



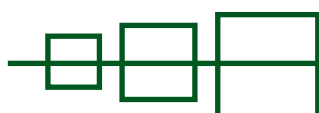
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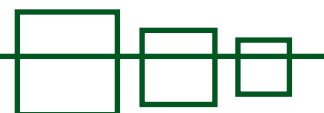


**This report is dedicated to the memory of the late
Minister Steven Vukile Tshwete - Minister for Safety and Security**



**Born: 12 November 1938
Died: 26 April 2002**

Lala Ngoxolo Thangana



INTRODUCTION BY THE EXECUTIVE DIRECTOR



*Adv. KD McKenzie
Executive Director*

This is the second ICD Annual Report tabled in terms of the Public Finance Management Act (PFMA) and presents the activities of the ICD for the financial year 2001/2002.

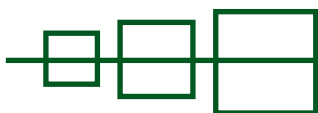
We wish to dedicate this report to the late Minister for Safety and Security, Minister Steve Tshwete, a man who worked tirelessly and at great sacrifice to himself and his family, for the betterment of policing and the safety and security of all the people in our country. Through his efforts the ICD received its first real increase in its budget for 2002/2003, of 17,5%. He was a true leader, a man of vision, a man dedicated to alleviating the plight of vulnerable communities, a man committed to our country, an inspiration to us all, a father figure, and a man who spoke courage and strength during troubled times.

Uyakuhlala usezingcingeni nasezintliziyweni zethu. Ubunengqiniseko nentembeko kwizakhono zethu noxa, maxawambi, besinentandabuzo, into eyenza ukuba sisoloko sinebhongo ngawe.

Our linkages with the South African Police Service (SAPS) at national management level has improved greatly during the year under review. This has been focussed on some of the following areas: monthly liaison with regard to the statistics for deaths in custody and as a result of police action; regular interaction with Social Crime Prevention for the purpose of addressing the responsibilities and obligations of the SAPS with regard to the Domestic Violence Act and liaison with SAPS Legal Services for the purpose of putting in place protocols of procedure or minutes of understanding between the SAPS and the ICD in order to facilitate execution on our mandates, eg facilitation of identity parades in respect of SAPS members who are not under arrest; clarifying the respective roles of the SAPS and the ICD with regard to our respective roles in the implementation of the ICD's extended civilian oversight mandate in respect of Municipal Policing Services.

During the year under review we received 3369 complaints which fall within our mandate and this represents an increase of 14.9% as opposed to the previous financial year. The figure for deaths in custody and as a result of police action is 585. This represents a decrease of 12.8%. The figure for the same period in the previous financial year was 671, which also presented a decrease of 9% from the 1999/2000 financial year. In all humility we must emphasise that our investigations, the resultant prosecutions, the sentences imposed and our liaison with the SAPS have ensured this success story, not only for the ICD, but also the SAPS. The decrease has been a steady one over the past few years and we further predict that this trend will continue.

During the Public Service Week and the Imbizo Focus Week, we visited various communities where we interacted with people by listening to and registering their complaints about policing in their areas. We also conducted "surprise" visits to police stations in the Gauteng, Mpumalanga



and Eastern Cape provinces. Our recommendations following these visits were positively received by SAPS national management and many of them have already been actioned.

With regard to international liaison, we hosted delegations from Palestine and Lesotho who were wanting to establish similar policing oversight agencies in their own countries and were seeking our advices on establishment, legislation and technical expertise relating to policing oversight.

During the period under review, the Head of the Department was invited to deliver papers on policing oversight and the South African experience in Canada, by the International Association for Civilian Oversight of Law Enforcement (IACOLE); and in Mauritius, by the Southern African Human Rights Non-Governmental Organization Network (SAHRINGON). The Head of the Department also delivered a paper at a workshop hosted by the Association for the Prevention of Torture (APT), to draft a plan of action for the prevention of torture in Africa. The APT is based in Switzerland. She was also a member of the South African Observer Mission to Zimbabwe to observe the presidential elections.

All the aforesaid foreign travel was funded by the organizations who invited her to deliver papers. Wherever the Head of the Department travelled, the South African model of policing oversight has been commended and lauded, particularly because in our new democracy we already have had the existence of the ICD since 1997. We are also regarded as leaders in the practice of policing oversight since we do our own independent investigations.

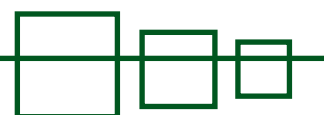
I must emphasise that without the commitment and dedication of the ICD staff, the successes presented in this report would not have been possible. I commend the ICD team for their continued efforts even against the toughest odds.

We would like to commend the National Commissioner of the SAPS and his management team for their efforts in bringing down the number of deaths in police custody and as a result of police action. At this stage it can truly be said that we appear to be turning the tide with regard to these deaths and that we are moving towards ensuring that this figure decreases to a level which is more acceptable. Through the continued joint efforts of the ICD and the SAPS, this is possible.

In conclusion, we wish to reiterate our commitment to assisting in the transformation of policing in our country, as well as the eradication of brutality and criminality from the SAPS.



ADV. KD McKENZIE
EXECUTIVE DIRECTOR



FOREWORD BY THE MINISTER



*Minister
C. Nqakula*

I present the sixth Annual Report of the Independent Complaints Directorate and the first under my leadership.

The South African policing oversight model is currently still a hybrid of an investigative and monitoring one. However, starting in the financial year 2002/2003, the ICD will commence implementation of its Strategic Plan 2005 which will see the ICD being a fully fledged investigative agency by the year 2005. Its monitoring function will be limited to the implementation of the Domestic Violence Act by the South African Police Service and policing oversight over Municipal Policing Services. The adoption of this strategy was possible due to the first real increase to the budget of the ICD for 2002/2003 and further projected increases for the remainder of the MTEF cycle. I have to commend the late Minister Steve Tshwete for this achievement which was reflective of his commitment to the work and importance of policing oversight.

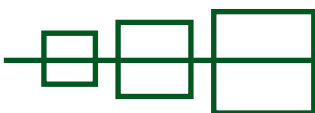
During the year under review the ICD has received much acclaim internationally based on the fact that they do their own independent investigations, but more specifically also because this model is in existence in a relatively new African democracy, barely three years after the apartheid government. The only other agency which also conducts its own investigations is that of the Northern Ireland Ombudsman in Northern Ireland. Continentally there have been many requests to the ICD for assistance with regard to the establishment of a policing oversight structure, the drafting of policing oversight legislation and technical expertise.

The ICD has continued to strengthen its linkages with the SAPS in various areas which impact on both the mandates of the ICD and the SAPS. This remains a work in progress for both agencies.

The decrease in the statistics in certain categories of police misconduct, criminality and brutality are a strong indicator of the successful interventions of the ICD. They are also an indicator that members of the SAPS are starting to understand the role of the ICD and the fact that they are able to add value to accountable and human rights policing in South Africa.

A handwritten signature in black ink, appearing to be 'C. Nqakula', written over a light blue circular watermark.

C. NQAKULA
MINISTER FOR SAFETY AND SECURITY





ICD Management, from left: Tommy Tshabalala, Johan Snyman, Elise Verster, Shadrack Mahlangu, Adv Karen McKenzie and Mike Kekana with representatives of the Palestine police in January 2002.



Adv KD McKenzie with police representatives from Palestine in January 2002.

1. LEGISLATIVE MANDATE OF THE ICD

Section 222 of the Interim Constitution (Act 200 of 1993) provided for the establishment of an independent mechanism under civilian control, with the object of ensuring that complaints in respect of offences and misconduct allegedly committed by members of the South African Police Service are investigated in an effective and efficient manner.

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

(a) 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;

(b) Shall *mero muto* or upon receipt of a complaint, investigate any death in police custody or as a result of police action; and

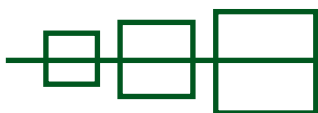
(c) May investigate any matter referred to the Directorate by the Minister or a member of the Executive Council.

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 640 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 mandate in respect of Municipal Police Services that it has in respect of the South African Police Service.



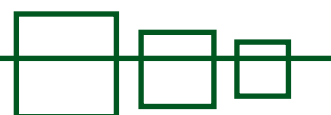
VISION

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

MISSION

To promote proper police conduct.

Vision and Mission



2. PROGRAMME 1

ADMINISTRATION

Aim

To render comprehensive services to the line function and to ensure good governance within the department.

Main Activities

The main activities of this programme include the following:

Providing internal and external communication services, media liaison, and marketing of the department.

The implementation of the Public Finance Management Act (PFMA) and Treasury Regulations in order to promote effective and efficient service delivery through sound financial administration and budgeting for the department.

Managing the establishment structure of the department, identification of developmental and training needs of personnel and ensuring the proper implementation of performance management.

The installation and maintenance of information technology equipment and networks.

Conducting internal audit to minimise risks in the ICD.

Rendering a legal service and providing legal advices to all components within the department.

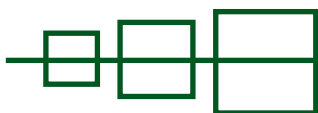
Provisioning of logistics, cleaning and security services, auxiliary services and the management of equipment and assets.

Promotion of Special Programmes with particular focus on Disability, Gender, HIV/AIDS and Youth.

Key policy developments

The department implemented LOGIS which is an electronic assets management system to ensure proper management of procurement and use of all assets. The stocktaking for the period under review revealed that all our capital stock is in a fairly good condition. The total value of our stock is R 3,7 million.

During the period under review, thirteen Small Medium Micro Enterprises and fifteen previously



disadvantaged service providers were used to acquire services as prescribed by the Preferential Procurement Policy Framework Act.

An agreement has been reached to regulate the interrelations between the department, SAPS and the established Municipal Police Services. The department participated in drafting the functions of a Civilian Oversight Committee as contemplated in section 64J(1) of the SAPS Act, for Municipal Police Services.

The ICD has developed policies and drafted programmes/action plans within the national framework in respect of all the Special Programmes.

The department has appointed an Audit Committee and developed an Audit Charter for the Departmental Audit Committee.

The Fraud Prevention Committee was established.

Output and service delivery

Policies on internet, password and acceptable use of IT equipment have been developed and implemented as part of the government information technology security policy.

All ICD offices are now linked to the Wide Area Network and remote control software has been registered on the system to overcome the problem of limited manpower and, to improve on network security.

Legal opinions were furnished on a variety of legal questions pertaining to the support and operational functions within the department, most pertaining to labour related matters, and others pertained to compliance.

A National Protocol for the ICD, the SAPS, Municipal Police Services and the Department of Transport was established, documenting the agreement reached in respect of the future relationship between these agencies and compliance with respective mandates.

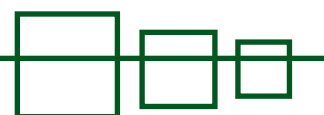
Oral submissions were made to the Portfolio Committee on Justice and Constitutional Development regarding the Criminal Procedure Second Amendment Bill (B 45 of 2001).

A fraud prevention policy and plan were developed.

Several training and awareness campaigns were presented to increase the prevention of the spread of HIV / AIDS amongst employees of the ICD.

The department has revised its Selection and Recruitment policy to accommodate people with disabilities.

Special Programmes has a quarterly newsletter (SP News) in place that covers all Special Programmes. This newsletter is circulated to employees internally.



HUMAN RESOURCE MANAGEMENT

Objective

Managing the establishment structure of the department, identification of developmental and training needs of personnel and ensuring proper implementation of performance management in the department.

Expenditure

The department's budget is structured in terms of clearly defined programmes. The following tables summarise the final audited expenditure by programme (Table 1.1) and by salary level (Table 1.2). In particular, it provides an indication of the amount spent on personnel costs in terms of each of the programmes or salary levels within the department.

Table 1.1 Personnel costs per programme: 2001/02

Programme	Total Expenditure	Personnel Expenditure	Administrative Expenditure	Professional and Special Services	Personnel cost as a percent of total expenditure	Average personnel cost per employee
Programme 1	10,762,575.82	6,102,864.86	1,656,360.74	758,846.85	56.73%	122.05
Programme 2	10,631,815.20	6,666,167.36	2,810,109.52	159,580.21	62.70%	144.91
Programme 3	5,320,734.12	3,543,019.63	845,365.83	83,760.19	66.58%	110.71
TOTAL	26,715,125.14	16,312,051.85	5,311,836.09	1,002,187.25	61.05%	127.43

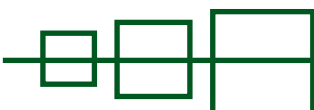


Table 1.2 Personnel costs per salary level: 2001/02

Salary Levels	Total Expenditure	Personnel Expenditure	Administrative Expenditure	Professional and Special Services	Personnel cost as a percent of total expenditure	Average personnel cost per employee
Salary Levels 1-2	-	31 355.04	-	-	0.12	3.13
Salary levels 3-5	-	2,583 739.00	-	-	9.67	49.67
Salary levels 6-8	-	5,760 738.92	-	-	21.56	128.02
Salary levels 9-12	-	4,404 627.98	-	-	16.49	200.18
Salary levels 13-14	-	3,006 327.87	-	-	11.25	429.43
Salary levels 15-16	-	525 263.04	-	-	1.97	5.25
Total as on end of financial year	26,715 125.14	16,312 051.85	5,311 836.09	1,002 187.20	-	-
TOTAL	26,715 125.14	16,312051.85	5,311 836.09	1,002 187.20	61.06%	127.43

The following tables provide a summary by programme (Table 1.3) and salary level (Table 1.4), of expenditure incurred as a result of overtime, allowances, and benefits. Benefits reflect the amount utilised for homeowner allowances, medical aid and pension. In each case the table provides an indication of the percentage of the personnel budget that was used for these items.

Table 1.3 Overtime, allowances and benefits per programme: 2001/02

Programme	Overtime		Allowances		Benefits	
	Amount	% of Personnel costs	Amount	% of Personnel costs	Amount	% of Personnel costs
Programme 1	3 848.72	0.02	908 595.97	5.57	1 226 186.59	7.51
Programme 2	132 407.61	0.81	737 771.82	4.52	1 384 140.76	8.48
Programme 3	2 552.00	0.02	533 549.71	3.27	739 206.53	4.53
TOTAL	13 8808.33	0.85	2 179 917.50	13.36	3 349 533.88	20.53

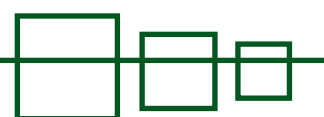
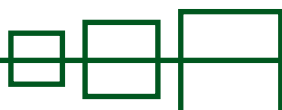


Table 1.4 Overtime, allowances and benefits per salary level: 2001/02

Salary levels	Overtime		Allowances		Benefits	
	Amount	% of Personnel costs	Amount	% of Personnel costs	Amount	% of Personnel costs
Salary levels 1-2	-	-	-	-	6791.00	0.04
Salary levels 3-5	34 702.00	0.21	42 624.00	0.26	595 905.72	3.65
Salary levels 6-8	104 106.33	0.64	1,287 393.50	7.89	1,424 019.16	8.73
Salary levels 9-12	-	-	534 232.00	3.28	777 493.00	4.77
Senior Management Service	-	-	315 668.00	1.93	545 325.00	3.34
TOTAL	138 808.33	0.85	2,179 917.50	13.36	3, 3495 33.88	20.53



Employment and Vacancies

The department's approved establishment is 149 funded posts of which 128 were filled by the end of March 2002. Of the filled posts 94 constitute operational staff and the remaining 28, support staff.

The tables in this section summarise the position with regard to employment and vacancies. The approved establishment is the number of posts that the Executing Authority has approved, to execute on the core and support functions of the department. Table 2.1 provides an estimate of the size of the establishment over the Medium Term Expenditure Framework period.

Table 2.1 - Approved establishment per programme: 31 March 2002

Programme	Approved Establishment		Medium-term establishment estimate		
	1 April 2001	31 March 2002	01 April 2002	1 April 2003	1 April 2004
Programme 1	54	54	60	62	66
Programme 2	58	58	67	78	90
Programme 3	37	37	39	43	47
TOTAL	149	149	166	183	203

The following tables summarise the number of posts on the establishment, the number of employees, the vacancy rate and whether there are any staff members who are additional to the establishment. The department does not have any staff additional to the establishment. This information is presented in terms of four key variables i.e. programmes (Table 2.2) and salary bands (Table 2.3)

Table 2.2 - Employment and vacancies per programme: 31 March 2002

Programme	Establishment	Number of employees	Vacancy Rate	Additional to the establishment
Programme 1	54	50	7.4	-
Programme 2	58	46	20.6	-
Programme 3	37	32	13.5	-
TOTAL	149	128	16.10	-

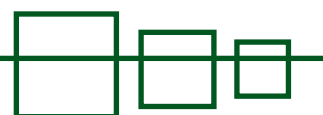


Table 2.3 - Employment and vacancies per salary band: 31 March 2002

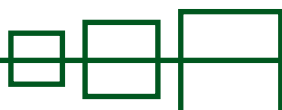
Salary levels	Establishment	Number of employees	Vacancy Rate	Additional to the establishment
Salary levels 1-2	1	1	-	-
Salary levels 3-5	55	52	5.4	-
Salary levels 6-8	51	45	11.7	-
Salary levels 9-12	31	22	29.0	-
Salary levels 13-15 (SMS)	11	8	27.2	-
TOTAL	149	128	14.09	-

Job Evaluation

The Public Service Regulations of 1999 introduced job evaluation as a way of ensuring that work of equal value is remunerated equally. Within a nationally determined framework, the Executing Authority may evaluate or re-evaluate any job in his or her department. In terms of the regulations all vacancies on salary level 9 and higher must be evaluated before they are filled. This has been complemented by a decision by the Minister for the Public Service and Administration that all Senior Management Service (SMS) jobs must be evaluated before 21 December 2002. Table 3.1 provides a summary of the number of jobs that were evaluated during the year under review. The department has managed to evaluate a third of the posts in the SMS cadre in line with the restructuring process that was concluded in April 2002. None of the positions were either upgraded or downgraded.

Table 3.1 - Posts evaluated

Salary level	Establishment	Number of Jobs Evaluated	Posts Upgraded		Posts downgraded	
			Number	% of total	Number	% of total
Salary levels 1-2	1	-	-	-	-	-
Salary levels 3-5	55	1	-	-	-	-
Salary levels 6-8	51	-	-	-	-	-
Salary levels 9-12	31	1	-	-	-	-
Senior Management Service (13-15)	11	4	-	-	-	-
TOTAL	149	6	-	-	-	-

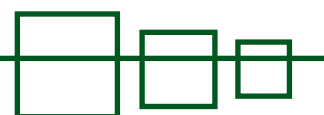


Employment Changes

Table 4.1 summarises appointments (including interdepartmental transfers to the department), promotions and service terminations (including interdepartmental transfers from the department) by race, gender and disability. In addition the table provides an indication of the impact of these changes on the employment profile of the department. During the period under review, the department recruited 20 new staff members as a result of direct recruitment and transfers. Twenty-seven staff members were promoted and 20 employees left the department.

Table 4.1 - Appointments, promotions, and terminations: 1 April 2001 to 31 March 2002

Race	Employees, 1 April 2001	Appointments and transfers	Promotions	Terminations and transfers	Net % change
African	[79]	[18]	[19]	[17]	1.26
Male	47	9	13	9	-
Female	32	9	6	8	3.12
Asian	[10]	-	-	[1]	-
Male	6	-	-	-	-
Female	4	-	-	1	-
Coloured	[19]	[1]	[1]	[2]	-
Male	6	-	1	1	-
Female	13	1	-	1	-
White	[22]	-	[7]	[2]	-
Male	9	-	1	1	-
Female	13	-	6	1	-
Employees with a disability	-	1	-	-	-
TOTAL	130	20	27	22	-1.53



The following table (Table 4.2) provides information relating to turnover rates and trends in the employment profile of the department.

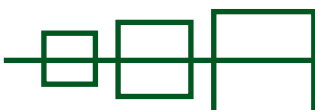
Table 4.2 - Annual turnover rates per salary band

Salary levels	Employees 1 April 2001	Appointments and transfers	Terminations and transfers	Turnover rate
Levels 1-2	1	-	-	-
Levels 3-5	49	16	11	10.20
Levels 6-8	47	2	5	-6.38
Levels 9-12	23	2	4	-8.69
Levels 13-15 (SMS)	10	-	2	-
TOTALS	130	20	22	-1.53

The following table (Table 4.3) provides information regarding reasons why staff have left the department.

Table 4.3 - Reasons why staff left the department

Termination Type	Number	Per 100 000 employees
Death	2	1 562
Resignation	10	2 812
Expiry of contract	-	-
Dismissal – operational changes	-	-
Dismissal – misconduct	1	781
Dismissal – inefficiency	-	-
Discharged due to ill-health	-	-
Retirement	-	-
Other	9	7 031
Total	22	-



Affirmative Action

The Public Service Regulations require the development and implementation of an affirmative action programme which contains the numeric and time-bound targets for achieving representivity. They also require annual statistics on the appointment, training and promotion within each level of each occupational category, of persons historically disadvantaged (PSR, III, D.2).

The representivity profile of the department provides a breakdown of the number of employees per race and gender in terms of the targets set out in the White Paper on the Transformation of the Public Service (WPTPS). In terms of the WPTPS, black managers should comprise at least 50 percent and woman managers at least 30 percent of the total management structure. Out of 128 filled posts, 86 percent of the staff are Black and 14 percent are White. At management level, 72.7% of SMS members are Black and 27.2% are women. The following tables illustrate changes in the composition of the department for employees below the level of SMS (Table 5.1). Table 5.2 reflects the composition of the Senior Management Service in terms of race, gender and disability.

Table 5.1 - Progress made with respect to affirmative action: 2001/ 02 [Employees at levels below the SMS]

Race	Progress – 2001/ 02				Medium-Term targets (if any)		
	1 April 2001	Target set for 31 March 2002	Actual number at 31 March 2002	Variance	March 2003	March 2004	March 2005
African	[75]	-	[85]	-	-	-	-
Male	44	-	47	-	-	-	-
Female	31	-	38	-	-	-	-
Asian	[9]	-	[8]	-	-	-	-
Male	5	-	5	-	-	-	-
Female	4	-	3	-	-	-	-
Coloured	[17]	-	[11]	-	-	-	-
Male	6	-	3	-	-	-	-
Female	11	-	8	-	-	-	-
White	[19]	-	[16]	-	-	-	-
Male	7	-	7	-	-	-	-
Female	12	-	9	-	-	-	-
Employees with a disability	-	-	-	-	-	-	-
TOTAL	120	-	120	-	-	-	-

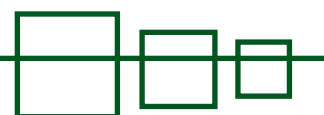


Table 5.2 - Progress made with respect to affirmative action in the Senior Management Service: 2001/02

Race	Progress – 2001/ 02				Medium-Term targets		
	1 April 2001	Target set for 31 March 2002	Actual number at 31 March 2002	Variance	March 2003	March 2004	March 2005
African	[4]	-	[3]	-	-	-	-
Male	4	-	3	-	-	-	-
Female	-	-	-	-	1	2	-
Asian	[1]	-	[1]	-	-	-	-
Male	1	-	1	-	-	-	-
Female	-	-	-	-	-	-	-
Coloured	[2]	-	[2]	-	-	-	-
Male	-	-	-	-	-	-	-
Female	2	-	2	-	-	-	-
White	[3]	-	[2]	-	-	-	-
Male	2	-	1	-	-	-	-
Female	1	-	1	-	-	-	-
Employees with a disability	-	-	-	-	-	-	-
TOTAL	10	-	8	-	1	2	-

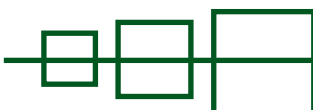


Table 5.3 - Progress made with respect to affirmative action [All employees including SMS]: 2001/02

Race	Progress – 2001/ 02				Medium-Term targets		
	1 April 2001	Target set for 31 March 2002	Actual number at 31 March 2002	Variance	March 2003	March 2004	March 2005
African	[79]	-	[88]	-	[1]	-	-
Male	47	-	50	-	-	-	-
Female	32	-	38	-	1	2	-
Asian	[10]	-	[9]	-	-	-	-
Male	6	-	6	-	-	-	-
Female	4	-	3	-	-	-	-
Coloured	[19]	-	[13]	-	-	-	-
Male	6	-	3	-	-	-	-
Female	13	-	10	-	-	-	-
White	[22]	-	[18]	-	-	-	-
Male	9	-	8	-	-	-	-
Female	13	-	10	-	-	-	-
Employees with a disability	-	-	-	-	-	-	-
TOTAL	130	-	128	-	1	2	-

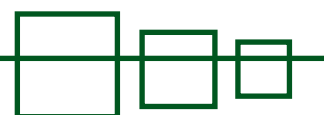
Youth

The following table provides information relating to youth employment in the department.

Table 6.1 - Youth* Per Level

	Male	Female	African	White	Coloured	Asian	Total
Lower Level	23	43	47	9	6	4	66
Middle Management	7	4	7	2	1	1	11
Top Management	2	1	2	-	1	-	3
Total	32	48	56	11	8	5	80

* Youth is defined as employees below the age of 35 years.



Performance Rewards

The management of performance in the department is viewed as an important instrument both for the attainment of the department's objectives as well as for advancement and career development of staff. To encourage outstanding performance, the department has granted the following performance rewards during the year under review. The information is presented in terms of race, gender and disability (Table 7.1) and salary levels (Table 7.2).

Table 7.1 - Performance rewards per race, gender, and disability: 1 April 2001 to 31 March 2002

Race	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost	Per capita cost
African	14	[88]	15.9	55 036.10	3 931.00
Male	6	50	12	33 045.10	5 507.00
Female	8	38	21.5	31 521.50	4 398.20
Asian	1	[9]	11.1	7 400.0	7 400.00
Male	1	6	16.6	7 400.00	7 400.00
Female	-	3	-	-	-
Coloured	1	[13]	7.6	6 552.36	6552.36
Male	-	3	-	-	-
Female	1	10	10	6 552.36	6 552.36
White	3	[18]	16.6	21 228.70	7 076.23
Male	-	8	-	-	-
Female	3	10	30	21 228.7	7 076.23
Employees with a disability	-	-	-	-	-
TOTAL	19	128	14.8	90 217.16	4 748.27

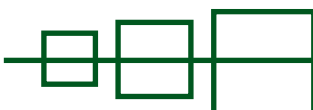


Table 7.2 - Performance rewards per salary level: 1 April 2001 to 31 March 2002

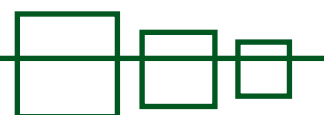
Salary Levels	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost	Per capita cost
Levels 1-2	1	1	100	2 845.51	2 845.57
Levels 3-5	10	52	19.23	31 529.26	3 152.00
Levels 6-8	6	45	13.3	35 717.50	5 952.00
Levels 9-12	2	22	9.09	24 263.25	12 131.00
Levels 13-15 (SMS)	-	8	-	-	-
TOTAL	19	128	14.84	90 217.16	4 748.00

Sick Leave

The Public Service Commission identified the need for departments to carefully monitor sick leave within the public service. During the relevant period 119 employees took 841 days of sick leave. The estimated cost of the said leave amounts to R230 906.05. However, only one employee took temporary disability leave. The following table provides an indication of the use of sick leave (Table 8.1).

Table 8.1 - Sick leave: 1 April 2001 to 31 March 2002

Salary level	Total days	Number of Employees using sick leave	% of total employees using sick leave	Average per employee	Estimated Cost
Levels 1-2	21	1	0,84	21	2 303.19
Levels 3-5	368	42	35	8.76	55 518.54
Levels 6-8	342	49	49	6.97	103 157.41
Levels 9-12	70	16	13	4.38	34 269.82
Levels 13-15 (SMS)	40	11	9	3.64	35 657.09
TOTAL	841	119	88.15	7.06	230 906.05



The wage agreement concluded with trade unions in the Public Service Coordinating Bargaining Council (PSCBC) in 2000 requires the management of annual leave to prevent high levels of accrued leave being paid at the time of termination of service. No leave payouts were made by the ICD during the period under review. The following table provides information relating to the utilisation of annual leave.

