on the implementation of recommendations and also the SAPS management. The SAPS Audit Committee has also requested a compendium of recommendations to monitor the implementation thereof. The Department has established an internal component to exclusively monitor the implementation of recommendations.
- 3) Members highlighted the concerns raised by the AG in that the Department and its mandate are not visible to the broader society and questioned whether the Department can develop a broader marketing strategy to advertise its services and mandate. Members indicated that citizens do not understand the Department's mandate and various complaints have been received that questioned the impact of the Department on the performance and professionalisation of the SAPS. The Department indicated that the concern raised by the AG has been noted and that a marketing strategy is being developed. However, the implementation of such strategy is dependent on available funds. Despite limited resources, the Department will improve its visibility to the broader citizenry. The Department indicated that its impact is made through forwarding public complaints to the SAPS and monitoring whether complaints are addressed.
- 4) The Committee questioned an output indicator for the Legislation Subprogramme which measures the achievement of constitutionally compliant legislation submitted to the Minister and Cabinet. Members indicated that this target was not achieved as IPID Amendment Bill was not certified as constitutionally compliant by the Office of the State Law Advisor. The Committee questioned whether the Department had informed the Minister of Police that the IPID Amendment Bill was unconstitutional and that despite this, the Amendment Bill was submitted to Parliament. The Deputy Minister highlighted aspects of previous engagements on the issue in that an external legal opinion was sought on the constitutionality of the Amendment Bill but that it was received after the Bill was already introduced in Parliament.
- 5) The Committee questioned whether sufficient impetus is given to employee wellness programmes and stated that these programme must be strengthened to assist employees to deal with stress resulting from the nature of the work done by the Department. The Department noted that the budget allocation is insufficient, but that an external service provider does provide the necessary support services to employees. The Department clarified that these services are only for their personnel and not that of the SAPS as the SAPS has their own Employee Health and Wellness programmes.

## **7. COMMITTEE RECOMMENDATIONS**

The Committee recommends the following:

- 1) The Committee recommends that greater attention should be given to monitor the implementation of recommendations made to the SAPS. Recommendations issued by CSPA are not being adequately tracked/monitored to ensure an impact on the service delivery of the SAPS.
- 2) The Department should have agreed upon timelines and processes with the SAPS on how recommendations will be tracked and followed up.
- 3) The Department should ensure that all legislation produced are constitutionally compliant to avoid a repeat of the challenges created by the IPID Amendment Bill, 2023 in future.
- 4) The Department should develop strategies to drive a bigger impact on police performance and professionalism.
- 5) The Department should improve its marketing strategies to the public to bring about awareness of the role that the CSPA plays in police accountability.

**Progress on the implementation of recommendations should be submitted to the Committee by 01 February 2024. Progress should also be presented to the Committee as part of the Department's 2024/25 APP presentation during the 2024/25 budget hearings.**

## **8. CONCLUSION**

The Committee expresses its appreciation to the Minister of Police, Deputy Minister of Police, Acting Secretary for Police Service and the staff of the Civilian Secretariat for Police Service for the services during the 2022/23 financial year. The Committee encourages the Department to continue the performance on indicators, especially in the audit outcomes in achieving another clear audit opinion from the AG in future years.

The Democratic Alliance (DA) reserves their rights on the report.

**Report to be considered.**