



independent
complaints directorate

Department:
Independent Complaints Directorate
REPUBLIC OF SOUTH AFRICA

STRATEGIC PLAN 2008-2011



STRATEGIC PLAN
2008 - 2011



Independent Complaints Directorate

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Policy Statement by the Minister for Safety and Security

This is the seventh Strategic Plan for the Independent Complaints Directorate (ICD) for the period commencing 1 April 2008.

The ICD has made progress with its restructuring which started at the end of 2005. I am pleased that this will result in the investigative function gaining over 40 investigators. This can only enhance the capacity of the ICD to finalize its investigations more speedily, and benefit the citizens of the country.

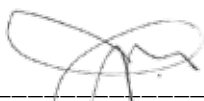
The opening of four (4) more satellite offices will increase the ICD's footprint and make it much easier for the public to access its services. On my part, I will continue to do my best to ensure that the ICD has the resources that it needs to deepen human rights focused policing in our country.

The ICD needs to continue to collaborate with the police and other stakeholders to ensure that we have an accountable police service where complaints against police officers are investigated in an effective and efficient manner. This will go a long way towards instilling confidence in the police service.

I am encouraged to see that the ICD is committed to improving service delivery and has revised its service delivery targets upwards. This is what the citizens expect of us and I have confidence that all members of the ICD's staff will continue to work hard in order to reach the targets set by management.

Congratulations to the ICD for the "BEST GOVERNMENT RISK MANAGEMENT INITIATIVE 2007" award. This shows that you're taking risk management seriously in the public service.

As the ICD enters the next decade of its existence, may it continue to serve the citizens of this beautiful country and strive for greater achievements in the future.



MR C NQAKULA
MINISTER FOR SAFETY AND SECURITY

Overview by the Executive Director

The ICD celebrated its 10th anniversary in 2007 – this was an important milestone in policing oversight in South Africa. It is my pleasure to present the seventh Strategic Plan of the Independent Complaints Directorate, the second since my appointment as Acting Executive Director.

I am pleased that the ICD is continuing its restructuring programme, which will see the translation of the posts of Monitor and Case Analyst into posts of Investigator and Assistant-Investigator, respectively. The rationale for the restructuring is to enhance our investigative capacity and streamline the complaints handling process. This means that from the time a complaint is lodged to its investigation, the process will be handled within one programme. Such a change will ensure total accountability and will reduce delays in the process of handling complaints. Also, non-compliance with the Domestic Violence Act (DVA) by members of the South African Police Service (SAPS) and the Municipal Police Services (MPS) will be investigated as opposed to monitoring in the past. These changes can only benefit our client – the complainant.

The process of opening more satellite offices is on track. This will increase our accessibility, especially in rural areas where our services are needed most. New satellite offices will be opened in the North West, Free State, Northern Cape and the Limpopo provinces.

A careful study of this document will reveal that we have reviewed, and in most instances increased our service delivery targets across the board because we're confident we'll do better in the medium term than in the past few years. I want to encourage all staff to strive to exceed the targets that we have set ourselves for the medium term.

At the end of the 2007/08 financial year, we'll be releasing a number of research reports aimed at making recommendations towards policing problems. One of these is the study on Suicides in Police Custody. The aim of this study is to look into the causes of suicides and any contributory factors thereto and to make proposals on how to prevent and/or reduce such incidents. It is through such pro-active interventions that the police in partnership with the ICD will be able to improve policing in South Africa.

May I take this opportunity to thank the Minister for Safety and Security, the Portfolio Committee for Safety and Security, the South African Police Service, the various Municipal Police Services and members of ICD management and staff.



MR PA MONGWE
ACTING EXECUTIVE DIRECTOR

Departmental Overview

Legislative Mandate

Section 53(2) of the South African Police Act (Act no 68 of 1995) stipulates that the Independent Complaints Directorate:

- 1) May mero motu or upon receipt of a complaint, investigate any misconduct or offence allegedly committed by a member, and may, where appropriate, refer such investigation to the Commissioner concerned;
- 2) Shall mero motu or upon receipt of a complaint, investigate any death in police custody or as a result of police action; and
- 3) May investigate any matter referred to the Directorate by the Minister or member of the Executive Council.