Table 8.2 - Annual Leave: 1 April 2001 to 31 March 2002

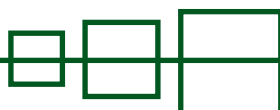
Salary level	Total days taken	Number of Employees	Average per employee
Levels 1-2	18	1	18
Levels 3-5	762	49	15.55
Levels 6-8	889	45	19.7
Levels 9-12	290	21	13.8
Levels 13-15 (SMS)	200	9	22.2
TOTAL	2159	125	17.2

Labour Relations

The following table summarises the outcome of disciplinary hearings conducted within the department for the year under review. One employee was dismissed for misrepresentation of employment history as well as qualifications.

Table 9.1 - Misconduct and discipline

Outcomes of disciplinary hearings	Number	% of total
Verbal warning	2	18
Written warning	-	-
Final written warning	5	45
Not guilty	-	-
Cases withdrawn	3	27
Dismissal	1	9.09
TOTAL	11	99.09



Skills Development

Table 10.1 summarises the development of skills by salary band including costs incurred in skills development, while Table 10.2 provides a breakdown of information in terms of race, gender and disability.

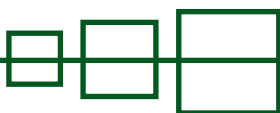
Table 10.1 - Skills development per salary band: 1 April 2001 to 31 March 2002

Salary level	Internal Training		External Training		Expenditure	
	Training day equivalents	Average days per employee	Training day equivalents	Average days per employee	Total expenditure (R'000)	Average per employee
Levels 1-2	-	-	-	-	-	-
Levels 3-5	-	-	62	0.47	50 383.50	403.06
Levels 6-8	-	-	78	0.59	67 847.46	542.77
Levels 9-12	-	-	145	1.10	141 387.77	1 131.09
Levels 13-14 (SMS)	-	-	37	0.28	57 188.04	457.50
TOTAL	-	-	322	2.45	316 806.77	2 534.45



Table 10.2 - Skills development per race, gender, and disability: 1 April 2001 to 31 March 2002

Race	Internal Training		External Training		Expenditure	
	Training day equivalents	Average days per employee	Training day equivalents	Average days per employee	Total expenditure	Average per employee
African	-	-	[196]	[1.56]	[145 245.38]	[1 161.96]
Male	-	-	101	0.88	55 869.32	446.95
Female	-	-	95	0.76	89 376.06	715.00
Asian	-	-	[6]	[0.04]	[13 466.00]	[107.72]
Male	-	-	5	0.04	6 733.00	53.86
Female	-	-	5	0.04	6 733.00	53.86
Coloured	-	-	[27]	[0.21]	[31 302.00]	[250.40]
Male	-	-	11	0.08	13 466.00	107.72
Female	-	-	16	0.12	17 836.00	142.68
White	-	-	[93]	[0.74]	[126 793.39]	[1 014.00]
Male	-	-	9	0.07	16 405.62	131.24
Female	-	-	84	0.67	110 387.77	883.10
Employees with disabilities	-	-	-	-	-	-
TOTAL	-	-	322	2.57	316 806.77	2 534.45



The following table provides a summary of the various training areas where staff members were provided with skills training.

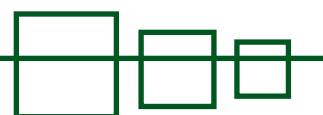
Table 10.3 - Skills development per type of training: 1 April 2001 to 31 March 2002

Type of training	Training				Expenditure	
	Number of beneficiaries	Training day equivalents	Average days per person	% of total	Total expenditure	Average per beneficiary
Internal training	-	-	-	-	-	-
Formal training	67	310	2.48	96.27	56 976.92	850.40
Computer training	11	6	0.04	1.86	24 292.17	2208.37
Management development	12	6	0.04	1.86	235 537.68	19 628.14
TOTAL	90	322	2.57	7.99	316 806.77	3 520.07

The following table provides a summary of actual expenditure on training for the year under review. The table also provides a comparison with the initial estimate published in the Estimate of Expenditure.

Table 10.4 - Total expenditure on skills development per programme: 2001/ 02

Programme	Expenditure– 2001/ 02			Medium-term expenditure estimates		
	Original estimate	Actual expenditure	Variance	2002/ 03	2003/ 04	2004/ 05
Programme 1	318 000.00	240 123.94	0.75	158 000.00	167 000.00	176 000.00
Programme 2	50 000.00	33 221.82	0.66	137 000.00	145 000.00	153 000.00
Programme 3	35 000.00	43 461.01	1.24	55 000.00	58 000.00	61 000.00
TOTAL	403 000.00	316 806.77	0.78	350 000.00	370 000.00	390 000.00



The tables below summarise the bursaries granted to employees during the period under review per salary level (Table 10.5) and per race, gender and disability (Table 10.6).

Table 10.5 - Bursaries granted per salary level: 1 April 2001 to 31 March 2002

Salary Level	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees in salary band	% of total in salary band	Cost	Per capita cost
Levels 1-2	-	1	-	-	-
Levels 3-5	11	52	21.1	64 046.14	5 822.37
Levels 6-8	11	45	24.4	45 940.00	4 176.36
Levels 9-12	4	22	18.1	36 032.00	9 008.00
Levels 13-14 (SMS)	-	8	-	-	-
TOTAL	26	128	20.3	146 018.14	5 616.08

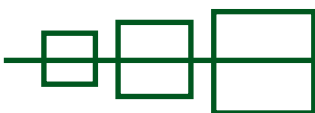


Table 10.6 - Bursaries granted per race, gender and disability: 1 April 2001 to 31 March 2002

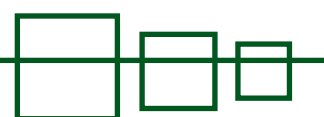
Race	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees in salary band	% of total in salary band	Cost	Per capita cost
African	[22]	[88]	25	127 618.14	5 800.82
Male	12	50	24	73 238.00	6 103.16
Female	10	38	26.3	54 380.14	5 438.00
Asian	[-]	[9]	-	-	-
Male	-	6	-	-	-
Female	-	3	-	-	-
Coloured	[2]	[13]	15.3	6 700.00	3 350.00
Male	1	3	33	3 700.00	3 700.00
Female	1	10	10	3 000.00	3 000.00
White	[2]	[18]	11.1	11 700.00	5 850.00
Male	2	8	25	11 700.00	5 850.00
Female	-	10	-	-	-
Employees with a disability	-	-	-	-	-
TOTAL	26	128	20.31	146 018.14	5616.08

Injury on duty

The table below provides information pertaining to injury on duty.

Table 11.1 - Injury on duty: 1 April 2001 to 31 March 2002

Nature of injury on duty	Number	% of total
Required basic medical attention only	2	1.3%
Temporary Total Disablement	-	-
Permanent Disablement	-	-
Fatal	-	-
TOTAL	2	1.3%

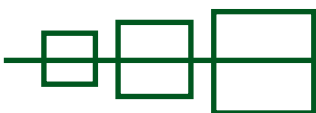




The CFO, Ms E Verster, accepting the ICD commitments on HIV/AIDS from officials of the inter-departmental committee on HIV/AIDS in October 2001.



Adv KD McKenzie lighting a candle to symbolise tolerance against racism, in August 2001.



3. PROGRAMME 2

INVESTIGATION OF COMPLAINTS

Introduction

This programme has now passed the establishment phase and there are visible signs of success. Its success should not be judged on the number of convictions achieved. Rather, it should be measured in terms of the number of investigations conducted notwithstanding the budgetary constraints, and the recommendations made to the Director of Public Prosecutions. It should be borne in mind that the ICD is an investigative agency and not a prosecutorial one and thus the decision whether to prosecute or not rests entirely with the DPP. Various factors such as the testimony of witnesses, the absence of sufficient evidential corroboration to sustain a conviction or other technical aspects, may play a role in the acquittal of a member.

Aim

To investigate deaths in police custody and as a result of police action, as well as other complaints lodged with the department, effectively and efficiently, with a view to establishing whether or not there was any wrongdoing on the part of a police officer.

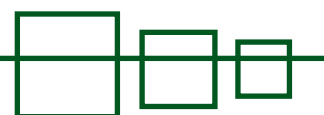
Main Activities

The programme consists of a single sub-programme: Investigation of complaints, which provides for the investigation of cases of deaths - a function prescribed in terms of the South African Police Service Act, 1995 (Act 68 of 1995). In addition, the programme provides for the investigation of any matter referred to it by the Minister or Member of the Executive Council, as well as for the investigation of any allegation of misconduct or offence committed by any member of the SAPS. The following activities are crucial for the achievement of the objectives of the programme:

- Attending and processing crime scenes;
- Interviewing witnesses and taking of statements;
- Seizing of exhibits;
- Attending post mortems;
- Packaging exhibits and forwarding them for forensic analysis;
- Preparing case dockets and memoranda for submission to the DPP;
- Serving subpoenas; and
- Attending court and giving evidence.

In addition to the statutory requirements, the department prioritised the investigation of certain complaints for 2001/2002. These relate to:

- Crimes against women: femicide, rape and spousal abuse;



- Crimes against children;
- Schedule 1 offences e.g. attempted murder, assault GBH and torture;
- Use of excessive force;
- Corruption by police officials, specifically in cases involving theft and/ or sale of case dockets and escapes from lawful police custody.

Investigative Complement

There are currently 62 staff members performing the duties of investigators nationally and all of them are located at provincial offices. Initially, more investigative staff were appointed to the provinces of Gauteng, KwaZulu Natal and Western Cape. Due to budgetary constraints, the same number of investigative staff could not be appointed to the other six provinces. With due regard to the number of complaints received from these provinces, the appointment of investigative staff varied between two to four members per office. Unfortunately the provinces with smaller populations are geographically more vast in size. The Northern Cape is a classic example with high equivalent cost in travel expenditure.

Key policy developments

The establishment of Municipal Police Services is an additional statutory mandate for the department. The civilian oversight duties and responsibilities applicable to members of the SAPS, also apply in respect of Municipal Police Services, as provided in the Regulations issued in terms of the South African Police Service Act, 1995, as amended.

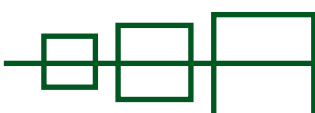
Key Outputs

- To ensure all investigations are conducted in an effective and efficient manner.
- To formulate and develop Standard Operating Procedures pertaining to investigations.
- To address the training needs of investigators in order to advance multi-skilling.
- To identify and procure modern and appropriate investigative equipment.
- To supervise and co-ordinate the implementation of Standard Operating Procedures.
- To develop and implement standardized uniform investigative guidelines and methodology.
- To enlist the services of specialists independent of the SAPS, to conduct post-mortems, ballistic and forensic tests.

Service Delivery Indicators

Some of the service delivery indicators:

- The timeous attendance of all notifications of police-related deaths.
- That all preliminary investigations of Class I cases are finalised within 14 days.
- That complete investigation of Class I cases are finalised within a maximum of six months.
- That investigation in all Class II and III cases are finalised within the maximum period of three months.
- That complainants and other role players are regularly informed of progress in the investigations.

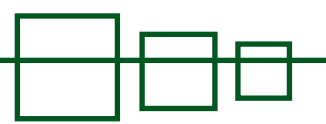


Cases currently under investigation by the ICD

To provide some information of the nature and type of cases as per the identified priorities investigated by the ICD during the period under review, herewith a few brief summaries:

Crimes against women

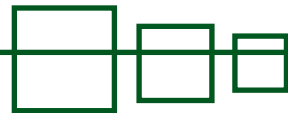
SAPS	ALLEGATIONS	ICD ACTION	STATUS
Machadodorp	<p>The suspect member visited his in-laws, during which he got into an argument with his wife. It is alleged that his wife became aggressive whereupon the member drew his service firearm and fired a single shot hitting her between the eyes. She died instantly. It is alleged that there was a history of domestic violence in the marriage. The member handed himself over at the police station and surrendered his firearm.</p>	<p>The member was arrested and later granted bail after appearance in court. Investigation was finalized and recommendation made to the DPP that the member be charged with murder.</p>	<p>The member was transferred to another station. The decision from the DPP is still outstanding.</p>
Durban Central	<p>The deceased was the wife of the suspect member, who is stationed at Durban Central Police Station. The deceased had gone to see the Station Commander about the continued harassment by the suspect. It is alleged that there had been a history of domestic violence in their marriage. The suspect was then summoned to the police station. When he arrived at the office where the deceased was, he pulled a firearm, and fatally wounded her. The other member present in that office also pulled out a firearm and shot at the suspect, injuring him on the arms.</p>	<p>The suspect was arrested at the scene and then taken to Addington Hospital where he was placed under police guard. On his release from hospital he unsuccessfully applied for bail and was remanded in Westville Prison.</p>	<p>Investigation is continuing and the member will appear in court on 30 April 2002.</p>



SAPS	ALLEGATIONS	ICD ACTION	STATUS
Ritavi	<p>The deceased who was alleged to be the suspect's new girlfriend visited her boyfriend, the suspect herein, at his home. About 30 minutes after her arrival, another girlfriend, also visited the suspect member's home together with her six-month-old daughter. The suspect allegedly pulled out his service firearm and threatened to kill the two girlfriends, the child and then turn the firearm on himself. He allegedly had sex with one girlfriend in the presence of the other and thereafter left for another room. The deceased saw this as an opportunity to escape and in the process, the suspect fired at her, fatally wounding her.</p>	<p>The suspect member was arrested and later appeared in court where bail was fixed at R15 000. He was suspended from duty.</p>	<p>Investigation was completed and the case docket awaits the DPP decision.</p>
Phillipi	<p>The complainant in this matter is a police reservist who alleges that a colleague indecently assaulted her. The complainant reported the matter to the police. The complainant received much media attention.</p>	<p>The ICD took over the case docket for further investigation.</p>	<p>The case docket was submitted to the DPP for a decision.</p>
Claremont	<p>This complaint was referred to the ICD by the Women's Legal Centre on behalf of sex workers who were allegedly intimidated and threatened by members of the SAPS. It is alleged that two suspect police members were involved in various criminal activities relating to sex workers in the Claremont area, Cape Town.</p>	<p>The matter was investigated and recommendations were made to the DPP that the members involved be prosecuted for intimidation, assault, <i>crimen injuria</i>, corruption and rape.</p>	<p>The DPP concurred with the ICD recommendations and ordered that the members be charged with the said offences. The case was placed on the court roll for trial in the Claremont Magistrate's Court on 23-25 April 2002.</p>

