**FORWRTTENREPLY**

QUESTION 1090

**NATIONAL ASSEMBLY**

36/1/4/1(202000123)

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**{INTERNAL QUESTION PAPER NO„19-2020)**

**1090. Ms D Kohler (DA) to ask** **the Minister of Police:**

1. What(a) number of persons are currently employed in an (i) administrative and

(ii) operational capacity in the Crime Intelligence Division of the SA Police Service (SAPS), (b) number of the specified persons have criminal records and

(c) are the relevant details of the (i) offence(s) each person was convicted of and (ii) date on which each conviction was made;

1. why are the persons with criminal records employed in the SAPS Crime Intelligence Division?

NW1386E

**REPLY:**

(1)(a)(i) A total number of 1 578 persons are currently employed in an administrative capacity in the Division: Crime Intelligence, of the South African Police Service (SAPS).

(1)(a)(ii) A total number of 5 501 persons are currently employed in an operational capacity in the Division: Crime Intelligence, of the SAPS.

(1)(b)(c)(i)(ii) There is no provision in the Criminal Law Amendment Act, 2010 (Act No. 6 of 2010), that authorises the keeping of a separate fingerprint database for employees of the SAPS, which can be accessed to obtain specified persons (employees) criminal records. Criminal records are identified through fingerprint searches and can be accessed for a criminal investigation or a crime detection. A record of employees in the Crime Intelligence environment, identifying employees with criminal records, is not readily available. In order to establish which employees have criminal records, the fingerprints of 7 079 employees need to be taken and analysed.

The process to identify which members have criminal records is a continuous process. The Division: Crime Intelligence, is currently aware of 27 employees with criminal records.

(2) When a person is employed in the SAPS, including the Division: Crime Intelligence and it is found that the prospective employee has a criminal record, each case is dealt with on its own merits. The National Commissioner may waive the requirement that an employee should not ha\ie a previous criminal conviction, upon his or her appointment. Each individual case is considered, in terms of the nature and gravity of the criminal record. Where an employee was convicted of an offence while in the employ of the SAPS and is sentenced to a term of imprisonment without the option of a fine, he or she will be deemed to have been discharged from the SAPS, with effect from the date following the date of such sentence.

However, if the term of imprisonment is wholly suspended, the member concerned will not be deemed to have been discharged. In the event that the term of imprisonment is wholly suspended or where the employee was sentenced to a term of imprisonment with the option of a fine, he or she will be subjected to the disciplinary process, in terms of the SAPS Discipline Regulations and a Board of Inquiry, will be conducted to determine his or her fitness to remain an employee of the SAPS.

Reply to question 1090 recommended

**GENERAL NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE
KJ SITOLE (SOEG)
Date**: 2020/08/28

Reply to question 1090 approved

**MINISTER OF POLICE
GENERAL BH CELE, MP
Date**: 09/09/2020