Section 18 of the Domestic Violence Act, Act no 116 of 1998 stipulates that failure by a member of the South African Police Service to comply with an obligation imposed in terms of this Act or the National Instructions referred to in subsection (3), constitutes misconduct as contemplated in the South African Police Service Act, 1995, and the Independent Complaints Directorate, established in terms of that Act, must forthwith be informed of any such failure reported to the South African Police Service. Unless the Independent Complaints Directorate directs otherwise in any specific case, the South African Police Service must institute disciplinary proceedings against any member who allegedly failed to comply with an obligation.

The Independent Complaints Directorate must, every six months, submit a report to Parliament regarding the number and particulars of matters reported to it in terms of subsection (4) (a), and set out the recommendations made in respect of such matters. The National Commissioner of the South African Police Service must, every six months, submit a report to Parliament regarding steps taken as a result of recommendations made by the Independent Complaints Directorate.

In terms of Section 64 0 of the SAPS Act, read with Regulation 9 and Annexure 5 of the Regulations for Municipal Police Services, the ICD has been given the same civilian oversight duties in respect of Municipal Police Services that it has in respect of the South African Police Service

Mission

To promote proper police conduct.

Vision

A transformed police service in line with the spirit and purport of the Constitution.

Departmental Strategic Overview

Strategic overview and key policy developments: 2004/05 – 2010/11

The legal mandate of the Independent Complaints Directorate (ICD) entails investigation of all deaths in police custody or as a result of police action, as well as criminal offences allegedly committed by members of the South African Police Service (SAPS) and the Municipal Police Services (MPS).

To comply with this mandate, the department is increasing accessibility to communities by opening up satellite offices in the provinces and increasing its investigative capacity by developing suitable staff as investigators.

The ICD has made progress with its restructuring programme, which will see the translation of the posts of monitors and case analysts into investigators and assistant-investigators. The rationale for the restructuring is to capacitate and streamline the complaints handling process so that the ICD can increase its investigative capacity, including to investigate complaints of non-compliance with the provisions of the Domestic Violence Act by the SAPS and MPS and to visit police holding cells.

In 2007/08, the ICD established its first two satellite offices: in Mthatha (Eastern Cape) and Richards Bay (KwaZulu-Natal). Offices will be established in Free State, Northern Cape, Limpopo and North West in 2008/09.

The number of criminal offences committed by members of police increased from 1 643 in 2005/06 to 1 787 in 2006/07, but incidences of police misconduct fell from 2 855 to 2 760. The number of complaints registered with the ICD decreased from 5 903 in 2003/04 to 5 412 in 2006/07.

The ICD met its 2006/07 targets of finalising 60 per cent of new cases of deaths within 120 days, and 50 per cent of cases of criminality and 60 per cent of cases of misconduct within 90 days. In 2005/06, 73 complaints about police officials entrapped and arrested in buy and bust operations were referred to the anti-corruption unit.

Three additional posts in the finance sub-directorate were created and filled in 2007/08 and will ensure better compliance with the Public Finance Management Act (1999).

The ICD received an award for the “BEST GOVERNMENT RISK MANAGEMENT INITIATIVE 2007”, sponsored by Santam. The prizes were a R20 000 cheque, a trophy and a certificate.

Departmental Overview

Programme purposes and measurable objectives

Programme 1: Administration

Purpose: Conduct the overall management of the ICD and provide support services.

Programme 2: Complaints Processing, Monitoring and Investigation

Purpose: Receive, register and process complaints. Investigate deaths in police custody and as a result of police action. Investigate and/or monitor complaints of criminality and misconduct. Monitor implementation of the Domestic Violence Act (1998).

