**36/1/4/1/2015**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

 **QUESTION no 2781**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: JULY 2015**

**(INTERNAL QUESTION PAPER NO -2015)**

**Mr L Ramatlakane (ANC) to ask the Minister of Police:**

(1) Whether his department complies fully with the public service prescript that regulates the period in which officials who are charged with misconduct go through disciplinary hearing within a predetermined period of 60 days; if not, why not; if so, (a) how many (i) officials were charged and (ii) cases were finalised within 60 days, (b)(i) how many disciplinary cases exceeded 60 days and (ii) in each case, with how many (aa) days, (bb) months and (cc) years and (c) how many officials still received their salaries for the duration of the hearing;

(2) (a) how many cases are outstanding, (b) what are the reasons that the cases are still outstanding, (c) at what cost and (d) what steps will he take in this regard?

NW3042E

**REPLY:**

1. Yes, SAPS is in compliance with its disciplinary code. South African Police Discipline Regulations, 2006 provides that a disciplinary hearing must as far as practically possible, be finalized within sixty (60) calendar days.

(1)(a)(i) A total of **1113** were charged for misconduct during 01 April 2015 to 30 June 2015;

(1)(a)(ii) **861** were finalized within 60 calendar days;

(1)(b)(i) **138** exceeded 60 calendar days

(1)(b)(ii)(aa) between 1 to 30 days = **93** cases

(1)(b)(ii)(bb) between 1 month to 12 months = **42** cases

(1)(b)(ii)(cc) between 1 year to 2 years = **3** cases

(1)(c) **1028** received salary

(2)(a) **196** were outstanding during the reporting period

(2)(b) The following reasons amongst others contribute the delay in finalising the cases:

* Complexity of the case;
* Unavailability of witnesses, legal representatives, etc

(2)(c) R303 687,25

(2)(d) The Department of Public Service and Administration has been engaged by the SAPS to assist to deal with the backlog of pending cases on precautionary suspensions. The Disciplinary Trial Units are being established to deal with backlog and complicated cases.

*Signed*  **LIEUTENANT GENERAL**

**DIVISIONAL COMMISSIONER: HUMAN RESOURCE MANAGEMENT**

**L NTSHIEA**

Date: 4 August 2015

Reply to question NW3042E recommended

*Signed*  **LIEUTENANT GENERAL**

**DEPUTY NATIONAL COMMISSIONER: CORPORATE SERVICE MANAGEMENT**

**CN MBEKELA**

Date: 4 August 2015

Reply to question NW3042E recommended

*Signed*  **GENERAL**

**NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE**

**MV PHIYEGA**

Date: 5 August 2015

Reply to question NW3042E approved/not approved

**MINISTER OF POLICE**

**NPT NHLEKO, MP**

Date: