



REPORT

of the

Section 89

Independent Panel

**Appointed to Conduct A Preliminary Enquiry
on the Motion proposing a Section 89 Enquiry**

VOLUME 3

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¹ Available electronically



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VOTE 28
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SOUTH AFRICAN POLICE SERVICE

ANNUAL REPORT

2020/2021





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SUBMISSION OF THE ANNUAL REPORT TO THE MINISTER OF POLICE

General BH Cele (MP)
MINISTER OF POLICE

I have the honour of submitting the Annual Report of the Department of Police,
for the period 1 April 2020 to 31 March 2021.

GENERAL KJ SITOLE (SOEG)

31 August 2021



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PART A

GENERAL INFORMATION





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1. GENERAL INFORMATION OF THE DEPARTMENT

POSTAL ADDRESS:

Private Bag X94
PRETORIA
0001

TELEPHONE NUMBER:

+27 12 393 1001

WEBSITE ADDRESS:

www.saps.gov.za



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2. LIST OF ABBREVIATIONS/ACRONYMS

4IR	Fourth Industrial Revolution
AFIS	Automated Fingerprint Identification System
AGSA	Auditor-General of South Africa
AIDS	Acquired Immunodeficiency Syndrome
AU	African Union
BACSA	Business Against Crime South Africa
BBBEE	Broad-Based Black Economic Empowerment
BRRR	Budget Review and Recommendation Report
BRV	Bullet Resistant Vest
CAS	Crime Administration System
CFR	Central Firearm Register
CGE	Commission for Gender Equality
CIT	Cash-in-Transit
CJS	Criminal Justice System
COVID-19	Coronavirus Disease, 2019
CPF	Community Police Forum
CSC	Community Service Centre
DARWIN	Data Analysis Response to Windows
DeafSA	Deaf Federation South Africa
DIRCO	Department of International Relations and Cooperation
DNA	Deoxyribonucleic Acid
DPCI	Directorate for Priority Crime Investigation
DPME	Department for Planning, Monitoring and Evaluation
DPSA	Department of Public Service and Administration
DSO	Designated Second-Hand Goods Officer
DTI	Department of Trade and Industry
EDD	Electronic Distribution Document



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EHW	Employee Health and Wellness
EMCS	Enhanced Movement Control System
ESKOM	Electricity Supply Commission
ETD	Education, Training and Development
FCS	Family Violence, Child Protection and Sexual Offences
FSL	Forensic Science Laboratory
FSW	Forensic Social Worker
GBH	Grievous Bodily Harm
GBV	Gender-Based Violence
GBVF	Gender-Based Violence and Femicide
GEMS	Government Employees Medical Scheme
GPSJS	Governance, Public Safety and Justice Survey
HIV	Human Immunodeficiency Virus
HRA	Health Risk Assessment
IBIS	Integrated Ballistic Identification System
ICDMS	Integrated Case Docket Management System
ICT	Information Communication Technology
ICVPS	Integrated Crime and Violence Prevention Strategy
INTERPOL	International Criminal Police Organisation
IPID	Independent Police Investigative Directorate
IPM	Integrated Person Management
JCPS	Justice, Crime Prevention and Security
LAN	Local Area Network
LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer and Intersex
MCS	Movement Control System
MMS	Middle Management Service
MoU	Memorandum of Understanding
MTSF	Medium-Term Strategic Framework
MySAPS App	MySAPS Application

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NATJOC	National Joint Operational Centre
NATJOINTS	National Joint Operational and Intelligence Structure
NCCF	National Crime Combating Forum
NDMP	National Drug Master Plan
NDP	National Development Plan
NFDD	National Forensic DNA Database
NFMCCC	National Non-Ferrous Metals Crime Combating Committee
NIU	National Intervention Unit
NKP	National Key Point
NOCC	National Operational Command Centre
NPA	National Prosecuting Authority
NQF	National Qualification Framework
PAA	Public Audit Act
PCoP	Portfolio Committee on Police
PERSAL	Personnel and Salary System
PFMA	Public Finance Management Act
PIVA	Persons Identification and Verification Application
POCA	Prevention of Organised Crime Act
POLMED	Police Medical Aid
POP	Public Order Police
PPPFA	Preferential Procurement Policy Framework Act
PPE	Personal Protective Equipment
PRECCA	Prevention and Combating of Corrupt Activities
PSA	Public Service Act
PSIRA	Private Security Industry Regulatory Authority
RAF	Road Accident Fund
RIMAS	Risk Information Management Support System
RSA	Republic of South Africa
SADC	Southern African Development Community