Measurable objectives:

- Maintain the integrity of independent oversight of the police by investigating and finalising complaints as follows: register and allocate complaints within 48 hours; complete investigations within 120 days.
- Monitor compliance with the Domestic Violence Act (1998) by completing applications for exemption from disciplinary action in terms of the act within 30 days, and auditing police stations.

Programme 3: Information Management and Research

Purpose: Manage all information needs and knowledge. Conduct proactive research and embark on various proactive oversight activities. Manage all communication and the marketing of activities and products to stakeholders.

Measurable objectives: Provide information and recommendations, including in relation to the Domestic Violence Act (1998), by analysing the complaints register, conducting research and producing reports, and conducting community awareness programmes every year.

Independent Complaints Directorate

Programme 1: Administration

The *Administration* programme conducts the overall management of the ICD and provides support services.

Expenditure estimates

Table I Administration

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
R thousand							
Management	3 022	4 116	4 467	5 380	5 809	7 169	7 667
Corporate Services	9 807	12 357	13 169	17 555	23 144	28 436	30 407
Property Management	4 871	5 270	5 079	6 190	6 678	7 372	8 125
Total	17 700	21 743	22 715	29 125	35 631	42 977	46 199
Change to 2007 Budget estimate				-	274	436	1 531
Economic classification							
Current payments	16 046	19 783	21 882	28 378	34 396	41 637	44 754
Compensation of employees	7 609	9 324	11 041	15 115	19 673	25 020	26 703
Goods and services	8 437	10 459	10 841	13 263	14 723	16 617	18 051
of which:							
Communication	423	472	407	1 684	1 951	2 107	2 276
Computer services	564	440	600	633	718	775	837
Consultants, contractors and special services	345	974	351	370	420	454	490
Inventory	231	244	259	273	302	326	352
Maintenance, repairs and running costs	55	58	61	64	71	77	83
Operating leases	4 161	4 502	4 691	5 225	5 901	6 373	6 543
Travel and subsistence	892	1 001	980	1 006	1 140	1 231	1 314
Transfers and subsidies	51	63	48	48	56	67	70
Provinces and municipalities	22	28	8	-	-	-	-
Departmental agencies and accounts	29	35	40	48	56	67	70
Payments for capital assets	1 603	1 897	785	699	1 179	1 273	1 375
Buildings and other fixed structures	416	575	-	-	-	-	-
Machinery and equipment	1 164	1 280	753	660	1 111	1 200	1 296
Software and other intangible assets	23	42	32	39	68	73	79
Total	17 700	21 743	22 715	29 125	35 631	42 977	46 199

Expenditure trends

Expenditure on the *Administration* programme increases at an average annual rate of 16.6 per cent over the medium term, rising from R29.1 million in 2007/08 to R46.2 million in 2010/11, compared to 18.1 per cent between 2004/05 and 2007/08. Expenditure increases from R29.1 million in 2007/08 to R35.6 million in 2008/09 to provide for increased capacity in support services, including support staff in the newly established satellite offices, and for the establishment of an asset management unit at head office. The largest increase is on compensation of employees which comprises 55.2 per cent of the total budget on the programme budget in 2008/09, compared to 51.9 per cent in 2007/08.

Service delivery objectives and indicators

Purpose: Conduct the overall management of the ICD and provide support services.

