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**MINISTRY OF POLICE**

**REPUBLIC OF SOUTH AFRICA**

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**36/1/4/1/201700238**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 2189**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 7 AUGUST 2017**

**(INTERNAL QUESTION PAPER NO 25-2017)**

**2189. Mr H B Groenewald (DA) to ask the Minister of Police:**

(1) Whether, with reference to the reply to question 1044 on 27 June 2017, the internal disciplinary process has been completed; if not, why not; if so, what was the outcome;

(2) what was the date on which the (a) process was initiated and (b) functionaries were appointed with regard to the specified process;

(3) whether he can provide Mr H B Groenewald with a detailed list of all further relevant dates in this matter;

(4) (a) on what basis was the specified person awarded a service bonus and (b) how was the service bonus calculated?

NW2421E

**REPLY:**

(1) The internal disciplinary process has not been completed.

Advocate Tip, Senior Council (SC), who was appointed as the Chairperson of the disciplinary inquiry at the time, informed the South African Police Service (SAPS), in December 2012, that he could no longer fulfil the role, due to his involvement in the Marikana Commission of Inquiry.

The former National Commissioner, General Phiyega, was requested to appoint a new Chairperson, early in January 2013, but no such appointment was effected up until her suspension from office, in October 2016.

After his appointment as the Acting National Commissioner, Lieutenant General Phahlane reactivated the process.

(2)(a) The process was initiated on 2 July 2012.

(2)(b) Advocate Tip, SC was initially appointed as the Chairperson, but due to his involvement in the Marikana Commission of Inquiry, his appointment as chairperson was terminated in December 2012. He was replaced with Advocate T Motau, SC in April 2016.

Advocate Myburgh, SC was appointed as the Employer Representative, but was later replaced with Advocate Mokhari, SC in April 2016. Advocate Mokhari’s brief was terminated and Advocate Maenetje, SC was appointed in October 2016.

(3) The employee’s first appearance in the disciplinary inquiry was on, 25 July 2017. At the first appearance the following arrangements were agreed upon:

 14 August: employee must deliver request for further particulars

 28 August: employer to answer

 11 September: point *in limine* to be raised by employee

 25 September: employer to answer

 30 September: heads of argument to be exchanged

 7 October: points *in limine* to be argued

 1, 2, 3 November: matter to proceed on trial

(4)(a) The employee opted to structure his all-inclusive flexible remuneration package, to make provision for a 13th cheque and as such, no service bonus was “awarded”.

(4)(b) Not applicable, due to paragraph (4)(a), above.