



IPID

Independent Police Investigative Directorate

Annual Report | 2012/13



ipid

Department:
Independent Police Investigative Directorate
REPUBLIC OF SOUTH AFRICA

Submission of Annual Report 2012/13 to the Minister

Mr EN Mthethwa
Minister of Police

I have the honour of submitting the Annual Report of Independent Police Investigative Directorate for the period 1 April 2012 to 31 March 2013.

A handwritten signature in black ink, appearing to read 'K Mbeki', written over a horizontal line.

Ms K Mbeki
31 August 2013

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

VOTE 23 2012/13 ANNUAL REPORT

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STATEMENT BY THE MINISTER OF POLICE



Our history gives us an important mirror to look at ourselves and reflect on where we come from and where we want to go. Our Constitutional democracy which is a teenager is progressing well into adulthood. With the passage of time, we have learned from our past and infused those lessons into our plans for the future.

As a government and people of South Africa, we are always mindful of our troubled past. This is reflected in our progressive Constitution and the legal frameworks that advance the human rights and dignity of every South African and of those of our compatriots from other countries, who find themselves in our beautiful land. Every citizen of our country should benefit from the safety and security service that is offered to all by our policing agencies.

Our country's performance in policing matters must be measured against the high standards set by our patriots who gave up their lives so that ours could be so much better. We believe that we have made significant strides in ensuring that we have policing that is underpinned by a respect for human rights. The most recent being that we not only ensured the enactment of the IPID Act in 2011, but also implemented it on 1 April 2012.

In line with the IPID legislation, my office has seen the recommendations that emanate from the IPID's investigations during the period under review. These recommendations are testimony to our desire that there should be a strong external oversight mechanism over our policing agencies, particularly the South African Police Service (SAPS). The principle that those police officers who violate the tenets of our Constitution and the rule of law are dealt with both in the courts and through disciplinary mechanisms, is in line with our constitutional democracy.

As a government, we support the efforts of all oversight institutions to ensure that our people do not become victims of overzealous or even criminal elements within our policing agencies. We also note that the SAPS itself has made serious efforts to rid itself of such unwelcome elements either by implementing the IPID's recommendations or initiating action against its members where warranted.

Policing in our country remains a challenge due to the numerous service delivery protests, some of which are accompanied by violence. As government we have been very clear that peoples' right to protest is guaranteed by the Constitution and that right has to be respected by both the Citizens and the police. However, we have also made it clear that those citizens who do not want to be part of such protests, must be respected.

This Annual Report gives us a picture of how the first year of the Independent Police Investigative Directorate (IPID) has been. The Auditor-General's report is encouraging as it indicates that we should not be worried about the management of public funds at this institution – hence the unqualified audit opinion. Such prudence with public funds should continue going forward. IPID should strive to be a model department when it comes to this.

We have noted the high profile matters that were dealt with by the IPID during this period. We expect to see the results of those investigations in the next few months.

The IPID should continue to work with all stakeholders to make its work known in the most rural parts of our country. This is in line with the ethos of taking government to the people. We support

the IPID's efforts to establish satellite offices and to market its services to the furthest parts of our country.

The outcomes of cases in this report confirm that while there are bad elements within the SAPS, in some cases the complaints against the police are unjustified and therefore result in acquittals. These are normal workings of our criminal justice system.

We have noted the training interventions for IPID staff and would encourage further training to equip, especially investigators, with the necessary skills to carry out the mandate of the IPID.

It is my pleasure to table the Annual Report of the Independent Police Investigative Directorate for 2012/13.

A handwritten signature in black ink, appearing to read 'EN Mthethwa', is positioned above a horizontal line.

Mr EN Mthethwa
Minister of Police

STATEMENT BY THE DEPUTY MINISTER OF POLICE



The establishment of the IPID will brought in a new era of civilian oversight where the focus is on the investigation of specified serious crimes committed by members of the SAPS and the municipal police services. These include any death in police custody, death as a result of police action, the discharge of official firearms, rape, torture, assault and corruption.

The IPID also identified other priorities such as reporting and monitoring recommendations made to the SAPS and the Director of Public Prosecutions (DPP). It also undertook to improve reporting and accountability practices; and to develop policy, reporting frameworks and standard operating procedures to regulate investigations.

This report provides an important account of how this was done and where there were problems, clarifies the corrective measures put in place to avoid recurrence.

As the Ministry of Police, we have noted some progress in certain areas and challenges in other areas. It is understood that a baby does not stand up and run – it first crawls and then walks before it can run.

We see this report as part of the growth process. We expect to see better performance in the next cycle.

In order for the IPID to succeed, it should collaborate with other agencies, including the SAPS, the National Prosecuting Authority (NPA), and the Secretariat for the Police and community stakeholders.

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Ms Mmakhotso Maggie Sotyu
Deputy Minister of Police

ACCOUNTING OFFICER'S OVERVIEW



This is the first time that we report as the Independent Police Investigative Directorate (IPID).

Wandering into the unknown is always a challenge, more so when so much is expected of you. The implementation of the IPID Act, No. 1 of 2011 brought this point into sharp focus. Not only did we have to deal with a new mandate, but we also had to ensure that our systems and processes are ready for the IPID.

There was an extensive process of changing our branding and corporate identity and distinguishing ourselves from our predecessor, namely the Independent Complaints Directorate (ICD). This was coupled with a radio campaign which ran on SABC radio stations over a three week period to inform our stakeholders that we were no longer the ICD and that we had more powers and a focussed mandate. That campaign was successful as it managed to get the new IPID known in a very short time.

At the same time, the IPID was investigating high profile matters, especially the Cato Manor Unit. This investigation stretched the IPID's resources to the limit. The investigation took place over six months and a large team of investigators were taken from other provinces and deployed to KwaZulu-Natal to assist with that investigation. In the end, 30 members of the Cato Manor Organised Crime Unit were arrested and are currently in the courts.

In the middle of it all, the then Executive Director, Mr Francois Beukman, left to pursue personal interests. The Minister of Police then appointed me to act in that position.

I was appointed to act right after the Marikana incident in which 34 people were allegedly shot by police. As the IPID we also had to deploy our investigators to that investigation. We deployed 43 investigators from all over the country to support that investigation. The Farlam Commission of Inquiry has since been appointed to investigate the events of that fateful day. The IPID submitted all the evidence that it had collected to the Farlam Commission.

Both the Cato Manor and Marikana investigations had a severe impact on the performance of all IPID provincial offices where we took investigators from. We could have performed much better overall had it not been for the fact that investigators had to leave the work that they had in their offices and go work in these two big projects.

Added to that is the fact that the IPID Act places significant reporting obligations on the members of the South African Police Service (SAPS) and Municipal Police Services (MPS). This means that matters that were never reported to the then ICD must now be reported to the IPID. These include complaints of a discharge of a police firearm, rape by a police officer and the rape of any person in police custody as well as assault and torture while members execute their duties. The effect of this is a significant increase in our workload. For instance, even though it is due to the reporting obligations only - assault cases increased by 218%. Rape matters numbered 168 cases, which is substantially higher than the previous reporting period. It is a concern that police officers face such serious charges. One of the high profile rape cases involves a Randburg Constable who was initially investigated for three (3) rapes and is now on trial for seventeen (17) counts of rape and kidnapping; and twelve counts of robbery. He also faces other rape charges in Hammanskraal and Polokwane in Limpopo. This is one of the biggest cases that the IPID has dealt with by sheer numbers of victims involved. The case is currently in court.

Notwithstanding the challenges we faced, the IPID obtained an unqualified audit opinion for the 2012/13 financial year. With regard to performance, I am pleased to report that the backlog was reduced from over a thousand cases at the beginning of the financial year to just two hundred and thirty six (236) at the end of the financial year.

There were fifty seven (57) convictions in criminal cases for various offences and 84 disciplinary convictions – all emanating from IPID investigations. Furthermore, some high profile cases were finalised in the courts. We were encouraged to see the matter of the shooting of 15 year old Thato Mokoka in Bramfischerville resulting in the conviction and sentencing of the accused to 17 years imprisonment. This was a marathon investigation and trial, both of which were concluded within eight (8) months.

Another case is that of the shooting of fifteen year old Mlindeli Ngcobo, who was shot by a Constable in Pietermaritzburg after having the 15 year old had collided into the policewoman's car. The policewoman was sentenced to a 15 year jail term by the Pietermaritzburg High Court.

During the period under review, the IPID managed to complete three thousand nine hundred and sixty three (3963) investigations, which is 54% of our workload – this happened despite having to deploy our investigators from all provincial offices to the Marikana and Cato Manor projects.

We also managed to make one thousand and forty (1040) disciplinary recommendations to the SAPS and one thousand and eighty (1080) recommendations to the Director of Public Prosecutions (DPP). As a result, we have five hundred and thirty eight (538) cases on the various court rolls around the country.

The IPID arrested one hundred and twenty five (125) police officers in sixty eight cases for different offences all over the country. In one case, nine (9) police officers were arrested by the IPID for the death of Mozambican Taxi Driver, Mido Macia – who died after being dragged behind a police vehicle. The case is currently in court.

We have complied with the Asset Management Reforms (AMR) milestones and have achieved the expected targets. Our management of the assets has improved during the period under review.

Finally, I want to express the IPID's gratitude for the support of the Minister of Police, Mr EN Mthethwa, MP, and his deputy, Ms MM Soty, MP, of the work of the IPID. The staff of the IPID around the country made the work in this report possible.



Ms Koekie Mbeki
Acting Executive Director

Abbreviations, definitions and legislation

Abbreviations

HDI	Historically disadvantaged individual
IPID	Independent Police Investigative Directorate
ICD	Independent Complaints Directorate
IPID	Independent Police Investigative Directorate
NPA	National Prosecuting Authority
SAPS	South African Police Service
SMS	Senior management service
TR	Treasury Regulations
PFMA	Public Finance Management Act
ICT	Information and Communication Technology
SCOPA	Special Committee on Public Accounts

Definitions

Acquitted	– means that a member was found not guilty of a criminal offence or misconduct
Convicted	– means that a member was found guilty of either a criminal offence or misconduct
Declined	– means a decision taken by the DPP, SAPS/MPS not to institute criminal or disciplinary proceedings against a member
Dismissed	– means that a case cannot be investigated due to a lack of cooperation by the complainant/victim/referral authority or that the complainant cannot be traced or that the complaint was investigated by the IPID before and there are no new facts or that the suspect is deceased
Member	– means an official appointed in terms of the SAPS Act 68 of 1995 as amended, and includes a member of the MPS
Referred	– means a case that is referred to the most appropriate organisation or institution by the Executive Director or Provincial Head
Unsubstantiated	– means there is no evidence to support the allegations contained in the case and IPID cannot make a recommendation of wrongdoing against any member

Full references to legislation

Constitution of the Republic of South Africa Act 108 of 1996
Independent Police Investigative Directorate Act 1 of 2011
Criminal Procedure Act 51 of 1977
Domestic Violence Act 116 of 1998
Employment Equity Act 55 of 1998
Public Finance Management Act 1 of 1999 (as amended by the Public Finance Management Act 29 of 1999)
South African Police Service Act 68 of 1995

GENERAL INFORMATION

MISSION STATEMENT

The aim of the Independent Police Investigative Directorate (IPID) is to ensure independent oversight over the South African Police Service (SAPS) and the Municipal Police Services (MPS), and to conduct independent and impartial investigations of identified criminal offences allegedly committed by members of the SAPS and the MPS, and make appropriate recommendations.

Vision

To promote proper police conduct in accordance with the principles of the Constitution.

Mission

An effective, independent and impartial investigating and oversight body that is committed to justice and acting in the public interest while maintaining the highest standards of integrity and excellence.

Values

The IPID aspires to adhere to the highest standards of ethical behaviour, integrity and the continuous application of our values. The following values are the core from which we operate and respond:

Mutual respect and trust
Integrity and honesty
Transparency and openness
Equity and fairness
Courtesy and commitment

LEGISLATIVE AND OTHER MANDATES

Constitutional mandate

Section 206(6) of the Constitution of the Republic of South Africa makes provision for the establishment of an independent police complaints body and stipulates that:

“On receipt of a complaint lodged by a provincial executive, an independent police complaints body established by national legislation must investigate any alleged misconduct of, or offence committed by, a member of the police services in the province.”

Current legislative mandates

Background

The former Independent Complaints Directorate (ICD) was established in 1997 in terms of chapter 10 of the SAPS Act 68 (1995), which pre-dates the 1996 Constitution, to promote consistent proper conduct by members of the SAPS and the municipal police services. The legal mandate of the ICD was primarily to investigate all deaths in police custody or as a result of police action, as well as criminal offences and serious misconduct alleged to have been committed by members of the SAPS and the municipal police services. The ICD functioned independently of the SAPS.

Strengthening civilian oversight

The IPID Act 1 of 2011 gives effect to the provision of section 206(6) of the Constitution, ensuring independent oversight of the SAPS and the municipal police services.

With the promulgation of the IPID Act on 1 April 2012, the ICD was renamed the Independent Police Investigative Directorate (IPID). The Directorate thereby evolved from a complaints-driven organisation to an investigation-driven organisation.

The IPID however, continue to reside under the Ministry of Police and functions independently of the SAPS.

The objectives of the Act are to:

- Align provincial and national strategic objectives to enhance the functioning of the Directorate;
- Provide for independent and impartial investigation of identified criminal offences allegedly committed by members of the SAPS and the municipal police services;
- Make disciplinary recommendations to the SAPS resulting from investigations conducted by the Directorate;
- Provide for close cooperation between the Directorate and the secretariat; and
- Enhance accountability and transparency of the SAPS and the municipal police services in accordance with the principles of the Constitution.

The IPID Act grants the Directorate an extended mandate which focuses on more serious and priority crimes committed by members of the SAPS and the municipal police services. It places stringent obligations on the SAPS and the municipal police services regarding reporting on matters that must be investigated by the IPID and the implementation of disciplinary recommendations.

In terms of section 28 of the Act, the Directorate is obliged to investigate:

- a) Any death in police custody
- b) Death as result of police action

- c) Complaints relating to a discharge of an official firearm by any police officer
- d) Rape by a police officer, whether the police officer is on or off duty
- e) Rape of any person in police custody
- f) Any complaint of torture or assault against a police officer in the execution of his or her duties
- g) Corruption matters within the police initiated by the executive director, or after a complaint from a member of the public or referred to the Directorate by the minister, a MEC or the secretary for the police service
- h) Any other matter referred to the IPID as a result of a decision by the executive director, the minister, a MEC or the secretary for the police service.

Section 28 further provides that the Directorate may investigate matters relating to systemic corruption involving the police.

INFORMATION ON PREDETERMINED OBJECTIVES

Overall performance

This section looks at the overall environment in which the IPID worked to achieve the strategic objectives set out in the 2012 to 2017 strategic plan, while continuing to improve the quality of the service it delivers to the public.

Voted funds

MAIN APPROPRIATION R'000	ADJUSTED APPROPRIATION R'000	ACTUAL AMOUNT SPENT R'000	(OVER)/UNDER EXPENDITURE R'000
196 961	197 898	171 449	26 449
Responsible minister/ member of the executive council	Minister of Police		
Administering department	Independent Police Investigative Directorate		
Accounting officer	Executive Director		

Aim of vote

The IPID is a National department listed in schedule I of the Public Service Act (1994), and listed as Vote 23 in the Estimates of National Expenditure 2012. The Directorate is financed from money that is appropriated to it by Parliament.

Vote 23 gives financial effect to the IPID's duty to service the public interest by acting with integrity and in accordance with its legislative mandate to investigate, among others, any misconduct or offences committed by members of the SAPS and the municipal police services.

SUMMARY OF PROGRAMMES

The IPID's work was performed through three main programmes.

- **Programme 1: Administration**

This programme is responsible for the overall management of the IPID and support services. With the implementation of the new organisational structure of the IPID, programme 1 will gradually be expanded to include the coordination and provision of effective and efficient strategic support to the Directorate.

- **Programme 2: Investigation and information management**

Programme 2 coordinates and facilitates the investigative process through the development of investigative policy and strategic frameworks that guide and report on investigations.

- **Programme 3: Legal services**

Legal services manage and facilitate the provision of investigation advisory services and provide legal and litigation advisory services.

Key strategic objectives

The IPID's strategic plan for 2012 to 2017 sets out 10 strategic objectives for the organisation. These objectives were the result of an on-going strategic-planning process.

The strategic objectives were:

- Campaigns that increase public awareness of the provisions of the IPID Act, the Directorate's functions and the utilisation of its services.
- Regular engagements with and reports to key stakeholders, including the SAPS, MPS, Civilian Secretariat for Police Services and other relevant Government and Civil Society Organisations
- Policies and guidelines that inform the standard operating procedures in support of the IPID mandate; and ensure compliance with regulatory and legislative prescripts.
- A performance measurement and reporting system supports management decision making and that enables the IPID to comply with internal and external accountability reporting.
- A system for the registration, allocation, tracking, management and reporting of investigations, the generation of reliable statistical information and the provision of general business intelligence.
- Completed investigations of cases in line with the provisions of the IPID Act, Regulations and Executive Director Guidelines.
- Recommendation reports to the SAPS regarding possible disciplinary steps and to the Prosecuting Authorities regarding possible criminal prosecution.
- Regular feedback reports to complainants, victims and referral authorities regarding the progress and outcomes of investigations.

- Management of the Directorate's legal obligations, civil and labour litigation matters and the granting of policing powers to investigators.
- Legal advice and guidance to investigators during and after the completion of investigations.

Additional priorities include:

- The strengthening of national and provincial management;
- Improve reporting and management accountability;
- Develop policy, reporting frameworks and standard operating procedures to regulate investigations;
- Report and monitor recommendations that are made in respect of members of the SAPS and the municipal police services; and
- Expand corporate governance, performance monitoring and evaluation and internal auditing.

Overview of the 2012/13 service-delivery environment

The IPID's 2012 to 2017 strategic plan identified eight key areas in which to improve service delivery:

- Development of training manual for investigators
- Development of Standard operating procedures
- Development of investigation guidelines for investigators
- Training of investigators
- Renaming of ICD to IPID
- Implementation of expanded mandate
- Investigation of high profile cases (e.g. Marikana & Cato Manor)
- MOU with SAPS

Overview of the 2012/13 organisational environment

The new legislation had a direct impact on the administrative structure that supports the adjusted functions of the IPID. The IPID, however, continues to reside under the Ministry of Police.

The activities of the IPID were organised into the following programmes, which are fully aligned with the strategic objectives identified in the strategic plan for 2012–2017:

Administration (programme 1)

Investigation and information management (programme 2)

Legal services (programme 3)

The investigative capacity in programme 2 was strengthened in 2012/13 to ensure compliance with the extended investigative mandate of the IPID and that accurate statistical information is available for monthly, quarterly, bi-annual and annual reporting.

The office of the executive director was expanded to ensure effective corporate governance and monitoring and evaluation of performance. In addition, the office of the executive director was strengthened to meet the demands of additional obligations, including reporting to Parliament, monthly reporting to the minister, and, where relevant, reporting to MECs.

The new legislation places stringent obligations on the SAPS and the municipal police services in the reporting of matters that must be investigated by the IPID and the implementation of

disciplinary recommendations. The capacity of the provincial offices was increased to comply with the new reporting processes as a result of the reporting obligations placed on the SAPS and MPS.

Key strategic achievements

- Development of training manual for investigators
- Development of Standard operating procedures
- Development of investigation guidelines for investigators
- Training of investigators
- Renaming of ICD to IPID
- Implementation of expanded mandate
- Investigation of high profile cases (e.g. Marikana & Cato Manor)
- MOU with SAPS

The 01 April 2012 saw the implementation of the IPID Act, which resulted in the successful transformation and renaming of the ICD to the IPID. This change also strengthened the mandate to include the investigation of the following matters:

- a) Any death in police custody;
- b) Death as result of police action;
- c) Complaints relating to a discharge of an official firearm by any police officer
- d) Rape by a police officer, whether the police officer is on or off duty
- e) Rape of any person in police custody
- f) Any complaint of torture or assault against a police officer in the execution of his or her duties
- g) Corruption matters within the police initiated by the executive director, or after a complaint from a member of the public or referred to the Directorate by the minister, a MEC or the secretary for the police service
- h) Any other matter referred to the IPID as a result of a decision by the executive director, the minister, a MEC or the secretary for the police service.

Investigators were trained to prepare for the investigation of cases as per the IPID Act. The following training interventions were made:

- Recognition of Prior Learning: National Certificate: Resolving of Crime (this is meant for Investigator without a qualification)
- Nation Certificates: Resolving of Crime
- Nation Diploma: Policing
- Investigation of Corruption
- Investigation of Torture
- Investigation of Sexual Offences
- DNA Training

Revenue, expenditure and other specific topics

Revenue collection

Departmental revenue is mainly generated from parking fees, commissions on insurance deductions and bursary debt recovery.

	2009/10 ACTUAL	2010/11 ACRUAL	2011/12 ACTUAL	2012/13 TARGET	2012/13 ACTUAL	% DEVIATIO N FROM TARGET
Sales of goods and services other than capital assets	69	89	111	138	138	0%
Interest, dividends and rent on land	24	5	(1)	2	-	100%
Transactions in financial assets and liabilities	61	74	15	44	41	6.8%
TOTAL DEPARTMENTAL RECEIPTS	154	168	125	184	179	2.7%

Departmental expenditure

With the final appropriation of R197 898 000 in the year under audit, the Directorate's actual expenditure came to 86,6% which in monetary value translates to R171 449 000. The budget's allocation was prioritised to conduct public awareness of the Directorate's mandate and functions through community awareness programmes, media campaigns and the establishment of satellite offices to increase public accessibility, however the establishment of earmarked satellite office could not take place due to the delays in procurement process that was conducted in conjunction with the Department of Public Works. Delays in filling some of the vacancies including appointment of provincial heads in all nine provinces has resulted into 8.0% under spending in compensation of employees.

Transfer payments

An amount of R95 000 was transferred to Safety and Security Sector Education Authority (SASSETA) as an administrative fee for skills development levy. In addition, R11 000 was in the period under review paid over to SABC for TV licences. Refer to the Annexure IC to the Annual Financial Statement.

Conditional grants and earmarked funds

In the financial year under audit, the Directorate did not receive any conditional grant. An amount of R9 092 000 was allocated from the National Department of Public Works to cover for expenditure related to accommodation and municipal services.

Capital investment, maintenance and asset-management plan

Capital investment

The Independent Police Investigative Directorate has no capital investments.

Maintenance

The IPID occupies leased office buildings and does not own any of the properties. In view thereof, the IPID is not affected by any maintenance backlogs.

Asset management

The Directorate is accountable for movable assets in the form of office furniture and all assets have been captured in the asset register. The assets management compliances with minimum requirements have been achieved as expected. The Assets Register of the Directorate reflects all the required information such as description of assets; ICN; unique asset number/Bar codes; accountability information (Cost Centre Manager responsible - location and custodian); assets value. The BAS reconciliation was also performed on monthly basis to address the discrepancies between two used systems. The asset management system is fully implemented and complied with.

The Directorate has complied with the Asset Management Reforms (AMR) milestones and has achieved the expected target. No problems experienced regarding the asset management reform.

PROGRAMME PERFORMANCE

Programme I: Administration

Purpose

This programme is responsible for the overall management of the IPID and support services, including the coordination and provision of effective and efficient strategic support to the Directorate.

Strategic objectives (outputs)

In 2012/13, the work of Programme I was in compliance with the strategic objectives set out in the 2012 to 2017 strategic plan:

Output 3.1.1	PUBLIC AWARENESS CAMPAIGNS
Output statement	Campaigns that increase public awareness of the provisions of the IPID Act, the Directorate's functions and the utilisation of its services.
Baseline	Regular public awareness events and media campaigns in all provinces.
Output 3.1.2	STAKEHOLDER MANAGEMENT
Output statement	Regular engagements with and reports to key stakeholders, including the SAPS, MPS, Civilian Secretariat for Police Services and other relevant Government and Civil Society Organisations
Baseline	Stakeholder engagements currently in accordance with framework and operational plan.
Output 3.2.1	POLICIES AND GUIDELINES
Output statement	Policies and guidelines that – (a) inform the standard operating procedures in support of the IPID mandate; and (b) ensure compliance with regulatory and legislative prescripts.
Baseline	Existing Standard Operating Procedures, Executive Director Guidelines and Human Resource and Finance policies.
Output 3.2.2	PERFORMANCE MANAGEMENT SYSTEM
Output statement	A performance measurement and reporting system that supports management decision making and that enables the IPID to comply with internal and external accountability reporting in line with legislative requirements.
Baseline	Basic performance reporting system in existence and under review.

Strategic objectives (outputs), performance indicators and annual targets for 2012/13

The Directorate issued eighty-two (82) media statements on its various investigations and responded to nine hundred and twenty four written media enquiries and held 5 media briefings around the country to communicate developments in the IPID’s investigations. These included the communication of the arrest of members of the Cato Manor Unit, which had drawn a lot of media attention. The investigation into the shooting of 15 year old Thato Mokoka in Bramfischerville, Soweto was another investigation which necessitated extensive media engagement.

The IPID also ran a three week radio campaign to highlight its mandate, given the change from the ICD. The campaign which ran on all SABC radio stations around the country was a huge success as it ensured that in a very short time people knew what the IPID is and what sort of cases are investigated by it. The radio campaign played a major role in ensuring that the Directorate reaches as many South Africans as possible.

Engagements with major stakeholders and the community received focus during the period under review and the Directorate was able to conduct three hundred and six (306) community awareness events, focusing on rural areas.

The Standard Operating Procedure that regulates investigations was reviewed in line with the IPID Act and Regulations. Other relevant policies were also reviewed during the reporting period. Other policies were not reviewed due to capacity constraints.

The Corporate Governance Directorate was established and 9 monitoring and evaluation reports were produced with recommendations on how to enhance good governance within the Directorate.

The Directorate continued from the last reporting period to ensure that the finances are managed properly and managed to correct the misallocation of the budget.

Furthermore, the IPID obtained an unqualified opinion of its financial statements. All Expenditure Reports were produced in line with the set target in order to ensure that the Directorate operated within allocated budget. Asset verification was performed on a quarterly basis in order to ensure accountability for allocated assets in line with good governance principles.

The programme did not reach its targets in relation to keeping the vacancy rate below 10% and having 50% of females at senior management level, this was affected by the non-filling of 10 Chief Director posts as well as the Executive Director post.

The Directorate will continue to strive to ensure that at least 2% of posts are filled by people with disabilities.

OUTPUT (STRATEGIC OBJECTIVE)		INDICATORS	TARGETS 2012/13	ACTUAL PERFORMANCE	REASONS FOR VARIANCE
3.1.1	PUBLIC AWARENESS CAMPAIGNS	I Number of community outreach events conducted annually	306	306 outreach events conducted nationally	Target met

		2	Number of formal media statements and responses released annually	50	87 media statements issued and 5 media briefings held. 924 media responses released	Target met
3.1.2	STAKEHOLDER MANAGEMENT	3	Number of formal engagements with key stakeholders held annually	4	5 engagements with stakeholders held	Target met
3.2.1	UP TO DATE POLICIES AND GUIDELINES	4	Percentage of policies reviewed by departmental Policy Review Committee annually	100%	31% of policies reviewed (15 out of 49 policies were reviewed).	Target not met Some policies were not reviewed due to capacity constraints
3.2.2	PERFORMANCE MANAGEMENT SYSTEM	5	Number of performance monitoring and evaluation reports submitted	Established Corporate Governance Component and set annual and quarterly targets	Component established and 9 monitoring and evaluation reports submitted to the Accounting Officer	Target met
		6	Number of financial expenditure reports submitted	16	16 expenditure reports submitted	Target met
		7	Number of asset verifications and updates of asset register completed	4	65 asset verifications and updates of asset register done in each IPID office	Target met
3.2.2	PERFORMANCE MANAGEMENT SYSTEM (continued)	8	% vacancy rate	Below 10%	45 posts out of 349 were vacant, resulting in a vacancy rate of 12.9%	Target not met: Non-filling of 10 Chief Director posts that have been vacant since 01 April 2012 and Executive Director post that is still vacant increased the vacancy rate
		9	% females at senior – and top management level	50%	40% of senior positions occupied by females (8 out of 20 senior positions are filled by women)	Target not met: Non-filling of 10 Chief Director posts that have been vacant since 01 April 2012 and Executive Director post that is still vacant contributed to failure to meet this target
		10	% of staff complement consisting of people with disabilities	2%	4 out of 349 posts filled by people with disabilities, amounting to 1% of staff	Target not met: The Directorate receives limited applications from people with disabilities

Programme 2: Investigation and information management

Purpose

This programme coordinates and facilitates the investigative process and develops investigative policy and strategic frameworks that guide and reports on investigations.