Output	Indicator	Target
To comply more with the Employment Equity Act	Promote employment equity by having 50% women in Top Management	31 March 2010
Effective implementation of the approved Retention Strategy	Implement the Retention Strategy by ensuring that 2% of staff is made up of people with disabilities	31 March 2010
	Time within which vacancies should be filled	3 months
Commence implementation of the Government's Strategy on Asset Management in line with the prescripts of the PFMA	Maintain an updated Asset Register	31 July 2008
	Finalize the appointment of Asset Holders throughout the ICD	31 July 2008
	Address and implement control measures in respect of at least 10% of the identified priority risk areas	31 July 2008
To evaluate the effectiveness of internal controls and to ensure that ICD complies with applicable prescripts	Execute all audit activities as per operational plan	31 March 2009
Implement a Code of Ethics for suppliers	Workshops and a Code of Ethics for suppliers	April 2008
Promotion of peace and discipline in the Department	Finalization of reported disciplinary cases	70% of cases
Maintain Employee Wellness and Special Programmes	Roll-out of four health and wellness campaigns, including Special Programmes	Quarterly
To develop ICD Security Plan	Revise ICD Security Policy in line with NIA specifications	June 2008
	Develop five (5) ICD Security Directives	June 2008
	Review National Offices Contingency Plans in line with NIA specifications	September 2008
	Develop contingency plans for all provincial offices	April 2008
	Conduct training on revised Security Policy	March 2009
Improvement of service delivery through the implementation of Batho Pele Revitalization Programme	Updated Service Delivery Improvement Plan	31 March 2009
Provision of quality assured training programmes	70% of training programmes to be offered by recognized service providers	31 March 2009
Maintain an effective Supply Management System	Complete at least one stock taking of the storerooms	31 March 2009
Policy review	Continue the process of evaluating service providers in order to identify and blacklist poor services	31 March 2009
	Review the SCM policy	31 March 2009
	Review the Asset Management and Disposal Policy	31 March 2009
	Review the BEE Policy	31 March 2009
	Review the bursary policy and the pro-forma bursary contract and ensure the development of operational procedures	31 March 2009
	Review travel and subsistence policies, petty cash policy, debt write-off policy as well as policy on losses of assets and damages	31 July 2008

Independent Complaints Directorate

Programme 2: Complaints Processing, Monitoring and Investigation

The *Investigation of Complaints* programme has been renamed *Complaints Processing, Monitoring and Investigation* because some of the functions of the *Information Management and Research* programme have been transferred here as part of the restructuring process.

Purpose: Receive, register and process complaints. Investigate deaths in police custody and as a result of police action. Investigate and/or monitor complaints of criminality and misconduct. Monitor implementation of the Domestic Violence Act (1998).

- *Complaints Processing, Monitoring and Investigation* receives, registers, processes and investigates complaints of deaths in police custody or as a result of police action, and of misconduct and criminality.
- *Legal Services* provides legal advice to ICD officials.

Expenditure estimates

Table 2 Complaints Processing, Monitoring and Investigation

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2004/05	2005/06	2006/07		2007/08	2008/09	2009/10
R thousand							
Complaints Processing, Monitoring and Investigation	21 715	24 674	31 183	40 469	49 142	55 297	58 088
Legal Services	953	903	1 303	832	822	957	1 035
Total	22 668	25 577	32 486	41 301	49 964	56 254	59 123
Change to 2007 Budget estimate				-	2 757	4 140	3 281

Economic classification

Current payments	21 016	24 584	31 421	38 736	44 719	50 568	52 975
Compensation of employees	15 004	17 139	21 930	26 997	30 770	35 487	36 663
Goods and services	6 012	7 442	9 490	11 739	13 949	15 081	16 312
of which:							
Communication	725	853	932	988	1 446	1 562	1 687
Computer services	813	674	1 110	1 170	1 642	1 773	1 915
Consultants, contractors and special services	286	311	446	464	508	549	593
Inventory	293	333	404	432	446	482	521
Maintenance, repairs and running costs	39	51	59	61	98	106	114
Operating leases	172	190	256	240	275	297	321
Travel and subsistence	2 653	3 863	3 526	3 672	4 532	4 895	5 287
Financial transactions in assets and liabilities	-	3	1	-	-	-	-
Transfers and subsidies	35	51	14	-	-	-	-
Provinces and municipalities	35	51	14	-	-	-	-

Payments for capital assets	1 617	942	1 051	2 565	5 245	5 686	6 148
Machinery and equipment	1 578	874	978	2 462	5 090	5 506	5 954
Software and other intangible assets	39	68	73	103	155	180	194
Total	22 668	25 577	32 486	41 301	49 964	56 254	59 123

Expenditure trends

Expenditure in Complaints Processing, Monitoring and Investigation, the largest programme, grows steadily over the medium term, rising from R41.36 million in 2007/08 to R59.1 million in 2010/11, an average annual rate of 12.7 per cent compared to 22.1 per cent between 2004/05 and 2007/08. The growth reflects the ICD's emphasis on increasing its investigative capacity, illustrated by the average annual growth in expenditure on compensation of employees of 10.7 per cent over the medium term. Complementary expenditure on goods and services, particularly related to traveling and subsistence, will grow at an average annual rate of 11.6 percent over the same period.

