
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF POLICE

NO. 228

08 MARCH 2016

POLICY 1 OF 2016

THE USE OF OFFICIAL LANGUAGES IN THE SOUTH AFRICAN
POLICE SERVICE**1. Background**

- (1) This Policy is formulated within the framework set by the Constitution of the Republic of South Africa, 1996 (the Constitution) and the Use of Official Languages Act, 2012 (Act No. 12 of 2012).
- (2) Section 6(3)(a) of the *Constitution* provides that "the national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned".
- (3) Paragraph 3(1)(a) of the Use of Official Languages Regulations, 2013 provides that every national department must, in order to determine the official languages contemplated in section 4(2) of the Act, consider the factors stipulated in section 6(3) of the *Constitution* including —
 - (a) language usage of members of the public that access the services of the national department, having regard to —
 - (i) language needs of members of the public accessing the services;
 - (ii) language statistics in the population census; and
 - (iii) research that the national department may conduct;
 - (b) expenses associated with adopting official languages for government purpose.
- (4) Regulation 3(1)(b) of the above mentioned Regulations provides that "the national department must consider practical and positive measures that it will take to elevate the status and advance the use of indigenous languages of historically diminished use and status, in accordance with section 6(2) of the *Constitution*".
- (5) *Language Management*, the national language unit of the Service, is responsible for all matters pertaining to language and language policies.

2. Purpose

The purpose of this Policy is to establish an acceptable and equitable operational language dispensation that is economically feasible for the *Service* by —

- (a) providing guidelines regarding the use of *official languages* when administering service to clients and members of the public;
- (b) ensuring the use of all the 11 official South African languages, in particular domains of use in the *Service*;
- (c) ensuring effective communication in and between the different substructures of the *Service*, as well as access to services, resources, programmes, information and knowledge for all *employees*, clients and members of the public;
- (d) supporting progressive elimination of language barriers to enhance the participation of its *employees* in cultural, social and economic life;
- (e) giving effect to the concept of cooperative governance in terms of language policy development and implementation by encouraging substructures and other security services to share capacity and build capacity to perform language functions;
- (f) responding to the need for minimum standards in respect of the use of official languages in and by the *employees* of the *Service*; and
- (g) encouraging the use of plain language when communicating in the *Service*.

3. Scope of application

This policy applies to all employees of the *Service*, internal and external clients and members of the public.

4. The Nature of the South African Police Service

- (1) South Africa became an internationally-accepted democracy in 1994. This new democratic order brought about many changes in the country and also had a substantial impact on policing. With the adoption of the interim Constitution in 1994, the Homelands and old development regions were abolished and integrated into a united South Africa with nine provinces. The new Constitution established a single Police Service for South Africa under the command and control of a National Commissioner who is appointed by the President.

- (2) The Vision of the South African Police Service
The vision of the *Service* is to create a safe and secure environment for all people in South Africa.
- (3) The Mission of the South African Police Service
The mission of the *Service* is to —
- prevent anything that may threaten the safety or security of any community;
 - investigate any crime that may threaten the safety or security of any community;
 - ensure criminals are brought to justice; and
 - participate in efforts to address the root causes of crime.
- (4) The values of the South African Police Service
The values of the *Service* are to—
- protect everyone's rights and to be impartial, respectful, open and accountable to the community;
 - use powers in a responsible way;
 - provide a responsible, effective and high quality service with honesty and integrity;
 - evaluate services continuously and make effort to improve on it;
 - use resources in the best way possible;
 - develop the skills of all *employees* through equal opportunity; and
 - cooperate with the community, all spheres of Government and other role players.

5. Definitions

In this Policy, unless the context indicates otherwise, —

- (a) "*Constitution*" means the Constitution of the Republic of South Africa, 1996;
- (b) "*employee*" means a member of the South African Police Service appointed in terms of the South African Police Service Act, 1995 (Act No. 68 of 1995) and an *employee* employed by the South African Police Service in terms of the Public Service Act, 1994 (Proclamation No. 103 of 1994);
- (c) "*external communication*" means communication with an external environment or with a member(s) of the public and excludes

- communication within or between the substructures of the South African Police Service;
- (d) "*functional multilingualism*" means the use of two or more official languages for specific tasks or target groups in those instances where the use of all 11 official languages or the use of a *working language* only, will not ensure effective communication or compliance with constitutional obligations with regard to language;
 - (e) "*internal communication*" means formal communication (verbal or written) between the sub-structures of the Service and excludes communication with an external environment or a member of the public;
 - (f) "*language policy*" means an official decision or decree on the status of various languages spoken in diverse multilingual communities;
 - (g) "*language rights*" means laws determining the situations in which citizens can make language choices;
 - (h) "*language management*" means the section that provides language services, which include editing, translating, interpreting, transcribing, *terminology development* and, language planning;
 - (i) "*language units*" means units in departments and provinces that deal with specific language issues of that department or province arising from the National Language Policy and liaise with other departments on language matters;
 - (j) "*multilingualism*" means the use of three or more languages by an individual or by a group of speakers, such as the inhabitants of a particular region or a nation;
 - (k) "*official language*" means the language used in government, courts of law, education, business and the media referred to in section 6 of the Constitution;
 - (l) "*PanSALB*" means the Pan South African Language Board, established by the Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
 - (m) "*Service*" means the South African Police Service;
 - (n) "*South African sign language*" means a language that uses a system of manual, facial and other body movements as the means of communication;
 - (o) "*South African Police Service Act*" means the South African Police Service Act, 1995 (Act No 68 of 1995);
 - (p) "*terminology*" means standardised terms established for a specific subject field; and