The programme consists of the following sub-programmes:

Sub-programme 1: Investigation Management

This sub-programme manages and conducts investigations in line with provisions of the IPID Act, Regulations, Executive Director Guidelines and standard operating procedures.

Sub-programme 2: Information management

This sub-programme manages information and knowledge-management services through the development and maintenance of a case flow management system and the analysis and compilation of statistical information.

Sub-programme 3: Policy development and provincial coordination

This sub-programme develops investigative policies and standards and coordinates provincial strategic planning and performance.

Strategic objectives (outputs)

In 2012/13, the work of Programme 2 was in focussed on achieving the outputs set out in the 2012 to 2017 strategic plan:

Output 3.3.1	CASE MANAGEMENT SYSTEM
Output statement	A system for the registration, allocation, tracking, management and reporting of investigations, the generation of reliable statistical information and the provision of general business intelligence.
Baseline	Flow-centric case management system and IPID database.

Output 3.3.2	COMPLETED INVESTIGATIONS
Output statement	Completed investigations of cases in line with the provisions of the IPID Act, Regulations and Executive Director Guidelines.
Baseline	Baseline to be determined.

Output 3.3.3	RECOMMENDATION REPORTS : 3.1 Disciplinary recommendations 3.2 Criminal recommendations
Output statement	3.1 Recommendation reports to the SAPS regarding possible disciplinary steps; and 3.2 Recommendation reports to the Prosecuting Authorities regarding possible criminal prosecution.

Baseline	Recommendation reports generated within 30 days of completion of all investigations.
Output 3.3.4	FEEDBACK REPORTS ON INVESTIGATIONS
Output statement	Feedback letters to complainants, victims and referral authorities regarding the outcome of investigations.
Baseline	Feedback reports generated within 30 days of closure of all investigations

Strategic objectives (outputs), performance indicators and annual targets for 2012/13

In this programme, the Department met five out of seven of its targets.

The IPID was successful in reducing the backlog to well below 656, at the end of the financial year there were only 236 backlog cases.

The IPID also performed well in regard to both criminal and disciplinary recommendation reports by generating such reports within 30 days of completion of investigations.

Feedback reports on the outcomes of investigations were sent to complainants within 30 days of closure of investigations.

The Directorate managed to complete 3 963 investigations, which amounts to 54% of the total workload and it set targets for the outer years.

OUTPUT (STRATEGIC OBJECTIVE)		INDICATORS		TARGETS 2012/13	ACTUAL PERFORMANCE	REASONS FOR VARIANCE
3.3.1	CASE MANAGEMENT SYSTEM	1.	Percentage of cases allocated within 48 hours of registration	95% (5 995)	86% 5 779 cases registered and allocated within 48 hours out of 6 728 received	Target not met. Due to increase in workload and due to the reporting obligations by SAPS
		2.	Number of statistical reports generated on the number and type of cases investigated, recommendations made and the outcomes thereof	19	18 reports generated	Target not met. Due to management decision on the interpretation of IPID legislation, that only one half yearly report is required

3.3.2	COMPLETED INVESTIGATIONS	3.	Percentage of all investigations completed within the financial year ¹	<i>Determine baseline and set targets for the outer years</i>	54% (3 963) completed out of a total workload of 7 277	Target met. Baseline determined in outer years
		4.	Number of back-log investigations (excluding cases of systemic corruption) ²	656	236	Target met. Backlog cases are less than the target thus the target has been exceeded
	RECOMMENDATION REPORTS	5.	Disciplinary recommendation reports generated within 30 days of completion of investigations	All completed cases	1040 recommendation reports out 1040 completed cases	Target met. Disciplinary recommendations generated within 30 days on all relevant completed cases
		6.	Criminal recommendation reports generated within 30 days of completion of investigations	All completed cases	1088 out of 1088 completed cases	Target met. Criminal recommendation generated within 30 days on all relevant completed cases
	FEEDBACK REPORTS ON INVESTIGATIONS	7.	Feedback reports regarding the outcome of investigations provided within 30 days of closure	All closed cases	1 267 reports out of 1 267 closed cases	Target met. Feedback reports done on all closed cases

¹ This refers to investigations carried over (but not older than 12 months from date of registration) as well as new investigations registered during the financial year.

² Backlog investigations refer to cases older than 12 months from date of registration. All back-log cases at the end of any given financial year must be completed within the following financial year.

Programme 3: Legal services

Purpose

Programme 3 manages and facilitates the provision of investigation advisory services and provides legal and litigation advisory services.

The programme consists of the following sub-programmes:

Sub-programme 1: Legal and litigation advisory services

This sub-programme manages the Directorate's legal obligations, coordinating civil and labour litigation matters and coordinates the granting of policing powers to investigators.

Sub-programme 2: Investigation advisory services

The purpose of this sub-programme is to provide support during and after the completion of investigations. It provides legal advice and guidance to investigators, and ensures that cases that are forwarded for prosecution comply with the requirements of the prosecution process.

Strategic objectives (outputs)

Section 8(1) of the IPID Act establishes Legal Services as Programme 3. Although this programme provides a support function to the Directorate as a whole and to investigators in particular, there is a necessity to explicitly stipulate the outputs generated by this programme:

Output 1	LEGAL AND LITIGATION ADVISORY SERVICES
Output statement	Management of the Directorate's legal obligations, civil and labour litigation matters and the granting of policing powers to investigators.
Baseline	Programme to be established on implementation of the IPID – baseline to be determined.

Output 2	INVESTIGATION ADVISORY SERVICES
Output statement	Legal advice and guidance to investigators during and after the completion of investigations.
Baseline	Programme to be established on implementation of the IPID – baseline to be determined.

Strategic objectives (outputs), performance indicators and annual targets for 2012/13

This is a newly established Programme in terms of Section 8 (1)(d) of the IPID Act 1 of 2011.

The nature of cases investigated by the IPID requires that legal advice and opinions be given to investigators. The advice given to investigators ranges from advice on effecting arrests to interpretation of legislation. The Programme succeeded in giving such legal advice and opinions to investigators in line with the set standards.

The Directorate concludes contracts and service level agreements with various service providers in line with the Supply Chain Management prescripts. In addition, 17 service delivery complaints were dealt with through interacting with the provincial offices of the IPID around the country.

OUTPUT (STRATEGIC OBJECTIVE)		INDICATORS		Targets 2012/13	ACTUAL PERFORMANCE	REASONS FOR VARIANCE
	LEGAL AND LITIGATION ADVISORY SERVICES	1	Percentage of contracts and service level agreements finalised within 21 working days of request	Determine base line	44% completed within 21 working days (18 out of 41 SLA's were finalised within the required time frame)	Target met. Some Service Level Agreements were returned by the Accounting Officer due to a misunderstanding regarding the powers of the Bid Committee regarding approval. It was therefore not possible to finalise them within the time frame
		2	Percentage of legal opinions provided to the Directorate within 10 working days of request	Determine base line	60% completed within 10 working days (58 out of 97 legal opinions were finalised within the required time frame)	Target met. Further particulars were requested in some cases and at times the requestors respond after a long time and that caused the delay
	INVESTIGATION ADVISORY SERVICES	3	Percentage of investigations in which legal advice was requested	Determine base line	100% completed (100 out of 105 requests finalised within required time frame)	Target met. This includes the processing of all PAIA matters, policing powers applications, queries and advice
		4	Percentage of legal opinions provided to investigators within 24 hours of request	Determine base line	100% completed (4 out of 4 legal opinions finalised within required time frame)	Target met. All legal opinions to investigators were given within the required time frame

STATISTICAL REPORT

I. INTRODUCTION

The purpose of this section of the report is to outline the investigative activities of the IPID for the 2012/13 financial year. This section details the number and type of cases investigated; the recommendations made as well as the outcome of those recommendations. The statistical report seeks to present a factual analysis of cases received in terms of Sec 28 of the IPID Act and the recommendations made to address same.

2. THE MANDATE OF THE IPID IN RESPECT OF INVESTIGATIONS AND RECOMMENDATIONS

In terms of Section 28(1) of the IPID Act, Act 1 of 2011, the IPID is obligated to investigate the following matters:

- (a) any deaths in police custody;
- (b) deaths as a result of police actions;
- (c) any complaint relating to the discharge of an official firearm by any police officer
- (d) rape by a police officer, whether the police officer is on or off duty;
- (e) rape of any person while that person is in police custody;
- (f) any complaint of torture or assault against a police officer in the execution of his or her duties;
- (g) corruption matters within the police initiated by the Executive Director on his or her own, or after the receipt of a complaint from a member of the public, or referred to the Directorate by the Minister, an MEC or the Secretary, as the case may be; and
- (h) any other matter referred to it as a result of a decision by the Executive Director, or if so requested by the Minister, an MEC or the Secretary as the case may be, in the prescribed manner.

In terms of Section 28(2) of the IPID Act, Act 1 of 2011, the IPID may investigate matters relating to systemic corruption involving the police.

3. CASE INTAKE IN TERMS OF THE IPID MANDATE

Section 29 of the IPID Act places an obligation on members of the South African Police Service (SAPS) and Municipal Police Services (MPS), to report all matters referred to in Section 28(1) (a) to (g) to the IPID immediately upon becoming aware of such matters and within 24 hours in writing.

The following is a statistical breakdown of the cases the Directorate received, the recommendations made and the manner in which the Directorate disposed of the cases it investigated during the period April 2012 to March 2013.

NB: All percentages in this report are rounded off to the nearest decimal

A total of 6728 cases were received by the IPID during the reporting period. The majority of the cases received were assault cases, namely 4 131. Seven hundred and three of all cases received were other criminal matters, whereas 670 were complaints of discharge of official firearms and 431 of the

cases were deaths as a result of police action. In instances where there was late or non-reporting, cases of non-compliance with the IPID Act were registered, these numbered 127 during the period under review.

Table I(a) below depicts the total number of cases received in the period under review, per category.

Table I(a): intake for the period under review	Incident(s)
Section 28(1)(a)-deaths in police custody	275
Section 28(1)(b)-deaths as a result of police action	431
Section 28(1)(c)-complaint of the discharge of an official firearm(s)	670
Section 28(1)(d)-rape by police officer	146
Section 28(1)(e)-rape in police custody	22
Section 28(1)(f)-torture	50
Section 28(1)(f)-assault	4131
Section 28(1)(g)-corruption	120
Section 28(1)(h)-other criminal matters	703
Section 28(1)(h)-misconduct	47
Section 28(2)-systemic corruption	6
Non-compliance with Section 29 of IPID Act	127
Total	6728

Of the 6728 cases received, 165 involved the members of the various Municipal Police Services (MPS) and in 6563 cases, members of the SAPS were suspects. Table I(b) below depicts the total number of the cases received in the period under review involving members of both the SAPS and the MPS.

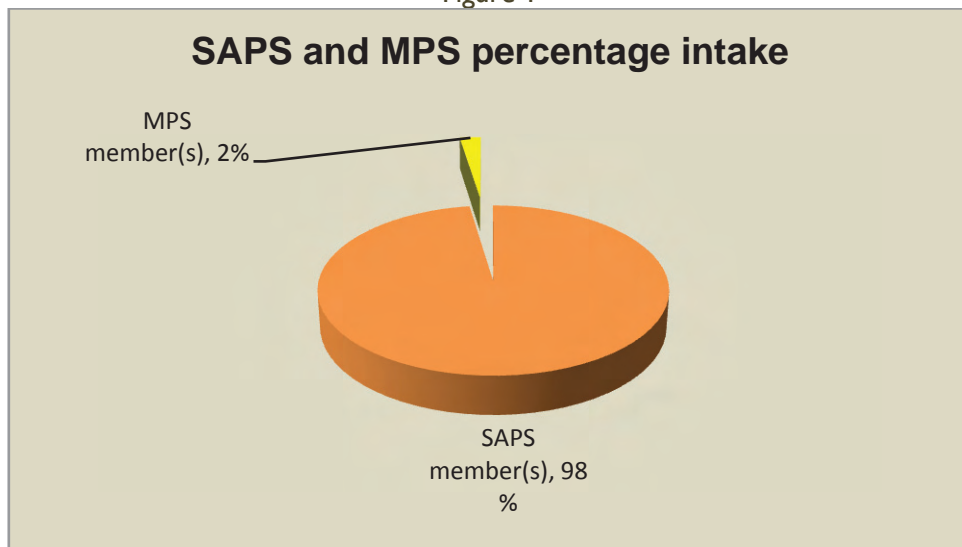
No cases were received alleging that members of the various MPS were involved in deaths in police custody, rape in police custody, torture, systemic corruption or non-compliance with Section 29 of the IPID Act.

Table I(b): intake for the period under review	SAPS	MPS
Section 28(1)(a)-deaths in police custody	275	-
Section 28(1)(b)-deaths as a result of police action	415	16
Section 28(1)(c)-complaint of the discharge of an official firearm(s)	641	29
Section 28(1)(d)-rape by police officer	141	5
Section 28(1)(e)-rape in police custody	22	-
Section 28(1)(f)-torture	50	-
Section 28(1)(f)-assault	4047	84
Section 28(1)(g)-corruption	116	4

Section 28(1)(h)-other criminal matters	677	26
Section 28(1)(h)-misconduct	46	1
Section 28(2)-systemic corruption	6	-
Non-compliance with Section 29 of IPID Act	127	-
Total	6563	165

From the above statistics it is evident that 98% of the cases received or reported involved SAPS members and only 2% involved MPS members. Figure 1 shows the percentage of the cases received against SAPS members compared to MPS members during the period under review.

Figure 1



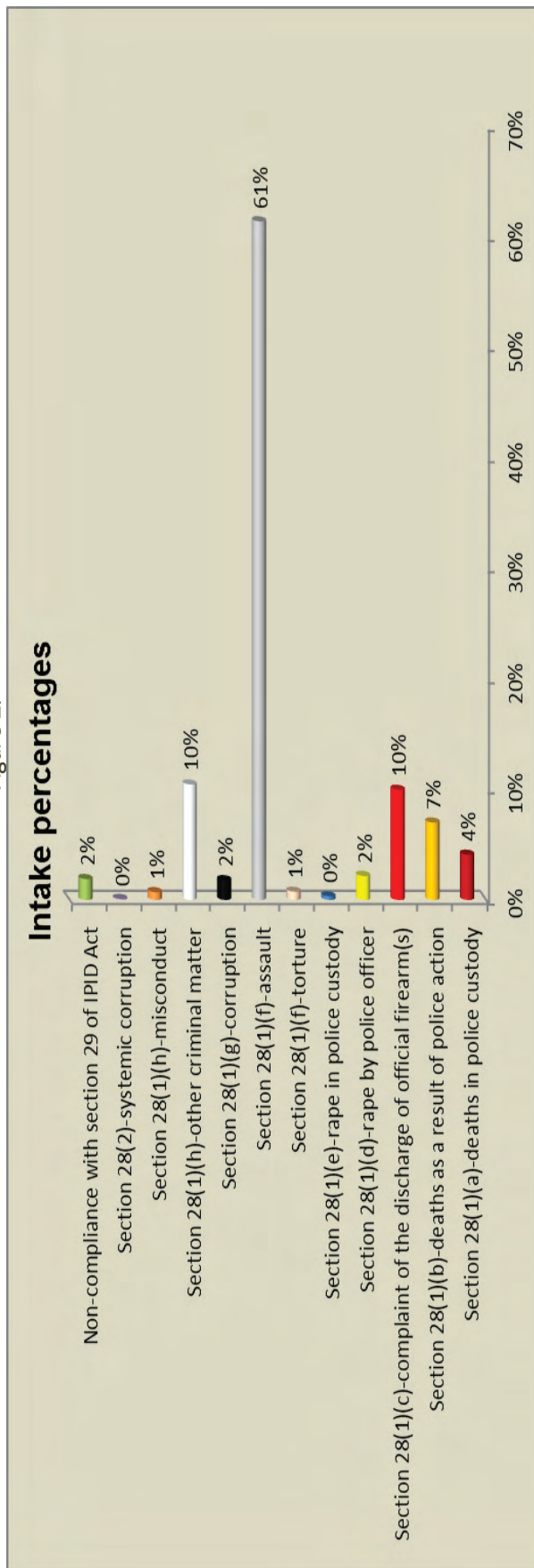
The intake for 2012/13 increased by 37% when compared to 2011/12. The provinces that experienced an increase in their intake of cases are Eastern Cape followed by Western Cape, Free State, KwaZulu-Natal and Gauteng, whilst Northern Cape, Mpumalanga and North West, and Limpopo experienced a decrease in their intake of cases.

Table I(c) reflects the changes in intake for the period under review compared to the same period for the previous financial year.

Table I(C): Percentage changes of intake on the period of review			
Provinces	Intake for 2011/12	Intake 2012/13	Percentage changes
Eastern Cape	351	708	102%
Free State	562	1010	80%
Gauteng	938	1139	21%
KwaZulu-Natal	484	772	60%
Limpopo	456	416	-9%
Mpumalanga	433	360	-17%
North West	454	377	-17%
Northern Cape	388	306	-21%
Western Cape	857	1640	91%
Total	4923	6728	37%

Sixty-one percent of the cases reported were assaults. Complaints of the discharge of official firearm(s) and other criminal matters amounted to 10% respectively. Of the assault cases reported, the majority were common assaults. These cases make up the bulk of the cases investigated by the IPID during the period under review. The common assaults range from a push to a smack. The overall impact of this on the work of the IPID is discussed later in the report. Figure 2 below shows the breakdown of the intake in percentages.

Figure 2.



The majority of the intake related to assault cases, most of which were reported in the Western Cape. Most deaths in police custody and deaths as a result of police action were reported in Gauteng as well as in KwaZulu-Natal. The Western Cape reported the highest number of rapes by police officers as well as complaints of the discharge of official firearms. KwaZulu-Natal reported 56 corruption cases out of 120 – which is the highest in the country. Overall, the highest number of cases reported to the IPID in the period under review was reported in the Western Cape. Cases of non-compliance with IPID Act reporting obligations by members of SAPS/MPS were reported mostly in the Free State.

Table 2 shows the total number of cases received per province and per category for the period under review. The Western Cape received the highest number of cases (1640), followed by Gauteng (1139) and Free State (1010).

Table 2: Intake per provinces and per category-2012/13

Province	Deaths in police custody	Deaths as a result of Police action	Discharge of official firearm	Rape by police officials	Rape in police custody	Torture/assault	Corruption	Other criminal matters	Systemic corruption	Compliance with IPID Act no 1 of 2011	Total
Eastern Cape	37	47	108	16	1	397	8	80	3	11	708
Free State	23	31	81	15	5	730	14	72	2	37	1010
Gauteng	52	118	96	27	10	569	9	249	1	8	1139
KwaZulu-Natal	44	102	4	24	4	419	56	105	-	14	772
Limpopo	34	28	68	9	1	246	12	11	-	7	416
Mpumalanga	24	37	1	0	0	194	2	92	-	10	360
North West	23	23	26	9	0	256	4	36	-	-	377
Northern Cape	9	8	9	9	1	228	4	23	-	15	306
Western Cape	29	37	277	37	0	1142	11	82	-	25	1640
Total	275	431	670	146	22	4181	120	750	6	127	6728

3.1. INTAKE AS PER SECTION 28(1)(a) AND (b) – DEATHS IN POLICE CUSTODY AND DEATHS AS A RESULT OF POLICE ACTION

Deaths in police custody and deaths as a result of police action refer to actual incidents and not the number of deceased. There are therefore more deceased than there are incidents, for instance in the Marikana shooting incident, one case was registered but there were 34 deceased.

There were more deaths as a result of police action than there were deaths in police custody. Overall, Gauteng had the highest reported cases numbering 118 (27%), followed by KwaZulu-Natal with 102 (24%) cases and the Eastern Cape with 47 (11%) cases.

Table 3(a) below depicts the number of incidents of deaths in police custody and deaths as a result of police action received per province for the period under review as well as the relevant percentages.

Table 3(a): Deaths in police custody and as a result of police action

Province	Deaths in police custody		Deaths as a result of police action		Total incidents	
Eastern Cape	37	13%	47	11%	84	12%
Free State	23	8%	31	7%	54	8%
Gauteng	52	19%	118	27%	170	24%
KwaZulu-Natal	44	16%	102	24%	146	21%
Limpopo	34	12%	28	6%	62	9%
Mpumalanga	24	9%	37	9%	61	9%
North West	23	8%	23	5%	46	6%
Northern Cape	9	3%	8	2%	17	2%
Western Cape	29	11%	37	9%	66	9%
Total	275	100%	431	100%	706	100%

Overall there was an increase of 19% in incidents of deaths in police custody in 2012/13 compared to the corresponding reporting period in 2011/12. Six provinces experienced an increase in deaths in police custody namely, North West, Limpopo, Free State, Western Cape and KwaZulu-Natal, while there was a decrease in all other provinces. Table 3(b) below compares the number of incidents of deaths in police custody received during the financial year 2012/13 to the same period in the previous financial year.

Table 3(b): Deaths in police custody

Province	2011/12	2012/13	Percentage changes
Eastern Cape	41	37	-10%
Free State	16	23	44%
Gauteng	58	52	-10%
KwaZulu-Natal	43	44	2%
Limpopo	18	34	89%
Mpumalanga	14	24	71%
North West	9	23	156%
Northern Cape	9	9	0%

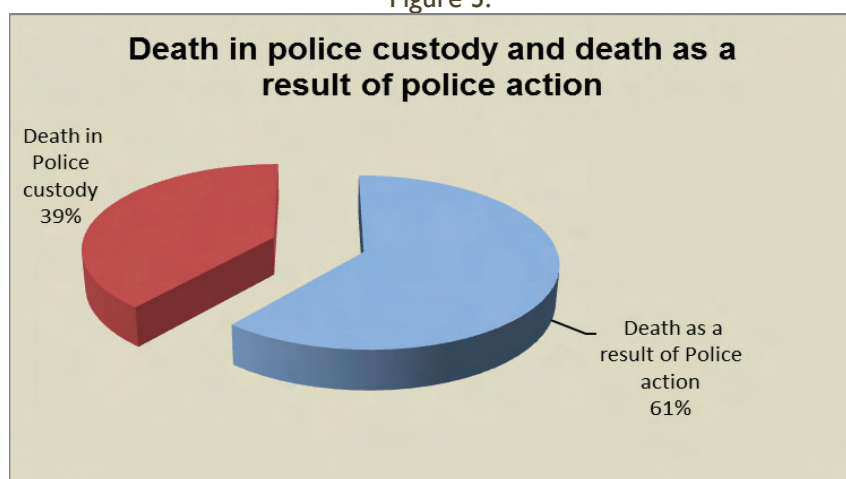
Western Cape	24	29	21%
Total	232	275	19%

Overall, deaths as a result of police action decreased by 12%. The Eastern Cape, KwaZulu-Natal, Limpopo and Gauteng experienced decreases ranging from 10% to 29%. The remaining provinces experienced increases, except for the Free State, where there was no change. Table 3(c) below compares the number of incidents of deaths as a result of police action received during the financial year 2012/13 to the corresponding period in 2011/12.

Table 3(c): Deaths as a result of police action			
Province	2011/12	2012/13	Percentage changes
Eastern Cape	66	47	-29%
Free State	31	31	0%
Gauteng	131	118	-10%
KwaZulu-Natal	137	102	-26%
Limpopo	38	28	-26%
Mpumalanga	31	37	19%
North West	19	23	21%
Northern Cape	5	8	60%
Western Cape	30	37	23%
Total	488	431	-12%

Figure 3 below shows the percentage of reported death cases. Deaths in police custody amounted to 39% while deaths as a result of police action amounted to 61%.

Figure 3.



Overall, there were 431 incidents of deaths as a result of police action and 485 deceased. In some incidents there was more than one victim. North West recorded twenty-three (23) incidents of and sixty (60) deceased. This was due to the unrests in Marikana which resulted in the shooting of 34 people in one incident.

Reported deaths falling outside the mandate of the IPID

Of the 706 deaths reported by members of the SAPS, it was established that 37 cases should not have been reported as they fell outside the mandate of the IPID. These cases should therefore be

excluded from the total of 706 incidents reported. The fact that these cases fall outside the mandate of the IPID was only established after investigations were conducted. This indicates a need for training of SAPS members on the mandate of the IPID to ensure proper reporting.

In some cases there were allegations that the suspects were SAPS members, however upon investigation it was established that no SAPS members were involved. In one investigation in Rustenburg, it was alleged that a sex worker was assaulted and died as a result but upon investigation it was established that the sex worker was in fact alive. Furthermore, it was established that municipal workers were involved in an operation to rid the town of sex workers and not the SAPS.

Table 3(d): Reported cases outside mandate of IPID	Incident(s)
Private vehicle – off duty	4
Knife – off duty	2
SAPS members not involved	27
Private firearm – off duty	1
Assault by police officer – off duty	1
Deceased died after being released from police custody	2
Total	37

Table 4 shows the total number of incidents of deaths as a result of police action and the number of deceased per province for the period under review.

Table 4: Deaths as a result of police action - Scenes and the number of deceased		
Province	Incidents of death	Number of deceased
Eastern Cape	47	49
Free State	31	31
Gauteng	118	126
KwaZulu-Natal	102	107
Limpopo	28	28
Mpumalanga	37	37
North West	23	60
Northern Cape	8	9
Western Cape	37	38
Total	431	485

Most deaths in police custody happened due to injuries sustained in police custody. These ranged from assaults by either fellow inmates or the police, hanging which is self-inflicted, and some cases were as a result of torture and suffocation. In four cases, the deceased died due to vehicle collisions while being conveyed in police vehicles.

There were 77 deaths due to natural causes. In many instances, the deceased were taken into custody with existing conditions. In these cases, the police would not be responsible for the deaths.

In regard to deaths resulting from injuries sustained prior to custody, 73 were due to assault by members of the community involved in vigilante activities. In four cases the deceased committed suicide prior to being taken into custody.

Table 5(a): Intake per circumstances - Deaths in custody	Incident(s)
Injuries sustained in custody	118
Assaulted	13
Suffocation	2
Suicide (Accidental suicide or other)	1
Suicide (Hanging)	94
Torture	3
Suicide (Shooting)	1
Vehicle collision while in police operated vehicle	4
Injuries sustained prior to custody	80
Assaulted (Vigilantism)	73
Suicide (Shooting)	4
Suffocation	1
Suicide (Accidental suicide or other)	1
Suspects in vehicle collision, while being pursued by police	1
Natural Causes	77
Total	275

A further analysis of suicide by hanging was done. It reflected that most of the incidents happened in the Gauteng and Western Cape provinces. The least number of suicides occurred in the North West. Table 5(b) below shows the extent of incidents of suicide which happened in police custody per province.

Table 5(b): Injuries sustained in custody - Suicide		
Province	Suicide (Hanging)	Percentages
Eastern Cape	12	13%
Free State	14	15%
Gauteng	17	18%
KwaZulu-Natal	6	6%
Limpopo	6	7%
Mpumalanga	12	13%
North West	2	2%
Northern Cape	8	8%
Western Cape	17	18%
Total	94	100%

In 72 of the 94 suicide incidents reported, prohibited items were used to commit suicide (hanging) in police custody. In some cases, torn or old blankets and torn mattresses were used to commit suicide. This goes against the relevant SAPS standing orders for custody management. Where prohibited instruments were used, the IPID recommended that disciplinary action be taken against responsible members.

Table 5(c) shows the instruments used to commit suicide whilst in police custody.

Instrument(s)	Incident(s)
Belt(s)	10
Blanket strap(s)	20
Jersey	22
Cloth(s)	10
Mattress reinforcement	1
Sheet(s)	1
Rope	14
Shoelace(s)	13
Socks	1
Trouser strip	2
Total	94

The analysis of circumstances surrounding deaths as a result of police action reveals that most deaths occurred during police operations which include arrest and response to crime. In most of these deaths, service firearms were used and in a few cases, the victims were assaulted and tortured.

Other deaths occurred due to domestic violence and negligent handling of official vehicle. A smaller number of deaths involved innocent bystanders.

Vehicle accidents also accounted for some of the deaths as a result of police action.

Table 6 below shows the circumstances in which deaths as a result of police action occurred in the financial year 2012/13.