Crimes against children

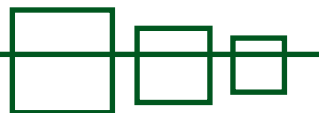
SAPS	ALLEGATIONS	ICD ACTION	STATUS
<p>Lebowakgomo</p>	<p>It is alleged that on 1 May 2001, a vehicle with a canopy carrying twenty - one passengers was travelling on the Lebowakgomo road. At that stage, SAPS members had manned a roadblock on the same route and allegedly signalled the vehicle to stop. The driver of the vehicle had no driver's licence and sped off. The suspect member fired shots in the direction of the vehicle and a 13 year old boy was fatally wounded. Two other boys were injured.</p>	<p>The member was arrested and charged with murder and two counts of attempted murder. His bail was set at R10 000 which he was unable to pay and thus he remained in custody.</p>	<p>The DPP concurred with the ICD recommendations on prosecution. The trial will commence on 22 April 2002.</p>
<p>Mqandule</p>	<p>It is alleged that two police officers arrested four young men for questioning related to their alleged involvement in robberies in that area. It is alleged that the victim was severely assaulted with sticks while his feet were chained to a roof. He allegedly lost consciousness, and was dumped in a forest where he was later discovered by a passer-by on horseback and taken to Umtata Hospital. The victim had to use sticks as a walking aid. His hearing is impaired in his left ear.</p>	<p>Investigation was completed and the case docket was forwarded to the DPP with recommendations on prosecution.</p>	<p>The decision of the DPP is awaited.</p>



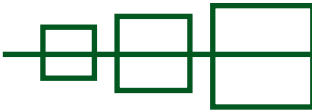
Deaths as a result of police action or in police custody

SAPS	ALLEGATIONS	ICD ACTION	STATUS
Isipingo	<p>It is alleged that an off-duty member went to a particular house in the Westmont area, Isipingo Hills and allegedly searched the premises for dagga. His search could not yield the desired results. He took R500.00 from the house. Later the same day the member was confronted by the deceased's wife regarding his earlier conduct, and she confiscated his cell phone from him and stated that she would return same once he returned the R500.00. Later the accused member returned to the same premises and demanded his cell phone and found the deceased had returned from work. Discussions between the accused and the deceased ensued and it was agreed that the accused should return the money and he would receive his cellphone. As the accused was leaving the premises, he produced his firearm and fired several shots, which fatally wounded the deceased.</p>	<p>Investigation was finalized and the docket was forwarded to the DPP with recommendations that the accused be charged with murder, attempted murder, theft, and handling of a firearm while under the influence of alcohol.</p>	<p>The DPP concurred with the ICD recommendations and ordered that the accused be charged accordingly.</p>
Maokeng	<p>It is alleged that the deceased and his partner were enjoying drinks at a tavern. They had an argument and decided to leave. As they were walking along the street a vehicle approached the couple and a shot was allegedly fired and fatally wounded the boyfriend. At that time, it was not clear as to who shot the suspect, but it was discovered two days later that the alleged suspect was a SAPS member stationed at Maokeng.</p>	<p>The suspect was arrested and brought before court and granted bail of R1000. Recommendations were made that the member be prosecuted for murder.</p>	<p>The decision of the DPP is awaited.</p>
Galeshewe	<p>The suspect reservist member was conducting patrol duties together with other members when they came across a group of boys gambling. It was alleged that there was an altercation of words which resulted in one of the boys being fatally wounded by the reservist member.</p>	<p>Investigation finalized. Recommendations made to DPP that the member be prosecuted for murder.</p>	<p>The DPP concurred with our recommendations.</p>

SAPS	ALLEGATIONS	ICD ACTION	STATUS
Soshanguve	It is alleged that on 05 January 2001, the complainant was opening a case of assault against the deceased and while furnishing her statement, the deceased walked into the charge office. The complainant pointed him out and the police arrested him. The deceased managed to escape whilst making a telephone call. The police searched for him without success. On the same day the police allegedly shot and killed the deceased.	ICD took over the investigation and on finalization made recommendations to the DPP for prosecution on murder.	The DPP concurred with the ICD recommendations. The hearing is set down for 29-31 May 2002.
De Rust	On 21 August 2001, the deceased was arrested for drunkenness. Members of the SAPS at the charge office allegedly assaulted him. He sustained injuries to the head and later died of those wounds in a police cell. The post mortem revealed that the deceased died as a result of severe head injuries.	Investigation finalized.	The decision of the DPP is awaited.
Rustenburg	In May 2001, members of the police were summoned to the Rustenburg railway station to evict a homeless person. Two members from SAPS Rustenburg attended the complaint. Their attempts to arrest the person were met with resistance and he allegedly assaulted one of the members with a steel pipe. The deceased was given a verbal warning, which went unheeded and he proceeded with the attack whereupon one of the members fired three shots at the deceased who later died in hospital.	Investigation finalized. Recommendation made to DPP that the member be prosecuted for murder.	The DPP decided that a formal inquest be held.
Temba	During the evening of 21 October 2001, an off-duty member accompanied by his cousin visited a local tavern. The latter became provocative towards other patrons. It is alleged that while the member was attempting to help his cousin, he was hit with a bottle on the forehead. His attacker fled but the member pursued him and allegedly shot him in the chest. He died on arrival at hospital.	Investigation finalized.	Recommendation made to DPP that the member be prosecuted for murder. The DPP concurred with our recommendations.

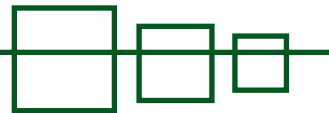


SAPS	ALLEGATIONS	ICD ACTION	STATUS
<p>Hillbrow</p>	<p>It is alleged that a certain teacher was walking along a street when three policemen stopped her. They demanded that she produce a passport as they said she was a foreigner. The three policemen began to assault her and forced her into a police vehicle, and in the process, her head was struck with a firearm but in full view of members of the public. She was then detained but later released after the intervention of her employer and her lawyer.</p>	<p>A complaint of assault with intent to do grievous bodily harm was investigated and on completion thereof, recommendations were made to the DPP for prosecution.</p>	<p>The case came before court on 16 January 2002 and was then remanded to 11 April 2002.</p>
<p>Umtata</p>	<p>The victim, an awaiting trial prisoner was arrested on 15 January 2002 by members of the Umtata Taxi Violence Unit. He was allegedly tortured through suffocation and further assaulted while in detention. He alleged that after the assault, he could not breathe well and also sustained a swollen left eye as a result of the torture. He received medical treatment at a local clinic. The victim was remanded in custody.</p>	<p>Investigation was conducted into the allegations.</p>	<p>The investigation is not completed as yet.</p>
<p>Batho</p>	<p>An Inspector together with other members attended a scene of a shooting at Chris Hani Square. On arrival, the Inspector removed his service firearm from his holster and cocked it. A while later while applying safety mechanisms on the firearm a shot went off hitting him in his left hand and the bullet ricocheted and hit a nine year old girl child in the chest, killing her instantly.</p>	<p>Investigation finalized.</p>	<p>Awaiting DPP's decision.</p>



Corruption

SAPS	ALLEGATIONS	ICD ACTION	STATUS
<p>Nelspruit</p>	<p>It is alleged that on 04 November 2001, an awaiting trial prisoner allegedly escaped from the Nelspruit police cells. The suspect, an alleged member of the vigilante group, Mapogo-a-Mathamaga, was arrested for various offences including murder, attempted murder, robbery, assault with intent to cause grievous bodily harm and kidnapping. He was alleged to have gained his unauthorized freedom through cutting a hole in the roof of the cell in the exercise area. The ICD investigation revealed that it was not possible for an adult to escape through the alleged opening. It was also established that the burglar door leading to the exercise area was not locked and the explanation provided was that the said door could not open. The escapee's cellmate indicated that he did not hear the noise of the saw cutting through the burglar door of their cell, he only learnt of the escape in the early hours of the morning and he alerted the police.</p>	<p>The ICD conducted an investigation and found that a police officer has aided the escape. There were two (2) previous incidents of escape which occurred while the suspect had performed custody duty. The escapee was re-arrested and indicated in his statement that he was assisted by the suspect police member to escape from lawful custody.</p>	<p>Investigation completed and awaiting the decision of the DPP.</p>



4. PROGRAMME 3

COMPLAINTS REGISTRY, MONITORING AND RESEARCH

This Programme consists of the following sub-programmes:

Complaints Registry;
Monitoring; and
Research and Development.

COMPLAINTS REGISTRY

This sub-program is responsible for receiving, processing and registering complaints. It also maintains a database to identify trends and practices in respect of police misconduct and criminality.

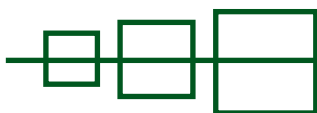
Main Activities

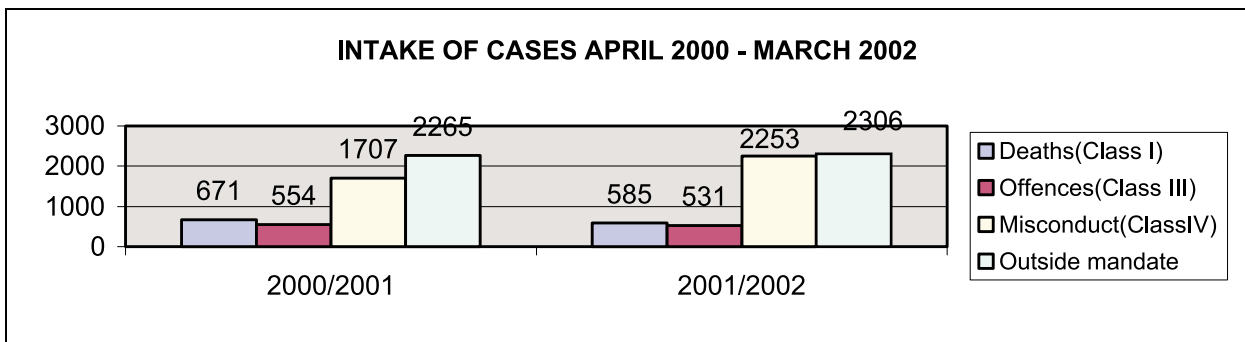
In-take of complaints;
Interviewing of complainants and obtaining of statements;
Registration of cases on database;
Mediation;
Generation of statistics; and
Database management.

Key Outputs

Statistics

The intake of complaints falling within the mandate of the ICD from 1 April 2001 to 31 March 2002 amounted to 3 369, an increase of 15% compared to the same period in the 2000/2001 financial year. In the case of deaths, a decrease of 12.8% has been recorded compared to the same period in the year 2000/2001. Also, there was a 4.2% decrease of serious criminal offences committed by SAPS members. Incidents of misconduct reported to the ICD increased by 32% compared to the same period in 2000/2001. Cases falling outside the mandate of the ICD increased by 1.8% over the same period in 2000/2001. Figure 1 below represents a graphical comparison for the last two years.





Deaths in police custody and deaths as a result of police action

In terms of its mandate, the ICD is obliged to investigate all cases of death in police custody or death as a result of police action. In the period April 2001 to March 2002, there has been a 12.8% decline in deaths in custody or as a result of police action, compared to 2000/2001.

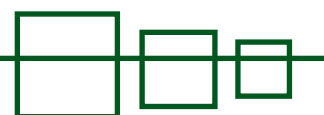
Deaths in police custody

CUSTODY	GP	LP	NW	MP	KZN	FS	EC	WC	NC	TOTAL
NATURAL CAUSES	6	6	7	11	12	3	24	5	1	75
SUICIDE	21	4	1	5	10	4	8	17	6	76
INJURIES IN CUSTODY	3	6	1	1	2	0	7	5	0	25
INJURIES PRIOR TO CUSTODY	4	0	1	2	17	0	3	1	0	28
POSSIBLE NEGLIGENCE	1	4	0	1	1	0	2	1	0	10
TOTAL	35	20	10	20	42	7	44	29	7	214

Suicides accounted for 36% of deaths in custody. Of the 76 cases reported, 28% took place in Gauteng and 22% occurred in the Western Cape. The least number of suicides took place in the North West Province, where only 1.3% suicides were recorded.

35% of deaths in police custody can be ascribed to natural causes. Of the 75 cases, 24 took place in the Eastern Cape, and 3 took place in the Free State.

In 13% of cases, deaths were caused by injuries sustained prior to custody due to members of communities taking the law into their own hands. In 12% of the cases, suspects died as a result of injuries sustained in custody, in many instances inflicted by fellow inmates.



Deaths as a result of police action

ACTION	GP	LP	NW	MP	KZN	FS	EC	WC	NC	TOTAL
<i>A. SHOOTING:</i>										
DURING COURSE OF ARREST	37	13	10	20	43	13	15	5	4	160
DURING COURSE OF A CRIME	26	2	4	9	16	0	10	12	1	80
DURING COURSE OF INVESTIGATION	2	0	0	3	1	0	10	0	0	16
DURING COURSE OF ESCAPE	1	1	2	0	7	4	1	0	0	16
OTHER INTENTIONAL SHOOTING	6	2	4	4	12	0	5	2	0	35
POSSIBLE NEGLIGENCE	2	3	1	0	0	1	4	5	0	16
NEGLIGENT HANDLING OF A FIREARM	0	1	0	0	1	0	0	0	0	2
SUBTOTAL	74	22	21	36	80	18	45	24	5	325
<i>B. OTHER:</i>										
STRUCK BY POLICE VEHICLE	0	0	1	3	1	1	1	11	0	18
BEATEN WITH HAND/FISTS OR OTHER OBJECT	2	0	0	0	1	1	0	3	0	7
INNOCENT BYSTANDER SHOT BY POLICE	6	0	0	0	10	0	3	0	1	20
TORTURED	0	0	0	0	1	0	0	0	0	1
SUBTOTAL	8	0	1	3	13	2	4	14	1	46
GRANDTOTAL	82	22	22	39	93	20	49	38	6	371

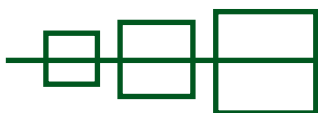
Shootings accounted for 88% of all deaths as a result of police action. Most of the shootings (90) occurred in KwaZulu-Natal, followed by Gauteng where 82 shootings occurred and the Eastern Cape with 48 shootings. The province where the least number of shootings occurred is the Free State, with only 5 cases.