- (q) "*working language(s)*" means an *official language(s)* chosen by the *Service* as the language(s) most practicable to use in a particular communication situation.

6. Legal Framework

The following constitute the legal framework for this Policy:

- (a) Constitution of the Republic of South Africa, 1996;
- (b) Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
- (c) Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- (d) Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (e) South African Police Service Act, 1995 (Act No. 68 of 1995);
- (f) Statistics Act, 1999 (Act No. 6 of 1999); and
- (g) Use of Official Languages Act, 2012 (Act No. 12 of 2012).

7. Underlying principles

The *language policy* of the *Service* is based on the following underlying principles:

- (a) *Functional multilingualism* — language preference(s), use and proficiency of the target audience; a broad acceptance of linguistic diversity; and recognition of linguistic human rights (also referred to as *language rights*);
- (b) social justice; and
- (c) Batho Pele Principles.

8. Policy Description

(1) Internal and External Communication

- (a) Plain English is the main *working language* of the *Service* and it should be used in all official documents. In promoting the use of indigenous languages, the *Service* will take into consideration a rotation principle and will undertake the following process:

Head Office	All the official <i>languages</i> of South Africa and applicable foreign languages.
Gauteng	English, Afrikaans, Sepedi and isiZulu
Eastern Cape	IsiXhosa, English and Afrikaans
Free State	Sesotho, isiXhosa, English and Afrikaans
KwaZulu-Natal	isiZulu, English and Afrikaans
Limpopo	Tshivenda, Sepedi, Xitsonga, isiNdebele, English and Afrikaans

Mpumalanga	SiSwati, isiNdebele, Xitsonga, English, Afrikaans, isiZulu and Sepedi
Northern Cape	English, Afrikaans, isiXhosa and Setswana
North West	Setswana, English and Afrikaans
Western Cape	English, Afrikaans and isiXhosa

- (b) Foreign languages and all other languages that are not catered for will be outsourced by *Language Management*, following all set prescripts for the use of languages, such as the realistic turn-around time to render the service and the availability of freelancers.
- (c) The *Service* may, when reasonably practicable, adopt *working languages* based on the preferences of the *employees*, while at the same time honouring the spirit of the *Constitution*, by making provision for the use of additional languages in particular domains of use, for instance written communication, such as newsletters, instructions and conditions of service, and the provision of interpreting services during disciplinary hearings, interaction with the public and certain meetings.
- (d) The nature of the message and the language proficiency of the target audience will be the main factors to be considered in choosing a particular language(s) in particular circumstances, in order to communicate with the entire target audience as effectively as possible.
- (e) Documents that are produced in more than one language will be made available in three languages immediately including English, with the additional languages added as soon as possible thereafter, but not more than six months later. If required, provincial offices will obtain additional translations of documents to provide for the requirements of their respective target audiences.
- (f) Verbal (meetings and instructions) communication will be in English and the applicable indigenous languages as provided for in paragraph 8(1)(a). This also applies to radio communication. However, the *employees* must ensure that the transmission of the message over the radio is understood by all involved *employees* for effective and efficient service delivery taking into consideration the allocation of languages per province.

- (g) All request for editing, translation, interpreting and transcriptions in official and foreign languages should be referred to *Language Management* at Head Office.

(2) **International communication**

International communication shall be in English or the preferred language of the country in question. Whenever a written submission or any other document is in a foreign language, translation services should be used to reply in the relevant language.

(3) **People with language disabilities and barriers**

The *Service* will provide for the needs of people with language disabilities or language barriers. *Employees* and clients of the *Service* who are blind and those with hearing impairment must be provided for by using sign language and braille (a written language for blind people, in which characters are represented by patterns of raised dots) in all major projects. This may happen where practicable and assistance will be provided for in collaboration with the Component: Employee Health and Wellness, Division: Human Resource Development and Section: Disability Management of the *Service*.

(4) **Signage in the Service**

The signage on all buildings of the *Service* at Head Office and Provincial Offices will be based on the allocation languages as provided for in paragraph 8(1)(a) above.