	Incident(s)
A suspect died during the course of a crime	86
Shot with service firearm	84
Suicide (Shooting)	2
A suspect died during the course of an escape	11
Shot with service firearm	11
A suspect died during the course of an investigation	28
Shot with service firearm	14
Suicide (Accidental suicide or other)	3
Assaulted	9
Torture	2
A suspect died during the course of arrest	156
Shot with service firearm	137
Assaulted	9
Suicide (Accidental suicide or other)	2
Suicide (Shooting)	7
Shot with private firearm	1

An innocent bystander died during commission of a crime	15
Shot with service firearm	15
An innocent bystander died during the course of an escape of another	7
Shot with service firearm	7
Crowd Management related incidents	15
Shot with service firearm	15
Domestic Violence related deaths	42
Shot with service firearm	35
Assaulted	2
Suicide (Shooting)	5
Negligent handling of a firearm leading to a death	15
Shot with service firearm	13
Suicide (Shooting)	2
Negligent handling of an official vehicle leading to a death	32
Struck by police official (pedestrian accident)	20
Struck by police official (vehicle accident)	7
Vehicle collision while in police operated vehicle	5
Negligent handling of private vehicle leading to a death	3
Struck by police official (pedestrian accident)	1
Struck by police official (vehicle accident)	2
Private capacity related death	21
Shot with service firearm	17
Assault	4
Total	431

Of the 706 deaths in police custody and deaths as a result of police action, 422 occurred at crime scenes. Of these deaths, most were due to shooting incidents and vigilantism – in this case, the deceased were taken into police custody as suspects. One hundred and eight (108) deaths occurred in police cells.

Table 7 below shows places where deaths occurred.

Table 7: Places where deaths occurred	
Places	Incident(s)
Ambulance/transit	37
Hospital/clinic	131
Police cells	108
Police vehicle	8
Crime Scene	422
Total	706

3.2. INTAKE AS PER SECTION 28(1)(c) – COMPLAINT OF THE DISCHARGE OF AN OFFICIAL FIREARM(S)

Complaints of the discharge of official firearms are part of our new mandate that came about as a result of the IPID Act; the ICD did not specifically deal with such cases.

From the onset it was not clear what IPID could expect in terms of workload in such cases. The high number of these cases had an impact on the resources that needed to be deployed to investigate these matters.

Table 8 below depicts the total number of incidents of complaints of the discharge of official firearms and the relevant percentages per province. Most reports came from the Western Cape (277) followed by Eastern Cape (108) and Gauteng (96).

Province	Incident(s)	Percentages
Eastern Cape	108	16%
Free State	81	12%
Gauteng	96	14%
KwaZulu-Natal	4	1%
Limpopo	68	10%
Mpumalanga	1	0%
North West	26	4%
Northern Cape	9	2%
Western Cape	277	41%
Total	670	100%

3.3. INTAKE AS PER SECTION 28(1)(d) – RAPE BY POLICE OFFICER(S)

The implementation of the IPID Act has revealed a disturbing trend with regard to cases of rape by police officer(s). As per the legislation, these matters must be reported and investigated, irrespective whether the members were on or off duty. Most of the reported cases of rape while members were on duty occurred in Gauteng – no such cases were reported in Mpumalanga. The Western Cape (30) received most incidents of rape while members were off duty, followed by Free State (14) and KwaZulu-Natal (13).

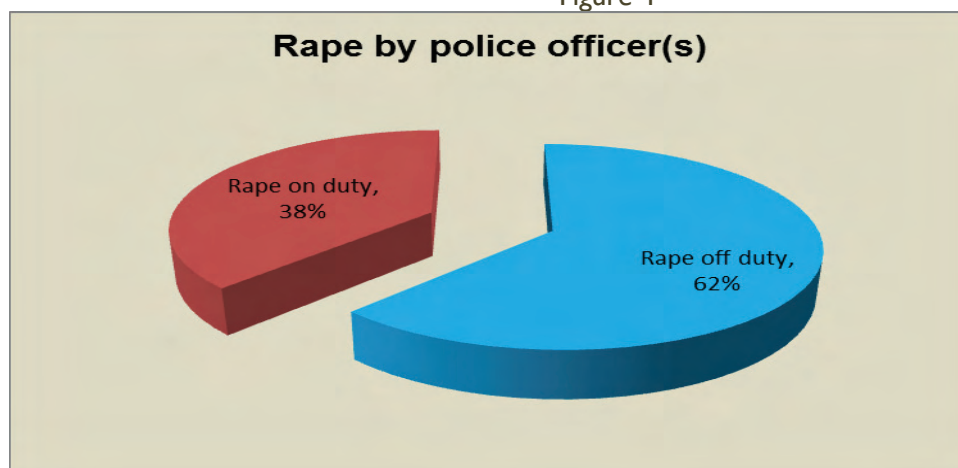
Table 9 below shows the incidents of rape by police officer(s) whilst on or off duty per province.

Province	On duty	Off duty	Incident(s)
Eastern Cape	4	12	16
Free State	1	14	15
Gauteng	24	3	27
KwaZulu-Natal	11	13	24
Limpopo	6	3	9
Mpumalanga	-	-	-
North West	1	8	9

Northern Cape	1	8	9
Western Cape	7	30	37
Total	55	91	146

With regard to rape by police officer(s) it is evident that most incidents of rape occurred while police officer(s) were off duty (62%). Figure 4 below depicts rape by police officer(s) whilst on and off duty.

Figure 4



3.4. INTAKE AS PER SECTION 28(1)(e) – RAPE IN POLICE CUSTODY

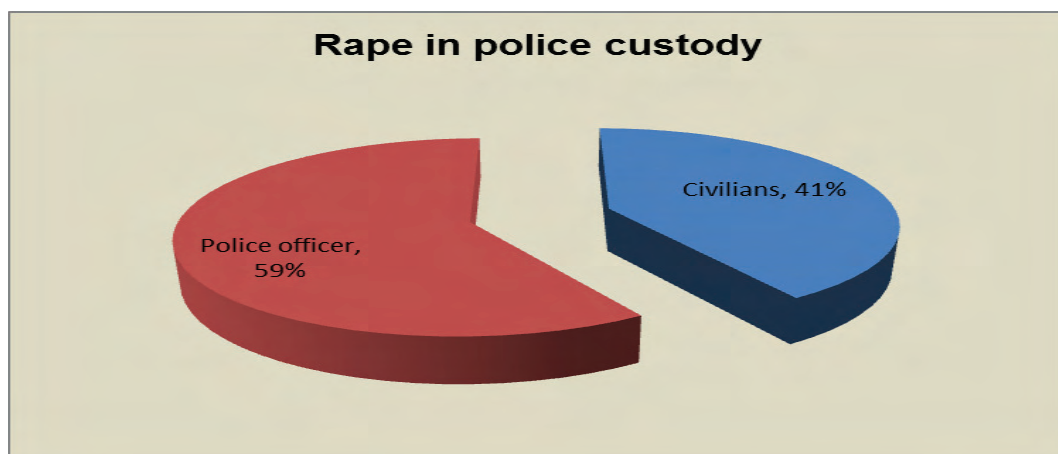
The incidents of rape in police custody were committed by both members who were on duty and civilians who were in police custody. Out of 22 such cases, 13 were committed by police officers. Gauteng (10) received most incidents of rape in police custody by police officer(s). This could be attributed to the lack of command and control as well as poor custody management. While there are Standing Orders dealing with custody management, the implementation thereof is clearly not adequate.

Table 10 below shows the incidents of rape in police custody per province.

Province	Civilians	Police officer(s)	Incident(s)
Eastern Cape	1	-	1
Free State	3	2	5
Gauteng	-	10	10
KwaZulu-Natal	3	1	4
Limpopo	1	-	1
Mpumalanga	-	-	-
North West	-	-	-
Northern Cape	1	-	1
Western Cape	-	-	-
Total	9	13	22

Figure 5 below depicts rape in police custody by civilian(s) and police officer(s). Fifty-nine percent (59%) of the rapes in police custody were allegedly committed by police officers and forty-one percent (41%) by civilians.

Figure 5



3.5. INTAKE AS PER SECTION 28(1)(f) – TORTURE / ASSAULT

Table II(a) below shows the total number and the percentages of cases received related to torture and assault per province. The highest number of cases were reported in the Western Cape (1142) followed by the Free State (730) and Gauteng (769). There were instances where there were multiple victims in one incident. North West received four incidents where there were 41, 40, 38 and 34 victims respectively.

South Africa is a signatory to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). Due to the gap in our legal framework, which does not criminalise torture, offences that are allegedly committed as torture cannot be prosecuted as such.

Province	Torture	Assault	Total	Percentages
Eastern Cape	35	362	397	9%
Free State	-	730	730	17%
Gauteng	3	566	569	14%
KwaZulu-Natal	8	411	419	10%
Limpopo	-	246	246	6%
Mpumalanga	-	194	194	5%
North West	4	252	256	6%
Northern Cape	-	228	228	6%
Western Cape	-	1142	1142	27%
Total	50	4131	4181	100%

The majority of the cases reported were assault common with 68%, followed by assault GBH with 30%.

Overall, cases of assault increased by 218% compared to cases received by ICD (1313). The reason for this significant increase is the fact that during the ICD era, such cases were investigated by the SAPS and there was no obligation on the part of the SAPS to report such cases to the ICD.

The wording of the legislation had the unintended consequences of burdening the Directorate with less serious matters of common assault. These matters could include a shove or a smack or even a threat of assault. The effect is that the IPID must invest resources in collecting the matters from the police and investigating them. In most instances such matters are withdrawn or the perpetrators get away with an admission of guilt fine.

The total number and the percentages of cases received related to torture or assault per description is shown in Table 11(b) below.

Description	Incident(s)	Percentages
Assault - common	2855	68%
Assault - crowd management	6	0%
Assault - dog attack	20	1%
Assault - indecent	6	0%
Assault - sexual	8	0%
Assault - torture-beating	37	1%
Assault - torture-electrocution	1	0%
Assault - torture-suffocation (bag)	6	0%
Assault - torture-suffocation (tube)	6	0%
Assault - with intent to do grievous bodily harm (GBH)	1236	30%
Total	4181	100%

3.6. INTAKE AS PER SECTION 28(1)(g) – CORRUPTION

The fight against corruption remains a challenge, this calls for the review of current controls in order to improve the control environment within SAPS and MPS to eliminate opportunity for corruption.

During the reporting period, a number of cases of corruption were reported. The majority of these cases were reported in KwaZulu-Natal which accounts for 47 % of all cases received. These cases range from extortion or soliciting bribes to the sale of exhibits, see Table 12(a).

In one case in KwaZulu-Natal, three policemen demanded a bribe of R4000 from a complainant in return for making the case disappear. The complainant came to the IPID and a trap operation was set up. The three suspects collected R2500 from the complainant at an earlier date. When two of the suspects arrived to collect the balance, they were arrested. When they appeared in court, the third suspect was pointed out in the public gallery by the complainant. When he appeared in court the next day, another court orderly went to the magistrate with an envelope containing money – he said it was petrol money from the attorney of the suspect who was applying for bail. The magistrate

opened a case of corruption against the attorney and his client – he also recused himself from the bail application.

Table 12(a): Corruption

Province	Incident(s)	Percentages
Eastern Cape	8	7%
Free State	14	12%
Gauteng	9	7%
KwaZulu-Natal	56	47%
Limpopo	12	10%
Mpumalanga	2	2%
North West	4	3%
Northern Cape	4	3%
Western Cape	11	9%
Total	120	100%

In an analysis of cases received, the majority of the cases were related to extortion or soliciting a bribe, followed by sale, theft of exhibits and sale, theft and/or destruction of police docket. Table 12(b) depicts the total number and the percentages of cases received related to corruption per description.

Table 12(b): Corruption

Description	Incident(s)	Percentages
Corruption - Aiding escape from custody	6	5%
Corruption - Extortion or soliciting a bribe	90	75%
Corruption - Issuing of fraudulent documents	3	3%
Corruption - Sale, theft and/or destruction of police docket	10	8%
Corruption - Sale, theft of exhibits	11	9%
Total	120	100%

3.7. INTAKE AS PER SECTION 28(1)(h) – OTHER CRIMINAL MATTERS AND MISCONDUCT

Other criminal matters and misconduct are matters that were referred to IPID by the Minister, MEC or the Secretary for Police. They include matters where the Executive Director decides to investigate or by exercising his/her decision to investigate after being requested to do so by SAPS or any other person having regard to the seriousness of the offence or misconduct.

The misconduct cases were investigated after IPID was satisfied that SAPS intervention at Provincial or National level did not satisfy the complainant and there were grounds to intervene in the interest of justice.

It is important to note that while Section 206(6) of the Constitution enjoins the IPID to investigate cases of misconduct and criminal offences, Section 28(1)(h) of the IPID Act enables the IPID to investigate all criminal matters and misconduct cases not provided for in Section 28(1)(a)-(g).

The IPID recorded a total of 703 other criminal offences, ranging from attempted murder, pointing of firearm and fraud to mention only a few. Table 13(a) shows the total number and the percentages of cases received of other criminal matters per province. Most of these cases were reported in Gauteng (239), followed by the KwaZulu-Natal (96) and Mpumalanga (91).

Province	Incident(s)	Percentages
Eastern Cape	76	11%
Free State	69	10%
Gauteng	239	34%
KwaZulu-Natal	96	14%
Limpopo	9	1%
Mpumalanga	91	13%
North West	35	5%
Northern Cape	23	3%
Western Cape	65	9%
Total	703	100%

The breakdown of other criminal matters per type of offence indicates that the majority of the cases were attempted murder, the rest of the offences collectively accounted for the remaining 33%. Of the 539 attempted murder cases, ten (10) incidents involved multiple victims. For example, the Marikana unrest, resulted in 270 victims.

Table 13(b) below indicates the total number and the percentages of other criminal matters by description.

Description	Incident(s)	Percentages
Arson	2	0%
Attempted murder	539	77%
Crimen Injuria	11	2%
Defeating the ends of justice	33	5%
Fraud	12	2%
Harassment	5	1%
Housebreaking	1	0%
Intimidation	5	1%
Kidnapping	2	0%
Malicious damage to property	10	1%
Complaint of pointing of an official firearm	46	6%
Possession of suspected stolen property	2	0%
Receiving suspected stolen property	15	2%
Robbery	6	1%
Theft	14	2%
Total	703	100%

The IPID refers cases of misconduct to SAPS to deal with them. The IPID focuses on serious offences as per Section 28(1)(a)-(g). Our comparative analysis shows that there has been a 97% decrease in the number of misconduct cases dealt with by the IPID as compared to ICD in the corresponding reporting period. The ICD dealt with 1795 cases of misconduct while IPID only dealt with 47 cases. This is due to the implementation of the IPID legislation that focuses on criminal matters, but still allows for the discretion to investigate exceptional misconduct matters.

The Western Cape (17) recorded the highest number of misconduct cases, followed by Gauteng (10) and KwaZulu-Natal (9).

Table 13(c) below, indicates the total number and the percentages of misconduct cases reported per province.

Table 13(c): Misconduct		
Province	Incident(s)	Percentages
Eastern Cape	4	9%
Free State	3	7%
Gauteng	10	21%
KwaZulu-Natal	9	19%
Limpopo	2	4%
Mpumalanga	1	2%
North West	1	2%
Northern Cape	-	-
Western Cape	17	36%
Total	47	100%

It is also important to present misconduct complaints received by nature of contravention. The majority of misconduct cases reported related to the improper performance of functions. In such cases, the IPID recommends that the concerned official be charged according to SAPS Disciplinary Regulations.

Table 13(d) indicates the types of misconduct complaints received.

Table 13(d): Misconduct		
Description	Incident(s)	Percentages
Neglects his or her duty	16	34%
Performs his or her function in an improper manner	28	60%
Service delivery complaint	3	6%
Total	47	100%

3.8. INTAKE AS PER SECTION 28(2) – SYSTEMIC CORRUPTION

Section 28(2) of the IPID Act indicates that the Directorate may investigate matters of systemic corruption involving the SAPS/MPS. The IPID defines systemic corruption as an institutionalised, endemic manipulation of a system by individuals or networks/organisations, taking advantage of weakness in the processes and systems for illicit gain, where there are leadership deficiencies, collusion and/or abuse of power.

Table 14 below shows the total number and the percentages of systemic corruption cases received per province. A total of six (6) cases were investigated during the financial year 2012/13.

Province	Incident(s)	Percentages
Eastern Cape	3	50%
Free State	2	33%
Gauteng	1	17%
KwaZulu-Natal	-	-
Limpopo	-	-
Mpumalanga	-	-
North West	-	-
Northern Cape	-	-
Western Cape	-	-
Total	6	100%

3.9. INTAKE AS PER SECTION 33(1)-(5) NON-COMPLIANCE WITH SECTION 29 OF THE IPID ACT

According to Section 29 of the IPID Act, members of the SAPS and MPS should immediately notify the Directorate of any matters referred to in Section 28 (1)(a)-(f). SAPS members should report immediately upon becoming aware and within 24 hours submit a written report to the Directorate. SAPS members must provide their full cooperation in IPID investigations, which includes the arrangement of identification parades, availing members for affidavits and any other information required. Failure to comply with the aforesaid requirements, constitutes an offence in terms of Section 33 of the IPID Act. The 127 cases reported below, were registered by the IPID upon the failure of members of the SAPS to comply with Section 29 of the IPID Act.

The total number and percentages of cases opened by IPID related to non-compliance with the IPID Act per province is depicted in Table 15 below.

The largest number of non-compliance cases were registered in the Free State (37), followed by the Western Cape (25) and Northern Cape (15). No such cases were registered in the North West.

Table 15: Non-compliance with Section 29 of the IPID Act

Province	Incident(s)	Percentages
Eastern Cape	11	9%
Free State	37	29%
Gauteng	8	6%
KwaZulu-Natal	14	11%
Limpopo	7	5%
Mpumalanga	10	8%
North West	-	-
Northern Cape	15	12%
Western Cape	25	20%
Total	127	100%

SECTION B: PERFORMANCE INFORMATION

4. THE NUMBER OF CASES RECEIVED

A total number of 6728 cases were reported to the IPID during the 2012/13 financial year. The Western Cape received the majority of cases (1640), followed by Gauteng (1139) and the Free State (1010).

Table 17 shows the total cases received and the percentages of cases received by the respective provinces.

Provinces	Total	Percentage received
Eastern Cape	708	11%
Free State	1010	15%
Gauteng	1139	17%
KwaZulu-Natal	772	11%
Limpopo	416	6%
Mpumalanga	360	5%
North West	377	6%
Northern Cape	306	5%
Western Cape	1640	24%
Total	6728	100%

5. ALLOCATED CASES PER PROVINCE

The Directorate's standard for allocating cases is 95% within 48 hours. This standard measures the time from which a case is registered by the Directorate until such time that it is allocated to an individual case worker for investigation. Table 18 shows the total number of cases that were allocated within 48 hours, by the respective provinces. IPID received a total of 6728 cases during the period under review and managed to allocate 5779 cases within 48 hours. An allocation rate of 86% was therefore achieved.

Table 18: Allocated cases within 48 hours

Provinces	Deaths in custody	Deaths as a result of police action	Discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	34	43	101	15	1	33	345	8	3	11	73	3	670
Free State	23	31	81	15	5	0	729	14	2	37	69	3	1009
Gauteng	42	105	93	27	9	3	502	7	1	6	217	10	1022
KwaZulu-Natal	40	92	4	22	4	4	360	50	0	12	85	7	680
Limpopo	33	28	66	9	1	0	236	10	0	7	8	1	399
Mpumalanga	18	27	0	0	0	0	154	1	0	6	73	1	280
North West	23	23	26	9	0	4	250	4	0	0	35	1	375
Northern Cape	9	8	9	9	1	0	222	4	0	15	23	0	300
Western Cape	18	27	164	21	0	0	732	10	0	22	42	8	1044
Total	240	384	544	127	21	44	3530	108	6	116	625	34	5779

All cases were allocated to respective case workers and table 19 shows the total number of cases not allocated within 48 hours by the respective provinces. These cases numbered 949.

Table 19: Allocated cases after 48 hours													
Provinces	Deaths in custody	Deaths as a result of police action	Discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	3	4	7	1	-	2	17	-	-	-	3	1	38
Free State	-	-	-	-	-	-	1	-	-	-	-	-	1
Gauteng	10	13	3	-	1	-	64	2	-	2	22	-	117
KwaZulu-Natal	4	10	-	2	-	4	51	6	-	2	11	2	92
Limpopo	1	-	2	-	-	-	10	2	-	-	1	1	17
Mpumalanga	6	10	1	-	-	-	39	1	-	4	19	-	80
North West	-	-	-	-	-	-	2	-	-	-	-	-	2
Northern Cape	-	-	-	-	-	-	6	-	-	-	-	-	6
Western Cape	11	10	113	16	-	-	410	1	-	3	23	9	596
Total	35	47	126	19	1	6	600	12	-	11	79	13	949

6. WORKLOAD

The workload is comprised of cases that were carried over from the previous financial year plus cases received during the current reporting period.

6.1. CASES CARRIED OVER FROM 2011/2012

The cases that were not completed in the previous reporting period, were carried over to the current reporting period.

Table 20 below shows cases carried over from the financial year 2011/12 to the financial year 2012/13. It can be observed that Gauteng (278) carried over the largest number of cases into the new financial year, followed by KwaZulu-Natal (89) and Western Cape (61).

Provinces	Total	Percentage received
Eastern Cape	29	5%
Free State	-	0%
Gauteng	278	51%
KwaZulu-Natal	89	16%
Limpopo	21	4%
Mpumalanga	58	11%
North West	7	1%
Northern Cape	6	1%
Western Cape	61	11%
Total	549	100%

From the active workload carried over from the previous financial year and the cases received during the period under review, it can be observed that the total active workload was 7 277 cases as indicated in Table 23 below.

Provinces	Carried over from previous financial year	Cases received during the current financial year	Total workload
Eastern Cape	29	708	737
Free State	-	1010	1010
Gauteng	278	1139	1417
KwaZulu-Natal	89	772	861
Limpopo	21	416	437
Mpumalanga	58	360	418
North West	7	377	384
Northern Cape	6	306	312
Western Cape	61	1640	1701
Total	549	6728	7277

The highest number of cases in terms of the active workload was classified as assault, followed by cases of other criminal offences, complaints of discharge of official firearms and cases of deaths as a result of police action. Table 22 below shows the total number of active workload, per category, during the financial year 2012/13.

Table 22: Active workload for the period under review, per classification

Provinces	Deaths in custody	Deaths as a result of police action	Complaint of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	40	49	108	16	1	35	362	8	3	11	100	4	737
Free State	23	31	81	15	5	-	730	14	2	37	69	3	1010
Gauteng	72	151	97	27	10	3	646	18	1	8	350	34	1417
KwaZulu-Natal	45	123	4	25	4	8	459	57	-	14	107	15	861
Limpopo	35	30	73	9	1	-	257	12	-	7	11	2	437
Mpumalanga	24	41	2	-	-	-	221	5	-	10	112	3	418
North West	23	23	26	9	-	4	252	4	-	-	39	4	384
Northern Cape	9	8	9	9	1	-	234	4	-	15	23	-	312
Western Cape	29	43	277	37	-	-	1142	11	-	25	114	23	1701
Total	300	499	677	147	22	50	4303	133	6	127	925	88	7277

7. COMPLETION OF CASES

Completion of cases refers to an investigation where the IPID has done everything within its ability to obtain evidence in order to make the appropriate recommendations on the case. Table 23 below shows the total number and percentages of completed cases by respective provinces. It can be observed that Free State has completed 89% of its active workload in the current financial year, followed by the North West with 85% and Northern Cape with 81%. IPID achieved an overall completion rate of 54% in the period under review.

The Eastern Cape, Gauteng, KwaZulu-Natal and the Western Cape all performed below the national average completion rate.

Provinces	Total workload	Total cases completed	Percentages of completed cases
Eastern Cape	737	357	48%
Free State	1010	898	89%
Gauteng	1417	600	42%
KwaZulu-Natal	861	308	36%
Limpopo	437	326	75%
Mpumalanga	418	295	71%
North West	384	328	85%
Northern Cape	312	253	81%
Western Cape	1701	598	35%
Total	7277	3963	54%

The number and type of criminal cases received and investigated in terms of Section 28 of the IPID Act varies from province to province and Table 24 below shows the number of completed cases by the respective provinces per category during the period under review. The highest category of cases completed was in respect of alleged assault (2261) followed by other criminal offences (461), discharge of an official firearm (393) and deaths as a result of police action (319).

Table 24: Classification of completed cases													
Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	20	23	43	12	1	10	169	4	-	10	62	3	357
Free State	23	28	72	14	5	-	644	12	2	37	58	3	898
Gauteng	16	71	6	15	2	1	329	5	-	5	123	27	600
KwaZulu-Natal	20	73	-	14	2	-	137	13	-	4	39	6	308
Limpopo	30	27	53	8	1	-	185	8	-	6	6	2	326
Mpumalanga	19	37	1	-	-	-	141	3	-	-	93	1	295
North West	22	18	23	7	-	3	221	2	-	-	28	4	328
Northern Cape	7	6	4	8	1	-	196	2	-	15	14	-	253
Western Cape	23	36	191	28	-	-	239	4	-	18	38	21	598
Total	180	319	393	106	12	14	2261	53	2	95	461	67	3963

7.1. COMPLETION OF DEATH IN POLICE CUSTODY AND AS A RESULT OF POLICE ACTION (COMBINED)

The IPID is mandated to investigate all deaths in police custody and as a result of police action in terms of Section 28 (1)(a) and (b) and Table 25 below shows the workload versus completion of these cases per province. In the period under review, the IPID achieved a 62% completion rate on death related matters. The Eastern Cape, Gauteng and KwaZulu-Natal all performed below the national average (62%), the rest of the provinces managed to achieve completion rates above the national average.

Provinces	Workload			Completed cases			Total workload	Total completed	Percentages
	Deaths in custody	Deaths as a result of police action	Deaths in custody	Deaths as a result of police action	Deaths as a result of police action				
Eastern Cape	40	49	20	23	89	43	48%		
Free State	23	31	23	28	54	51	94%		
Gauteng	72	151	16	71	223	87	39%		
KwaZulu-Natal	45	123	20	73	168	93	55%		
Limpopo	35	30	30	27	65	57	88%		
Mpumalanga	24	41	19	37	65	56	86%		
North West	23	23	22	18	46	40	87%		
Northern Cape	9	8	7	6	17	13	76%		
Western Cape	29	43	23	36	72	59	82%		
Total	300	499	180	319	799	499	62%		

7.2. COMPLETION OF CRIMINAL OFFENCES (EXCLUDING DEATH CASES)

The IPID has a mandate to investigate matters that fall within the scope of Section 28(1)(c)-(h) of the IPID Act and Table 26 below shows the workload versus completion of criminal offences per province. The IPID achieved a 53% completion rate in the period under review. The Eastern Cape, Gauteng, KwaZulu-Natal and the Western Cape all performed below the national average (53%), the rest of the provinces managed to achieve completion rates above the national average.

Table 26: Criminal offences, excluding death cases			
Provinces	Total workload	Total completed	Percentages
Eastern Cape	644	311	48%
Free State	953	844	89%
Gauteng	1 160	486	42%
KwaZulu-Natal	678	209	31%
Limpopo	370	267	72%
Mpumalanga	350	238	68%
North West	334	284	85%
Northern Cape	295	240	81%
Western Cape	1 606	518	32%
Total	6 390	3 397	53%

7.3. COMPLETION OF MISCONDUCT CASES

Even though the IPID is mandated to investigate acts of criminality by SAPS/MPS members, it can also investigate misconduct cases as indicated in the departments Standard Operating Procedures, which indicates that all internal remedies up to the level of Provincial Commissioner should have been exhausted by the victim and Table 27 below shows the workload versus completion of misconduct offences per provinces. IPID achieved a 76% completion rate in the period under review. Gauteng and KwaZulu-Natal all performed below the national average (76%), the rest of the provinces managed to achieve completion rates well above the national average. The Eastern Cape missed the national average by one percent, whereas the Northern Cape did not have any misconduct cases.

Table 27: Misconduct			
Provinces	Misconduct workload	Misconduct completed cases	Percentages
Eastern Cape	4	3	75%
Free State	3	3	100%
Gauteng	34	27	79%
KwaZulu-Natal	15	6	40%
Limpopo	2	2	100%
Mpumalanga	3	1	33%
North West	4	4	100%
Northern Cape	-	-	-
Western Cape	23	21	91%
Total	88	67	76%

7.4. POST INVESTIGATIVE MONITORING (PIM) CARRIED OVER COMPLETED WORKLOAD, PER CATEGORY, BY THE END OF THE FINANCIAL YEAR 2012/13

PIM cases are defined as cases in which investigation is completed, but not yet closed. For instance, cases in which the Directorate is relying on other stakeholders in the Criminal Justice Cluster to perform their functions, these include cases where technical reports are still outstanding, court roll cases and where the Directorate is awaiting decisions on criminal prosecution or departmental prosecutions.