In 20 cases, police in pursuit of absconding suspects shot innocent bystanders. Also, there were 18 cases in which SAPS vehicles knocked down innocent bystanders or were involved in motor vehicle accidents that resulted in death.

The ICD received 3 cases of death as a result of Municipal Police Service (MPS) action. These were all cases of shootings during the course of arrest. Two cases involved the Durban Metropolitan Police and 1 case involved the Johannesburg Metro Police Department.

Circumstances of shootings

The most prevalent cause of death as a result of police action was shootings. These shootings occurred mostly during the course of arrest (49%), and while the victims were allegedly committing crime (24.6%). There were 4.9% cases of shootings during the course of investigation and 4.9% of cases of shooting while suspects were attempting to escape from police custody. 10.8% cases of intentional shooting by members of the SAPS were recorded. Lastly, about 4.9% cases were of possible negligence by police in the shooting incidents and 0.6% involved negligent handling of a firearm.



Cause of death	Percentage
Shooting during course of arrest	49%
Shooting during course of a crime	24.6%
Shooting during course of investigation	4.9%
Shooting during course of escape	4.9%
Other intentional shooting	10.8%
Possible negligence	4.9%
Shooting due to negligent handling of a firearm	0.6%

Classification of the deceased

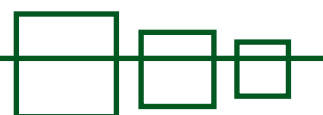
Classification of deceased	Total	Percentage
Suspect	469	79.6
Awaiting Trial	68	11.5
Sentenced	24	4.1
Mental Patient	8	1.4
Other/Unknown	20	3.4
TOTAL	589	100

Out of the 585 incidents of death in custody and or as a result of police action, there were 589 victims. 79.6% of suspects in one or more crimes died in police custody or as a result of police action. 11.5% were awaiting trial prisoners, while 4.1% were those who had been sentenced already. 1.4% of those who died were mental patients. The circumstances surrounding the remaining 3.4% victims could not be established, because no such records were kept by the SAPS.

Ranks of police officers involved

Rank of Accused	EC	FS	GP	KN	LP	MP	NC	NW	WC	TOTAL	Percentage
Constable	6	2	16	18	1	5	1	1	8	58	16
Sergeant	15	11	29	27	7	18	2	8	18	135	36
Inspector	21	7	26	33	15	15	3	9	7	136	37
Captain	4	-	3	11	3	1	-	4	3	29	8
Superintendent	2	-	5	4	-	1	-	-	1	13	3
Senior Superintendent	1	-	-	-	-	-	-	-	-	1	0.0
Assistant Commissioner	-	-	-	-	-	-	-	-	-	-	0.0
Deputy Commissioner	-	-	-	-	-	-	-	-	-	-	0.0
Commissioner	-	-	-	-	-	-	-	-	-	-	0.0
TOTAL	49	20	79	93	26	40	6	22	37	372	100

37% of deaths at the hands of the police involved officers of the rank of Inspector. The next ranking of officers was that of Sergeant at 36% and less prominently, Constable at 16%. In 8% of cases, officers of the rank of Captain were involved in the death of detainees.



Deaths of women and children

Gender of deceased	EC	FS	GP	KN	LP	MP	NC	NW	WC	TOTAL	Percentage
Male	82	26	97	122	36	60	11	30	54	518	88.0
Female	8	1	8	7	5	-	1	-	11	41	6.9
Unknown	3	-	12	7	1	1	2	2	2	30	5.1
TOTAL	93	27	117	136	42	61	14	32	67	589	100

Forty-one (41) women and 17 children died in police custody or as a result of police action. Notably four of the children who died in police custody were below the age of ten, while the rest were below the age of eighteen.

In one case, a four-year-old girl was killed by her grandfather who is a policeman stationed at uMlazi in KwaZulu-Natal. The second case involving the death of a four-year-old was due to natural causes. In another case a 9 year old was knocked down by a speeding police vehicle. A seven-year-old (7) died from natural causes while in custody with her mother. The other case involves a 15 year-old boy who committed suicide while being held as a suspect in Riversdale in the Western Cape.

Race of accused

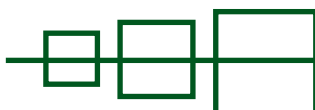
Cause of death	Asian	African	Coloured	White	TOTAL
Shot with firearm(s)	13	180	24	88	305
Assault	8	23	5	11	47
Motor accident	3	7	6	4	20
TOTAL	24	210	35	103	372

59% of those implicated in the shooting of suspects were black officers. White officers were implicated in 29% of the shooting incidents. To get a clearer picture these figures must be contrasted with the race of the victims.

Race of victim

Cause of death	Asian	Black	Coloured	White	Unknown	TOTAL
Shot with firearm(s)	5	303	21	8	11	348
Suicide	1	43	14	9	9	76
Natural causes	3	73	8	5	5	94
Assault	4	33	7	3	3	50
Motor vehicle accident	-	11	5	-	5	21
TOTAL	13	463	55	25	33	589

78.6% of the victims in all categories of death in custody or death as a result of police action were African, and 9.3% were Coloured, while 4.2% of the deceased were White. Only 2.2% of Asians died in police custody or at the hands of the police. More black people died from shootings than suicide and natural causes combined.



Finalisation of cases of death in custody and as a result of police action

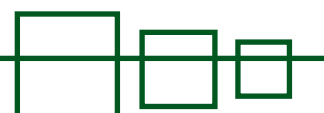
FINDINGS	Total	Percentage
Substantiated	214	36.6
Unsubstantiated	157	26.8
Dismissed	1	0.2
Pending	213	36.4
TOTAL	585	100

Investigations were finalized in 60% of all cases of death in police custody and as a result of police action. In 36.6% of cases there was prima facie evidence to recommend prosecutions of the members involved. 26.8% of the cases could not be substantiated. In the one case that was dismissed, the preliminary investigation showed that it was not a death in police custody or as a result of police action, but a case falling outside the mandate of the ICD. Investigations are yet to be finalized in 36.4% of the cases due to a variety of reasons, including outstanding post mortem reports and other expert forensic reports.

Recommendations to the DPP in respect of deaths in police custody and as a result of police action

STATUS	Total	Percentage
Pending decision	67	31
On Trial	59	28
Nolle Prosequi	37	17
Pending Inquest	51	24
TOTAL	214	100

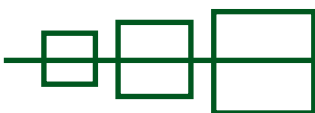
Of the 214 cases that were substantiated, 31% are pending the decision of the Director of Public Prosecutions (DPP), while 28% are on trial. The DPP has declined to prosecute in 17% of the recommendations made by the ICD. 24% of the cases are pending the finalization of Inquests.



Outcomes of some of the Prosecutions

Charge	Verdict	Sentence
Murder	Guilty	25 years' imprisonment
Other intentional shooting	Guilty	22 years', six years suspended
Murder	Guilty	20 years' imprisonment
Murder	Guilty	20 years' imprisonment
Murder	Guilty	20 years' imprisonment
Murder	Guilty	18 years' imprisonment
Murder	Guilty	18 years' imprisonment
Murder	Guilty	17 years' imprisonment
Murder	Guilty	15 years' imprisonment
Murder	Guilty	12 years' imprisonment
Murder	Guilty	10 years' imprisonment
Culpable Homicide	Guilty	5 years' imprisonment suspended for 5 years
Culpable homicide	Guilty	5 years' imprisonment suspended for 4 years
Negligent discharge of Firearm	Guilty	3 years' imprisonment or R4000-00 fine of which R2000-00 or 1 year imprisonment
Murder	Guilty	12 months' imprisonment or R8000-00 fine and 2 years' correctional supervision
Culpable Homicide	Guilty	4 months' imprisonment
Culpable homicide	Inquest	Not liable
Murder	Not Guilty	Acquitted
Murder	Not Guilty	Acquitted
Murder	Not Guilty	No departmental steps taken
Shot during course of arrest	Not Guilty	Acquitted
Shot during course of arrest	Not Guilty	Acquitted
Shot during course of arrest	Not Guilty	Acquitted
Other intentional shooting	Inquest	Not liable
Other intentional shooting	Inquest	Not liable
Poisoning	Inquest	Not liable
Shot during course of a crime	Inquest	Not liable
Shot during course of arrest	Inquest	Not liable
Shot during course of arrest	Inquest	Not liable
Shot during course of arrest	Inquest	Not liable
Shot during course of arrest	Inquest	Not liable
Shot during course of arrest	Inquest	Not liable
Murder	Inquest	Not liable
Murder	Withdrawn	Not liable

Convictions were secured in a number of cases where heavy sentences were handed down. The sentences handed down ranged from a shocking 4 months' imprisonment to a severe 25 years' imprisonment. In 5 cases members were found not guilty. And, in 10 cases where Inquests were held, no one was found liable for the deaths of suspects in police custody or as a result of police action.



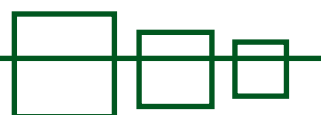
Serious offences committed by members of the police

April 2001 to March 2002

TYPE OF OFFENCE	EC	FS	GP	KZN	MP	NC	NP	NW	WC	TOTAL
Abuse of power	7	-	6	-	-	-	-	2	25	40
Arson	-	-	-	-	-	1	1	-	-	2
Assault GBH	40	15	64	3	18	11	57	11	36	255
Attempted murder	-	-	8	2	18	-	13	2	-	43
Breaking and entering premises	-	-	-	-	2	-	-	-	-	2
Common assault	2	-	2	-	6	3	-	2	1	16
Conspiracy	-	-	-	-	-	-	-	-	7	7
Corruption	1	1	10	-	3	4	1	2	8	30
Extortion	-	-	2	-	-	-	-	-	1	3
Forgery	-	-	1	-	-	-	-	-	-	1
Fraud	-	1	-	-	-	-	-	-	1	2
Harassment	-	-	8	-	-	-	1	1	-	10
Indecent assault	-	-	-	-	-	-	-	-	2	2
Instigating/failure to prevent/stop violence	1	-	5	-	2	-	-	-	-	8
Intimidation	1	-	-	-	2	1	1	1	2	8
Kidnapping	-	-	1	1	1	-	-	-	1	4
Malicious injury to property	1	-	4	-	-	-	1	-	3	9
Organised crime	-	-	1	-	-	-	-	1	-	2
Rape	3	-	1	3	1	-	4	-	2	14
Robbery	-	-	-	-	-	-	-	1	3	4
Theft	2	2	8	-	1	-	5	2	12	32
Torture	12	-	3	2	7	2	9	-	2	37
TOTAL	70	19	124	11	61	22	93	25	106	531

The most common offence committed by members of the SAPS and MPS is assault with the intent to do grievous bodily harm, which numbered 257 cases for the period under review. Most of these cases occurred in Gauteng (64 cases), followed by Northern Province with 57 cases. The three provinces with the least number of assault GBH cases are North West Province and Northern Cape both with 11 cases and KwaZulu Natal with 3 cases.

Three cases of serious assault were registered against the Durban Metro Police and one case of improper performance of duties was recorded against the Johannesburg Metropolitan Police Department.

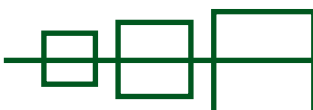


Acts of misconduct by members of the police

1 April to 31 March 2002

TYPE OF MISCONDUCT	EC	FS	GP	KZN	MP	NC	NP	NW	WC	TOTAL
Assault	10	-	-	-	-	-	19	-	36	65
Conceals evidence	1	-	-	-	-	-	-	-	-	1
Crimen injuria	1	-	-	-	-	-	-	1	2	4
Driving a motor vehicle without registration	-	-	-	-	-	-	-	-	-	-
Drunk driving	-	-	-	-	-	-	1	-	3	4
Failure to perform duties and responsibilities	100	8	-	2	83	81	-	-	-	274
False accusation of a crime	2	-	1	-	-	2	-	2	4	11
Gross discourtesy	3	-	-	-	-	-	-	-	11	14
Intentionally / negligently allowing a prisoner to escape	1	-	1	-	4	-	-	-	-	6
Leaving the scene of a collision without discharging duties	-	-	-	-	-	-	-	-	-	-
Misappropriates/withholds state property	1	-	-	-	-	-	1	1	1	4
Neglects duty or performs duty in improper manner	33	20	994	4	47	58	49	287	300	1792
Negligent handling of a firearm	-	-	-	-	-	-	-	-	-	-
Performs an act in contravention of the SAPS Act	-	2	-	-	1	-	-	1	24	28
Performs an act/ fails to perform an act which constitutes an offence	2	2	-	-	-	1	-	-	22	27
Racial discrimination	-	-	-	-	-	-	-	-	2	2
Reckless operation of a motor vehicle	1	-	-	-	-	-	2	-	1	4
Releasing a prisoner without authority	-	-	-	-	-	-	2	-	-	2
Sexual harassment	-	-	-	-	-	-	-	-	-	-
Treats a lower ranking employee in an oppressive manner	-	-	-	-	-	-	-	-	-	-
Unfair labour practice	-	-	-	-	-	1	-	-	-	1
Unlawfully and intentionally partakes of liquor while on duty	1	1	-	-	-	-	-	-	-	2
Uses unlawful force against a prisoner	1	-	-	-	-	1	-	-	-	2
Victimisation	1	-	1	-	-	1	-	-	7	10
TOTAL	158	33	997	6	135	145	74	292	413	2253

The ICD has found that cases of misconduct are grossly under-reported by the SAPS, probably because there is no obligation on them to do so. The ICD received 2253 cases of misconduct committed by members of the SAPS. Most of these cases relate to poor service rendered by the SAPS. Two types of incidents are most prominent namely neglect of duty, which amounted to 1792 cases, and failure to perform duties, which amounted to 274 cases. During the said period, most of the cases emanated from Gauteng (997 cases), followed by the Western Cape with 413 cases. North West (292 cases) and the Northern Cape (145 cases) also feature, albeit less prominently. The province with the least number of complaints of poor service is KwaZulu Natal with 6 cases.