Service delivery objectives and indicators

Measurable objectives: To maintain the integrity of independent oversight through the effective finalisation of complaints against police members received from the public.

- Register and allocate all complaints within 48 hours
- Increase of investigation of complaints of deaths in custody where there is police involvement completed within 120 days from 60 per cent in 2007/08 to 100 per cent in 2010/11
- Increase the completion of investigation of complaints of criminality within 120 days from 68 per cent in 2004/05 to 80 per cent in 2010/11
- Increase the completion of investigation of complaints of misconduct within 120 days from 80 per cent in 2004/05 to 70 per cent in 2010/11
- Complete all applications for exemption in terms of section 18(4)(b) of the Domestic Violence Act (1998) (DVA) within 30 days
- Increase the number of police station audits from 20 in 2006/07 to 108 in 2010/11 to monitor compliance with section 18 of the DVA (1998)

Indicators	Performance						
	Past			Current	Projected		
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Complaints registered and allocated within 48 hours	(5790) 100%	(5277) 100%	(5412) 100%	(5540) 100%	(5800) 100%	(6024) 100%	(6038) 100%
Applications for exemption completed within 30 days	(30) 100%	(34) 100%	(36) 100%	(42) 100%	(45) 100%	(38) 100%	(40) 100%
Number of police station audits annually	108	108	108	144	180	198	216
Investigations of deaths where there is no police involvement completed within 30 days	(212) 74%	(201) 68%	(167) 60%	(169) 60%	(192) 65%	(207) 70%	(244) 75%
Investigation of deaths where there is police involvement completed within 120 days	(271) 74%	(222) 68%	(251) 60%	(259) 60%	(289) 65%	(320) 70%	(354) 75%
Investigations of complaints of criminality completed within 120 days	(1177) 68%	(854) 52%	(894) 50%	(912) 50%	(1301) 70%	(1422) 75%	(1547) 80%
Investigations of complaints of misconduct completed within 120 days	(2726) 80%	(1713) 60%	(1380) 50%	(1518) 50%	(2004) 60%	(2388) 25%	(2829) 70%

Independent Complaints Directorate

Programme 3: Information Management and Research

Purpose: Manage all information needs and knowledge. Conduct proactive research and embark on various proactive oversight activities. Manage all communication and the marketing of activities and products to stakeholders.

- *Research conducts proactive research.*
- *Information Management maintains a database which serves as a register for all complaints, manages IT, and manages the communication activities for promoting ICD products and services to all stakeholders.*

Expenditure estimates

Table 3 Information Management and Research

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2004/05	2005/06	2006/07		2007/08	2008/09	2009/10
R thousand							
Research	1 044	1 180	1 573	1 753	1 873	1 975	2 077
Information Management System	5 572	6 006	8 497	8 712	11 029	14 190	15 245
Total	6 616	7 186	10 070	10 465	12 902	16 165	17 322
Change to 2007 Budget estimate				-	99	157	514
Economic classification							
Current payments	5 617	6 395	8 003	9 508	11 618	12 291	13 188
Compensation of employees	2 296	3 772	3 860	4 566	5 800	6 199	6 656
Goods and services	3 321	2 612	4 143	4 942	5 818	6 092	6 532
of which:							
Communication	258	209	233	245	499	539	582
Computer services	1 196	343	250	260	410	443	478
Consultants, contractors and special services	158	175	210	226	321	347	375
Inventory	286	278	360	373	403	435	470
Maintenance, repairs and running costs	21	13	18	20	22	24	26
Operating leases	61	56	145	182	197	213	230
Travel and subsistence	1 071	904	655	722	780	842	909
Financial transactions in assets and liabilities	-	11	-	-	-	-	-
Transfers and subsidies	14	12	3	-	-	-	-
Provinces and municipalities	14	12	3	-	-	-	-
Payments for capital assets	985	779	2 064	957	1 284	3 874	4 134
Machinery and equipment	374	464	1 408	916	1 217	3 802	4 056
Software and other intangible assets	611	315	656	41	67	72	78
Total	6 616	7 186	10 070	10 465	12 902	16 165	17 322