IPID had a total of 9 663 cases that were in the post investigative monitoring period, which consists of 486 cases of deaths in police custody, 1317 cases of deaths as a result of police action, 402 cases of complaints of the discharge of official firearms, 107 cases of rape by police officers, 7 cases of rape in police custody, 35 cases of torture, 2885 cases of assault, 66 cases of corruption, 1 case of systematic corruption, 61 cases of non-compliance with IPID Act, 2756 cases of other criminal offences and 1540 cases of misconduct.

Table 28 below shows the total of PIM cases carried by the respective provinces at the end of the financial year 2012/13.

Provinces	Deaths in custody	Deaths as a result of police action	Complaints of the discharge of official firearms	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	82	268	40	12	1	10	157	4	-	10	353	40	977
Free State	62	61	29	13	2	-	431	8	1	19	512	472	1610
Gauteng	128	253	6	16	2	6	815	21	-	5	384	493	2129
KwaZulu-Natal	55	358	-	13	1	-	130	6	-	3	395	83	1044
Limpopo	35	122	111	8	-	1	337	9	-	4	33	2	662
Mpumalanga	50	83	1	-	-	-	384	5	-	-	112	66	701
North West	34	95	22	5	-	18	215	4	-	-	497	202	1092
Northern Cape	20	21	4	12	1	-	184	5	-	2	409	181	839
Western Cape	20	56	189	28	-	-	232	4	-	18	61	1	609
Total	486	1317	402	107	7	35	2885	66	1	61	2756	1540	9663

8. ATTENDANCE OF CRIME SCENES AND POST MORTEMES

The IPID attends both death crime scenes and post mortems. In a number of cases, death crime scenes were not attended due having been cleared by the time the matters were reported and where it was not practical to keep the scene intact until the arrival of IPID investigators because of long distances – in such cases the death crime scenes were reconstructed.

The attendance of death crime scenes forms part of the investigation process and plays a pivotal role in the completion of case investigations. The IPID did not manage to attend all crime scenes, which amounts to a total of 237 death crime scenes not attended. In terms of deaths in police custody, there was not always a crime scene to attend as some victims passed away in hospital. IPID attended 66% of the crime scene within 24 hours of being reported.

Table 29 shows the total number of death crime scenes attended and the total number of scenes not attended within 24 hours per province.

Provinces	Number of scenes attended			Number of scenes not attended			Totals			Percentages
	Deaths in custody	Deaths as a result of police action	Deaths in custody	Deaths as a result of police action	Deaths as a result of police action	Scenes attended	Scenes not attended	Grand total		
Eastern Cape	22	29	15	18	51	33	84	61%		
Free State	19	23	4	8	42	12	54	78%		
Gauteng	22	88	30	30	110	60	170	65%		
KwaZulu-Natal	16	77	28	25	93	53	146	64%		
Limpopo	19	15	15	13	34	28	62	55%		
Mpumalanga	19	28	5	9	47	14	61	77%		
North West	12	12	11	11	24	22	46	52%		
Northern Cape	9	7	-	1	16	1	17	94%		
Western Cape	23	29	6	8	52	14	66	79%		
Total	161	308	114	123	469	237	706	66%		

IPID attended 72% of the post mortems. No post mortems were attended when cases were reported late and where deaths were due to natural causes.

Table 30 shows the total number of post mortems attended and the total number of post mortems not attended per province.

Provinces	Number of post-mortems attended			Number of post-mortems not attended			Totals			
	Deaths in custody	Deaths as a result	Deaths as a result	Deaths in custody	Deaths as a result	Deaths as a result	Total attended	Total not attended	Grand total	Percentages
Eastern Cape	27	34	15	10	15	8	61	25	86	71%
Free State	18	23	8	5	8	8	41	13	54	76%
Gauteng	25	99	27	27	27	27	124	54	178	70%
KwaZulu-Natal	24	76	31	20	31	31	100	51	151	66%
Limpopo	17	18	10	17	10	10	35	27	62	56%
Mpumalanga	20	29	8	4	8	8	49	12	61	80%
North West	11	53	7	12	7	7	64	19	83	77%
Northern Cape	6	9	-	3	-	-	15	3	18	83%
Western Cape	26	33	5	3	5	5	59	8	67	88%
Total	174	374	111	101	111	111	548	212	760	72%

The IPID provincial and satellite offices attended a number of crime scenes on criminal cases that were not death cases. A total of 93 criminal case crime scenes were attended, which includes 19 scenes of a complaint of a discharge of an official firearm, 4 scenes of rape by a police officer, 3 scenes of rape in police custody, 4 scenes of assault and 38 scenes of other criminal offences.

Table 31 shows the total number of criminal case crime scenes attended.

Table 31: Criminal case crime scenes attended										
Provinces	Complaint of a discharge of an official firearm	Rape by police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Other criminal offence	Total	
Eastern Cape	8	-	-	-	-	-	-	4	12	
Free State	5	1	1	-	2	-	-	8	17	
Gauteng	2	2	-	-	-	-	-	1	5	
KwaZulu-Natal	-	-	1	-	1	-	-	-	2	
Limpopo	4	-	1	-	-	-	-	-	5	
Mpumalanga	-	-	-	-	-	-	-	50	50	
North West	-	-	-	-	1	-	-	-	1	
Northern Cape	-	-	-	-	-	-	-	-	-	
Western Cape	-	1	-	-	-	-	-	-	1	
Total	19	4	3	-	4	-	-	63	93	

9. CRIMINAL RECOMMENDATIONS TO NPA AND COURT ATTENDANCE

After the completion of every criminal investigation where there is evidence of wrong doing, recommendations are forwarded to the NPA who, based on the evidence at hand, makes a decision whether or not to institute criminal proceedings against the suspect(s). A total of 1088 recommendations were made to NPA for decisions, which comprised of 108 cases of deaths, 51 cases of complaints of the discharge of official firearms, 37 cases of rape by police officers, 3 cases of rape in police custody, 5 cases of torture, 683 cases of assault, 6 cases of corruption, 46 cases of non-compliance with IPID Act and 149 cases of other criminal offences.

Table 32(a) shows the total number of criminal recommendations generated to the NPA by the respective provinces for the period under review.

Table 32(a): Criminal recommendations generated													
Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearms	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total	
Eastern Cape	-	19	11	8	1	5	126	3	-	8	34	215	
Free State	2	6	5	8	-	-	124	-	-	8	8	161	
Gauteng	-	3	-	-	-	-	16	-	-	-	8	27	
KwaZulu-Natal	-	4	-	3	-	-	7	-	-	3	3	20	
Limpopo	-	10	22	3	-	-	91	2	-	6	5	139	
Mpumalanga	8	22	-	-	-	-	78	-	-	-	56	164	
North West	3	8	3	-	-	-	73	-	-	-	19	106	
Northern Cape	2	2	6	6	1	-	82	1	-	13	12	125	
Western Cape	6	13	4	9	1	-	86	-	-	8	4	131	
Total	21	87	51	37	3	5	683	6	-	46	149	1088	

NB This table includes data from ICD

Of the 1088 recommendations generated, 545 recommendations were referred to the NPA. Three hundred and eighty four of these recommendations were for assault. One thousand and eighty-eight recommendation reports were generated and 545 were referred to the NPA for decision, the remaining reports (543) were not referred due to fact that the allegations were unsubstantiated and did not warrant a recommendation to be forwarded to the NPA.

Table 32(b) below refers to recommendation reports that were forwarded to the NPA for decisions.

Table 32(b): Criminal recommendations referred												
Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	-	6	2	-	-	-	16	3	-	-	11	38
Free State	-	5	2	4	-	-	79	1	-	6	5	102
Gauteng	-	3	-	-	-	-	5	-	-	-	2	10
KwaZulu-Natal	-	5	-	2	-	-	7	-	-	1	2	17
Limpopo	1	4	-	1	-	-	65	2	-	4	19	96
Mpumalanga	2	4	-	-	-	-	22	-	-	-	15	43
North West	-	7	1	-	-	-	79	-	-	-	8	95
Northern Cape	-	-	1	-	1	-	21	-	-	-	3	26
Western Cape	3	6	2	4	-	-	90	1	-	6	6	118
Total	6	40	8	11	1	0	384	7	0	17	71	545

The amount of days cases spent in court form part of the process between completion and closure of cases. Where criminal recommendations were accepted by the NPA, the cases went to court and IPID investigators attended court dates. Most days in court were spent on cases of deaths as a result of police action and assault cases. A total number of 1021 days were recorded for court attendance.

Table 34 shows the total number of days spent in court per province in the period under review.

Table 34: Number of days spent in court													
Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	-	5	-	-	-	-	-	-	-	-	2	-	7
Free State	2	71	4	32	-	-	59	-	-	3	38	-	209
Gauteng	1	71	1	23	1	-	54	2	-	-	8	-	161
KwaZulu-Natal	3	113	-	9	-	-	6	16	-	-	9	-	156
Limpopo	4	63	48	15	-	-	64	5	-	-	8	-	207
Mpumalanga	-	32	-	-	-	-	9	-	-	-	25	-	66
North West	4	14	-	9	-	-	41	1	-	-	68	-	137
Northern Cape	1	6	-	-	-	-	6	-	-	-	-	-	13
Western Cape	-	37	-	20	-	-	4	-	-	-	4	-	65
Total	15	412	53	108	1	-	243	24	-	3	162	-	1021

10. DISCIPLINARY RECOMMENDATIONS

Part of the mandate of the IPID is to make disciplinary recommendations to the SAPS after a complaint has been investigated and the investigation has been completed. A total number of 1040 departmental recommendations were made to SAPS during the period under review. The majority of the recommendations made related to assault (579) and other criminal offences (157).

Table 35(a) shows the total number of disciplinary recommendations generated by the respective provinces to SAPS.

Table 35(a): Disciplinary recommendations generated

Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	2	13	17	-	12	7	112	5	8	38	-	214
Free State	3	4	9	-	4	-	82	2	14	9	-	127
Gauteng	1	27	-	-	-	-	44	-	3	9	5	89
KwaZulu-Natal	-	6	-	2	3	-	9	2	1	7	-	30
Limpopo	1	6	14	-	1	-	37	-	4	3	-	66
Mpumalanga	6	16	-	-	-	-	70	-	-	58	-	150
North West	2	2	2	-	-	-	55	1	-	6	-	68
Northern Cape	3	4	6	-	6	-	65	1	13	9	-	107
Western Cape	7	15	12	1	14	-	105	2	15	18	-	189
Total	25	93	60	3	40	7	579	13	58	157	5	1040

NB This table includes data from ICD

Out of 1040 recommendations generated, only 788 were referred to the SAPS. At the time of reporting, the rest of the recommendations had not been sent to the SAPS.

Table 35(b) below refers to recommendation reports that were forwarded to the SAPS for a decision.

Table 35(b): Disciplinary recommendations referred													
Provinces	Deaths in custody	Deaths as a result of police	Complaint of discharge of an	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	-	18	10	8	-	-	92	7	0	5	30	-	170
Free State	2	4	8	2	-	-	60	1	0	6	5	-	88
Gauteng	-	6	3	-	-	-	11	-	0	3	7	-	30
KwaZulu-Natal	1	7	1	6	-	-	9	2	0	1	6	-	33
Limpopo	-	9	4	1	-	-	34	-	0	4	11	-	63
Mpumalanga	-	16	1	-	-	-	38	-	0	-	32	-	87
North West	-	5	1	-	-	-	53	1	0	-	4	-	64
Northern Cape	1	5	5	4	-	-	44	-	0	11	8	-	78
Western Cape	2	19	10	15	1	-	98	1	0	14	15	-	175
Total	6	89	43	36	1	0	439	12	0	44	118	-	788

II. CONVICTIONS AND ACQUITTALS

II.1. DISCIPLINARY CONVICTIONS

Not only does the IPID make criminal recommendations for prosecution of suspects but it also makes disciplinary recommendations to the SAPS/MPs relating to disciplinary steps to be taken against the said members. A total of eighty four (84) disciplinary convictions were received. Of these, 28 disciplinary convictions were for assault, 14 for misconduct, 13 for rape by police officers and 13 for other criminal offences. No member(s) were convicted in disciplinary proceedings in Mpumalanga.

Table 36 shows the total number of disciplinary convictions that were received by the respective provinces during the period under review.

Table 36: Disciplinary convictions													
Provinces	Deaths in custody	Deaths as a result of police action	Discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	-	1	1	2	-	-	7	2	-	-	5	-	18
Free State	-	-	-	1	-	-	4	-	-	-	-	-	5
Gauteng	3	1	-	-	-	-	-	-	-	-	-	-	4
KwaZulu-Natal	-	1	-	-	-	-	-	-	-	-	-	-	1
Limpopo	-	1	-	-	-	-	1	-	-	-	-	-	2
Mpumalanga	-	-	-	-	-	-	-	-	-	-	-	-	-
North West	-	1	-	-	-	-	2	-	-	-	2	13	18
Northern Cape	-	-	1	3	-	-	7	-	-	1	1	1	14
Western Cape	-	1	-	7	-	-	7	-	-	2	5	-	22
Total	3	6	2	13	-	-	28	2	-	3	13	14	84

In 20 cases, police officers were dismissed from the SAPS for offences ranging from murder to rape. In five cases member of the SAPS were sentenced to suspended dismissals.

The details of disciplinary convictions against members of the SAPS are shown in Table 37.

Table 37: Details of disciplinary convictions

No.	CCN	Station	Nature of complaint	Sentence / Sanction
1	2011110253	Litsitele	Murder	Dismissal from service
2	2011110238	Tsakane	Improper performance	Final written warning
3	20111100269	Northern Cape Provincial Command	Improper performance	Written warning
4	2008060515	Lichtenburg	Improper performance	Written warning
5	2010030090	Zeerust	Improper performance	Reprimand
6	2010100624	Mmabatho	Improper performance	Written warning
7	2011010316	Phokeng	Improper performance	Verbal warning
8	2011050454	Phokeng	Improper performance	Verbal warning
9	2011070229	Phokeng	Improper performance	Verbal warning
10	2008090045	Wolmanranstad	Theft	Written warning
11	2011040338	Odendaalsrus	Rape	Dismissal from service
12	2010070239	Pretoria Central	Murder	Dismissal from service
13	2009030485	Rustenburg	Improper performance	Corrective counselling
14	2010030213	Phokeng	Improper performance	Referred for counselling
15	2010100069	Tlhabane	Improper performance	Verbal warning
16	2010100570	Phokeng	Improper performance	Verbal warning
17	2010120112	Rustenburg	Improper performance	Verbal warning
18	2011050191	Boitekong	Improper performance	Verbal warning
19	2011060352	Madikwe	Improper performance	Written warning
20	2012040145	Boithuso	Common assault	Fine an amount of R800
21	2011060060	Heidedal	Common assault	Verbal warning
22	2012060307	Bothaville	Common assault	Verbal warning

23	2012080307	Bothaville	Common assault	Written warning
24	2012060404	Mdantsane	Armed robbery	Dismissed from the service
25	2007080065	Hartebeesfontein	Improper performance	Written warning & fined an amount of R300
26	2009120159	Taung	Improper performance	Written warning
27	2012060173	Potchefstroom	Assault common	Written warning
28	2013020082	Swartruggens	Assault GBH	Written warning
29	2011040180	Mokopane	Assault GBH	Dismissed from the service, suspended for six months
30	2010120445	Reitgat	Murder	Dismissed from the service
31	2011020623	Etwatwa	Murder	Dismissed from the service
32	2012030423	Marydale	Assault GBH	Fine amount of R500
33	2012040040	Keimoes	Assault GBH	Fine amount of R500
34	2010040056	Olifantshoek	Assault GBH	Member was suspended for three months without salary
35	2012040059	Keimoes	Drunk Driving	Dismissed from the service, wholly suspended for six months
36	2012040052	Keimoes	Discharge of firearm in a municipal area	Fine amount of R750
37	2012050001	Norvalspont	Rape	Dismissed from the service
38	2012040168	Jan Kempdorp	Assault GBH	Written warning
39	2012050287	Grobiershoop	Rape	Dismissed from the service
40	2012040054	Olifantshoek	Assault GBH	Member was suspended for three months without salary and final written warning
41	2012070284	Keimoes	Rape	Dismissed from the service
42	2012060258	Colesburg	Assault GBH	Written warning
43	2012060254	Norvalspont	Contravening of Section 29 of the IPID Act	Written warning
44	2012060257	Colesburg	Assault GBH	Written warning
45	2012050447	Bredasdorp	Murder	Written warning
46	2012060040	Caledon	Rape	Written warning
47	2012090154	Brackenfell	Contravening of Section 29 of the IPID Act	Verbal warning

48	2012080204	Parow			Rape	Member dismissed from service
49	2012050144	De Rust			Attempted Murder	Member suspended for 6 months and fine of R300
50	2012080030	Mitchell's Plain			Attempted Murder	Corrective counselling
51	2012080180	Montagu			Assault	Written & 3 verbal warnings
52	2012110239	Langebaan			Rape	Member dismissed from service
53	2012070100	Ladismith			Assault	Verbal warning
54	2012120226	Kleinville			Assault Common	Members received Final written warning, 3 final written warnings & verbal warning
55	2012040244	Kraaifontein			Attempted Murder	Final written warning & corrective counselling
56	2012070250	Eisiesriver			Assault GBH	Written warning
57	2012100232	Langa			Assault GBH	Written warning
58	2012100241	Saldanha			Contravening of Section 29 of the IPID Act	Written warning
59	2012120359	Robertson			Rape	Member dismissed from service
60	2012060510	Wellington			Assault Common	Verbal warning
61	2012090545	Mosselbay			Assault Common	Final written warning
62	2013020462	KwaNongqaba			Rape	Dismissed on 2013/03/05
63	2012040032	Ceres			Attempted Murder	Dismissed from service
64	2012050548	Beaufort West			Attempted Murder	Dismissed from service
65	2012060228	Bellville			Rape	Dismissed from service
66	2012100141	Mitchell's Plain			Rape	Dismissed from service
67	2012050010`	Graaf Reinett			Discharge of firearm in a municipal area	Verbal Warning
68	2012060091	Eliot			Assault Common	Final Written Warning
69	2012050459	Humewood			Rape	Dismissed from Service
70	2012070011	Seymour			Attempted Murder	Fined R500. Suspended for 6 months
71	2012060177	Whittlesea			Attempted Murder	Dismissed from Service
72	2012060286	Whittlesea			Assault	Dismissed from Service
73	2012070320	Motherwell			Corruption	Dismissed from Service
74	2012050152	Barkly East			Sexual Assault	Suspension without salary for 3 months

75	2012060490	Sterkspruit				Negligent handling of a firearm	and dismissal suspended for 6 months
76	2012060093	Dordrecht				Corruption	Found guilty and fined R500
77	2012070621	Burthust				Assault Common	Dismissal suspended for 6 months and fined R500
78	2012090061	Beacon Bay				Assault Common	Fined an amount of R500
79	2012080561	Jansenville				Assault Common	Final written warning
80	2012080640	Mount Ayliff				Murder	Written Warning
81	2012080149 2012080213	Tsolo				Assault	Dismissed from Service
82	2012050042	Sulenkama				Rape	Dismissal and suspended for 6 months and R400 fine
83	2012070059	Dordrecht				Assault Common	Dismissal suspended for 6 months
84	2011010569	Msimini				Murder	Final Written warning
							Dismissed from Service

11.2. DISCIPLINARY ACQUITTALS

The IPID made disciplinary recommendations to the SAPS/MPS in respect of disciplinary steps to be taken against members of the SAPS. A total of forty-eight (48) disciplinary acquittals were received. Of these, there were 24 acquittals on other criminal offences, all from the Free State.

Table 38 shows the total number of departmental acquittals that were received by the respective provinces during the period under review.

Table 38: Disciplinary acquittals													
Provinces	Deaths in custody	Deaths as a result of police action	Discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	-	1	-	2	-	-	-	-	-	-	-	-	3
Free State	3	-	1	-	-	8	-	-	-	-	24	6	42
Gauteng	-	-	-	-	-	-	-	-	-	-	-	-	-
KwaZulu-Natal	-	2	-	-	-	-	-	-	-	-	-	-	4
Limpopo	-	1	-	-	-	-	-	-	-	-	-	-	1
Mpumalanga	-	-	-	-	-	-	-	-	-	-	-	-	-
North West	-	-	-	-	-	-	-	-	-	-	-	-	-
Northern Cape	-	-	-	-	-	-	-	-	-	-	-	-	-
Western Cape	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	3	4	1	2	-	-	8	-	-	-	24	6	48

Table 39 sets out the details of disciplinary acquittals in which SAPS members were found not guilty.

Table 39: Details of disciplinary acquittals				
No.	CCN	Station	Nature of complaint	Sentence / sanction
1	2010020390	Kagisanong	Improper conduct	Acquitted
2	2010120069	Ladybrand	Improper conduct	Acquitted
3	2010120122	Ladybrand	Improper conduct	Acquitted
4	2010120127	Ladybrand	Improper conduct	Acquitted
5	2010040300	Navalsig	Defeating the ends of justice	Acquitted
6	2010050325	Twespruit	Improper conduct	Acquitted
7	2011010576	Hobhouse	Improper conduct	Acquitted
8	2011010134	Bloemspruit	Improper conduct	Acquitted
9	2012070303	Parkroad	Improper conduct	Acquitted
10	2010040055	Ventersburg	Rape	Acquitted
11	2010010136	Thabong	Malicious damage to property	Acquitted
12	2011010160	Welkom	Improper conduct	Acquitted
13	2010070628	Welkom	Assault	Acquitted
14	2010090236	Welkom	Intimidation	Acquitted
15	2010080003	Bothaville	Improper conduct	Acquitted
16	2010020348	Welkom	Corruption	Acquitted
17	2010080262	Wesselsbron	Corruption	Acquitted
18	2010040325	Bultfontein	Improper conduct	Acquitted
19	2010040295	Hertzogville	Housebreaking	Acquitted
20	2010040018	Batho	Improper conduct	Acquitted
21	2010030634	Virginia	Improper conduct	Acquitted
22	2010070224	Parkroad	Receiving suspected stolen property	Acquitted
23	2010050166	Meloding	Robbery	Acquitted
24	2010050291	Hoopstad	Corruption	Acquitted
25	2010040223	Kagisanong	Intimidation	Acquitted
26	2010120247	Mangaung	Corruption	Acquitted
27	2012010067	Twespruit	Crimes injuria	Acquitted
28	2012010110	Boithuso	Common assault	Acquitted

29	2012040107	Fouriesburg	Assault	Acquitted
30	2012060635	Boithuso	Attempted murder	Acquitted
31	2012070575	Thabong	Attempted murder	Acquitted
32	2012060635	Boithuso	Attempted murder	Acquitted
33	2012050387	Bultfontein	Common assault	Acquitted
34	2012060648	Kroonstad	Discharge of firearm in a municipal area	Acquitted
35	2012080677	Allanridge	Common assault	Acquitted
36	2012070310	Meloding	Common assault	Acquitted
37	2012050479	Bultfontein	Common assault	Acquitted
38	2012020366	Kopanong	Reckless and negligent driving	Acquitted
39	2012060450	Tseki	Assault	Acquitted
40	2012040305	Kagisanong	Discharge of an official firearm	Acquitted
41	2012050468	Meloding	Attempted murder	Acquitted
42	2011080261	Viljoenskroon	Improper conduct	Acquitted
43	2011090225	Namakgale	Improper conduct	Acquitted
44	2012080475	East London	Rape	Acquitted
45	2012040199	Nggamakwe	Death as a result of police action	Acquitted
46	2012070672	KwaDwesi	Endangering the lives of others	Acquitted
47	2012020468	KwaMashu	Murder	Acquitted
48	2012030309	Newcastle	Murder	Acquitted

11.3. CRIMINAL CONVICTIONS

The IPID investigated acts of criminality allegedly committed by members of the SAPS/MPS and brought these members to justice. Recommendations were forwarded to the NPA and matters were placed on the court rolls. The IPID provided its support to the court processes by testifying in the relevant matters. The courts made rulings, some of which resulted in convictions.

A total of fifty-seven (57) criminal convictions were received, which comprised of twenty seven (27) deaths as a result of police action, four (4) complaints of the discharge of official firearms, eleven (11) assaults, two (2) corruption matter and thirteen (13) other criminal matters.

Table 40 shows the total number of criminal convictions that were received by the respective provinces during the period under review.

Table 40: Criminal convictions													
Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total	
Eastern Cape	-	4	-	-	-	-	2	1	-	-	2	9	
Free State	-	-	-	-	-	-	-	-	-	-	1	1	
Gauteng	-	10	-	-	-	-	-	-	-	-	-	10	
KwaZulu-Natal	-	6	-	-	-	-	-	1	-	-	3	10	
Limpopo	-	2	4	-	-	-	5	-	-	-	1	12	
Mpumalanga	-	1	-	-	-	-	-	-	-	-	-	1	
North West	-	-	-	-	-	-	-	-	-	-	3	3	
Northern Cape	-	3	-	-	-	-	3	-	-	-	2	8	
Western Cape	-	1	-	-	-	-	-	-	-	-	2	3	
Total	-	27	4	-	-	-	10	2	-	-	14	57	

Of the matters which finalised in the courts, there were 57 convictions. In two matters which were finalised in KwaZulu-Natal, life sentences were handed down by the courts. In the other matters, the sentences imposed ranged from fines to 48 years imprisonment.

Table 41 sets out the details of conviction for criminal offences in which SAPS members were found guilty.

Table 41 : Details of criminal convictions				
No.	CCN	Station	Nature of complaint	Sentence / sanction
1	2007100624	Marble Hall	Murder	Sentenced to three years imprisonment
2	2008040202	Lebowakgomo	Murder	Sentenced to fifteen years imprisonment
3	2010040449	Mankweng	Assault	Sentenced to six years, suspended for five years
4	2012040310	Vaalwater	Assault	Fined R400 on admission of guilt
5	2011080027	Kimberley	Assault common	Fined R2000 or two months imprisonment of which half is suspended for five years
6	2009040337	Kimberly	Culpable homicide	Sentenced to three years imprisonment
7	2011050378	Hlogotlou	Assault GBH	Sentenced to four month imprisonment suspended for five years
8	2008020548	Mankweng	Assault GBH	Sentenced to eighteen months imprisonment
9	2008080551	Mankweng	Murder	Sentenced to twelve years imprisonment
10	2010040449	Mankweng	Attempted murder	Six years and suspended to five years on condition that accused is not found guilty or attempted murder during the period of suspension
11	2011060112	Galeshewe	Attempted murder	Fined R800 or 80 days imprisonment
12	2012020278	Dobsonville	Murder	Sentenced to seventeen years in prison of which five years were suspended
13	2007070477	Hillbrow	Murder	Sentenced to ten years imprisonment
14	2010060213	Brackendowns	Murder	Sentenced to fifteen years imprisonment
15	2010040237	Sasolburg	Defeating the ends of justice	Sentenced to three years correctional supervision
16	2009070546	Hartebeespoortdam	Malicious damage to property	R4000-00 or 12 months imprisonment half suspended for five years
17	2008010196	Daveyton	Murder	Sentence to twenty years imprisonment
18	2008110473	Amanzimtoti	Defeating the ends of justice	Sentence to three years imprisonment
19	2011060324	Greenwood Park	Corruption	Sentence to eight years imprisonment
20	2008110157	Vaalbank	Murder	Sentence to ten years imprisonment
21	2012040106	Windsorton	Malicious damage to property	Fine amount of R500 or three months imprisonment
22	2008120181	Mmabatho	Assault GBH	Fine amount of R300 or 90 days half suspended for five years.
23	2008090212	Ikamvelihle	Attempted Murder	Fined amount of R1000

24	2011060453	Thohoyandou	Assault & Theft	Assault & Theft	Sentence to six years imprisonment or R10 000 fine each
25	2011060209	Jourberton	Assault GBH	Assault GBH	Fine an amount R8000 or 18 months imprisonment of which R4000 and nine months suspended for five years.
26	2010110306	Seshego	Assault	Assault	Sentence to three years whole suspended
27	2012020494	Vaalwater	Assault	Assault	R2000 fine or two months imprisonment
28	2009110194	Lephalale	Attempted Murder	Attempted Murder	Fine amount of R12 000
29	2007030364	Evaton	Murder	Murder	Sentenced to ten years for charge of murder and five years for attempted murder
30	2007100293	Harare	Murder	Murder	Sentenced to fifteen years imprisonment
31	2010060058	George	Defeating the ends of justice	Defeating the ends of justice	Sentenced to three years, which was wholly suspended for a period of five years
32	2009110044	Gauteng Provincial Support Command, VIP Protection Services	Murder	Murder	Sentenced to ten years imprisonment for murder and three years for possession of unlawful ammunition
33	2012100206	Evaton	Murder	Murder	Sentenced to six years imprisonment wholly suspended for five years
34	2010120445	Akasia	Murder	Murder	Sentenced to twenty years imprisonment
35	2010070401	Daveyton	Murder	Murder	Sentenced to twelve months of which the first month will be under medium risk house arrest
36	2010030061	Bothitong	Assault GBH	Assault GBH	Fine amount of R500
37	2010080256	Rosedale	Assault GBH	Assault GBH	Fine amount of R500
38	2010120240	Upington	Attempted murder	Attempted murder	Fine amount of R5 000 or twelve months imprisonment
39	2010080083	Kakamas	Armed Robbery	Armed Robbery	Sentenced to eight years imprisonment, wholly suspended for five years
40	2010070116	Calvinia	Murder	Murder	Fine amount of R6 000 or six years imprisonment
41	2008040332	Mzamba	Assault GBH	Assault GBH	Sentenced to five years and suspended for five years

42	2010080214	Cedarville	Attempted murder	Sentenced to five years and suspended for five years
43	2012010001	Tabankulu	Corruption	Sentenced to five years and suspended for five years or R 8 000
44	2010020179	Bityi	Murder	Sentenced to fifteen years imprisonment
45	2010040267	Tamara	Murder	Sentenced to eight years imprisonment
46	2008040499	Dimbaza	Assault GBH	Sentenced to nine months or R 3 000 fine suspended for one year
47	2012030004	Bhekithemba	Murder and Rape	Sentenced to life imprisonment and fifteen years
48	2008110471	Amanzimtoti	Defeating the ends of justice	Sentenced to three years and six months imprisonment
49	2009100519	Umsinga	Murder	Sentenced to ten years imprisonment
50	2011010569	Msinini	Murder	Sentenced to ten years imprisonment
51	2008110473	Amanzimtoti	Defeating the ends of justice	Sentenced to three years imprisonment
52	2009060028	Ulundi	Murder	Sentenced to life imprisonment
53	2011010005	Bayview	Murder	Sentenced to thirty year direct imprisonment
54	2011010003	Umlazi	Murder	Sentenced to forty-eight years imprisonment
55	2010090256	Nongoma	Murder	Sentenced to twenty years direct Imprisonment
56	2008090489	Babanango	Murder	Sentenced to ten years imprisonment
57	2012050490	Bramley	Murder	Sentenced to fifteen years imprisonment

11.4. CRIMINAL ACQUITTALS

The IPID made criminal recommendations to the NPA in respect of criminal prosecution against members of the SAPS. A total of 21 criminal acquittals were received. Of these, there were 7 acquittals on other criminal offences and 6 on assaults.