Key Policy Developments

The classification of cases, in particular, Class II which was a classification according to source, viz, complaints referred by the Minister and/or Members of the Executive Council has been changed. Class II has been allocated to complaints of domestic violence. The reporting form has also been adjusted to conform with the biannual report to Parliament.

MONITORING

This sub-program monitors police investigations and the implementation of the Domestic Violence Act by the SAPS and MPS. The sub-program also conducts surprise visits at police stations.

Main Activities

Monitoring of individual cases under SAPS investigation;
Post investigation monitoring of cases investigated by ICD;
Supervision of police investigations;
Monitoring the implementation of the DVA; and
Conducting audits at police stations.

Key Outputs

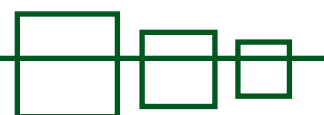
Surprise Visits

During November 2001, the ICD conducted “surprise” visits at the following police stations: KwaMhlanga, Siyabuswa, Kwaggafontein, Verena, Witbank, Blinkpan, Kanyamazane, Kabokweni and Nelspruit in Mpumalanga. The visits focused on identifying factors or circumstances that promote escapes from lawful custody by suspects. These stations were selected on the basis of the high number of escapes that they had experienced, although the number was lower in other stations. The visit was effective as it discovered factors such as over-crowding, bad cell conditions, inadequate security and corruption as factors facilitating escapes.

During the Public Service Week in November 2001, the ICD visited the following police stations on an unannounced basis: Midrand, Tembisa, Moroka and Katlehong in Gauteng. These stations were selected on the basis of various complaints of poor service from these communities. The visit was able to detect shortcomings leading to poor service delivery. The ICD made relevant recommendations to remedy the situation and the said recommendations were forwarded to the Minister and the National Commissioner.

Imbizo Focus Week

The Imbizo Focus week was held during 05 to 11 November 2001. The purpose of this government activity was to promote intense interaction between government departments and communities, specifically around the implementation of the Government’s Programme of Action. The



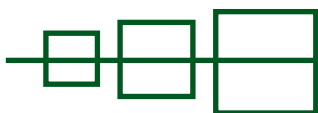
characteristics of Imbizo were listening and interaction, direct and unmediated communication, distribution of publicity material, concrete follow-ups on issues raised by the public and also to listen to people on the ground.

Our programme was as follows:

- 05 November 2001 - the Executive Director had an interview with the Sowetan newspaper, which focused on the mandate, successes and obstacles since establishment of the ICD.
- 09 November 2001 - the Executive Director visited the Mngungundlovu community in the Eastern Cape to interact with and listen to the community. The community had developed a negative attitude towards the SAPS after there were allegations of bad policing and corruption.
- 10 November 2001 - the Executive Director visited the Mogale City Local Council in Muldersdrift in Gauteng with the purpose of interacting and listening to the community. Farm labourers dominate the area and there had been allegations that the police did not promptly respond to their complaints, and that the police were biased towards farm owners.
- 11 November 2001 - the Executive Director visited the Bantoane Tribe in Dennilton, Mpumalanga. This is a rural area which is situated at least 30 km away from a police station. There is not much visible policing in the area and this facilitated various types of criminal activity.

Domestic Violence Act Reports

The Domestic Violence Act (DVA) places an obligation on the ICD to monitor the implementation of the Act and to report to Parliament twice a year. In order to meet this obligation, the ICD compiled the DVA report for the year for tabling in Parliament by the Minister for Safety and Security. The report outlined a number of recommendations, inter alia, intensive training for SAPS members on the DVA, and orientation on the social context in which domestic violence occurs. The report was tabled in Parliament on 28 June 2002.



RESEARCH AND DEVELOPMENT

Main Activities

Conduct pro-active research and develop recommendations on issues of national significance.

Key Outputs

Use of dogs on civilians by members of the South African Police Service

In this report, the ICD reviewed cases involving the use of dogs on civilians by members of the South African Police Service (SAPS) with a view of recommending changes to certain practices that either appear to be illegal or to give rise to some of the abuses that have occurred in the past.

This exercise was prompted by the SABC screening of video footage in which the North East Rand Dog Unit, without any justification, set dogs on suspected illegal immigrants in a “training exercise”. This incident predictably evoked widespread condemnation and enjoyed extensive media coverage, locally and abroad. Perhaps so because the attack appeared also to have been inspired by racism. As incidents such as this have the potential to damage irreparably the relationship between the police and the general public, the ICD felt duty-bound to review all cases that had already been reported to it and to consider how some of the abuses or malpractices could be prevented.

Some of the recommendations of the department were:

That the process of reviewing the current instructions on the use of dogs on civilians should be expedited;

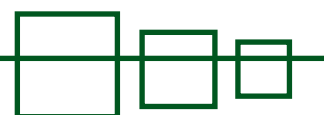
Under no circumstances should dogs be used to disperse a crowd that is engaged in peaceful demonstration or protest;

Members of the various units handling dogs should receive appropriate and extensive training in all aspects pertaining to, in particular, the use of dogs on members of the public, the rights accorded to members of the public by the various pieces of legislation and common law;

A dog should be used to track a suspect who has fled from lawful arrest or is hiding from the police only in a situation where the dog handler cannot trace the suspect on his own without placing himself in danger;

Dogs should be used in such a manner as not to inflict severe injuries. In each case where a dog has bitten a person at the instigation of a member, a legal duty should rest on such a member to ensure that the person concerned receives prompt medical attention;

Every single incident of a dog bite should be accorded priority status. Therefore, every complaint



of a dog bite should be investigated properly, speedily and to the end thereof.

South African Police Service vehicle safeguarding units

The Research and Development component started with the project of researching various SAPS vehicle pounds in 1999. The research was initiated because of many complaints lodged with the ICD regarding irregularities with regard to vehicle pounds. The research was conducted nationally because complaints regarding vehicle pounds were lodged at all ICD provincial offices. The common complaint was that, while the police would recover vehicles still intact, parts would be found missing when lawful owners collect them from the pounds. Some of the complaints were that vehicles were sold without intensive investigation relating to legitimate ownership of the vehicles. The purpose of this research was to investigate underlying causes of this problem and thereafter make recommendations aimed at addressing such problems. During the year 2001, fresh and strong evidence was gathered as a result of an influx of new complaints lodged at different ICD offices respectively. A final report was produced during the same year (2001).

Some of the recommendations of the ICD were:

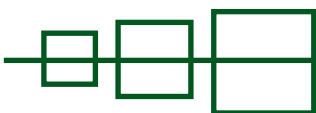
That vehicles of which the Vehicle Identification Numbers (VIN) have been tampered with, should be forfeited to the State, particularly when the real owner cannot be found. Thereafter, they should be destroyed either by compression or melting down;

That both personnel and physical security as stipulated in the National Instructions should be strengthened at vehicle pounds. This will diminish the temptation to strip parts but will also alleviate prospects of colluding with unscrupulous members. Adequate personnel who process vehicles should be provided to alleviate overcrowding of vehicles. The overcrowding renders the efficient and effective safeguarding management of vehicles almost impossible. Poor safeguarding mechanisms create a fertile ground for stripping of vehicles without immediate detection;

That there should be regular visits to and inspections of pounds by senior police officers not attached to these pounds, to ensure adherence to proper procedures and compliance with National Instructions. Any irregularities or malpractices that are uncovered should be thoroughly investigated and appropriate sanctions applied;

In order to reduce vehicle congestion and prevent malpractices, once the police have recovered a stolen vehicle, serious and documented efforts should be made to locate its owner as soon as possible so that it could be released to him/her, sooner;

Where impounded vehicles are sold, (i.e. vehicles of which the identification numbers have not been tampered with) because no one has come forward to claim ownership or possession, members of the Police Service should not be allowed to purchase these vehicles, either directly or indirectly. It should be regarded as misconduct for a member of the Service to purchase a vehicle in these circumstances;



Unit Commanders should be held accountable for any incident of stripping and theft of vehicles. The present approach focuses only on identifying individual members involved in these incidents with a view to meting out punishment to them. Often than not, culprits are not even identifiable, partly due to poor control systems within the unit. It is therefore consistent with managerial responsibility to hold Unit Commanders accountable for these incidents as well.

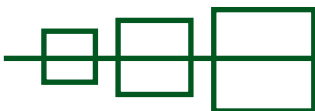




Maubane community marching against women and children abuse during the 16 days of no violence against women and children in December 2001.



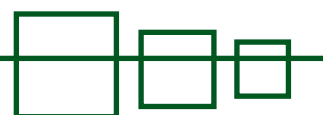
ICD participating on a roadshow in Atteridgeville during the 16 days of no violence against women and children in December 2001.



ANNEXURE 1

LIST OF ABBREVIATIONS

AHRC - African Human Rights Commission
APT - Association for the Prevention of Torture
DPP - Director of Public Prosecutions
DVA - Domestic Violence Act
FBI - Federal Bureau of Investigations
GBH - Grievous Bodily Harm
GCIS - Government Communication and Information System
HRM - Human Resource Management
IACOLE - International Association for Civilian Oversight of Law Enforcement
ICD - Independent Complaints Directorate
IDTT - Inter-Departmental Training Team
IT - Information Technology
JMPD - Johannesburg Metro Police Department
KZN - KwaZulu Natal
LOGIS - Logistical Information System
MEC - Member of the Executive Council
MPS - Municipal Police Service
PFMA - Public Finance Management Act
PSCBC - Public Service Coordinating Bargaining Council
PSR - Public Service Regulations
SABC - South African Broadcasting Corporation
SAHRINGON - Southern African Human Rights Non-Governmental Organizations Network
SAPS - South African Police Service
SMME - Small Medium Micro Enterprise
SMS - Senior Management Service
SOP - Standard Operating Procedure
SP - Special Programmes
SPR - Special Programme Representatives
USA - United States of America
VIN - Vehicle Identification Numbers
WAN - Wide Area Network
WPTPS - White Paper on the Transformation of the Public Service



ANNEXURE 2

MANAGEMENT REPORT For the year ended 31 March 2002

Report from the Accounting Officer to the Executive Authority and the Parliament of the Republic of South Africa.

1. General review of the state of financial affairs

Amongst the challenges facing the ICD in the execution of its mandate, is the effective execution of the additional mandate in respect of the civilian oversight over the various Municipal Police Services and, in respect of the monitoring of the implementation of the Domestic Violence Act (DVA) by the South African Police Service.

The spending trend of the ICD has been indicative of the investigative priorities determined by the ICD as well as towards the thrust to change to an investigative authority, away from a monitoring oversight body.

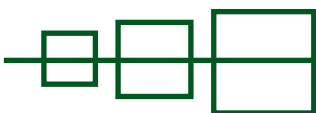
2. Services rendered by the ICD

The services rendered by the ICD are required by the following legislation:

Section 222 of the Interim Constitution (Act 200 of 1993) provided for the establishment of an independent mechanism under civilian control, with the object of ensuring that complaints in respect of offences and misconduct allegedly committed by members of the police service are investigated in an effective and efficient manner.

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

- (a) 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;
- (b) Shall mero motu or upon receipt of a complaint, investigate any death in police custody or as a result of police action; and
- (c) 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:

- 4(a) 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.
- 4(b) 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 referred to in paragraph (a).
- 5(c) 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 setting out the recommendations made in respect of such matters.
- 5(d)(iii) 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 64O 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 had been given to it in respect of the SAPS, as explained above.

Tariffs are thus not applicable to the services rendered by the ICD.

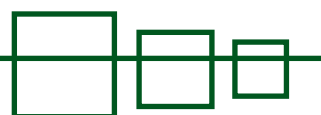
3. Under / (over) spending

The ICD has utilized its total budgetary allocation.

4. Capacity constraints

Within its budgetary allocation the ICD could address its capacity constraints satisfactorily and, where possible, the filling of the necessary posts - such as required by the Public Finance Management Act and the Minimum Information Security Standard - were staggered accordingly. The constraints however did not negatively impact on service delivery though some planning could only be effected at the end of the financial year.

5. Utilisation of donor funds



No such funds were received.

6. Trading entities / public entities

Not applicable to the ICD.

7. Other organisations to whom transfer payments have been made

Funds have been transferred to the Police, Security, Legal and Correctional Sector Education Training Authority (POSLEC SETA) in respect of the levy payable for skills development.

8. Public / private partnerships (PPP)

The ICD has not entered into any such partnerships.

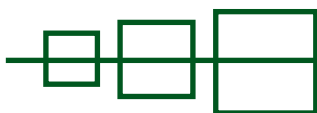
9. Corporate governance arrangements

In view of the mandate of the ICD, issues of anti corruption are high on the priority list of the ICD. The ICD has finalized its Fraud Prevention Policy, but in view of the capacity constraints experienced, the implementation of the Fraud Prevention Plan could only commence at the end of the financial year. Most importantly the sub-directorate: Internal Audit has almost finalized an analysis of managerial risks within the ICD.

After various unsuccessful attempts to arrange the sharing of the services of an Audit Committee and the Internal Audit capacity with another national State department, within the Justice, Crime Prevention, Security (JCPS) Cluster, the ICD re-engineered its personnel structure and re-aligned its budget to avail funding for the constitution and appointment of its own Internal Audit component and Audit Committee. The sub-directorate: Internal Audit came into existence in February 2002 and immediately started up operations. Three (3) Audit Committee members have been appointed from the Private Sector to assist the Executive Director and constitute the ICD's Audit Committee.

Additional to the Code of Conduct for Public Servants, the ICD has compiled a code of conduct for ICD staff members to further foster integrity within its own ranks.

Though much attention has been provided to the improvement of security levels - in terms of the prescribed Minimum Information Security Standard - capacity constraints did not allow for more attention to issues such as safety, health and environmental issues.



10. Discontinued activities / activities to be discontinued

No activities have been discontinued.

