**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY QUESTION 116**

**DATE OF PUBLICATION INTERNAL QUESTION PAPER 1FEBRARY 2021**

**NTERNAL QUESTION PAPER NO 1 2021**

**116. Mr A G Whitfield (DA) to ask the Minister of Police:**

What are the details of the steps that he is actively taking to address the alarmingly high number of complaints lodged by members of the public against the SA Police Service members for police brutality, assault and heavy-handedness during the national lockdown to curb the spread of COVID-19?

NW119E

**REPLY:**

On 15 March 2020, the Minister of Cooperative Governance and Traditional Affairs, designated under Section 3 of the Disaster Management Act, 2002 (Act No. 57 of 2002), declared a national state of disaster and promulga1ed Regulations, in terms of section 27(2) of the Disaster Management Act, 2002.

The South African Police Service (SAPS) issued a circular, with reference 1/1/4/1 over 3/34/1, dated 19 May 2020, signed by the National Commissioner, to address the use of force and torture and provide guidelines on the implementation and enforcement of Regulations and directives issued, in terms of Section 27 of the Disaster Management Act, 2002, on the containment and management of COVID-19. This circular was issued in response to the court order issued in the Khoza judgment. A Code of Conduct for law enforcement officers during the State of Disaster was also issued jointly, by the SAPS and the South African National Defence Force (SANDF), in response to the court order issued in the Khoza judgement. The Code of Conduct provides for complaint mechanisms to be used by persons, who are aggrieved by the conduct of SAPS or SANDF members.

Guidelines are issued, every time when there is an amendment to the Disaster Management Act Regulations, to ensure that members of the SAPS have a common understanding. These directives are updated, in accordance with the periodic amendments to the aforementioned legislation. The circulation of these directives is effected, via established internal communication platforms, to all levels in the SAPS.

The SAPS members are reminded of the SAPS Code of Conduct, during daily on and off duty parades. The SAPS deploys Senior Management Service (SMS) members at local level, to enhance the overall command and control and to guide and advise members on the application of lockdown directives.

The Minister and Deputy Minister of Police, in conjunction with the SAPS Top Management, have undertaken several visits to SAPS members who are deployed, to emphasise the correct and professional application of the lockdown directives.

The SAPS conducts thorough investigation of all complaints against its members, including those related to the implementation of the aforementioned Regulations.

Reply to question 116 recommended

**GENERAL NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SREVICE  
KJ SITOLE (SOEG)  
Date**: 2021-02-26

Reply to question 116 approved

**MINISTER OF POLICE   
GENERAL BH CELE, MP  
Date: 03/03/2021**