Table 42 indicates the total number of criminal acquittals that have been received by the respective province during the period under review.

Provinces	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	-	2	-	-	-	-	3	-	-	-	2	7
Free State	-	-	-	-	-	-	1	-	-	1	-	2
Gauteng	-	-	-	-	-	-	-	-	-	-	1	1
KwaZulu-Natal	-	1	-	-	-	-	-	1	-	-	-	2
Limpopo	1	-	-	-	-	-	1	-	-	-	3	5
Mpumalanga	-	-	-	-	-	-	-	-	-	-	1	1
North West	-	-	-	-	-	-	-	-	-	-	-	-
Northern Cape	-	-	-	-	-	-	1	-	-	-	-	1
Western Cape	1	-	-	1	-	-	-	-	-	-	-	2
Total	2	3	-	1	-	-	6	1	-	1	7	21

The IPID made criminal recommendations to the NPA in respect of criminal proceedings against members of the SAPS. A total of twenty one (21) criminal acquittals were received.

Table 43 below sets out the details of criminal offences in which SAPS members were found not guilty.

Table 43: Details of criminal acquittals					
No.	CCN	Station	Nature of complaint	Sentence / sanction	
1	2008030042	Duncan Village	Assault GBH	Acquitted	
2	2010060041	Mankweng	Violation of protection order	Acquitted	
3	2011100145	Eldorado Park	Defeating the ends of justice	Acquitted	
4	2012040142	Tumahole	Common assault	Acquitted	
5	2011050253	Kimberley	Assault	Acquitted	
6	2009060198	Bellville	Rape	Acquitted	
7	2012070172	Bronville	Non-compliance with the IPID Act	Acquitted	
8	2012030436	Senwabarwana	Attempted Murder	Acquitted	
9	2010060041	Mankweng	Contravention of protection order	Acquitted	
10	2010100549	Masoyi	Attempted Murder	Acquitted	
11	2009010354	Lingelethu West	Murder	Acquitted	
12	2012110383	KwaZakhele	Assault Common	Acquitted	
13	2011090318	Tsolo	Malicious damage to property	Acquitted	
14	2011060475	Durban	Corruption	Acquitted	
15	2008050561	Cala	Attempted Murder	Acquitted	
16	2011110011	Thabazimbi	Assault	Acquitted	
17	2004030689/2012100167	Lebowakgomo	Murder	Acquitted	
18	2011050429	East London	Assault GBH	Acquitted	
19	2008050563	Tsolo	Murder	Acquitted	
20	2009110610	Cedarville	Murder	Acquitted	
21	2010080174	Nkandla	Murder	Acquitted	

12. ARRESTS OF SAPS MEMBERS

The IPID made arrests in the line of its investigations based on the evidence it had. Most of the arrests were done in consultation with the relevant prosecutors. A total of 155 SAPS members were arrested for various crimes. Some of the arrests were effected by the SAPS and the IPID took over the investigations and charged the suspects.

Table 44 below sets out the details of SAPS members that were arrested.

Table 44 Details of arrested members						
No.	Month	CCN	Station	Charges	Number arrested	
1	April 2012	2012050111	Kempton Park	Murder	1	
2	April 2012	2012040110	Mahwelereng	Murder	1	
3	April 2012	2012050001	Colesberg	Rape	1	
4	August 2012	2012080785	Tsakane	Pointing of firearm / malicious damage to property	1	
5	August 2012	2012080505	Hillbrow	Rape and kidnapping	1	
6	August 2012	2012090151	Jabulani	Attempted murder	1	
7	August 2012	2012080598	Katlehong	Murder	1	
8	August 2012	2012060408	Newlands East	Attempted murder	1	
9	August 2012	2008090103	KwaDukuza	Murder and others	5	
10	August 2012	2008090402	Howick	Murder and others	5	
11	August 2012	2008090467	Mandini	Murder and others	6	
12	August 2012	2009050471	Pinetown	Murder and others	7	
13	August 2012	2009090590	Rustenburg	Murder and others	5	
14	August 2012	2009030445	Tongaat	Murder and others	1	
15	August 2012	2010030159	KwaDukuza	Murder and others	1	
16	August 2012	2008080426	Madadeni	Murder and others	1	
17	August 2012	2011090532	Isipingo	Murder and defeating	1	
18	August 2012	2012080516	Seshego	Murder	1	
19	August 2012	2012080739	Potchefstroom	Murder	1	

20	July 2012	2012070471		Point	Rape	1
21	July 2012	2012070405		Jouberton	Murder	1
22	June 2012	2009040505		KwaMashu	Murder and others	1
23	June 2012	2009110628		KwaMashu	Murder and others	3
24	June 2012	2011070059		Durban North	Murder and others	6
25	June 2012	2008050429		Berea	Murder and others	6
26	June 2012	2011050215		Bhekithemba	Murder and others	3
27	June 2012	2009080169		Phoenix	Murder and others	3
28	June 2012	2008110506		Melmoth	Murder and others	3
29	June 2012	2010040004		Esikhawini	Murder and others	3
30	June 2012	2011090047		Esikhawini	Murder and others	3
31	June 2012	2012060211		Mankweng	Rape	1
32	May 2012	2012050013		Alberton	Murder	1
33	May 2012	2012050490		Bramley	Murder	1
34	September 2012	2012090631		Mabopane	Rape	1
35	September 2012	2012080075		Mokopane	Assault	1
36	September 2012	2012090231		Namakgale	Attempted murder	1
37	October 2012	2012090096		Gilead	Discharge of firearm	1
38	October 2012	2012090450		Wolmaranstad	Assault	1
39	November 2012	2012100756		Khuma	Murder	1
40	November 2012	2012100084		Taug	Murder	1
41	November 2012	2012110130		Atamelang	Rape	1
42	November 2012	2012110239		Robertson	Rape	1
43	December 2012	2012120576		Eersterust	Rape	1
44	December 2012	2012120584		Olivenhoutbosch	Attempted murder	1
45	December 2012	2012120045		Katlehong	Rape	1
46	December 2012	2012120058		Dobsonville	Murder X 2 Attempted murder X4	1
47	December 2012	2012120585		KwaThema	Murder	1
48	December 2012	2013010082		Cleveland	Attempted murder	1

49	December 2012	2012120539	Orlando	Attempted murder	1
50	December 2012	2012120355	Meadowlands	Attempted murder	1
51	December 2012	2012120552	Vanderbijlpark	Assault GBH	1
52	December 2012	2012120557	Thembisa	Attempted murder	1
53	December 2012	2012100579	KwaMakhutha	Murder & Defeating the ends of justice	1
54	December 2012	2012120511	Phillipi East	Rape	1
55	December 2012	2012120359	Robertson	Rape	1
56	January 2013	2012120282	Sharpville	Assault GBH	2
57	January 2013	2012120585	KwaThema	Murder	1
58	January 2013	2012120587	Dobsonville	Murder	1
59	January 2013	2012100163	Pinetown	Murder	1
60	February 2013	2013020038	Bloemspruit	Rape	1
61	February 2013	2013020255	Bayview	Corruption	2
62	February 2013	2011010411	Thembalethu	Murder	1
63	March 2013	2013030390	Springs	Attempted murder	1
64	March 2013	2013030505	Moffatview	Murder	1
65	March 2013	2013030565	Daveyton	Murder	9
66	March 2013	2013020560	KwaMashu	Corruption	3
67	March 2013	2013030366	Lomanyaneng	Attempted murder	1
68	March 2013	2013030440	Phokeng	Attempted murder	1
Total					125

13. CASES ON COURT ROLLS

The IPID investigated and made recommendations for prosecution and where the NPA decided to prosecute, those matters were placed on the court rolls around the country. At the end of the financial year, a total of 538 cases were on the court roll.

Table 45(a) shows the total number of cases that each province has on the court roll.

Table 45(a): Court roll cases																
Province	Deaths	Rape	Assault	Attempted murder	Corruption	Pointing of firearm	Extortions	Arson	Theft	Malicious damage to property	Defeating the ends of justice	Inquest	Arm Robbery	Reckless & Negligent driving	Intimidation	Total
Eastern Cape	25	5	18	6	2	2	-	-	-	-	-	-	-	-	-	58
Free State	16	7	24	8	-	-	-	-	-	-	1	-	-	-	-	56
Gauteng	18	21	8	16	3	1	-	-	-	-	1	-	-	-	-	68
KwaZulu-Natal	64	10	6	13	5	1	1	1	1	-	-	2	1	-	-	105
Limpopo	11	4	20	13	1	2	-	-	-	-	-	1	-	-	-	52
Mpumalanga	17	-	8	13	-	-	-	-	-	-	-	-	-	-	-	38
North West	9	6	41	6	3	-	-	-	1	1	-	-	-	3	-	70
Northern Cape	6	4	19	3	1	1	-	-	-	1	-	-	1	-	2	38
Western Cape	18	11	16	5	-	-	-	-	-	1	-	1	1	-	-	53
Total	184	68	160	83	15	7	1	1	2	3	2	4	3	3	2	538

Based on IPID recommendations, the NPA made decisions on what matters to prosecute and such matters were placed on the court rolls around the country. Court processes generally take long. For instance, the national average time that cases spend on the court rolls is 2 years, however, KwaZulu-Natal cases spent almost 3 years on the court roll. This phenomenon has an impact on the IPID's ability to report on the outcomes of cases.

Table 45(b) shows the average time that a case spends on the court roll.

Table 45(b): Time case spent on the court roll		
Province	Average time each case is on the court roll (in days)	Average time each case is on the court roll (in years)
Eastern Cape	908	2.5
Free State	675	1.8
Gauteng	770	2.1
KwaZulu-Natal	980	2.7
Limpopo	600	1.6
Mpumalanga	870	2.4
North West	880	2.4
Northern Cape	660	1.8
Western Cape	716	2.0
National Average	784	2.1

15. CLOSED CASES

One thousand two hundred and sixty seven cases were closed during the period under review. The majority of the closed cases were misconducts (382), followed by assaults (344) and other criminal offences (281).

Closed cases per category, are detailed in Table 46(a) below.

Manner of disposal	Deaths in custody	Deaths as a result of police action	Complaint of discharge of an official firearm	Rape by a police officer	Rape in custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Acquitted	2	2	1	-	-	-	1	3	-	-	19	7	35
Convicted	2	1	2	-	-	-	8	-	-	2	15	22	52
Decline to prosecute	5	4	13	1	-	-	43	1	-	24	24	12	127
Discharge	-	-	-	-	-	-	-	-	-	-	-	-	-
Dismissed	1	1	-	-	-	-	2	1	-	-	1	1	7
Referred	-	-	-	-	-	-	9	-	1	-	9	160	179
Unsubstantiated	39	67	49	4	5	-	220	16	-	6	194	177	777
Withdrawn	-	1	4	1	-	-	61	1	-	-	19	3	90
Total	49	76	69	6	5	-	344	22	1	32	281	382	1267

Seven hundred and seventy-seven (777) cases were closed as unsubstantiated, 179 closed as referred, 90 closed as withdrawn, 127 were closed as declined, 90 were closed as withdrawn, and 52 were closed when a member(s) was/were convicted, 35 closed when a member(s) was/were acquitted and 7 were closed when a member(s) was/were dismissed.

Table 47(c) provides details of the manner of closure per province and it indicates that 1267 cases were closed in the period under review.

Table 47(c): Manner of closed case per province										
Provinces	Acquitted	Convicted	Decline	Discharge	Dismissed	Referred	Unsubstantiated	Withdrawn	Total	
Eastern Cape	3	1	11	-	-	5	21	4	45	
Free State	26	20	33	-	3	8	235	46	371	
Gauteng	-	1	1	-	1	5	113	1	122	
KwaZulu-Natal	-	-	-	-	-	-	38	1	39	
Limpopo	4	9	50	-	2	-	60	25	150	
Mpumalanga	-	-	-	-	-	-	2	-	2	
North West	-	15	9	-	1	153	54	8	240	
Northern Cape	2	6	23	-	-	8	85	5	129	
Western Cape	-	-	-	-	-	-	169	-	169	
Total	35*	52*	127	-	7	179	777	90	1267	

*Some cases were not yet closed at the end of the financial year.

16. SOME CASES FINALISED IN THE COURTS

16.1 WARRANT OFFICER SENTENCED TO 20 YEARS FOR MURDER IN KEMPTON PARK, GAUTENG

The South Gauteng High Court has sentenced 38 year old Warrant Officer Charles Mohlannka Kekana to an effective 20 year jail term for shooting and killing 51 year old Mamokene Amelia Mosia and infant Amen Kgotsho Mosia, who was being held by his grandmother to her chest. Warrant Officer Kekana was stationed at Tembisa SAPS at the time of the incident.

It is alleged that on 20 April 2012 at about 14:30 off-duty Warrant Officer Kekana went to Pomona Informal Settlement in Kempton Park. It is alleged that Warrant Officer Kekana was under the influence of liquor and was on vacation leave. The investigation found that the accused's sister had been arrested earlier for dealing in dagga and that the accused had threatened to kill whoever had given information to the police which led to the arrest of the accused's sister. The accused was in possession of his service pistol and he shot and killed the 51 year old woman who was carrying a baby. The adult deceased was shot in the head and abdomen, while the child was shot in the back. Both died on the scene.

The IPID investigated the matter and ran with it until the sentence was passed on 13 March 2013. The accused was sentenced as follows (the sentences will run concurrently):

Count 1 - Murder of Mamokene Amelia Mosia; 20 years imprisonment.

Count 2 - Murder of Amen Khotso Mosia; 15 years imprisonment.

The court declared the accused unfit to hold a firearm licence. It ordered that all firearm licences and certificates that he presently holds should be cancelled.

16.2 CONSTABLE SENTENCED TO 15 YEARS FOR SHOOTING HIS GIRLFRIEND IN IVORY PARK, GAUTENG

Twenty-six (26) year-old Constable Matswantswa Phineas Kgarose was sentenced to 15 years for killing his girlfriend on 12 June 2012. The sentence was handed down by South Gauteng High Court sitting in Palmridge on 12 March 2013 following an IPID investigation into the shooting of the deceased by the accused. The suspect was stationed at Midrand SAPS. The deceased is 32 year-old Emmy Refiloe Lebopo who was also a Constable stationed in Midrand.

It is alleged that on 12 June 2012, the suspect who is a police officer visited his girlfriend who is also a police officer. The two had an argument during which the suspect (boyfriend) pulled out a firearm and shot the deceased on the left side of the chest and she died on the scene. It is further alleged that the suspect fled the scene with the firearm – this firearm has never been recovered to this day. The suspect handed himself over to Norwood SAPS on 16 June 2012 and he was arrested. He was denied bail and was remanded in custody from the date of his arrest until he was convicted.

The IPID is satisfied with the outcome of this case as it sends a message to other police officers who may be tempted to abuse their state issued firearms.

16.3 CONSTABLE CONVICTED OF MURDER FOR SHOOTING 15 YEAR OLD – TAYLOR’S HALT, KWAZULU-NATAL

Thirty-one (31) year old Taylor’s Halt police Constable Hlengiwe Mkhize, of Etsheni area in Vulindlela, was convicted of murder and attempted murder by the Pietermaritzburg High Court on 18 February 2013. Her conviction follows an investigation by the Independent Police Investigative Directorate (IPID) which led to her arrest on 17 August 2012. She was convicted for shooting and killing fifteen year old Mlindeli Ngobo with her service firearm on 07 July 2012.

Mlindeli, who was with three other occupants in the car, accidentally bumped the accused’s car. The accused and the victim had agreed to go to a police station to report the accident. However, the accused fired two shots at Mlindeli’s car, hitting him in the head. He died in hospital.

The accused opened a case of attempted high-jacking after the accident and alleged that she had shot the deceased in self-defence.

The accused was found guilty of murder and four counts of attempted murder. She will be sentenced on 01 March 2013.

The IPID is satisfied with the conviction as it sends a message to rouge police officers that they will be held accountable by the criminal justice system of our country. This conviction also brings closure for the family of the deceased.

16.5 CONSTABLE SENTENCED TO 15 YEARS FOR MURDERING HIS GIRLFRIEND – BRAMLEY, GAUTENG

Thirty-two (32) year old Constable Cingakufani Mbiza has been sentenced to fifteen (15) years direct imprisonment. He was also declared unfit to own or possess a firearm. The sentence resulted from an IPID investigation.

It is alleged that on 28 May 2012 at about 01:30, Johannesburg Central Police Station based Constable Mbiza who was off-duty at the time, had an argument with his girlfriend, 23 year old Cinna Ncada. He took out his service pistol and shot her. The deceased was shot in front of her very young children, at the time aged three and 5 years respectively. The shooting happened in the street at the corner of Vasco Da Gama and 12th Avenue in Marlboro. The policeman then fled the scene.

The IPID took over the investigation. The post mortem found that the cause of death to be a gunshot wound to the head. The suspect was traced and arrested at his work place at Johannesburg Central Police Station. He made his first appearance on 30 May 2012 on a charge of murder.

The trial was set for 28 January 2013 to 01 January 2013 at Palmridge High Court. On 13 February 2013 the five (5) year son of the deceased testified with the assistance of a social worker. Other witnesses also testified against the accused. The accused was found guilty of murder and sentenced to fifteen years imprisonment on 14 February 2013.

The IPID is encouraged by the sentence and implores other would be killers of their spouses to take heed and not to commit the similar offences.

16.6 CONSTABLE SENTENCED TO 13 YEARS FOR MURDER AND POSSESSION OF UNLICENSED FIREARM AND AMMUNITION IN THE PRETORIA HIGH COURT

Constable Joel Kekana was sentenced to 10 years imprisonment for murder; 3 years for possession of an unlicensed firearm and to 6 months for possession of unlicensed ammunition. The sentencing follows the conclusion of a trial emanating from an IPID (then ICD) investigation into the killing of a street vendor by two policemen in November 2009 in Pretoria CBD.

It is alleged that on 02 November 2009 Constables Masinga and Kekana, who were off-duty at the time, came from a pub under the influence of alcohol, en route to their places of residence, namely the SAPS Barracks. As they were walking approaching the corner of Bosman and Church streets, they stopped next to a street vendor and started eating the meat he was selling. The vendor, known as Paul, asked the police officers to pay for the food they had eaten. It is further alleged that the police officers refused to pay, and that is when a fight ensued. During the scuffle, the vendor overpowered the two police officers and grabbed a bottle with which he hit Constable Masinga on the forehead.

On seeing that Constable Masinga ran to the barracks where he took his service pistol and went back to the scene where the fight carried on again. While they were fighting with the deceased, the firearm fell to the ground and Constable Kekana picked it up and shot at the deceased on the left shoulder and the head, killing him instantly.

After the two police officers were arrested an ID parade was conducted and the involved members were pointed out by witnesses.

Accused number one, Constable Joel Kekana, was found guilty of murder as well as possession of an unlicensed firearm and ammunition. The sentences will run concurrently. Accused number two, Constable Masinga, was acquitted on all charges.

The accused have since been dismissed from the SAPS following a disciplinary hearing. The IPID is satisfied with the sentence as it proves that the bad elements are being rooted out of the ranks of our police - this can only restore public confidence in the police.

16.4 WARRANT OFFICER SENTENCED TO 20 YEARS FOR SHOOTING HIS GIRLFRIEND IN SOSHANGUVE, GAUTENG

36 year old Warrant Officer Godfrey Boitumelo Modikoe was sentenced to 20 years for killing his girlfriend on 27 December 2010. The sentence was handed down by Pretoria High Court on 01 February 2013 following an IPID investigation into a shooting incident involving the deceased.

It is alleged that on 27 December 2010 at about 16:30 the police officer shot and killed the mother of his two children at Leokaneng Section in Klipfontein, Soshanguve South. It is alleged the shooting took place following an argument in connection with the failure of the police officer to buy Christmas clothes for his two children. Apparently, the argument led to the policeman shooting and killing the mother of his children, Tshepiso Mafatle. The deceased was shot with a state firearm on the face and she died on the scene.

The policeman was arrested a few days after the incident. He was released on two thousand rand bail. He failed to appear in court and he was arrested again on 14 June 2011. He was found guilty of contempt of court and sentenced to a R600 fine or 60 days imprisonment.

The accused pleaded guilty to the charge of murder and was convicted on 03 September 2012. He was in custody since his arrest on 14 June 2011 until his sentencing on 01 February 2013.

The IPID is satisfied with the outcome of this case as it sends a message to other police officers who may be tempted to abuse their state issued firearms.

16.5 STUDENT CONSTABLE MBATHA SENTENCED TO 17 YEARS BY THE JOHANNESBURG HIGH COURT

Student Constable Sipho Mbatha, convicted of murdering Soweto teenager Thato Mokoka, was today sentenced to 17 years of which 5 years are suspended for five years by the Johannesburg High Court.

The constable was convicted for murder in August 2012 after a marathon trial. 16 year old Thato Mokoka was shot on 14 February 2012 by Constable Mbatha who had raided Thato's grandmother's home after a report of pointing of a firearm was made by a learner.

The Independent Police Investigative Directorate (IPID) investigated the shooting and arrested Constable Mbatha. He was charged with murder and has since been convicted.

Ms Koekie Mbeki, Acting Executive Director of the IPID welcomed the sentence and said: "This sentence sends a strong message that police officers should handle their firearms carefully. We hope that it will restore the faith of the community in the Criminal Justice System. I want to commend my investigators for investigating this tragic matter quickly and ensuring justice for the Mokoka family"

**INDEPENDENT POLICE INVESTIGATIVE
DIRECTORATE
Vote 23
ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Audit Committee
for the year ended 31 March 2013

Report of the Audit Committee

We are pleased to present our report for the financial year ended 31 March 2013

Audit Committee Members and Attendance:

The Audit Committee consists of the members listed hereunder and should meet three times per annum as per its approved terms of reference. During the current year four meetings were held. Meetings were held on the following dates 24 May 2012, 30 May 2012, 26 July 2012 and 09 November 2012.

Name of Members	Number of Meetings Attended
Mr A Darmalingham (Chairperson resigned 20 July 2012)	1
Mr S Motuba (Deputy Chairperson)	4
Mr V Motholo (Member)	3
Prof D Garach (Member)	3
Ms P Mvulane (Member resigned 5 November 2012)	3
Mr F Beukman (Ex Officio resigned 31 August 2012)	3
Ms K Mbeki (Ex Officio appointed 1 September 2012)	1
Ms L Cwele (Ex Officio)	3

Audit Committee Responsibility

The Audit Committee reports that it has complied with its responsibilities arising from section 38(1) (a) of the PFMA and Treasury Regulations 3.1.

The Audit Committee also reports that it has adopted appropriate formal terms of reference as its Audit Committee charter.

Effectiveness of Internal Control

The system of Internal Control applied by the Department over financial risk and risk management was found not to be effective, efficient and transparent.

In line with the PFMA and the KING III Report on Corporate Governance requirements, Internal Audit provides the Audit Committee and management with assurance that the internal controls are appropriate and effective. This is achieved by the risk management processes, as well as the Identification of corrective actions and suggested enhancements to the controls and processes. From the various reports of the Internal Auditors, the Audit Reports on the Annual Financial Statements and the management report of the Auditor-General, it was noted that matters were reported indicating some material deficiencies in the internal control system and non-compliance with laws and regulations for the period under review, which have however, since been attended to by Management. These may be attributable to the transition from ICD Act to IPID Act which became effective from 1 April 2012.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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**Report of the Audit Committee
for the year ended 31 March 2013**

The quality of in-year management and monthly/quarterly reports submitted in terms of the PFMA and the Division of Revenue Act

The Audit Committee is satisfied with the content and quality of monthly and quarterly reports prepared and issued by the Accounting Officer of the Department during the year under review.

Evaluation of the Annual Financial Statements

The Audit Committee has:

- Reviewed and discussed the audited Annual Financial Statements to be included in the annual report with the Auditor General and the Accounting Officer;
- Reviewed the Auditor General's management report and management's responses thereto;
- Reviewed the department compliance with the legal and regulatory provisions; and
- Reviewed the significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the Auditor-General South Africa's conclusions on the Annual Financial Statements, and is of the opinion that the Audited Financial Statements be accepted and read together with the report of the Auditor General.

Internal Audit

The Audit Committee is not satisfied that the internal audit function is operating effectively and has addressed the risk pertinent to the department in its audit due to capacity challenges.

The Audit Committee has approved the risk based internal audit three year rolling plan. The Audit Committee has reviewed the internal audit reports that identified weaknesses within the department and considered the adequacy of management responses to ensure the risk exposure is reduced, and there are continuous improvements within the control environment.

Auditor General South Africa

The Audit Committee also met with the Auditor General South Africa and confirmed that there are no unresolved issues affecting IPID's operating environment.



CHAIRPERSON

31 July 2013

DATE

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

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

I. General review of the state of financial affairs

Items that should be addressed include:

■ Important policy decisions and strategic issues facing the department

The transformation of the ICD into the Independent Police Investigative Directorate (IPID) has ushered a new era of civilian oversight on the South African Police Services (SAPS) and the Municipal Police Service (MPS). The IPID Act has fundamentally changed and extended the mandate of the Directorate not only to investigate but also to ensure that its recommendations are implemented. The Directorate committed to deliver on its mandate with the purpose of making a lasting impact in order to contribute towards the achievement of the ultimate outcome, namely, a police service that is trusted by the community and operates in line with the spirit of the Constitution.

Key issues in the IPID's delivery environment were considered during the strategic planning process in 2012. It was concluded that the IPID Act's impact on the Directorate's investigative capacity will create the opportunity for the Directorate to be a strong, independent oversight body which will in consequence contribute to the achievement of a police service that operates in line with the spirit of the Constitution. The renaming of the ICD to the IPID had an important impact on the public profile of the Directorate. The renaming of the Directorate specifically branded it as a body that functions independently of the police service and focuses on conducting investigations into offences by police members, rather than merely acting on complaints.

■ Comment on significant events that have taken place during the year

Since the new legislation places stringent obligations on the SAPS and the municipal police services in the reporting of matters that must be investigated by the IPID and the implementation of disciplinary recommendations, the capacity of the provincial offices was increased to comply with the new reporting processes as a result of the reporting obligations placed on the SAPS and MPS.