11. New / proposed activities

No new activities have been embarked upon.

12. Events after the accounting date

The ICD successfully arranged the first meeting of its Audit Committee during the middle of April 2002. The newly appointed Audit Committee members met the Head of the Department as well as the various senior managers. After a short information session presented by the various Programme and Responsibility Managers, the Committee deliberated the Audit Committee Charter, the Internal Audit Charter as well as the Internal Audit Work plan for the forthcoming financial year.

A number of payments had to be effected in terms of invoices received during the months of April and May 2002 in respect of - in particular - traveling and accommodation services rendered to the ICD during the last quarter of the financial year. The reason being the problems experienced with service providers in terms of the timeous presentation of invoices for payment.

13. Progress with financial management improvements

Most of the requirements of the Public Finance Management Act have now been adhered to. Although a limited number of financial procedures have yet to be compiled, all activities and transactions have been completed in line with the requirements of the said Act.

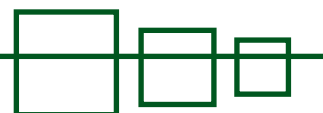
Approval

I hereby approve the information as provided in the annual financial statements, enclosed as per Annexure A.



**ADV K D McKENZIE
EXECUTIVE DIRECTOR**

31 May 2002





REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON THE FINANCIAL STATEMENTS OF VOTE 21 - THE INDEPENDENT COMPLAINTS DIRECTORATE FOR THE YEAR ENDED 31 MARCH 2002

1. AUDIT ASSIGNMENT

The financial statements as set out on pages 62 to 81, for the year ended 31 March 2002, have been audited in terms of section 188 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), read with sections 3 and 5 of the Auditor-General Act, 1995 (Act No. 12 of 1995). These financial statements, the maintenance of effective control measures and compliance with relevant laws and regulations are the responsibility of the accounting officer. My responsibility is to express an opinion on these financial statements, based on the audit.

2. NATURE AND SCOPE

The audit was conducted in accordance with Statements of South African Auditing Standards. Those standards require that I plan and perform the audit to obtain reasonable assurance that the financial statements are free of material misstatement.

An audit includes:

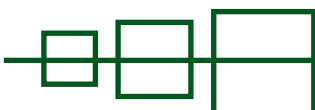
- examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements,
- assessing the accounting principles used and significant estimates made by management, and
- evaluating the overall financial statement presentation.

Furthermore, an audit includes an examination, on a test basis, of evidence supporting compliance in all material respects with the relevant laws and regulations which came to my attention and are applicable to financial matters.

I believe that the audit provides a reasonable basis for my opinion.

3. AUDIT OPINION

In my opinion, the financial statements fairly present, in all material respects, the financial position of the Independent Complaints Directorate (ICD) at 31 March 2002, and the results of its operations and cash flows for the year then ended in accordance with prescribed accounting practice.



4. EMPHASIS OF MATTER

Without qualifying the audit opinion expressed above, attention is drawn to the following matters:

4.1 Financial management and related matters

Internal audit function

With reference to paragraph 3.1 on page 40 of the previous report, an internal audit department was established during February 2002. No audit plan was drawn up and no audit work was performed for the 2001-02 financial year. The internal audit function will be evaluated during the 2002-03 financial year.

Audit committee

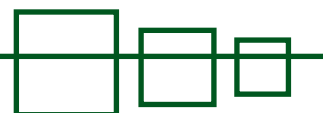
An audit committee was established during March 2002 and no meetings were held during the 2001-02 financial year.

5. APPRECIATION

The assistance rendered by the staff of the ICD during the audit is sincerely appreciated.



S A Fakie
Auditor-General



INDEPENDENT COMPLAINTS DIRECTORATE

VOTE 21

STATEMENT OF ACCOUNTING POLICIES AND RELATED MATTERS for the year ended 31 March 2002

The financial statements have been, unless otherwise indicated, prepared in accordance with the following policies, which have been applied consistently in all material respects. However, where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the financial statements and to comply with the statutory requirements of the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999) and the Treasury Regulations for Departments and Constitutional Institutions issued in terms of the Act, as well as the Division of Revenue Act, Act 1 of 2001.

1. Basis of preparation

The financial statements have been prepared on the cash basis of accounting except where stated otherwise. Under the cash basis of accounting, transactions and other events are recognized when cash is received or paid. This basis of accounting measures financial results for a period as the difference between cash receipts and cash payments.

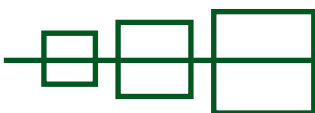
2. Revenue

Voted funds are the amounts appropriated to a department in accordance with the final budget known as the adjustment estimate. Interest received is recognised upon receipt of the funds and no accrual is made for interest receivable from the last receipt date to the end of the reporting period. Unexpended voted funds are surrendered to the National Revenue Fund.

Dividends received are recognised as revenue in the financial statements of the department, however, it is also recognised as an expense in the same year, as the dividends are paid over to the National Revenue Fund.

3. Expenditure

Capital and current expenditure are recognised in the income statement when the payment is made. Interest paid is also recognised when paid and no accrual for interest is made between the payment date and the reporting date.



4. Unauthorised, irregular, and fruitless and wasteful expenditure

Unauthorised expenditure means:

- the overspending of a vote or a main division within a vote, or
- expenditure that was not made in accordance with the purpose of a vote or, in the case of a main division, not in accordance with the purpose of the main division.

Unauthorised expenditure is treated as a current asset in the balance sheet until such expenditure is recovered from a third party, authorised by Parliament, or funded from future voted funds.

Irregular expenditure means expenditure, other than unauthorised expenditure, incurred in contravention of or not in accordance with a requirement of any applicable legislation, including:

- the Public Finance Management Act,
- the State Tender Board Act, or any regulations made in terms of this Act, or
- any provincial legislation providing for procurement procedures in that provincial government.

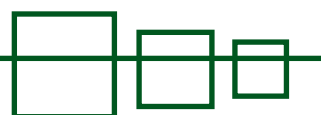
Irregular expenditure is treated as expenditure in the income statement until such expenditure is either not condoned by National Treasury or the Tender Board, at which point it is treated as a current asset until it is recovered from a third party.

Fruitless and wasteful expenditure means expenditure that was made in vain and would have been avoided had reasonable care been exercised. Fruitless and wasteful expenditure is treated as a current asset in the balance sheet until such expenditure is recovered from a third party.

5. Debts written off

Debts are written off when identified as irrecoverable. No provision is made for irrecoverable amounts. During the period under review, the Department has written off debts in the following categories:

- Debts untraceable and not economically viable to employ tracing agents.
- Debts older than three years (prescribed out of service debts).



The following principles were applied:

- Recovery would cause undue hardship to the debtor or his/her dependants.
- It is advantageous for the ICD to effect settlement of the claim or to waive the claim.
- Recovery of debt would be uneconomical.

6. Assets

Physical assets (fixed assets, moveable assets and inventories) are written off in full when they are paid for and are accounted for as expenditure in the income statement.

7. Receivables

Receivables are not normally recognised under the cash basis of accounting. However, receivables included in the balance sheet arise from cash payments that are recoverable from another party.

8. Payables

Payables are not normally recognised under the cash basis of accounting. However, payables included in the balance arise from cash receipts that are due to either the National Revenue Fund or another party.

9. Provisions

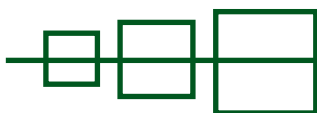
Provisions are not normally recognised under the cash basis of accounting.

10. Lease commitments

Lease commitments for the period remaining from the accounting date until the end of the lease contract are disclosed as a note to the financial statements. These commitments are not recognised in the balance sheet as a liability or as expenditure in the income statement as the financial statements are prepared on the cash basis of accounting.

11. Subsequent payments

Payments made after the accounting date that relates to goods and services received before or on the accounting date are disclosed as a note to the financial statements. These payments are not recognised in the balance sheet as a liability or as expenditure in the income statement as the financial statements are prepared on the cash basis of accounting.



12. Employee benefits

Short-term employee benefits

The cost of short-term employee benefits is expensed in the income statement in the reporting period that the payment is made. Short-term employee benefits, that give rise to a present legal or constructive obligation, are deferred until they can be reliably measured and then expensed. Details of these benefits and the potential liabilities are disclosed as a note to the financial statements and are not recognised in the income statement.

Termination benefits

Termination benefits are recognised and expensed only when the payment is made.

Retirement benefits

The department provides retirement benefits for its employees through a defined benefit plan for government employees. These benefits are funded by both employer and employee contributions. Employer contributions to the fund are expensed when money is paid to the fund. No provision is made for retirement benefits in the financial statements of the department. Any potential liabilities are disclosed in the financial statements of the National Revenue Fund and not in the financial statements of the employer department.

Medical benefits

The department provides medical benefits for all its employees through defined benefit plans. These benefits are funded by employer and employee contributions. Employer contributions to the funds are expensed when money is paid to the funds. No provision is made for medical benefits in the financial statements of the department.

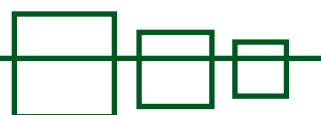
Retirement medical benefits for retired members are expensed when the payment is made to the funds.

13. Capitalisation reserve

The capitalisation reserve represents an amount equal to the value of the investments and/or loans capitalised, or deposits paid on behalf of employees of a foreign mission, for the first time in the previous financial year. On disposal, repayment or recovery, such amounts are transferable to the Revenue Fund.

14. Recoverable revenue

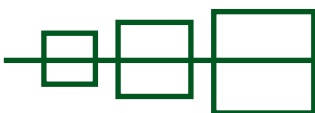
Recoverable revenue represents payments made and recognised in the income statement as an expense in previous years, which have now become recoverable from a debtor due to non-performance in accordance with an agreement. Repayments are transferred to the Revenue



Fund as and when the repayment is received.

15. Comparative figures

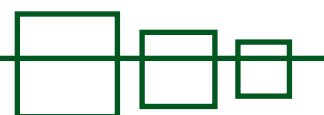
Where necessary, comparative figures have been adjusted to conform to changes in presentation in the current year. The comparative figures shown in these financial statements are limited to the figures shown in the previous year's audited financial statements and such other comparative figures that the department may reasonably have available for reporting.



**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**INCOME STATEMENT (STATEMENT OF FINANCIAL PERFORMANCE)
for the year ended 31 March 2002**

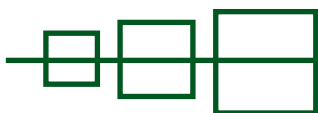
REVENUE	Note	2001/02 (R'000)	2000/01 (R'000)
Voted funds		26,715	25,512
Non-voted funds			
- Other receipts	1	106	781
TOTAL REVENUE		26,821	26,293
EXPENDITURE			
Personnel	2	16,312	17,383
Administrative		5,307	5,655
Inventories		577	383
Equipment	3	3,261	1,138
Land and buildings	4	219	-
Professional and special services	5	1,002	825
Transfer payments	6	32	9
Miscellaneous	7	-	119
Special functions: authorised losses	8	5	-
TOTAL EXPENDITURE		26,715	25,512
NET SURPLUS FOR THE YEAR		106	781
ANALYSIS OF NET SURPLUS FOR THE YEAR			
Revenue surrendered or to be surrendered to Revenue Fund	12	106	781
		106	781



**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**BALANCE SHEET (STATEMENT OF FINANCIAL POSITION)
at 31 March 2002**

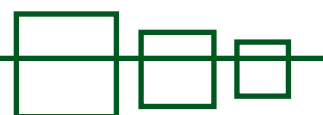
ASSETS	Note	2002 R'000	2001 R'000
Current assets		668	1,596
Receivables	10	657	1,578
Prepayments and advances	11	11	18
Total assets		<u>668</u>	<u>1,596</u>
LIABILITIES			
Current liabilities		668	1,596
Bank overdraft	9	428	1,555
Revenue funds to be surrendered	12	17	7
Payables	13	223	34
Total liabilities		<u>668</u>	<u>1,596</u>



**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**CASH FLOW STATEMENT
for the year ended 31 March 2002**

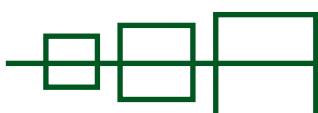
	2001/02	2000/01
Note	R'000	R'000
CASH FLOWS FROM OPERATING ACTIVITIES		
Net cash flow generated by operating activities	15 2,772	1,684
Cash required(utilised) to (increase)/decrease working capital	16 1,117	(548)
Voted funds and Revenue funds surrendered	17 (96)	(1,541)
Net cash flow available from operating activities	<u>3,793</u>	<u>(405)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
	(2,666)	(903)
Purchase of equipment	3 (2,447)	(903)
Purchase of land and buildings	4 (219)	-
Net cash flows from operating and investing activities	<u>1,127</u>	<u>(1,308)</u>
Net increase/ (decrease) in cash and cash equivalents	<u>1,127</u>	<u>(1,308)</u>
Cash and cash equivalents at beginning of period	9 (1,555)	(247)
Cash and cash equivalents at end of period	9 (428)	(1,555)



**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

1. Other receipts	Note	2001/02 R'000	2000/01 R'000
Gifts, donations and sponsorships received	1.1	-	(16)
Cheques written back		(65)	(77)
Interest received		(6)	-
Debt recoveries (recoverable revenue)		(16)	-
Cash discount		(5)	(3)
Commission		(10)	(11)
Other recoveries		(8)	(20)
Revenue previous financial year		4	(654)
		<u>(106)</u>	<u>(781)</u>
1.1 Gifts, donations and sponsorships received in cash		2001/02 R'000	2000/01 R'000
N/A		-	16
		<u>-</u>	<u>16</u>
2. Personnel		2001/02 R'000	2000/01 R'000
Basic salary costs		10,644	11,969
Pension contributions		1,582	1,615
Medical aid contributions		772	670
Other salary related costs		3,314	3,129
		<u>16,312</u>	<u>17,383</u>
Average number of employees		<u>122</u>	<u>114</u>
3. Equipment	Note	2001/02 R'000	2000/01 R'000
Current (Rentals, maintenance and sundry)		814	235
Capital	3.1	2,447	903
		<u>3,261</u>	<u>1,138</u>