Expenditure trends

Expenditure on *Information Management and Research* grows steadily over the medium term, rising from R10.4 million in 2007/08 to R17.3 million in 2010/11, an average annual rate of 18.3 per cent compared to 16.5 per cent between 2004/05 and 2007/08.

Spending on goods and services is set to increase at an average of 9.7 per cent per year over the medium term to provide for more travel expenses for researchers and the escalation in costs of printing of reports. There is also a significant increase of 64.2 per cent in spending on machinery and equipment over the medium term to support the communication network.

Service delivery objectives and indicators

Measurable objectives: Contribute to the human rights focus in policing service delivery through managing a complaints register and continuously analysing it to produce recommendation reports, including reports on the Domestic Violence Act (1998).

- Conduct four research projects and produce four reports containing recommendations annually
- Conduct two hundred and thirty (230) community awareness programmes per annum over the medium term

Indicators	Performance			
	Current		Projected	
	2007/08	2008/09	2009/10	2010/11
Research project reports	3	3	3	3
Number of community awareness programmes per year	216	230	240	250
Production of qualitative reports containing recommendations	3 reports	4 reports	4 reports	4 reports
Produce quarterly statistical reports	1 per quarter	1 per quarter	1 per quarter	1 per quarter
Conduct stakeholder workshop	1 workshop	3 workshops	3 workshops	3 workshops
Respond to media enquiries within 24 hours	Within 1 hour	Within 1 hour	Within 1 hour	Within 1 hour
Respond to 95% of requests for IT support within 24 hours	Within 24 hours	Within 18 hours	Within 18 hours	Within 12 hours
Finalize and implement and ICT Contingency Plan and Infrastructure	-	31 March 2009	-	-

Current Status of Human Resources

Workforce analysis: Staff Complement

The Table below outlines the existing work profile of the ICD

Salary Level	African		Coloured		Indian		White		Total
	Female	Male	Female	Male	Female	Male	Female	Male	
01	-	-	-	-	-	-	-	-	-
02	-	-	-	-	-	-	-	-	-
03	-	-	-	-	-	-	-	-	-
04	18	15	5	-	1	-	-	-	39

Salary Level	African		Coloured		Indian		White		Total
	Female	Male	Female	Male	Female	Male	Female	Male	
05	21	12	2	-	1	-	1	-	37
06	4	1	-	-	-	-	-	-	5
07	16	7	-	-	1	-	-	3	27
08	10	26	3	1	1	2	-	2	45
09	5	18	-	1	1	2	2	4	33
10	1	7	-	2	-	1	-	-	11
11	5	6	1	1	-	1	4	1	19
12	-	1	-	-	-	-	1	-	2
13	3	9	-	-	-	-	-	-	12
14	1	2	-	-	-	-	1	-	4
15	-	-	-	-	-	-	-	-	-
TOTAL	84	104	11	5	5	6	9	10	234

Gap Analysis

This is an indication of the gap relating to human resources needed to meet the current challenges and capacity problems:

	Ideal personnel structure	Current personnel structure (2008/2009)	Gap
Number of posts	535	267	287

Organizational structure

The proposed organizational structure of the ICD for 2008/2009 will reflect the following human resources:

Salary level	Number of posts
15	1
14	4
13	12
12	2
11	20
10	11
9	39
8	53
7	33
6	5
5	41
4	46
3	-
2	-
1	-
Total	267

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