The office of the executive director was also expanded to ensure effective corporate governance and monitoring and evaluation of performance. In addition, the office of the executive director was strengthened to meet the demands of additional obligations, including reporting to Parliament, monthly reporting to the minister, and, where relevant, reporting to MECs.

■ Comment on major projects undertaken or completed during the year

During the year under review the Directorate amongst other projects completed the following:

- Development of training manual for investigators
- Development of Standard operating procedures
- Development of investigation guidelines for investigators
- Training of investigators
- Renaming of ICD to IPID

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

- Implementation of expanded mandate
- Investigation of high profile cases (e.g. Marikana & Cato Manor)
- Spending trends

- Reasons for under spending

With the final appropriation of R197 898 000 in the year under audit, the Directorate's actual expenditure came to 86,6% which in monetary value translates to R171 449 000. The budget's allocation was prioritised to conduct public awareness of the Directorate's mandate and functions through community awareness programmes, media campaigns and the establishment of satellite offices to increase public accessibility, however the establishment of earmarked satellite office could not take place due to the delays in procurement process that was conducted in conjunction with the Department of Public Works. Delays in filling some of the vacancies including appointment of provincial heads in all nine provinces has resulted into 8% under spending in compensation of employees.

- Discuss the impact on programmes and service delivery

Programme 1: Administration

The actual spending of the allocated budget of R86 526 000 to the Programme was 81% or R70 258 000 in monetary which resulted in under-spending of 19% or R16 268 000. The main reason for the under-spending of the Programme was mainly caused by delays in filling and replacement of the vacancies that have been vacated in the year under review.

Programme 2: Investigation and Information Management

The programme's actual spending of the allocated budget of R105 967 000 was 92% or R97 009 000 in monetary value with an under-spending of 8% or R8 958 000. None filling of the nine Provincial Heads and Programme managers at senior management level has affected Compensation of Employees' spending. Planned procurement of IT equipment and furniture in both Goods and Services and Machinery and Equipment for Provincial Heads was also affected by none filling of some vacancies.

Programme 3: Legal Services

The Programme 3's actual spending of the allocated budget of R5 405 000 was 77% translates to R4 182 000 in monetary value which reflected an under-spending of 23% or R1 223 000. Two Senior Managers in programme 3 were acting in other Programmes of the Department which were vacant and their administrative costs relating to their acting capacities were also carried by the Programmes where members were acting. There were also acting officials in Legal Service positions to ensure that the legal support service continues.

- Actions taken or planned to avoid recurrence.

- The Directorate's Human Resource Management component has since developed an action plan in filling the vacancies to ensure that the vacancy rate is controlled. This initiation has been supported and closely monitored by management of IPID.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

- Some of the vacated positions have since been filled whilst in some, officials were appointed in acting capacity in order to ensure that the Department's performance is not affected.
 - In terms of underperformance in Machinery and equipment, the Directorate has since made an application for roll over on committed funds in order to finalise the procurement of office furniture and IT equipment. In addition to the roll over application, the Directorate has put a plan in place to ensure that all submitted procurement plans are adhered to.
- Virement:
- The Directorate (IPID) did not implement virement during the year under review.
- Any other material matter:
- Unauthorised Expenditure
As reported in the previous financial year, the Directorate did not incur unauthorised expenditure in the year under audit. The reported amount in our books is made of the prior's over expenditure by programme 2 and 3 in the financial year 2008/09 and 2005/06 respectively. At the reporting date the approval for authorisation was not yet granted.
 - Irregular Expenditure
The Directorate has identified three (3) transactions which were reported as irregular and also disclosed as such in the disclosure notes. All reported cases in the annual financial statements require various actions which the Directorate has already instituted to establish the action to be taken.
 - Fruitless and wasteful expenditure
An amount of R1, 700.00 was identified and reported in our books as fruitless and wasteful expenditure due to the traffic fines that were issued to the officials using rented vehicles. The reported expenditure will be recovered from the affected officials.

2. Service rendered by the department

- 2.1 Services rendered by the Independent Police Investigative Directorate.
Reference is made to the annual report's reported Service delivery Programme's performance information in respect of programme 2 as per legislative mandate.
- 2.2 Tariff policy
Independent Police Investigative Directorate did not charge tariffs for services rendered in the financial year under review.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

2.3 Free Services

The services rendered by Independent Police Investigative Directorate fall within its policy mandate and is free services rendered which does not have any significant impact on revenue.

2.4 Inventories

The total inventories on hand at year-end for National Office (Pretoria) and two Provincial Offices, KwaZulu-Natal (Durban) and Western Cape (Cape Town) to the amount of R as provided below:

- National Office: R265,056
- KwaZulu-Natal: R 49,552
- Western Cape: R 80,412

3. Capacity constraints

The Directorate planned to establish new satellite offices to increase the visibility of investigators and improve the accessibility of its services in order to ensure that the strategic goal of a transformed police services is achieved at a faster rate. However with the limited resources, the Directorate is unable to recruit the required number of officials in line with the IPID Act. The core function programme will over the MTEF period increase by an insignificant number of investigators which might result in compromising the ability of the Directorate in executing its mandate.

4. Utilisation of donor funds

Independent Police Investigative Directorate (IPID) did not receive donor funds in the period under audit.

5. Trading entities and public entities

The Directorate for the year under audit did not have trading, public nor unlisted entities/funds that form part of the Minister's portfolio.

6. Organisations to whom transfer payments have been made

An amount of R95 000 was transferred to Safety and Security Sector Education Authority (SASSETA) as an administrative fees in respect of the skills development levy. In addition, R11 000 was in the period under review paid over to SABC for TV licences. Refer to the Annexure IC to the Annual Financial Statement.

7. Public private partnerships (PPP)

The Independent Police Investigative Directorate (IPID) did not enter into Public private partnership (PPP) transactions before and in the period under review.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

8. Corporate governance arrangements

Corporate Governance facilitated the Risk Assessment 2012/13 which was approved by the Compliance, Ethics and Risk Management Committee and Audit Committee. Consistent with the Risk Management Strategy, the component received quarterly reports from Responsibility Managers which ensures management of risks.

The Ethics Helpline was promoted and employees were encouraged to report all incidents and allegations of unethical behaviour, including fraud and corruption. The five (5) cases received via the Ethics Helpline for the period 2012/13 were dealt with in an objective manner.

The Monitoring and Evaluation operational plan was developed and implemented. Monitoring and Evaluation audits were conducted in all nine (9) provinces and reports were issued to the Accounting Officer and Provincial Heads.

9. Discontinued activities/activities to be discontinued

The Directorate did not discontinue any of its activities during the year under audit.

10. New/proposed activities

As at the reporting date the IPID had already started with the process of organisational review to ensure the alignment of its functions, priorities and programmes to the provisions of the IPID Act. The re-engineering and re-organization will result into the Directorate organising its activities into the four (4) programmes as compare to the three (3) in the year under review. With the new planned structure, the investigation and information management programme will be strengthened to ensure compliance with the IPID Act which includes training, development of guidelines, systems and procedures for investigation and reporting.

The re-engineering and re-organisation of the Directorate in line with the IPID Act from three to four functional programmes which are:

- Compliance Monitoring and Stakeholder Management
- Administration
- Investigation and Information Management
- Legal Services

11. Asset management

The Directorate is accountable for movable assets in the form of office furniture and all assets have been captured in the asset register. The minimum requirements with regards to assets management have been complied with. The Assets Register of the Directorate reflects all the required information such as description of assets; ICN; unique asset number/Bar codes; accountability information (Cost Centre Manager responsible - location and custodian); and assets value. The BAS/LOGIS reconciliation was also performed on monthly basis to address the discrepancies between two used systems. The asset management system is fully implemented and complied with.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Accounting Officer for the year ended 31 March 2013

The Directorate has complied with the Asset Management Reforms (AMR) milestones and has achieved the expected target. No problems experienced regarding the asset management reform.

12. Inventories

All inventory opening and closing balances, together with movements for the year have been reflected in the Annexure 6 on Inventory.

13. Events after the reporting date

- The Director Internal Audit was put under precautionary suspension in July 2013 and the internal disciplinary process has commenced.
- The Director Investigation in Eastern Cape provincial officer has rendered his resignation from the Public service in April 2013.
- The Directorate has in an effort to align its allocated resources with the IPID Act applied and obtained an approval from National Treasury to increase its current three (3) budget programmes to four (4) for implementation with effect from April 2014.

The above listed are non-adjusting events which did not affect the financial statements.

14. Information on predetermined objectives

The Directorate's Strategic Plan and the Annual Performance Plan have been prepared in line with National Treasury framework. Quarterly reports on actual performance of the programmes have been submitted and presented to the Executive Authority and Management Committee for further discussion and inputs where necessary. In addition, the Independent Complaints Directorate (ICD) compiled a monthly In-Year Monitoring (IYM) and Quarterly Performance Report (QPR) as performance monitoring tools. The medium term expenditure estimate was also done in accordance with National Treasury Guidelines and tabled in line with the Annual Performance Plan (APP).

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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**Report of the Accounting Officer
for the year ended 31 March 2013**

<p>on the scope of my work by the department's records not permitting the provision of evidence that supports the validity, accuracy and completeness of performance against the objective. I was also unable to apply alternative audit procedures.</p>		<p>All Provincial Heads are required to present their planned targets on monthly basis to the programme manager in order for action to be taken against non-achievement of planned targets.</p>
<ul style="list-style-type: none"> • Achievement of planned targets 	2011/12	
<p>3. Of the total number of planned targets, only twenty (20) were achieved during the year under review. This represents 31% of total planned targets that were not achieved during the year under review. The non-achievement of other targets was as a result of the institution experiencing capacity constraints during the implementation process.</p>	2011/12	<p>Human resource plan has been developed.</p>
<p>Matters of Non - Compliance</p>	2011/12	
<ul style="list-style-type: none"> • Human resource management 		
<p>4. A human resource plan was not in place as required by Public Service Regulation I/III/B.2 (d).</p>		
<ul style="list-style-type: none"> • Expenditure management 		
<p>5. Contractual obligations and money owed by the department were not settled within 30 days, as required by section 38(1)(f) of the Public Finance Management Act and Treasury Regulation 8.2.3.</p>		<p>The Directorate is on monthly basis report to the National Treasury the reasons and action taken regarding all invoices paid after 30 days.</p>
<ul style="list-style-type: none"> • Internal control 	2011/12	
<p>6. I considered internal control relevant to my audit of the financial statements, the report on performance against predetermined objectives and compliance with laws and regulations. The matters reported below under the fundamentals of internal</p>		<p>Corporate Governance has been performing their monitoring and evaluation in all Provinces and head office and presented all internal control deficiencies to the Accounting Officer for action.</p> <p>The Accounting Officer has reconstituted all Directorate` Committees in order to strengthen accountability in line with the IPID mandate.</p>

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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**Report of the Accounting Officer
for the year ended 31 March 2013**

<p>control are limited to the significant deficiencies that resulted in the findings on the performance report and the findings on compliance with laws and regulations included in this report.</p> <ul style="list-style-type: none"> • Leadership <p>7. Control environment that promotes responsibility and accountability of senior management with regard to compliance with applicable laws and regulation was not adequately implemented by the accounting officer.</p> <p>8. Developed action plans to remedy control deficiencies reported were not properly implemented and monitored.</p> <ul style="list-style-type: none"> • Financial and performance management <p>9. A proper record maintenance system that supports actual performance reported against predetermined objectives was not adequately implemented.</p> <p>10. The financial reporting system at the department was not able to produce a complete set of interim financial statement.</p> <p>11. Compliance monitoring controls in place were not able to detect and prevent non-compliance with applicable laws and regulations which resulted in irregular expenditure.</p>	<p align="center">2011/12</p>	<p>The Directorate is using the Flow-Centric Case Management Systems for case registration. There are number of enhancements that are still in process in order to ensure accuracy of the data.</p> <p>All four (4) quarters interim financial statements were prepared and submitted.</p> <p>Irregular Expenditure guideline with register has been circulated to all senior managers for compliance and communication will be done on continuous basis.</p>
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INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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**Report of the Accounting Officer
for the year ended 31 March 2013**

17. Exemptions and deviations received from the National Treasury

No exemption or deviation from the PFMA or TR or deviation from the financial reporting requirements have been requested or received from National Treasury for the current and/or prior financial year.

18. Interim Financial Statements


All four quarterly interim financial statements were prepared and submitted to National Treasury as required and the exercise also assisted the Directorate during the compilation of annual financial statements.

19. Other

The Directorate is not aware of any material fact or circumstances not addressed, which may have an effect on the understanding of the financial state of affairs.

20. Approval

The Annual Financial Statements set out on pages 96 to 138 have been approved by the Accounting Officer.


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Mrs Koekie Constance Mbeki

Acting Executive Director

31 July 2013

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

Vote 23

Report of the Auditor-General for the year ended 31 March 2013

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT VOTE NO.23: INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE (IPID) REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I have audited the financial statements of the Independent Police Investigative Directorate (IPID) set out on pages 96 to 138, which comprise the appropriation statement, the statement of financial position as at 31 March 2013, and the statement of financial performance, statement of changes in net assets and the cash flow statement for the year then ended, and the notes, comprising a summary of significant accounting policies and other explanatory information.

Accounting officer's responsibility for the financial statements

2. The accounting officer is responsible for the preparation of these financial statements in accordance with Departmental Financial Reporting Framework determined by the National Treasury and the requirements of the Public Finance Management Act, (Act No. 1 of 1999) (PFMA), and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor-General's responsibility

3. My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) (PAA), the *General Notice* issued in terms thereof and International Standards on Auditing. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.
4. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

6. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Independent Police Directorate as at 31 March 2013, and its financial performance and cash flows for the year then ended in accordance with Departmental Financial Reporting Framework and the requirements of the Public Finance Management Act, (Act No.1 of 1999) (PFMA).

Emphasis of matter

I draw attention to the matter below. My opinion is not modified in respect of this matter:

Material under spending of the budget

7. For the financial year 2012/13, the department had a material under spending amounting to R26 000 000 of the vote as disclosed in the appropriate statement. This was due to vacancies and the implementation of the new Act and therefore the transition from Independent Complaints Directorate to IPID. As a consequence, the department has not achieved its objectives for the year.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Auditor-General for the year ended 31 March 2013

Additional matters

8. I draw attention to the matters below. My opinion is not modified in respect of these matters:

Unaudited supplementary schedules

9. The supplementary information set out on pages 139 to 147 does not form part of the financial statements and is presented as additional information. I have not audited this schedule and, accordingly, I do not express an opinion thereon.

Financial reporting framework

10. The financial reporting framework prescribed by the National Treasury and applied by the department is a compliance framework. The wording of my opinion on a compliance framework should reflect that the financial statements have been prepared in accordance with this framework and not that they “present fairly”. Section 20(2)(a) of the PAA, however, requires me to express an opinion in the fair presentation of the financial statements. The wording of my opinion therefore reflects this requirement.

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

11. In accordance with the PAA and the General Notice issued in terms thereof, I report the following findings relevant to performance against predetermined objectives, compliance with laws and regulations and internal control, but not for the purposes of expressing an opinion.

Predetermined objectives

12. I performed procedures to obtain evidence about the usefulness and reliability of the information in the annual performance report as set out on page 7 to 14 of the annual report.

13. The reported performance against predetermined objectives was evaluated against the overall criteria of usefulness and reliability. The usefulness of information in the annual performance report relates to whether it is presented in accordance with the National Treasury’s annual reporting principles and whether the reported performance is consistent with the planned objectives. The usefulness of information further relates to whether indicators and targets are measurable (i.e. well defined, verified, specific, measurable and time bound) and relevant as required by the *National Treasury Framework for managing programme performance information*.

The reliability of the information in respect of the selected programmes is assessed to determine whether it adequately reflects the facts (i.e. whether it is valid, accurate and complete).

14. The material findings are as follows:

Usefulness of information

Measurability

Performance targets not specific

15. The National Treasury Framework for managing programme performance information (FMPP) requires that performance targets be specific in clearly identifying the nature and required level of performance. A total of 29% of the targets selected for audit purposes were not specific in clearly identifying the nature and the required level of performance. This was due to the implementation of the new Act and therefore the transition from ICD to IPID.

Performance targets not measurable

16. The National Treasury Framework for managing programme performance information (FMPP) requires that performance targets be measurable. The required performance could not be measured for 29% of the targets. This was due to the implementation of the new Act and therefore the transition from ICD to IPID.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

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Report of the Auditor-General
for the year ended 31 March 2013

Compliance with laws and regulations

17. I performed procedures to obtain evidence that the entity has compiled with applicable laws and regulations regarding financial matters, financial management and other related matters. My findings on material non-compliance with specific matters in key applicable laws and regulations as set out in the General Notice issued in terms of the PAA are as follows:

Annual financial statements, performance and annual reports

18. The financial statements submitted for auditing were not prepared in accordance with the prescribed financial reporting framework as required by section 40(1) (b) of the PFMA. Material misstatements of disclosure items identified by the auditors in the submitted financial statements were subsequently corrected, resulting in the financial statements receiving an unqualified audit opinion.

Expenditure management

19. Sufficient appropriate audit evidence could not be obtained that contractual obligations and money owed by the department were settled within 30 days or an agreed period, as required by section 38(1)(f) of the Public Finance Management Act and Treasury Regulation 8.2.3.

Human resource management and compensation

20. Funded vacant posts were not filled within 12 months as required by Public Service Regulation I/VII/C.1A.2.
21. Employees acted in higher vacant posts for more than 12 months in contravention of Public Service Regulation I/VII/B.5.3.

Internal control

22. I considered internal control relevant to my audit of the financial statements, performance report and compliance with laws and regulations. The matters reported below under the fundamentals of internal control are limited to the significant deficiencies that resulted in the findings on the performance report and the findings on compliance with laws and regulations included in this report.

Leadership

23. The accounting officer did not always exercise oversight responsibility in regard to proper processes in place to ensure compliance with laws and regulations.
24. Developed action plans to remedy control deficiencies reported were not fully implemented and monitored.

Financial and performance management

25. Management did not adequately review and monitor compliance with applicable laws and regulations to prevent non-compliance.

OTHER REPORTS

Investigations

26. An investigation by the Special Investigator Unit (SIU) is currently taking place on the lease arrangement of the City Forum Building currently by the ICD national office. Investigation pertains to procurement irregularities involving the Department of Public Works.

Auditor-General
Pretoria
31 July 2013



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23

APPROPRIATION STATEMENT
for the year ended 31 March 2013

Appropriation per programme										
APPROPRIATION STATEMENT	2012/13					2011/12				
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000	
1. ADMINISTRATION										
Current payment	85 286	(2 200)	-	83 086	67 008	16 078	80.6%	59 050	59 792	
Transfers and subsidies	100	1 926	-	2 026	2 026	-	100.0%	87	87	
Payment for capital assets	1 140	272	-	1 412	1 222	190	86.5%	1 736	993	
Payment for financial assets	-	2	-	2	2	-	100.0%	-	-	
	86 526	-	-	86 526	70 258	16 268		60 873	60 872	
2. INVESTIGATION & INFORMATION MANAGEMENT										
Current payment	101 326	(118)	-	101 208	94 850	6 358	93.7%	86 373	87 530	
Transfers and subsidies	3	113	-	116	116	-	100.0%	2 113	1 407	
Payment for capital assets	4 638	-	-	4 638	2 038	2 600	43.9%	2 372	1 920	
Payment for financial assets	-	5	-	5	5	-	100.0%	11	11	
	105 967	-	-	105 967	97 009	8 958		90 869	90 868	
3. LEGAL SERVICES										
Current payment	5 377	(57)	-	5 320	4 097	1 223	77.0%	1 677	1 761	
Payment for capital assets	28	57	-	85	85	-	100.0%	115	31	
	5 405	-	-	5 405	4 182	1 223		1 792	1 792	
Subtotal	197 898	-	-	197 898	171 449	26 449	86.6%	153 534	153 532	
TOTAL	197 898	-	-	197 898	171 449	26 449	86.6%	153 534	153 532	

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23

APPROPRIATION STATEMENT
for the year ended 31 March 2013

	2012/13		2011/12	
	Final Appropriation	Actual Expenditure	Final Appropriation	Actual Expenditure
TOTAL (brought forward)	197 898		153 534	
Reconciliation with statement of financial performance				
ADD				
Departmental receipts	179		125	
Actual amounts per statement of financial performance (total revenue)	198 077		153 659	
Actual amounts per statement of financial performance (total expenditure)		171 449		153 532

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23

APPROPRIATION STATEMENT
for the year ended 31 March 2013

Appropriation per economic classification									
	2012/13					2011/12			
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	103 406	880	-	104 286	95 993	8 293	92.0%	78 448	78 093
Goods and services	88 583	(3 255)	-	85 328	69 962	15 366	82.0%	70 076	70 990
Transfers and subsidies									
Departmental agencies and accounts	103	3	-	106	106	-	100.0%	87	87
Households	-	2 036	-	2 036	2 036	-	100.0%	-	-
Payments for capital assets									
Machinery and equipment	5 806	329	-	6 135	3 345	2 790	54.5%	4 912	4 351
Payments for financial assets									
	-	7	-	7	7	-	100.0%	11	11
Total	197 898	-	-	197 898	171 449	26 449	86.6%	153 534	153 532

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**APPROPRIATION STATEMENT
for the year ended 31 March 2013**

Detail per sub-programme	2012/13					2011/12			
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
I.1 DEPARTMENT MANAGEMENT									
Current payment	5 951	1 058	-	7 009	7 009	-	100.0%	9 921	10 044
Transfers and subsidies	-	1 729	-	1 729	1 729	-	100.0%	-	-
Payment for capital assets	-	253	-	253	253	-	100.0%	294	170
I.2 CORPORATE SERVICES									
Current payment	50 892	(3 250)	-	47 642	34 764	12 878	73.0%	40 496	41 115
Transfers and subsidies	100	190	-	290	290	-	100.0%	87	87
Payment for capital assets	555	19	-	574	573	1	99.8%	1 442	823
Payment for financial assets	-	1	-	1	1	-	100.0%	-	-
I.3 OFFICE ACCOMODATION									
Current payment	9 092	-	-	9 092	9 092	-	100.0%	8 633	8 633
I.4 INTERNAL AUDIT									
Current payment	2 602	114	-	2 716	2 716	-	100.0%	-	-
Payment for capital assets	100	-	-	100	78	22	78.0%	-	-
I.5 FINANCIAL ADMINISTRATION									
Current payment	16 749	(122)	-	16 627	13 427	3 200	80.8%	-	-
Transfers and subsidies	-	7	-	7	7	-	100.0%	-	-
Payment for capital assets	485	-	-	485	318	167	65.6%	-	-
Payment for financial assets	-	1	-	1	1	-	100.0%	-	-
Total	86 526	-	-	86 526	70 258	16 268	81.2%	60 873	60 872

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**APPROPRIATION STATEMENT
for the year ended 31 March 2013**

Programme 1 per economic classification	2012/13						2011/12		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	36 940	75	-	37 015	31 551	5 464	85.2%	24 424	24 424
Goods and services	48 346	(2 275)	-	46 071	35 457	10 614	77.0%	34 626	35 368
Interest and rent on land				-					
Transfers and subsidies to:									
Departmental agencies and accounts	100	-	-	100	100	-	100.0%	87	87
Households	-	1 926	-	1 926	1 926	-	100.0%	-	-
Payment for capital assets									
Machinery and equipment	1 140	272	-	1 412	1 222	190	86.5%	1 736	993
Payments for financial assets									
	-	2	-	2	2	-	100.0%	-	-
Total	86 526	-	-	86 526	70 258	16 268	81.2%	60 873	60 872

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**APPROPRIATION STATEMENT
for the year ended 31 March 2013**

Detail per sub-programme	2012/13						2011/12		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
2.1 INVESTIGATION MANAGEMENT									
Current payment	92 358	(249)	-	92 109	90 860	1 249	98.6%	69 333	70 038
Transfers and subsidies	3	113	-	116	116	-	100.0%	2 113	1 407
Payment for capital assets	4 410	-	-	4 410	1 899	2 511	43.1%	-	-
Payment for financial assets	-	5	-	5	5	-	100.0%	8	8
2.2 INFORMATION MANAGEMENT									
Current payment	6 450	97	-	6 547	2 251	4 296	34.4%	17 040	17 492
Payment for capital assets	93	-	-	93	32	61	34.4%	2 372	1 920
Payment for financial assets	-	-	-	-	-	-	-	3	3
2.3 POLICY DEVELOPMENT & PROVINCIAL COORDINATION									
Current payment	2 518	34	-	2 552	1 739	813	68.1%	-	-
Payment for capital assets	135	-	-	135	107	28	79.3%	-	-
Total	105 967	-	-	105 967	97 009	8 958	91.5%	90 869	90 868

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**APPROPRIATION STATEMENT
for the year ended 31 March 2013**

Programme 2 per economic classification	2012/13						2011/12		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	61 525	1 120	-	62 645	61 037	1 608	97.4%	52 599	52 172
Goods and services	39 801	(1 238)	-	38 563	33 812	4 751	87.7%	35 198	35 358
Transfers and subsidies to:									
Departmental agencies and accounts	3	3	-	6	6	-	100.0%	-	-
Households	-	110	-	110	110	-	100.0%	-	-
Payment for capital assets									
Machinery and equipment	4 638	-	-	4 638	2 039	2 599	44.0%	3 061	3 327
Payments for financial assets									
	-	5	-	5	5	-	100.0%	11	11
Total	105 967	-	-	105 967	97 009	8 958	91.5%	90 869	90 868

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23

APPROPRIATION STATEMENT
for the year ended 31 March 2013

Detail per sub-programme	2012/13						2011/12		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
3.1 LEGAL SUPPORT									
Current payment	1 219	39	-	1 258	1 258	-	100.0%	1 677	1 761
Payment for capital assets	28	46	-	74	74	-	100.0%	115	31
3.2 INVESTIGATION ADVISORY SERVICES									
Current payment	4 158	(96)	-	4 062	2 839	1 223	69.9%	-	-
Payment for capital assets	-	11	-	11	11	-	100.0%	-	-
Total	5 405	-	-	5 405	4 182	1 223	77.4%	1 792	1 792

Programme 3 per economic classification	2012/13						2011/12		
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments									
Compensation of employees	4 941	(315)	-	4 626	3 405	1 221	73.6%	1 425	1 497
Goods and services	436	258	-	694	693	1	99.9%	252	264
Payment for capital assets									
Machinery and equipment	28	57	-	85	84	1	98.8%	115	31
Total	5 405	-	-	5 405	4 182	1 223	77.4%	1 792	1 792

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**NOTES TO THE APPROPRIATION STATEMENT
for the year ended 31 March 2013**

1. Detail of transfers and subsidies as per Appropriation Act (after Virement):

Detail of these transactions can be viewed in the note on Transfers and subsidies, disclosure notes and Annexure I (A-H) to the Annual Financial Statements.

2. Detail of specifically and exclusively appropriated amounts voted (after Virement):

Detail of these transactions can be viewed in note I (Annual Appropriation) to the Annual Financial Statements.

3. Detail on payments for financial assets

Detail of these transactions per programme can be viewed in the note on Payments for financial assets to the Annual Financial Statements.

4. Explanations of material variances from Amounts Voted (after Virement):

4.1 Per programme	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation
Administration	86 526	70 258	16 268	18.80%
Investigation and Information Management	105 967	97 009	8 958	8.45%
Legal Services	5 405	4 182	1 223	22.63%

The main reason for the under-spending of the Programme: Administration was mainly caused by delays in filling and replacement of the vacancies that have been vacated in the year under audit. Non filling of the mentioned vacancies did not materially affect the performance of the Department since there were acting officials in some of the key vacant positions such as the Executive Director's position.

The programme's none filling of the nine Provincial Heads and Programme managers at senior management level has affected Compensation of Employees' spending as well as goods and services in terms of office equipment.

Two Senior Managers in programme 3 were acting in other Programmes of the Department which were vacant and their administrative costs relating to their acting capacities were also carried by the Programmes where members were acting. There were also acting officials in Legal Service positions to ensure that the legal support service continues.