INDEPENDENT COMPLAINTS DIRECTORATE

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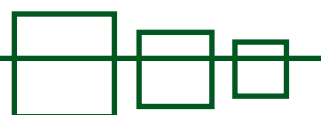
**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

3.1 Capital equipment analysed as follows:	2001/02	2000/01
	R'000	R'000
Computer equipment	2,242	578
Furniture and office equipment	130	308
Other machinery and equipment (including inventories)	75	17
	<u>2,447</u>	<u>903</u>

4. Land and buildings	Note	2001/02	2000/01
		R'000	R'000
Capital expenditure	4.1	219	-
		<u>219</u>	<u>-</u>

4.1 Capital property expenditure analysed as follows:	2001/02	2000/01
	R'000	R'000
Non - residential buildings	219	-
	<u>219</u>	<u>-</u>

5. Professional and special services	Current	Capital	2001/02	2000/01
	expenditure	expenditure	R'000	R'000
Auditors' remuneration	197	-	197	201
Contractors	3	-	3	4
Consultants and advisory services	82	-	82	3
Computer services	237	-	237	222
Other	483	-	483	395
	<u>1,002</u>	<u>-</u>	<u>1,002</u>	<u>825</u>



INDEPENDENT COMPLAINTS DIRECTORATE

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002

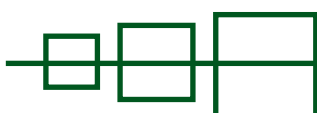
6. Transfer payments	Current expenditure	Capital expenditure	2001/02 R'000	2000/01 R'000
Transferee				
PSETA (Skills Development Levy)	32	-	32	9
	<u>32</u>	<u>-</u>	<u>32</u>	<u>9</u>

7. Miscellaneous	2001/02 R'000	2000/01 R'000
Stabilisation fund (Terminates after 2001)	-	119
	<u>-</u>	<u>119</u>

8. Special functions: Authorised losses	Note	2001/02 R'000	2000/01 R'000
Debts written off	8.1	5	-
		<u>5</u>	<u>-</u>

8.1 Debts written off	Current expenditure	Capital expenditure	2001/02 R'000	2000/01 R'000
Tax debt	1	-	1	-
Bursary debt	3	-	3	-
Interest on late payment	1	-	1	-
	<u>5</u>	<u>-</u>	<u>5</u>	<u>-</u>

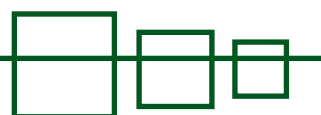
9. Cash and cash equivalents	Note	2001/02 R'000	2000/01 R'000
Paymaster General Account (Exchequer Account)	9.1	(428)	(1,555)
		<u>(428)</u>	<u>(1,555)</u>



**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

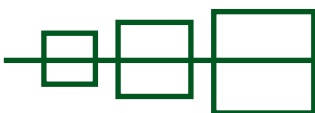
9.1 Paymaster General Account/ Exchequer Account		2001/02	2000/01
		R'000	R'000
Balance as per National Accounting Office		1,069	(508)
Add: Outstanding deposits		1	-
Sub total		1,070	(508)
Deduct:		1,498	1,047
Orders payable		108	213
ACB control account		1,390	834
Balance above		(428)	(1,555)
10. Receivables - current	Notes	2001/02	2000/01
		R'000	R'000
Amounts owing by other departments	14	50	1,092
Staff debtors	10.3	80	143
Other debtors	10.4	527	343
	10.2	657	1,578
10.1	Amounts of R 150 000 (2001: R 30 000) included above may not be recoverable, but has not been written off in the income statement.		
10.2 Age analysis-receivables		2001/02	2000/01
		R'000	R'000
Less than one year		8	12
One to two years		302	1,445
More than two years		347	121
		657	1,578
10.3 Staff debtors		2001/02	2000/01
		R'000	R'000
S&T Account		69	131
Tax debt		11	12
		80	143



**INDEPENDENT COMPLAINTS DIRECTORATE
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**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

10.4 Other debtors	2001/02 R'000	2000/01 R'000
Pensions (Finance)	69	-
Independent Institutions	24	-
Debt awaiting pension / pension received less than debt	87	-
GG Accidents	176	176
Thefts & losses (awaiting approval)	67	46
Suppliers	104	121
	527	343
	527	343
 11. Prepayments and advances	2001/02 R'000	2000/01 R'000
Nature of prepayments/advances		
Petty Cash	11	12
Salary advances	-	6
	11	18
	11	18



INDEPENDENT COMPLAINTS DIRECTORATE

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**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

12. Revenue funds to be surrendered	Note	2001/02 R'000	2000/01 R'000
Funds to be surrendered			
Opening balance		7	767
Transfer from income statement for revenue to be surrendered		106	781
Paid during the year	17	(96)	(1,541)
Closing balance		<u>17</u>	<u>7</u>

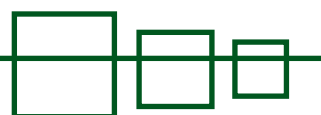
13. Payables - current	Note	2001/02 R'000	2000/01 R'000
Other payables	13.1	<u>223</u>	<u>34</u>
		<u>223</u>	<u>34</u>

13.1 Other payables	2001/02 R'000	2000/01 R'000
Credits received from Pensions to be taken into account	68	-
Government Garage - Western Cape	103	16
Institutions	-	18
Recoverable revenue	<u>52</u>	<u>-</u>
	<u>223</u>	<u>34</u>

14. Transactions with other departments

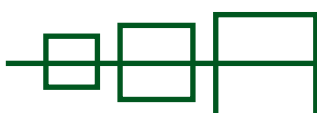
Name of department

	Payments made	Owing by other department
SA Management & Development Institution	5	5
Department Economic Affairs: Agriculture & Tourism	7	7
National Department of Public Works	3	3
Provincial Administration Cape of Good Hope	1	1
North West Provincial Administration	28	28
South African Police Services	<u>6</u>	<u>6</u>
Actual 2002: R'000	<u>50</u>	<u>50</u>
Actual 2001: R'000	<u>1,103</u>	<u>1,103</u>



INDEPENDENT COMPLAINTS DIRECTORATE
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NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002

15. Net cash flow generated by operating activities	Notes	2001/02	2000/01	
		R'000	R'000	
Net surplus as per Income Statement		106	781	
Adjusted for items separately disclosed		2,666	903	
Purchase of equipment	3.1	2,447	903	
Purchase of land and buildings	4	219	-	
Net cash flow generated by operating activities		<u>2,772</u>	<u>1,684</u>	
16. Cash generated (utilised) to (increase)/decrease working capital		2001/02	2000/01	
		R'000	R'000	
(Increase)/decrease in receivables (Note 10)		921	(1,075)	
(Increase)/decrease in prepayments and advances		7	(33)	
Increase/(decrease) in payables		189	560	
		<u>1,117</u>	<u>(548)</u>	
17. Voted funds and Revenue funds surrendered		2001/02	2000/01	
		R'000	R'000	
Revenue funds surrendered during the year		(96)	(1,541)	
		<u>(96)</u>	<u>(1,541)</u>	
18. Contingent liabilities				
Liable to	Nature of contingent liability	Notes	As at 31 Mar-02 R'000	As at 31 Mar-01 R'000
Motor vehicle guarantees	Employees	18.1	617	518
Housing loan guarantees	Employees	18.2	499	403
Actual 2002: R'000			<u>1,116</u>	<u>921</u>
Actual 2001: R'000			<u>921</u>	<u>-</u>



INDEPENDENT COMPLAINTS DIRECTORATE
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NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002

18.1 Motor vehicle guarantees

	As at 31 Mar-02 R'000	As at 31 Mar-01 R'000
Institution: Stannic	617	518
	617	518
	617	518

18.2 Housing loan guarantees

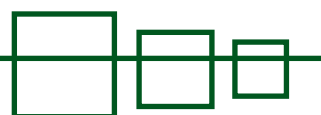
Name of financial institution	Opening balance	Guarantees issued during the financial year	Guarantees released / written off during the financial year	Closing balance
ABSA	142	18	-	85
African Bank	17	-	-	17
Nedbank	95	-	-	95
Standard Bank	49	30	-	79
People's Bank	26	-	-	26
FNB	46	-	-	46
NBS	28	-	-	28
Saambou	-	48	-	48
	403	96	-	499
	403	96	-	499

Opening balance adjusted to reflect the quarantees on the manual system

19. Subsequent payments not recognised in income statement

19.1 Listed by standard item

	2001/02 R'000
Administrative	309
Inventories	8
Equipment	33
Professional and special services	15
	365
	365



**INDEPENDENT COMPLAINTS DIRECTORATE
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**NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2002**

19.2 Listed by programme level	2001/02 R'000
P1: Administration	93
P2: Investigation of complaints	269
P3: Monitoring and development	3
	365
	365

20. Short term employee benefits	2001/02 R'000
Leave entitlement	96
Thirteenth cheque	853
Performance bonus	34
	983
	983

21. Commitments	Current expenditure	Capital expenditure	2001/02 R'000
Liable to			
Rennies Travel	96	-	96
Connex Travel	18	-	18
Service Products	-	15	15
Maynard's Office Technology	1	-	1
United Business Systems	1	-	1
Brother Business Systems	-	2	2
Department of Public Works	-	8	8
Gallery Court	4	-	4
Danlin removals	3	-	3
Apronics	-	16	16
	123	41	164
Approved and contracted	123	41	164

22. Key management personnel

22.1 Remuneration

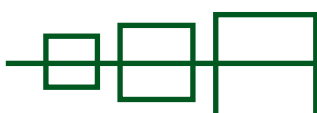
The aggregate remuneration of the key management amounts to R1 318 000 and consists of three individuals.

22.2 Other remuneration and compensation provided to key management

No other remuneration is provided to the key management of the Department.

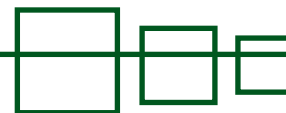
22.3 Loans which are not widely available (and/or widely known) to persons outside the key management

No loans were made available to the key management members of the Department.



INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21
APPROPRIATION STATEMENT
for the year ended 31 March 2002

Programme	Adjustment estimate 2001/02 R'000	Virement 2001/02 R'000	Amount Voted 2001/02 R'000	Expenditure 2001/02 R'000	Savings (Excess) 2001/02 R'000	%	Amount Voted 2000/01 R'000	Expenditure 2000/01 R'000
1. Administration	10,659	99	10,758	10,757	1	0.00%	11,216	10,108
2. Investigation of complaints	10,290	342	10,632	10,632	-	0.00%	10,784	11,709
3. Monitoring and development	5,766	(441)	5,325	5,321	4	0.08%	3,512	3,696
4. Special functions: Authorised losses	-	-	-	5	(5)	-100.00%	-	(1)
Total	26,715	-	26,715	26,715	-		25,512	25,512
Economic classification - actual expenditure	Adjustment estimate 2001/02	Virement 2001/02	Amount Voted 2001/02	Expenditure 2001/02	Savings (Excess) 2001/02	%	Amount Voted 2000/01	Expenditure 2000/01
Current	17,982	1669	16,313	16,312	1	0.01%	18,248	17,383
Personnel	32	-	32	32	-	0.00%	9	9
Transfer payments	7,606	54	7,660	7,661	(1)	-0.01%	6,304	7,184
Other								
Capital								
Acquisition of capital assets	1,095	1615	2,710	2,710	-	0.00%	951	936
Personnel								
Total	26,715	-	26,715	26,715	-		25,512	25,512



INDEPENDENT COMPLAINTS DIRECTORATE
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APPROPRIATION STATEMENT
for the year ended 31 March 2002

Standard items - actual expenditure	Adjustment estimate 2001/02 R'000	Virement 2001/02 R'000	Amount Voted 2001/02 R'000	Expenditure 2001/02 R'000	Savings (Excess) 2001/02 R'000	%	Amount Voted 2000/01 R'000	Expenditure 2000/01 R'000
Personnel	17,982	(1669)	16,313	16,312	1	0.01%	18,248	17,383
Administrative	5,989	(678)	5,311	5,307	4	0.08%	4,159	5,655
Inventories	401	176	577	577	-	0.00%	785	383
Equipment	1,085	2176	3,261	3,261	-	0.00%	1,145	1,138
Land and buildings	140	79	219	219	-	0.00%	-	-
Professional and special services	1,086	(84)	1,002	1,002	-	0.00%	882	825
Transfer payments	32	-	32	32	-	0.00%	9	9
Miscellaneous	-	-	-	-	-	0.00%	284	119
Special functions: Authorised losses	-	-	-	5	(5)	-100.00%	-	-
Total	26,715	-	26,715	26,715	-		25,512	25,512

**INDEPENDENT COMPLAINTS DIRECTORATE
VOTE 21**

**NOTES TO THE APPROPRIATION STATEMENT
for the year ended 31 March 2002**

1. Explanations of material variances from Amount Voted (after Virement):

1.1 Per programme:

Programme 1: Administration - No material variances to be explained.

Programme 2: Investigation of complaints - No material variances to be explained.

Programme 3: Monitoring and development - No material variances to be explained.

Special functions: An amount of R4 862,95 for debt has been written off.

1.1 Per standard item:

Personnel: No material variances to be explained.

Administrative: No material variances to be explained.

Inventories: No material variances to be explained.

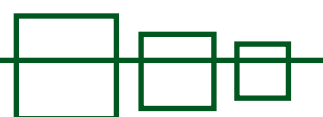
Equipment: No material variances to be explained.

Professional and special services: No material variances to be explained.

Transfer payments: No material variances to be explained.

2. Reconciliation of appropriation statement to income statement:

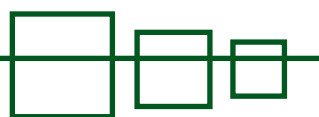
	2001/02	2000/01
	R'000	R'000
Total revenue per income statement	26,821	26,293
Less: Other receipts	106	781
	26,715	25,512
	26,715	25,512
Total expenditure per income statement	26,715	25,512
Actual expenditure per appropriation statement	26,715	25,512
	26,715	25,512



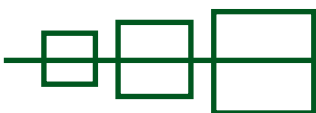
Notes



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