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**MINISTRY OF POLICE**

**REPUBLIC OF SOUTH AFRICA**

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**36/1/4/1/201700157**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 1544**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 2 JUNE 2017**

**(INTERNAL QUESTION PAPER NO 20- 2017)**

**1544. Adv G Breytenbach (DA) to ask the Minister of Police:**

(1) What is the (a) full name, (b) official designation, (c) unit details and (d) particulars of (i) the commanding officer of the SA Police Service (SAPS) (name and details furnished) and (ii) each of the three female officers who accompanied the commanding officer, who visited the Chief Whip of the Opposition, Mr J H Steenhuisen at Parliament on 12 May 2017 to take down a warning statement;

(2) (a) why did the specified officers not comply with the prescripts of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, Act 4 of 2004, as amended, regarding the serving of processes on members of Parliament inside the Parliamentary precinct and (b) what steps is his department taking to ensure that all SAPS members are aware of all relevant legislation governing the serving of processes by SAPS members;

(3) has he found that the purpose of the interview was to intimidate the specified person; if so, what steps are being taken against the officers concerned to ensure that such misdirected behaviour is not repeated in future?

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**REPLY:**

(1)(a)(b)(c)(d)(i) Colonel MH Modise, Unit Commander of the Provincial Investigation Unit, Gauteng.

(1)(a)(b((c)(d)(i)(ii) Captain AN Mthethwa, Provincial Investigation Unit, Gauteng; Constable TR Shongwe, Provincial Investigation Unit, Gauteng; and

 Constable M Mosia, Provincial Investigation Unit, Gauteng.

(2)(a) The police officers were not in the Parliamentary precinct to “execute, serve or tender for service any summons, subpoena or other processes issued by a court; or to arrest another person,” as contemplated in Section (5)(a) and (b) of Chapter 2 of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004 (Act No. 4 of 2004). The police officers were in the Parliamentary precinct to inform Mr Steenhuizen (MP), of the criminal case, in which he is implicated as a possible suspect and to enquire whether he was prepared to make a statement in the case.

(2)(b) Members of the South African Police Service (SAPS) are aware of the relevant legislation, governing the serving of processes in the Parliamentary precinct, which requires that the express permission of, or in accordance with the directives of either the speaker, or the Chairperson, or a person authorised by the speaker, must first be obtained, before a member of SAPS may serve or execute processes issued by a court.

(3) The purpose of the interview was to inform Mr Steenhuizen (MP), of the case under investigation, in which he has been implicated as a possible suspect and to enquire whether he was prepared to make a statement in the case.

(3)(a)(b) Not applicable.