(In the case of the surplus on programmes, a detailed explanation must be given as to whether it is as a result of a saving or under spending)

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**NOTES TO THE APPROPRIATION STATEMENT
for the year ended 31 March 2013**

4.2 Per economic classification	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Variance as a % of Final Appropriation R'000
Current payments				
Compensation of employees	104 286	95 993	8 293	7.95%
Goods and services	85 328	69 962	15 366	18.01%
Transfers and subsidies				
Departmental agencies and accounts	106	106	-	0.00%
Households	2 036	2 036	-	0.00%
Payments for capital assets				
Machinery and equipment	6 135	3 345	2 790	45.48%
Payments for financial assets				
	7	7	-	0.00%

The delays in filling some senior management vacancies including nine Provincial heads and Programme 2 Manager has also affected both Compensation of Employees and Goods and Services since the procurement of IT equipment and furniture were budgeted but not procured. The Directorate intended to establish additional two satellite offices which could not happen due to the delays in procurement process that happened in conjunction with Public Works. Delivery and procurement of office furniture including IT equipment for officials were also delayed and affected the spending in Machinery and Equipment.

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23
STATEMENT OF FINANCIAL PERFORMANCE
for the year ended 31 March 2013

PERFORMANCE	Note	2012/13	2011/12
		R'000	R'000
REVENUE			
Annual appropriation	1	197 898	153 534
Departmental revenue	2	179	125
TOTAL REVENUE		198 077	153 659
EXPENDITURE			
Current expenditure			
Compensation of employees	3	95 993	78 093
Goods and services	4	69 962	70 990
Total current expenditure		165 955	149 083
Transfers and subsidies			
Transfers and subsidies	6	2 142	87
Total transfers and subsidies		2 142	87
Expenditure for capital assets			
Tangible capital assets	7	3 345	4 351
Total expenditure for capital assets		3 345	4 351
Payments for financial assets	5	7	11
TOTAL EXPENDITURE		171 449	153 532
SURPLUS/(DEFICIT) FOR THE YEAR		26 628	127
Reconciliation of Net Surplus/(Deficit) for the year			
Voted funds	12	26 449	2
Departmental revenue and NRF Receipts	13	179	125
SURPLUS/(DEFICIT) FOR THE YEAR		26 628	127

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**STATEMENT OF FINANCIAL POSITION
as at 31 March 2013**

POSITION	Note	2012/13 R'000	2011/12 R'000
ASSETS			
Current assets		26 547	2 091
Unauthorised expenditure	8	891	891
Cash and cash equivalents	9	25 475	29
Prepayments and advances	10	20	20
Receivables	11	161	1 151
TOTAL ASSETS		26 547	2 091
LIABILITIES			
Current liabilities		26 547	2 091
Voted funds to be surrendered to the Revenue Fund	12	26 449	(508)
Departmental revenue and NRF Receipts to be surrendered to the Revenue Fund	13	(8)	20
Bank overdraft	14	-	705
Payables	15	106	1 874
TOTAL LIABILITIES		26 547	2 091
NET ASSETS		-	-

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**CASH FLOW STATEMENT
for the year ended 31 March 2013**

CASH FLOW	Note	2012/13 R'000	2011/12 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		198 077	153 147
Annual appropriated funds received	1.1	197 898	153 024
Departmental revenue received	2	179	123
Net (increase)/decrease in working capital		(778)	1 288
Surrendered to Revenue Fund		301	(3 100)
Current payments		(165 955)	(149 083)
Payments for financial assets		(7)	(11)
Transfers and subsidies paid		(2 142)	(87)
Net cash flow available from operating activities	16	29 496	2 154
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	7	(3 345)	(4 351)
Proceeds from sale of capital assets	2.4	-	2
Net cash flows from investing activities		(3 345)	(4 349)
Net increase/(decrease) in cash and cash equivalents		26 151	(2 195)
Cash and cash equivalents at beginning of period		(676)	1 519
Cash and cash equivalents at end of period	17	25 475	(676)

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

The Financial Statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. 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 issued in terms of the Act and the Division of Revenue Act, Act 1 of 2010.

I. Presentation of the Financial Statements

I.1 Basis of preparation

The financial statements have been prepared on a modified cash basis of accounting.

Under this basis, the effects of transactions and other events are recognised in the financial records when the resulting cash is received or paid. The “modification” results from the recognition of certain near-cash balances in the financial statements as well as the revaluation of foreign investments and loans and the recognition of resulting revaluation gains and losses.

In addition supplementary information is provided in the disclosure notes to the financial statements where it is deemed to be useful to the users of the financial statements.

I.2 Presentation currency

All amounts have been presented in the currency of the South African Rand (R) which is also the functional currency of the department.

I.3 Rounding

Unless otherwise stated all financial figures have been rounded to the nearest one thousand Rand (R'000).

I.4 Comparative figures

Prior period comparative information has been presented in the current year's financial statements. Where necessary figures included in the prior period financial statements have been reclassified to ensure that the format in which the information is presented is consistent with the format of the current year's financial statements.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

1.5 Comparative figures - Appropriation Statement

A comparison between actual amounts and final appropriation per major classification of expenditure is included in the Appropriation Statement.

2. Revenue

2.1 Appropriated funds

Appropriated funds comprises of departmental allocations as well as direct charges against revenue fund (i.e. statutory appropriation).

Appropriated funds are recognised in the financial records on the date the appropriation becomes effective. Adjustments made in terms of the adjustments budget process are recognised in the financial records on the date the adjustments become effective.

Unexpended appropriated funds are surrendered to the National/Provincial Revenue Fund. Any amounts owing to the National Revenue Fund at the end of the financial year are recognised as payable in the statement of financial position.

Any amount due from the National/Provincial Revenue Fund at the end of the financial year is recognised as a receivable in the statement of financial position.

2.2 Departmental revenue

All departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the National/Provincial Revenue Fund, unless stated otherwise.

Any amount owing to the National Revenue Fund at the end if the financial year is recognised as a payable in the statement of financial position.

No accrual is made for amounts receivable from the last receipt date to the end of the reporting period. These amounts are however disclosed in the disclosure notes to the annual financial statements.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

3. Expenditure

3.1 Compensation of employees

3.1.1 Salaries and wages

Salaries and wages are expensed in the statement of financial performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

Other employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements at its face value and are not recognised in the statement of financial performance or position.

3.1.2 Social contributions

Employer contributions to post employment benefit plans in respect of current employees are expensed in the statement of financial performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

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.

Employer contributions made by the department for certain of its ex-employees (such as medical benefits) are classified as transfers to households in the statement of financial performance.

3.2 Goods and services

Payments made during the year for goods and/or services are recognised as an expense in the statement of financial performance when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

The expense is classified as capital if the goods and/or services were acquired for a capital project or if the total purchase price exceeds the capitalisation threshold (currently R5, 000). All other expenditures are classified as current.

Rental paid for the use of buildings or other fixed structures is classified as *goods and services* and not as *rent on land*.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

3.3 Payments for financial assets

Debts are written off when identified as irrecoverable. Debts written-off are limited to the amount of savings and/or underspending of appropriated funds. The write off occurs at year-end or when funds are available. No provision is made for irrecoverable amounts but an estimate is included in the disclosure notes to the financial statements.

All other losses are recognised when authorisation has been granted for the recognition thereof.

3.4 Transfers and subsidies

Transfers and subsidies are recognised as an expense when the final authorisation for payment is effected on the system (by no later than 31 March of each year).

3.5 Unauthorised expenditure

When confirmed unauthorised expenditure is recognised as an asset in the statement of financial position until such time as the expenditure is either approved by the relevant authority, recovered from the responsible person or written off as irrecoverable in the statement of financial performance.

Unauthorised expenditure approved with funding is derecognised from the statement of financial position when the unauthorised expenditure is approved and the related funds are received.

Where the amount is approved without funding it is recognised as expenditure in the statement of financial performance on the date stipulated in the Act.

3.6 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recognised as expenditure in the statement of financial performance according to the nature of the payment and not as a separate line item on the face of the statement. If the expenditure is recoverable it is treated as an asset until it is recovered from the responsible person or written off as irrecoverable in the statement of financial performance.

3.7 Irregular expenditure

Irregular expenditure is recognised as expenditure in the statement of financial performance. If the expenditure is not condoned by the relevant authority it is treated as an asset until it is recovered or written off as irrecoverable.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

4. Assets

4.1 Cash and cash equivalents

Cash and cash equivalents are carried in the statement of financial position at cost.

Bank overdrafts are shown separately on the face of the statement of financial position.

For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held, other short-term highly liquid investments and bank overdrafts.

4.2 Prepayments and advances

Amounts prepaid or advanced are recognised in the statement of financial position when the payments are made and are derecognised as and when the goods/services are received or the funds are utilised.

Prepayments and advances outstanding at the end of the year are carried in the statement of financial position at cost.

4.3 Receivables

Receivables included in the statement of financial position arise from cash payments made that are recoverable from another party (including departmental employees) and are derecognised upon recovery or write-off.

Receivables outstanding at year-end are carried in the statement of financial position at cost plus any accrued interest. Amounts that are potentially irrecoverable are included in the disclosure notes.

4.4 Inventory

Inventories that qualify for recognition must be initially reflected at cost. Where inventories are acquired at no cost, or for nominal consideration, their cost shall be their fair value at the date of acquisition.

All inventory items at year-end are reflected using the weighted average cost or FIFO cost formula.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

4.5 Capital assets

4.5.1 Movable assets

Initial recognition

A capital asset is recorded in the asset register on receipt of the item at cost. Cost of an asset is defined as the total cost of acquisition. Where the cost cannot be determined accurately, the movable capital asset is stated at fair value. Where fair value cannot be determined, the capital asset is included in the asset register at R1.

All assets acquired prior to 1 April 2002 are included in the register R1.

Subsequent recognition

Subsequent expenditure of a capital nature is recorded in the statement of financial performance as "expenditure for capital assets" and is capitalised in the asset register of the department on completion of the project.

Repairs and maintenance is expensed as current "goods and services" in the statement of financial performance.

4.5.2 Immovable assets

Initial recognition

A capital asset is recorded on receipt of the item at cost. Cost of an asset is defined as the total cost of acquisition. Where the cost cannot be determined accurately, the immovable capital asset is stated at R1 unless the fair value for the asset has been reliably estimated.

Subsequent recognition

Work-in-progress of a capital nature is recorded in the statement of financial performance as "expenditure for capital assets". On completion, the total cost of the project is included in the asset register of the department that is accountable for the asset.

Repairs and maintenance is expensed as current "goods and services" in the statement of financial performance.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

5. Liabilities

5.1 Payables

Recognised payables mainly comprise of amounts owing to other governmental entities. These payables are carried at cost in the statement of financial position.

5.2 Contingent liabilities

Contingent liabilities are included in the disclosure notes to the financial statements when it is possible that economic benefits will flow from the department, or when an outflow of economic benefits or service potential is probable but cannot be measured reliably.

5.3 Commitments

Commitments are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.4 Accruals

Accruals are not recognised in the statement of financial position as a liability or as expenditure in the statement of financial performance but are included in the disclosure notes.

5.5 Employee benefits

Short-term employee benefits that give rise to a present legal or constructive obligation are disclosed in the disclosure notes to the financial statements. These amounts are not recognised in the statement of financial performance or the statement of financial position.

5.6 Lease commitments

Finance lease

Finance leases are not recognised as assets and liabilities in the statement of financial position. Finance lease payments are recognised as a capital expense in the statement of financial performance and are not apportioned between the capital and the interest portions. The total finance lease payment is disclosed in the disclosure notes to the financial statements.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ACCOUNTING POLICIES
for the year ended 31 March 2013**

Operating lease

Operating lease payments are recognised as an expense in the statement of financial performance. The operating lease commitments are disclosed in the disclosure notes to the financial statement.

5.7 Impairment

The department tests for impairment where there is an indication that a receivable, loan or investment may be impaired. An assessment of whether there is an indication of possible impairment is done at each reporting date. An estimate is made for doubtful loans and receivables based on a review of all outstanding amounts at year-end. Impairments on investments are calculated as being the difference between the carrying amount and the present value of the expected future cash flows / service potential flowing from the instrument.

5.8 Provisions

Provisions are disclosed when there is a present legal or constructive obligation to forfeit economic benefits as a result of events in the past and it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation and a reliable estimate of the obligation can be made.

6. Receivables for departmental revenue

Receivables for departmental revenue are disclosed in the disclosure notes to the annual financial statements. These receivables are written off when identified as irrecoverable and are disclosed separately.

7. Related party transactions

Specific information with regards to related party transactions is included in the disclosure notes.

8. Key management personnel

Compensation paid to key management personnel including their family members where relevant, is included in the disclosure notes.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

I. Annual Appropriation

I.1 Annual Appropriation

Included are funds appropriated in terms of the Appropriation Act (and the Adjustments Appropriation Act) for National Departments (Voted funds) and Provincial Departments:

	Final Appropriation R'000	Actual Funds Received R'000	2012/13 Funds not requested/ not received R'000	2011/12 Appropriation received R'000
ADMINISTRATION	86 526	86 526	-	59 769
INVESTIGATION & INFORMATION MANAGEMENT	105 967	105 967	-	74 245
LEGAL SERVICES	5 405	5 405	-	19 010
Total	197 898	197 898	-	153 024

An amount of R510 000 which was requested but not received in the previous year(2011/12) represents cash that only affected the bank account and not the annual appropriation in 2012/13. The same amount was accounted for and disclosed under note 12.

2. Departmental revenue

	<i>Note</i>	2012/13 R'000	2011/12 R'000
Sales of goods and services other than capital assets	2.1	138	111
Interest, dividends and rent on land	2.3	-	(1)
Sales of capital assets	2.4	-	2
Transactions in financial assets and liabilities	2.5	41	13
Total revenue collected		179	125
Departmental revenue collected		179	125

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

2.1 Sales of goods and services other than capital assets

	Note	2012/13 R'000	2011/12 R'000
Sales of goods and services produced by the department	2	136	111
Sales by market establishment – Stop order commissioners, parking		75	61
Other sales – Tender documents, duplicate IRP5		61	50
Sales of scrap, waste and other used current goods – Old Toners to suppliers		2	-
Total		138	111

2.2 Interest, dividends and rent on land

	Note	2012/13 R'000	2011/12 R'000
Interest	2	-	(1)
Total		-	(1)

2.3 Sale of capital assets

	Note	2012/13 R'000	2011/12 R'000
Tangible assets		-	2
Machinery and equipment	41	-	2
Total		-	2

2.4 Transactions in financial assets and liabilities

	Note	2012/13 R'000	2011/12 R'000
Other Receipts including Recoverable Revenue - Debt	2	41	13
Total		41	13

3. Compensation of employees

3.1 Salaries and Wages

	Note	2012/13 R'000	2011/12 R'000
Basic salary		61 853	50 877
Performance award		1 319	1 151
Service Based		337	15
Compensative/circumstantial		6 354	3 877
Other non-pensionable allowances		13 918	11 742
Total		83 781	67 662

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

3.2 Social contributions

	Note	2012/13 R'000	2011/12 R'000
Employer contributions			
Pension		8 042	6 612
Medical		4 149	3 801
Bargaining council		21	18
Total		12 212	10 431
Total compensation of employees		95 993	78 093
Average number of employees		304	303

4. Goods and services

	Note	2012/13 R'000	2011/12 R'000
Administrative fees		897	640
Advertising		1 626	789
Assets less than R5,000	4.1	591	674
Bursaries (employees)		176	215
Catering		385	340
Communication		2 649	2 425
Computer services	4.2	7 358	7 011
Consultants, contractors and agency/outsourced services	4.3	1 836	1 841
Audit cost – external	4.4	3 186	2 453
Fleet services		7 203	5 586
Inventory	4.5	2 751	1 972
Operating leases		13 175	22 792
Property payments	4.6	5 096	5 537
Travel and subsistence	4.7	20 619	15 723
Venues and facilities		371	305
Training and staff development		844	1 616
Other operating expenditure	4.8	1 199	1 071
Total		69 962	70 990

4.1 Assets less than R5,000

	Note	2012/13 R'000	2011/12 R'000
Tangible assets	4	591	674
Machinery and equipment		591	674
Total		591	674

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

4.2	Computer services			
		Note	2012/13	2011/12
		4	R'000	R'000
	SITA computer services		1 361	1 140
	External computer service providers		5 997	5 871
	Total		7 358	7 011
4.3	Consultants, contractors and agency/outsourced services			
		Note	2012/13	2011/12
		4	R'000	R'000
	Business and advisory services		342	396
	Legal costs		715	193
	Contractors		578	999
	Agency and support/outsourced services		201	253
	Total		1 836	1 841
4.4	Audit cost – External			
		Note	2012/13	2011/12
		4	R'000	R'000
	Regularity audits		3 106	2 259
	Computer audits		80	194
	Total		3 186	2 453
4.5	Inventory			
		Note	2012/13	2011/12
		4	R'000	R'000
	Fuel, oil and gas		1	2
	Other consumables		95	174
	Materials and supplies		50	20
	Stationery and printing		2 601	1 774
	Medical supplies		4	2
	Total		2 751	1 972
4.6	Property payments			
		Note	2012/13	2011/12
		4	R'000	R'000
	Municipal services		2 054	2 378
	Property management fees		103	119
	Other		2 939	3 040
	Total		5 096	5 537

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

4.7 Travel and subsistence

	Note	2012/13	2011/12
	8	R'000	R'000
Local		20 619	15 723
Total		20 619	15 723

4.8 Other operating expenditure

	Note	2012/13	2011/12
	4	R'000	R'000
Learnerships		-	279
Professional bodies, membership and subscription fees		-	3
Resettlement costs		350	154
Other		849	635
Total		1 199	1 071

5. Payments for financial assets

	Note	2012/13	2011/12
		R'000	R'000
Debts written off	5.1	7	11
Total		7	11

5.1 Debts written off

	Note	2012/13	2011/12
	5	R'000	R'000
Nature of debts written off			
(Group major categories, but list material items: debts written off relating to irregular expenditure, recoverable expenditure and other debts must be listed here)			
Salary Overpayment and claims written off		5	-
Tax Debt		-	11
Bursary		2	-
		-	-
Total		7	11
Total debt written off		7	11

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

6. Transfers and subsidies

		2012/13 R'000	2011/12 R'000
	<i>Note</i>		
Departmental agencies and accounts	<i>Annex IC</i>	106	87
Households	<i>Annex IH</i>	2 036	-
Total		2 142	87

7. Expenditure for capital assets

	<i>Note</i>	2012/13 R'000	2011/12 R'000
Tangible assets		3 345	4 351
Machinery and equipment	<i>7.1</i>	3 345	4 351
Total		3 345	4 351

7.1 Analysis of funds utilised to acquire capital assets – 2012/13

	Voted funds R'000	Aid assistance R'000	Total R'000
Tangible assets	3 345	-	3 345
Machinery and equipment	3 345	-	3 345
Total	3 345	-	3 345

7.2 Analysis of funds utilised to acquire capital assets – 2011/12

	Voted funds R'000	Aid assistance R'000	Total R'000
Tangible assets	4 351	-	4 351
Machinery and equipment	4 351	-	4 351
Total	4 351	-	4 351

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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8. Unauthorised expenditure

8.1 Reconciliation of unauthorised expenditure

	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Opening balance		891	891
Unauthorised expenditure awaiting authorisation / written off		891	891
Analysis of awaiting authorisation per economic classification			
Current		891	891
Total		891	891

8.2 Analysis of unauthorised expenditure awaiting authorisation per economic classification

	2012/13	2011/12
	R'000	R'000
Current	891	891
Total	891	891

8.3 Analysis of unauthorised expenditure awaiting authorisation per type

	2012/13	2011/12
	R'000	R'000
Unauthorised expenditure relating to overspending of the vote or a main division within a vote	891	891
Total	891	891

9. Cash and cash equivalents

	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Consolidated Paymaster General Account		30 370	-
Disbursements		(4 922)	2
Cash on hand		27	27
Total		25 475	29

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

10. Prepayments and advances

	Note	2012/13 R'000	2011/12 R'000
Travel and subsistence		20	20
Total		20	20

The disclosed prepayment amount represents the entrapment fees to Investigations

11. Receivables

	Note	2012/13			2011/12	
		R'000 Less than one year	R'000 One to three years	R'000 Older than three years	R'000 Total	R'000 Total
Claims recoverable	11.1	31	3	3	37	997
	Annex 4					
Recoverable expenditure	11.2	4	-	86	90	27
Staff debt	11.3	16	6	12	34	117
Other debtors	11.4	-	-	-	-	10
Total		51	9	101	161	1 151

11.1 Claims recoverable

	Note	2012/13 R'000	2011/12 R'000
National departments	11	37	571
Provincial departments		-	426
Total		37	997

Recoverable expenditure (disallowance accounts)

	Note	2012/13 R'000	2011/12 R'000
(Group major categories, but list material items)			
Debt Account CA		129	27
Debt receivable Income		(8)	-
Debt receivable Interest		(31)	-
Total		90	27

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

11.2 Staff debt

	Note	2012/13	2011/12
	11	R'000	R'000
(Group major categories, but list material items)			
Tax Debt		21	10
Other		-	107
Salary ACB Recalls		(4)	-
Salary Deduction Disallowance		3	-
Salary Reversal Control		14	-
Total		34	117

11.3 Other debtors

	Note	2012/13	2011/12
	11	R'000	R'000
(Group major categories, but list material items)			
Independent Institutions		-	10
Total		-	10

12. Voted funds to be surrendered to the Revenue Fund

	Note	2012/13	2011/12
		R'000	R'000
Opening balance		(508)	2 991
Transfer from statement of financial performance		26 449	2
Voted funds not requested/not received	<u>1.1</u>	-	(510)
Paid during the year		508	(2 991)
Closing balance		26 449	(508)

13. Departmental revenue and NRF Receipts to be surrendered to the Revenue Fund

	Note	2012/13	2011/12
		R'000	R'000
Opening balance		20	4
Transfer from Statement of Financial Performance		179	125
Paid during the year		(207)	(109)
Closing balance		(8)	20

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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

14. Bank Overdraft	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Consolidated Paymaster General Account		-	705
Total		-	705
15. Payables – current	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Amounts owing to other entities		-	68
Clearing accounts	<u>15.1</u>	106	-
Other payables	<u>15.3</u>	-	1 806
Total		106	1 874
15.1 Clearing accounts	<i>Note</i>	2012/13	2011/12
	<i>15</i>	R'000	R'000
Description (Identify major categories, but list material amounts)			
Sal: Income Tax		106	-
Total		106	-
15.2 Other payables	<i>Note</i>	2012/13	2011/12
	<i>15</i>	R'000	R'000
Description (Identify major categories, but list material amounts)			
Outstanding Payments		-	1 806
Total		-	1 806

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

16. Net cash flow available from operating activities

	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Net surplus/(deficit) as per Statement of Financial Performance		26 628	127
Add back non cash/cash movements not deemed operating activities		2 868	2 027
(Increase)/decrease in receivables – current		990	(557)
(Increase)/decrease in prepayments and advances		-	(1)
(Increase)/decrease in other current assets		(1 768)	1 846
Expenditure on capital assets		3 345	4 351
Surrenders to Revenue Fund		301	(3 100)
Voted funds not requested/not received		-	(510)
Other non-cash items		-	(2)
Net cash flow generated by operating activities		29 496	2 154

17. Reconciliation of cash and cash equivalents for cash flow purposes

	<i>Note</i>	2012/13	2011/12
		R'000	R'000
Consolidated Paymaster General account		30 370	(705)
Disbursements		(4 922)	2
Cash on hand		27	27
Total		25 475	(676)

These amounts are not recognised in the Annual Financial Statements and are disclosed to enhance the usefulness of the Annual Financial Statements.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

18. Contingent liabilities and contingent assets

18.1 Contingent liabilities

		Note	2012/13 R'000	2011/12 R'000
Liable to	Nature			
Housing loan guarantees	Employees	Annex 3A	-	168
Claims against the department		Annex 3B	10 186	9 301
Total			10 186	9 469

19. Commitments

		Note	2012/13 R'000	2011/12 R'000
Current expenditure				
Approved and contracted			1 160	-
Approved but not yet contracted			120	-
			<u>1 280</u>	<u>-</u>
Capital expenditure				
Approved and contracted			1 391	-
Approved but not yet contracted			114	-
			<u>1 505</u>	<u>-</u>
Total Commitments			2 785	-

<i>No commitment is for longer than a year</i>
--

20. Accruals

		2012/13 R'000			2011/12 R'000
Listed by economic classification					
	30 Days	30+ Days	Total	Total	
Goods and services	1 962	1 163	3 167	1 973	
Capital assets	42	-	42	-	
Total	<u>2 004</u>	<u>1 163</u>	<u>3 167</u>	<u>1 973</u>	

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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	Note	2012/13 R'000	2011/12 R'000
Listed by programme level			
Administration		2 341	1 722
Investigation and Information Management		824	251
Legal Services		2	-
Total		3 167	1 973
	Note	2012/13	2011/12

The disclosed amount of accruals includes an outstanding invoice on property leases.

		R'000	R'000
Confirmed balances with other departments	Annex 5	38	20
Confirmed balances with other government entities	Annex 5	106	1 874
Total		144	1 894

21. Employee benefits

	Note	2012/13 R'000	2011/12 R'000
Leave entitlement		4 396	1 244
Service bonus (Thirteenth cheque)		2 665	2 198
Performance awards		1 986	1 299
Capped leave commitments		3 560	3 487
Other		-	1 111
Total		12 607	9 339

- a. Included in the Leave entitlement is an amount of R217 395.03 which represents 204.16 negative leave balances for total of 32 officials as at the year end.
- b. Leave entitlement also included current and prior year liability.
- c. Service Bonus liability is a systematically Persal calculated which reconcile with the formula included in the DPSA Financial Manual.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

22. Lease commitments

22.1 Operating leases expenditure

2012/13	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
Not later than 1 year	-	-	1 515	46	1 561
Later than 1 year and not later than 5 years	-	-	32 627	7 772	40 399
Later than five years	-	-	5 780	-	5 780
Total lease commitments	-	-	39 922	7 818	47 740

All Leases have been paid based on the contractual obligations as stipulated in the lease contracts.