9. Roles and responsibilities of Language Management

Language Management will be responsible for the following:

- (a) Marketing the *language policy* and capacity building at Head Office;
- (b) facilitating and coordinating the implementation of this policy by providing the translation, editing, interpreting, transcription, terminology development and language training services;
- (c) establishing of *language units* in all provinces, advising provinces on language policy matters and capacity building;
- (d) monitoring and evaluation of the implementation of the language policy;
- (e) promoting multilingualism in the workplace;
- (f) referring requests for language services to the relevant service providers;
- (g) arranging training programmes for *employees* in collaboration with Division: Human Resource Development; and

- (h) coordinating in-service training on language skills in collaboration with Division: Human Resource Development.

10. Other language stakeholders

Language Management will work in collaboration with other language structures, such as the National Language Service of the Department of Arts and Culture, other language units in government, *PanSALB*, institutions of higher learning, and the National Foreign Languages Forum and the National Language Forum to monitor the implementation of the *language policy* and the use of *official languages* in the *Service* regarding multilingualism, language research, training and development.

11. Policy implementation

- (1) *Language Management*: Corporate Communication at Head Office is responsible for the implementation of this policy in collaboration with all Divisions in the *Service*.
- (2) More resources will be channelled to cluster and station level where challenges will be greater.
- (3) This policy will be implemented in four phases, which can be divided in five financial years as indicated below, as approved by the National Commissioner of the *Service*.

	Financial Year	Unit/Section	Activities	Responsible Section	Financing
Phase 1	2015/2017	Language Management	Marketing the <i>language policy</i> and capacity building at HO	Language Management: HO	To be determined
Phase 2	2017/2019	Provincial Corporate Communication offices and Language Management	The establishment of <i>language units</i> in all provinces, advising provinces on language policy matters and capacity building	Provincial offices and Language Management: HO	To be determined
Phase 3	2019/2020	Language Management and provinces	Monitoring and evaluation of the implementation of the <i>language policy</i>	Language Management: HO	To be determined

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Phase 4	2020/2021	Language Management	Review of language policy	Language Management: HO	To be determined
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12. Publication of and access to the language policy

- (1) The *Service* will publish this policy in 11 *official languages* of South Africa on its website (www.saps.gov.za).
- (2) The printed versions of this policy will also be available at Head Office, provincial offices and police stations across the country.

13. Complaints mechanism

- (1) Any person who is dissatisfied with the use of *official languages* by the *Service* may lodge a complaint in writing addressed to the National Commissioner of the *Service* as follows:

Postal Address: Private Bag X94
Pretoria
0001

Physical Address: 231 Pretorius Street
Pretoria
0001

Email natcomm@saps.gov.za

- (2) The complainant must —
 - (a) lodge the complaint within three months of the complaint arising;
 - (b) state the name, contact information and address of the person lodging it; and
 - (c) provide full and detailed description of the complaint.
- (3) The National Commissioner, in consultation with *Language Management*, may request the complainant to supply further information on the complaint.
- (4) The National Commissioner will respond to the complaint in writing regarding the decision made, no later than three months after the complaint was lodged.

14. Monitoring and evaluation

It is the responsibility of *Language Management* to ensure that the implementation of the *language policy* is effectively monitored and evaluated.

15. Policy review

The *language policy* of the *Service* will be reviewed every three years to assess the implementation of the *language policy* and effect the required changes, in order to address the continuously changing demographics in an effort to develop indigenous languages.

11/1/3/1/9

INFORMATION NOTE

To: The Acting National Commissioner

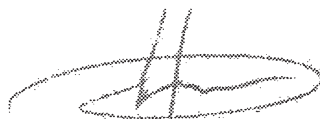
DRAFT LANGUAGE POLICY OF THE SOUTH AFRICAN POLICE SERVICE

1. Background

- 1.1 The draft language policy of the South African Police Service (hereinafter referred to as "the Draft Policy") was approved by the National Commissioner for the purposes of public comment. Section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No.12 of 2012) provides that the language policy must be published in the Government Gazette for public comment.
- 1.2 The Draft Policy was published on 21 October 2015, and the members of the public were granted 21 days from the date of publication to provide their comments (see Government Gazette no: 39308, vol.604, dated 21 October 2015, a copy is attached for easy reference).
- 1.3 Twenty-one (21) days had elapsed and no public comments were received.

2. Recommendation

It is recommended that the Acting National Commissioner approves the Draft Policy for distribution and implementation.



HEAD: GOVERNANCE, POLICY AND LEGISLATION MANAGEMENT
PR LESESE

Date: 2015-12-02

MAJOR GENERAL

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DRAFT LANGUAGE POLICY OF THE SOUTH AFRICAN POLICE SERVICE

Recommended / not recommended


LIEUTENANT GENERAL
DIVISIONAL COMMISSIONER: LEGAL AND POLICY SERVICES

JF MOLEFE

Date:

21/2/2015

Recommended / not recommended


LIEUTENANT GENERAL
HEAD: CORPORATE COMMUNICATION

SM MAKGALE

Date:

Approved / Not approved


LIEUTENANT GENERAL
ACTING NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE
JK PHAHLANE

Date: 2016-01-13

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