2011/12	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
Not later than 1 year	-	-	9 268	-	9 268
Later than 1 year and not later than 5 years	-	-	33 274	-	33 274
Later than five years	-	-	5 349	-	5 349
Total lease commitments	-	-	47 891	-	47 891

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

22.2 Finance leases expenditure**

	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
2012/13					
Not later than 1 year	-	-	-	-	-
Later than 1 year and not later than 5 years	-	-	-	-	-
Total lease commitments	-	-	-	-	-

	Specialised military equipment	Land	Buildings and other fixed structures	Machinery and equipment	Total
2011/12					
Not later than 1 year	-	-	-	370	370
Later than 1 year and not later than 5 years	-	-	-	160	160
Total lease commitments	-	-	-	530	530
LESS: finance costs					
Total present value of lease liabilities	-	-	-	530	530

**This note excludes leases relating to public private partnership as they are separately disclosed to note no.39.

23. Irregular expenditure

23.1 Reconciliation of irregular expenditure

	<i>Note</i>	2012/13 R'000	2011/12 R'000
Opening balance		247	184
Add: Irregular expenditure – relating to prior year		-	-
Add: Irregular expenditure – relating to current year		676	83
Less: Amounts condoned		-	(20)
Less: Amount recoverable(not condoned)			
Irregular expenditure awaiting condonation		<u>923</u>	<u>247</u>

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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23.3 Analysis of awaiting condonation per age classification

Current year	676	63
Prior years	247	184
Total	923	247

23.4 Details of irregular expenditure current year

Incident	Disciplinary taken/Criminal	Steps	2011/12 R'000
Exceeding the financial delegation limit	Currently under investigation	under	274
Exceeding the financial delegation limit	Currently under investigation	under	398
Leave without approval	Currently under investigation	under	4
			676

23.4. Reconciliation of irregular expenditure under investigation

Incident	Note	2012/13 R'000
Exceeding the financial delegation limit		672
		4
		676

23. Fruitless and Wasteful expenditure

24.1 Reconciliation of fruitless and wasteful expenditure

	Note	2012/13 R'000	2011/12 R'000
Opening balance		1	-
Fruitless and wasteful expenditure – relating to current year		2	1
Fruitless and wasteful expenditure awaiting resolution		3	1

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

24.2 Analysis of awaiting resolution per economic classification

	2012/13	2011/12
	R'000	R'000
Current	3	1
Total	3	1

24.3 Analysis of Current Year's Fruitless and wasteful expenditure

Incident	Disciplinary steps taken/Criminal proceedings	
Traffic fines on rented vehicles	To be recovered from the affected officials	2012/13 R'000
		2
		2

24. Related party transactions
Revenue Received

	<i>Note</i>	2012/13	2011/12
		R'000	R'000

Guarantees issued/received

List other contingent liabilities between department and related party	<i>Note</i>	2012/13	2011/12
		R'000	R'000

In Kind Goods and Services provided/received

List other contingent liabilities between department and related party	<i>Note</i>	2012/13	2011/12
		R'000	R'000

List related party relationships

- South African Police Services (SAPS) and Department of Justice (DoJ) are considered to be related due to the significant influence over operational decisions. IPID makes recommendations which are considered by both institutions.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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- Forevermore Trading, a service provider owned by a spouse of an official has entered into financial transaction for supplying the Department with stationery to an amount of R7 409.70. The official did not have any influence on the transaction since he is not part of the administration support services

25. Key management personnel	No. of Individuals	2012/13 R'000	2011/12 R'000
Officials:			
Level 15 to 16	1	2 696	1 140
Level 14 (incl. CFO if at a lower level)	13	9 317	3 370
Total		12 013	4 510

The Chief Director: Legal Services at level 14 was appointed as acting Executive Director who is at level 15 due to the departure of the ED in August 2012

26. Impairment	Note	2012/13 R'000	2011/12 R'000
Impairment			
Debtors		32	39
Total		32	39

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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**27. Movable Tangible Capital Assets
MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31
MARCH 2013**

		Opening balance	Curr Year Adjustment s to prior year balances	Additions	Disposals	Closing Balance
		R'000	R'000	R'000	R'000	R'000
MACHINERY	AND	18 634	-	3 345	667	21 313
EQUIPMENT						
Transport assets		2 887	-	-	(421)	2 466
Computer equipment		10 844	-	2 446	(234)	13 056
Furniture and office equipment		3 779	-	857	(12)	4 624
Other machinery and equipment		1 124	-	42	-	1 166
TOTAL	MOVABLE	18 634	-	3 345	(667)	21 312
TANGIBLE	CAPITAL					
ASSETS						

**28.1 Additions
ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR
ENDED 31 MARCH 2013**

		Cash	Non-cash	(Capital Work in Progress current costs and finance lease payments)	Received current, not paid (Paid current year, received prior year)	Total
		R'000	R'000	R'000	R'000	R'000
MACHINERY	AND	3 345	-	-	-	3 345
EQUIPMENT						
Computer equipment		2 446	-	-	-	2 446
Furniture and office equipment		857	-	-	-	857
Other machinery and equipment		42	-	-	-	42
TOTAL ADDITIONS TO		3 345	-	-	-	3 345
MOVABLE TANGIBLE						
CAPITAL ASSETS						

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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28.2 Disposals

DISPOSALS OF MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2013

	Sold for cash	Transfer out or destroyed or scrapped	Total disposals	Cash Received Actual
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	-	667	667	-
Transport assets	-	421	421	-
Computer equipment	-	234	234	-
Furniture and office equipment	-	12	12	-
TOTAL DISPOSAL OF MOVABLE TANGIBLE CAPITAL ASSETS	-	667	667	-

28.3 Movement for 2011/12

MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2012

	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
MACHINERY AND EQUIPMENT	15 528	4 350	1 244	18 634
Transport assets	2 969	-	(82)	2 887
Computer equipment	8 288	3 319	(763)	10 844
Furniture and office equipment	2 862	935	(18)	3 779
Other machinery and equipment	1 409	96	(381)	1 124
TOTAL MOVABLE TANGIBLE ASSETS	15 528	4 350	(1 244)	18 634

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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28.4 Minor assets

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED AS AT 31 MARCH 2013

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Opening balance	-	-	12	8 922	-	8 934
Additions	-	-	-	397	-	397
Disposals	-	-	-	(103)	-	(103)
TOTAL	-	-	12	9 216	-	9 228

**MINOR
ASSETS**

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of minor assets at cost	-	-	15	5 817	-	5 832
TOTAL	-	-	15	5 817	-	5 832

**NUMBER OF
MINOR
ASSETS**

Minor Assets

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED AS AT 31 MARCH 2012

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Opening balance	-	-	12	8 837	-	8 849
Additions	-	-	-	737	-	737
Disposals	-	-	-	(652)	-	(652)
TOTAL	-	-	12	8 922	-	8 934

**MINOR
ASSETS**

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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**DISCLOSURE NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of minor assets at cost	-	-	15	5 666*	-	5 681
TOTAL NUMBER OF MINOR ASSETS	-	-	15	5 666	-	5 681

* **Note:** This represents an immaterial prior period correction due to minor assets which were erroneously disclosed under specialised military assets instead of Machinery & Equipment. The amount of the adjustment is 60 minor assets.

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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
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ANNEXURE IC
STATEMENT OF TRANSFERS TO DEPARTMENTAL AGENCIES AND ACCOUNTS

DEPARTMENT/ AGENCY/ ACCOUNT	TRANSFER ALLOCATION				TRANSFER		2011/12
	Adjusted Appropriation	Roll Overs	Adjustments	Total Available	Actual Transfer	% of Available funds Transferred	Appropriation Act
	R'000	R'000	R'000	R'000	R'000	%	R'000
SASSETA	95	-	-	95	95	100%	87
SABC – TV LICENCES	11	-	-	11	11	100%	-
	106	-	-	106	106		87

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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
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ANNEXURE 1H
STATEMENT OF TRANSFERS TO HOUSEHOLDS

	TRANSFER ALLOCATION					EXPENDITURE		2011/12
	Adjusted Appropriation Act	Roll Overs	Adjustments	Total Available	Actual Transfer	% of Available funds Transferred	Appropriation Act	
	R'000	R'000	R'000	R'000	R'000	%	R'000	
HOUSEHOLDS								
Transfers								
H/H EMPLS/BEN LEAVE GRATUITY			189	189	189	100%		-
H/H CLAIMS AGAINST THE STATE			1 847	1 847	1 847	100%		
	-	-	2 036	2 036	2 036			-
Total	-	-	2 036	2 036	2 036			-

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013

ANNEXURE II
STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP		2012/12	2011/12
			R'000	R'000
Received in cash				
Sub Total			-	-
Received in kind				
Travel Adventure	15 x 2013 Diaries			2
Travel With Flair	30 x 2013 Desk Calendar			4
SUB TOTAL			6	-
TOTAL			6	-

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
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ANNEXURE IK
STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS MADE AND REMISSIONS, REFUNDS AND PAYMENTS MADE AS AN ACT OF GRACE

NATURE OF GIFT, DONATION OR SPONSORSHIP	2012/12	2011/12
	R'000	R'000
Paid in cash	-	-
Sub Total	-	-
Made in kind		
3 x Computer (CPU)DELL		21
3 x Notebook Laptop DELL		16
1 x Projector Video Overhead		7
1 x Shredder Machine		5
SUB TOTAL	49	-
TOTAL	49	-

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
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ANNEXURE 3A
STATEMENT OF FINANCIAL GUARANTEES ISSUED AS AT 31 MARCH 2012 – LOCAL

Guarantor institution	Guarantee in respect of	Original guaranteed capital amount	Opening balance 1 April 2012	Guarantees draw downs during the year	Guarantees repayments/ cancelled/ reduced/ released during the year	Revaluations	Closing balance 31 March 2013	Guaranteed interest for year ended 31 March 2013	Realised losses not recoverable i.e. claims paid out
		R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
	Housing								
ABSA	Housing	496	88		88		-	-	-
NEDBANK	Housing	130	26		26		-	-	-
STANDARD	Housing	490	54		54		-	-	-
	Subtotal	1 116	168	-	168		-	-	-
	TOTAL	1 116	168	-	168		-	-	-

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
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ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013

ANNEXURE 3B
STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2012

Nature of Liability	Opening Balance 1 April 2012 R'000	Liabilities incurred during the year R'000	Liabilities paid/cancelled/ reduced during the year R'000	Liabilities recoverable (Provide details hereunder) R'000	Closing Balance 31 March 2013 R'000
Claims against the department					
Court settlement: SA Underwriter o.b.o. DL Sailla	18	-	-	-	18
North West Mafikeng – SM Matshe vs Minister	300	-	-	-	300
LK Ntuli vs M Ntsheno (GP)	61	-	-	-	61
Moodley SG vs ICD	274	-	274	-	-
Possible Claims					
KE Sons Investments CC	8 527	1 279	-	-	9 806
Buitendach L/P	120	-	120	-	-
Ethekwine Municipality	1	-	-	-	1
Subtotal	9 301	1 279	394	-	10 186
TOTAL	9 301	1 279	394	-	10 186

INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23

ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013

ANNEXURE 4
CLAIMES RECOVERABLE

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2013	31/03/2012	31/03/2013	31/03/2012	31/03/2013	31/03/2012
	R'000	R'000	R'000	R'000	R'000	R'000
Department						
National Treasury				407	-	407
Department of Health	11	-		3	11	3
SAPS	3	-	2	12	5	12
Statistics SA			3	3	3	3
Department of Trade and industry	-	-	-	19	-	19
Department of Energy	-	-	-	13	-	13
National Prosecuting Authority	-	-	-	11	-	11
Department of Water Affairs	15	-	-	19	15	19
Department of Public Works	-	-	-	32	-	32
Department of Correctional Services	-	-	-	18	-	18
Department of Mineral Resources	-	-	-	34	-	34
Gauteng Provincial Government	-	-	-	394	-	394
Limpopo: Health and Social Development	-	-	-	9	-	9
Mpumalanga: Community Safety & Security	-	-	-	23	-	23
Department of Economic Development	-	-	3	-	3	-
TOTAL	29	-	8	997	37	997
	29	-	8	997	37	997

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

ANNEXURE 5

INTER-GOVERNMENT PAYABLES

GOVERNMENT ENTITY	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2013	31/03/2012	31/03/2013	31/03/2012	31/03/2013	31/03/2012
	R'000	R'000	R'000	R'000	R'000	R'000
DEPARTMENTS						
Current						
National Treasury	-	20	-	-	-	20
KZN: Provincial Treasury	16	-	-	-	16	
Department of Justice	22		-	-	22	-
		-				
Subtotal	38	20			38	20
OTHER GOVERNMENT ENTITY						
Current						
SARS	106	68	-	-	106	68
Independent Institutions	-	1 806	-	-	-	1 806
Subtotal	106	1 874	-	-	106	1 874
Total	144	1 894	-		144	1 894

An amount R38 000 was confirmed as payables but not yet paid at the reporting date hence it cannot be presented in the financial position due modified cash.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE
VOTE 23**

**ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2013**

**ANNEXURE 6
INVENTORY**

Inventory	Note	Quantity	2012/13	Quantity	2011/12
			R'000		R'000
Opening balance		6 385	204	5 779	2 429
Add/(Less): Adjustments to prior year balance		263	40	-	(2 252)
Add: Additions/Purchases - Cash		37 944	2 533	21 060	3 108
Add: Additions - Non-cash		34	1	834	-
(Less): Disposals		-	-	(2)	(1)
(Less): Issues		(36 886)	(2 384)	(20 990)	(3 078)
Add/(Less): Adjustments		-	-	(296)	(2)
Closing balance		7 740	394	6 385	204

HUMAN RESOURCE INFORMATION

Table 1: Personnel expenditure by programme

Programme	Total Expenditure (R'000)	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Professional and Special Services Expenditure (R'000)	Personnel Expenditure as a % of total expenditure	Average personnel cost per employee (R'000)
Programme 1	70 258	31 551	202	860	44.91	259
Programme 2	97 009	61 037	618	197	62.92	351
Programme 3	4 181	3 405	23	-	81.42	426
TOTAL	171 449	95 993	844	1 057	55.99	316

Table 2: Personnel costs by salary band

Salary band	Personnel Expenditure (R'000)	% of total personnel cost	No. of employees	Average personnel cost per employee (R'000)
Skilled (level 3-5)	10 500	10.6	76	138
Highly skilled production (levels 6-8)	34 011	34.4	127	268
Highly skilled supervision (levels 9-12)	34 175	34.5	82	417
Senior and Top management (levels 13-16)	17 307	17.5	19	911
Total	95 993	63	304	316

Table 3: Salaries, Overtime, Home Owners Allowance and Medical Aid by programme

Programme	Salaries		Overtime		Home Owners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Programme 1	21 277	67.44	556	1.76	1 050	3.33	1 453	4.61
Programme 2	38 504	63.08	978	1.60	1 561	2.56	2 648	4.34
Programme 3	2 072	60.86	-	-	47	1.37	48	1.42
TOTAL	61 853	64.43	1 534	1.6	2 657	2.7	4 149	4.3

HUMAN RESOURCE INFORMATION

Table 4: Salaries, Overtime, Home Owners Allowance and Medical Aid by salary band

Salary Bands	Salaries		Overtime		Home Owners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Skilled (level 3-5)	7147	67.4	105	1	737	7	908	8.6
Highly skilled production (levels 6-8)	22444	64	957	2.3	1129	3.2	1928	5.5
Highly skilled supervision (levels 9-12)	18154	53.1	468	1.4	625	1.8	1173	3.4
Senior management (level 13-16)	14108	74.7	4	0	166	1.7	140	0.7
Total	61853	64	1534	1.6	2657	2.7	4149	4.3

Table 5: Employment and vacancies by programme

Programme	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Programme 1	139	122	12.2	-
Programme 2	202	174	13.9	-
Programme 3	8	8	-	-
Total	349	304	12.9	-

Table 6: Employment and vacancies by salary band

Salary band	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Lower skilled (1-2)	-	-	-	-
Skilled(3-5)	84	76	9.5	-
Highly skilled production (6-8)	138	127	8.6	-
Highly skilled supervision (9-12)	94	82	12.8	-
Senior management (13-16)	33	19	42.4	-
Total	349	304	12.9	-

HUMAN RESOURCE INFORMATION

Table 7: Job Evaluation by Salary band

Salary band	Number of posts on approved establishment	Number of Jobs Evaluated	% of posts evaluated by salary bands	Posts Upgraded		Posts downgraded	
				Number	% of posts evaluated	Number	% of posts evaluated
Lower Skilled (Levels 1-2)	-	-	-	-	-	-	-
Skilled (Levels 3-5)	84	-	-	-	-	-	-
Highly skilled production (Levels 6-8)	138	-	-	-	-	-	-
Highly skilled supervision (Levels 9-12)	94	2	2.1	-	-	-	-
Senior Management Service Band A	19	2	11	-	-	-	-
Senior Management Service Band B	13	-	-	-	-	-	-
Senior Management Service Band C	1	-	-	-	-	-	-
Senior Management Service Band D	-	-	-	-	-	-	-
Total	349	4	1.1	-	-	-	-

Table 8: Annual turnover rates by salary band

Salary Band	Number of employees at beginning of period-April 2012	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2)	-	-	-	-
Skilled (Levels 3-5)	72	20	11	15.2
Highly skilled production (Levels 6-8)	119	20	8	6.7
Highly skilled supervision (Levels 9-12)	72	9	10	13.8
Senior Management Service Bands A	17	-	1	5.8
Senior Management Service Bands B	4	2	2	50
Senior Management Service Bands C	1	-	1	100
Senior Management Service Bands D	-	-	-	-
Contracts	-	-	-	-
Total	285	51	33	11.5

Table 9: Reasons why staff left the department

Termination Type	Number	% of Total Resignations
Death	1	3
Resignation	13	39.3
Expiry of contract	-	-
Dismissal – operational changes	-	-
Dismissal – misconduct	-	-
Dismissal – inefficiency	-	-
Discharged due to ill-health	-	-
Retirement	-	-
Transfer to other Public Service Departments	19	57.5
Other	-	-
Total	33	100
Total number of employees who left as a % of total employment		11.5

HUMAN RESOURCE INFORMATION

Table 10: Promotions by salary band

Salary Band	Employees 1 April 2012	Promotions to another salary level	Salary bands promotions as a % of employees by salary level	Progressions to another notch within a salary level	Notch progression as a % of employees by salary bands
Lower skilled (Levels 1-2)	-	-	-	-	-
Skilled (Levels 3-5)	72	1	1.25	41	51
Highly skilled production (Levels 6-8)	119	11	8.2	54	40
Highly skilled supervision (Levels 9-12)	72	26	28.2	36	39
Senior Management (Level 13-16)	22	4	12.5	-	-
Total	285	42	12.4	131	38.8

Employment Equity

Table 11: Total number of employees (including employees with disabilities) in each of the following occupational categories as at 31 March 2013

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	11	-	-	-	7	-	-	1	19
Professionals	38	3	3	7	27	1	2	2	83
Technicians and associate professionals	66	1	1	1	51	3	3	-	126
Clerks	25	-	-	-	46	5	-	-	76
Service and sales workers	-	-	-	-	-	-	-	-	-
Skilled agriculture and fishery workers	-	-	-	-	-	-	-	-	-
Craft and related trades workers	-	-	-	-	-	-	-	-	-
Plant and machine operators and assemblers	-	-	-	-	-	-	-	-	-
Elementary occupations	-	-	-	-	-	-	-	-	-
Total	140	4	4	8	131	9	5	3	304
Employees with disabilities	2	-	-	-	2	-	-	-	4

HUMAN RESOURCE INFORMATION

Table 12: Total number of employees (including employees with disabilities) in each of the following occupational bands on 31 March 2013

Occupational Band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management(L15-L16)	-	-	-	-	-	-	-	-	-
Senior Management(L13-L14)	11	-	-	-	7	-	-	1	19
Professionally qualified and experienced specialists and mid-management	38	3	3	7	27	1	2	2	83
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	66	1	1	1	51	3	3	-	126
Semi-skilled and discretionary decision making	25	-	-	-	46	5	-	-	76
Unskilled and defined decision making	-	-	-	-	-	-	-	-	-
Total	140	4	4	8	131	9	5	3	304

Table 13: Recruitment

Occupational Band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	-	-	-	-	-	-	-	-	-
Senior Management	-	-	-	-	1	-	-	-	1
Professionally qualified and experienced specialists and mid-management	4	-	1	-	4	-	1	-	10
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	9	1	-	-	4	-	1	-	15
Semi-skilled and discretionary decision making	1	-	-	-	9	-	2	-	12
Unskilled and defined decision making	-	-	-	-	-	-	-	-	-
Total	14	1	1	-	18	-	4	-	38
Employees with disabilities	1	-	-	-	-	-	-	-	1

HUMAN RESOURCE INFORMATION

Table 14: Promotions

Occupational Band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	-	-	-	-	-	-	-	-	-
Senior Management	1	-	-	-	1	-	-	2	4
Professionally qualified and experienced specialists and mid-management	13	-	-	2	9	-	2	-	26
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	6	-	-	-	5	-	-	-	11
Semi-skilled and discretionary decision making	-	-	-	-	1	-	-	-	1
Unskilled and defined decision making	-	-	-	-	-	-	-	-	-
Total	20	-	-	2	16	-	2	2	42
Employees with disabilities	1	-	-	-	-	-	-	-	1

Table 15: Terminations

Occupational Band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	-	-	-	-	-	-	-	1	1
Senior Management	1	-	-	-	-	-	-	-	1
Professionally qualified and experienced specialists and mid-management	1	-	-	1	2	-	-	1	5
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	-	-	-	3	1	-	-	5
Semi-skilled and discretionary decision making	1	-	-	-	1	-	-	-	2
Unskilled and defined decision making	-	-	-	-	-	-	-	-	-
Total	4	-	-	1	6	1	-	2	14
Employees with Disabilities	-	-	-	-	-	-	-	-	-

HUMAN RESOURCE INFORMATION

Table 16: Disciplinary action

Disciplinary action	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
6	2		1		3				6

Table 17: Skills development

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	4				4				8
Professionals	25	2	2	6	13		1		49
Technicians and associate professionals	56	1	1		40	6	1		105
Clerks	12				30	2			44
Total	97	3	2	6	87	8	2		206
Employees with disabilities	1				2				3

NB: Some of the employees attended both the skills programmes and other forms of training.

Performance Rewards

Table 18: Performance Rewards by race, gender and disability

Race and Gender	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost (R'000)	Average cost per employee
African, Male	60	140	43	562	9.3
Asian, Male	1	4	25	16	16
Coloured Male	3	4	75	40	13.3
White Male	8	8	100	110	12.2
African Female	59	131	45	439	7.5
Asian Female	5	5	100	30	6
Coloured Female	8	9	-	42	5.2
White Female	4	3	-	69	17.2
TOTAL	148	304	48.6	1 308	8.8

HUMAN RESOURCE INFORMATION

Table 19: Performance Rewards by salary band for personnel below Senior Management Service.

Salary Band	Beneficiary Profile			Cost		Total cost as a % of the total personnel expenditure
	Number of beneficiaries	Number of employees	% of total within salary bands	Total Cost (R'000)	Average cost per employee	
Lower Skilled (Levels 1-2)	-	-	-	-	-	-
Skilled (level 3-5)	46	76	60.5	230	5	2.1
Highly skilled production (level 6-8)	58	127	34.1	493	8.5	1.4
Highly skilled supervision (level 9-12)	44	82	11.5	585	13.2	1.8
Total	148	285	52.6	1 308	8.8	1.3

Leave utilisation

Table 20: Sick leave

Salary Band	Total days	% Days with Medical certification	Number of Employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower Skills (Level 1-2)	-	-	-	-	-	-
Skilled (levels 3-5)	488	79.9	74	31.6	7	173
Highly skilled production (levels 6-8)	542	88	83	35.5	7	345
Highly skilled supervision (levels 9-12)	389	86.1	62	26.5	6	442
Top and Senior management (levels 13-16)	94	85.1	15	6.4	6	271
Total	1 513	84.9	234	100	6	1 231

Table 21: Disability leave (temporary and permanent)

Salary Band	Total days	% Days with Medical certification	Number of Employees using disability leave	% of total employees using disability leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	-	-	-	-	-	-
Skilled (Levels 3-5)	-	-	-	-	-	-
Highly skilled production (Levels 6-8)	5	100	1	20	5	3
Highly skilled supervision (Levels 9-12)	119	100	3	60	40	93
Senior management (Levels 13-16)	3	100	1	20	3	8
Total	127	100	5	100	25	104

HUMAN RESOURCE INFORMATION

Table 22: Annual Leave

Salary Band	Total days taken	Average per employee
Lower skilled (Levels 1-2)	-	-
Skilled Levels 3-5)	1 423.84	17
Highly skilled production (Levels 6-8)	2 238	18
Highly skilled supervision(Levels 9-12)	1 558	19
Senior management (Levels 13-16)	448	19
Total	5 667.84	18

Table 23: Capped leave

Salary Band	Total days of capped leave taken	Average number of days taken per employee	Average capped leave per employee as at 31 March
Lower skilled (Levels 1-2)	-	-	-
Skilled Levels 3-5)	-	-	-
Highly skilled production (Levels 6-8)	-	-	-
Highly skilled supervision(Levels 9-12)	6	3	54
Senior management (Levels 13-16)	-	-	-
Total	6	3	54

The following table summarises payments made to employees as a result of leave that was not taken.

Table 24: Leave pay-outs

Reason	Total Amount (R'000)	Number of Employees	Average per employee (R'000)
Leave pay out for 2012/13 due to non-utilisation of leave for the previous cycle	269	13	20
Capped leave pay-outs on termination of service for 2012/13	337	20	16
Current leave pay out on termination of service for 2012/13	8	3	2
Total	614	36	38

HUMAN RESOURCE INFORMATION

HIV/AIDS & Health Promotion Programmes

Table 25: Details of Health Promotion and HIV/AIDS Programmes (tick the applicable boxes and provide the required information)

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter I of the Public Service Regulations, 2001? If so, provide her/his name and position.	X		Ms Sibongile Phalatsi – Director: Human Resources and Development Services
2. Does the department have a dedicated unit or has it designated specific staff members to promote the health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	X		The sub-directorate has two permanent employees dedicated in promoting the health and wellbeing of employees. The annual budget for Employee Health and Wellness during 2012/13 was R427 000.00 .
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of this Programme.	X		The Employee Assistance Programme was introduced in 01 February 2005. The programme services are outsourced to Independent Counselling and Advisory Services (ICAS). The services include a 24-hour multilingual toll-free counselling, life management services, professional face-to-face counselling sessions, managerial and retrenchment counselling, trauma counselling, and incident counselling.
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter I of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	X		<p>The Special Programmes and Employee Wellness Committee deals with HIV and AIDS, Health and Wellness and special program issues. The members are:</p> <p>The members of the Special Programmes Committee were as follows: Ms S Phalatsi (Chairperson) Ms P Mlungwana Mr T Mmusi Mr L John Mr D Mokoena Mr G Angus Mr O Khanyi Mr M Parman Mr M Molatedi Mr R Raburabu</p> <p>The Employee Wellness Programme Committee members were: Ms Phalatsi Mr T Tshabalala Ms E Engelbrecht Ms M Phakathi</p>

HUMAN RESOURCE INFORMATION

Question	Yes	No	Details, if yes
5. Has the department reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	X		<p>The Directorate reviewed the Employee Health and Wellness Policy.</p> <p>The Directorate is in the process of reviewing the HIV/AIDS policy to address measures to protect HIV-positive employees.</p>
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.		X	<p>The Directorate is in the process of reviewing the HIV/AIDS policy to address measures to protect HIV-positive employees.</p>
7. Does the department encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results that you have achieved.	X		<p>The Directorate conducted two voluntary counselling sessions to encourage employees to undergo voluntary counselling and testing.</p> <p>The number of employees who participated in the testing drive increased as compared to the previous year.</p>
8. Has the department developed measures/indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	X		<p>The measures developed to evaluate the impact of the health promotion programmes are as follows:</p> <ul style="list-style-type: none"> • A project plan developed to address the health and wellness trends identified in the annual report from Independent Counselling and Advisory Services • On-going workshops provided to employees on employee health and wellness issues • Monthly Desk Drops on Employee wellness • Pamphlets in the lifts.

HUMAN RESOURCE INFORMATION

Labour Relations

The following table summarises the outcome of disciplinary hearings conducted within the department for the year under review.

Table 26: Misconduct and disciplinary hearings finalised

Outcomes of disciplinary hearings	Number	% of total
Correctional counselling		
Verbal warning		
Written warning		
Final written warning	2	33
Suspended without pay	1	17
Fine		
Demotion		
Dismissal	3	50
Not guilty		
Case withdrawn		
Total	6	100

Table 27: Types of misconduct addressed at disciplinary hearings

Type of misconduct (based on annexure A)	Number	% of total
Misrepresentation	2	67
Insubordination	1	33
-Contravention of policy	-	-
Total	3	100

Table 28: Grievances lodged

	Number	% of Total
Number of grievances resolved	5	60
Number of grievances not resolved	8	40
Total number of grievances lodged	13	100
Backlog	-	-

HUMAN RESOURCE INFORMATION

Table 29: Disputes lodged

	Number	% of Total
Number of disputes upheld	1	0
Number of disputes dismissed	-	0
Total number of disputes lodged	3	0
Backlog	2	0

Table 30: Precautionary suspensions

Number of people suspended	2
Number of people whose suspension exceeded 30 days	2
Average number of days suspended	150
Cost (R'000) of suspension	R 386 161.12

Skills development

This section highlights the efforts of the department with regard to skills development.

Table 31: Training needs identified

Occupational Category	Gender	Number of employees as at 1 April 2012	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	10	-	8		8
	Male	12	-	17		17
Professionals	Female	27	-	40		40
	Male	45	-	72		72
Technicians and associate professionals	Female	55	-	04		04
	Male	64	-	03		03
Clerks	Female	51	-	37		37
	Male	21	-	8		8
Total		285	-	189		189

HUMAN RESOURCE INFORMATION

Table 32: Training provided for the period

Occupational Category	Gender	Number of employees as at 1 April 2012	Training provided within the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	10	-	9	6	15
	Male	12	-	12	7	19
Professionals	Female	27	-	47	12	59
	Male	45	-	77	24	101
Technicians and associate professionals	Female	55	-	-	2	2
	Male	64	-	-	1	1
Clerks	Female	51	-	19	21	40
	Male	21	-	6	5	11
Total		285		170	78	248

Injury on duty

The following tables provide basic information on injury on duty.

Table 33: Injury on duty

Nature of injury on duty	Number	% of total
Required basic medical attention only	3	100
Temporary Total Disablement	-	-
Permanent Disablement	-	-
Fatal	-	-
Total	3	100

HUMAN RESOURCE INFORMATION

Utilisation of Consultants

Table 34: Report on consultant appointments using appropriated funds

Project Title	Total Number of consultants that worked on project	Duration Work days	Contract value in Rand
Independent Counselling and Advisory Services for Employee Assistance Programme (ICAS)	01		R 202 000
Experian	01		R 44 596.80
South African Qualifications Authority (SAQA)	01		R 12 000.00

NB: The cost for SAQA is the actual expenditure since the verification is done as and when candidates are recommended for appointment.

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RP307/2013

ISBN: 978-0-621-42277-1

Title of Publication:

Independent Police Investigative Directorate (IPID) Annual Report 2012/13



ipid

Department:

Independent Police Investigative Directorate
REPUBLIC OF SOUTH AFRICA