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SANDF	South African National Defence Force
SANEB	South African Narcotics Enforcement Bureau
SAPS	South African Police Service
SAQA	South African Qualification Authority
SARPCCO	Southern African Regional Police Chiefs Cooperation Organisation
SARS	South African Revenue Service
SASSETA	Safety and Security Sector Education and Training Authority
SCOPA	Standing Committee on Public Accounts
SDIP	Service Delivery Improvement Plan
SDG	Sustainable Development Goals
SHE	Safety, Health and Environmental
SITA	State Information Technology Agency
SMS	Senior Management Service
SONA	State of the Nation Address
SOP	Standing Operating Procedure
StatsSA	Statistics South Africa
STF	Special Task Force
TB	Tuberculosis
TPP	Training Provisioning Plan
UN	United Nations
USSD	Unstructured Supplementary Service Data
VFR	Victim-Friendly Room
VIP	Very Important Person
VOCS	Victims of Crime Survey
WAN	Wide Area Network

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3. FOREWORD BY THE MINISTER

To quote from the wise words of one of our greatest statesman, President Nelson Mandela, when he said; and I quote, "If you want cooperation of humans around you – you must make them feel they are important; and you do that by being genuine and humble" unquote. The Annual Report is a reflection of the dedication of the members of the South African Police Service (SAPS), who continue to serve and protect against all odds, to the fallen members who have died in the crossfire against ruthless criminals. The work of our police officers reminds me of George Orwell, when he once said; and I quote, "People sleep peacefully in their beds at night, only because rough men stand ready to do violence on their behalf." This is how seriously police officers take this heavy responsibility of serving and protecting the nation.



GENERAL BH CELE, MP
Minister of Police

The Annual Report is a reflection of the dedication of detectives, investigators, forensic analysts, K9 Units and scientists, who work tirelessly to follow leads and solve the most complicated and sophisticated crime scenes; to our elite units and Special Forces for excellence in executing their duties; the private security industry, the metropolitan police service and all other law enforcement agencies, who serve as force multipliers in the business of policing.

During this turbulent time, we have lost some of our men and women in blue, who succumbed to the deadly virus, while on the frontline and those killed on duty, preventing and combating anything that may threaten the safety and security of any community. I honour and salute them for their service within the Department and the nation. They served with diligence and utmost determination, our heroes and heroines, my message to their families- 'Isizwe sonke sikhala nani!'. As we celebrate their stance to serve, we must find inspiration in the fact that they were head and shoulders above their peers with their fearlessness and courage.

I call upon all Generals, all executives and all senior managers to understand the role of leadership. Let us appreciate our members and our employees. Without them, there is no service delivery; without them there is no government. Hence, their morale must be our utmost priority.

Sexual assault, rape, murder, attempted murder and the killing of police members are the most common challenges we face in our country. These acts of crime emanate from robberies and alcohol abuse "because most people don't drink, but swim in alcohol".

Gender-Based Violence (GBV) can also be referred to as the second pandemic, since there was a dramatic increase in domestic abuse, with our woman and children being victims of this heinous crime. The police saw the need to provide training for the police to be educated more on GBV and understand the sense of urgency on these offences committed. This training will allow you, as our ground forces, to react to these crimes, more accordingly, when these crimes are reported.

The establishment of specialised investigative capacities, including, the Anti-Gang Units, Murder and Robbery Units and Taxi Violence Units, were approved for implementation. Anti-Gang Units have been established, in the Western Cape, the Eastern Cape, the Free State, Gauteng and the North West Provinces.

- > All specialised units' structures were reconfirmed and approved, during 2020/2021.
- > The Cold Case Investigation Unit was approved, during 2020/2021.
- > The review of the Family Violence, Child Protection and Sexual Offences (FCS) Units, as directed by the Ministerial Plan of Action, was approved, during the 2020/2021 financial year.

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- > The post establishment of both Organised Crime and Commercial Crime Investigation Units within the Detective Service, was approved, in the same year.

The fixed establishment of Murder and Robbery and Taxi Violence Units, the Modus Operandi Strategic Analysis Centre, Cold Case Units, Organised Crime, Commercial Crime and Anti-Gang Units has been approved.

To the police officers of this country, thank you for rendering your selfless services to the nation, stay focused and continue to serve in honour. When we reduce crime trends, we will turn the tide against crime. You remain assets of the SAPS and the rest of the nation. We cannot and we will not give criminals who are terrorising communities any room to breathe. We will leave no stone unturned in bringing the perpetrators to book.

To the men and women in blue, all over the country and to all the employees in entities under the Ministry of Police, let us continue to render the selfless service to the nation. As Denis E Waitley narrates; and I quote, "Don't dwell on what went wrong, instead focus on what to do next. Spend your energies on moving forward towards finding the answer", unquote. Let us continue to find the answers and intensify the fight against crime. We as police and all security forces, will continue to work together to play our crucial part, in 2021/2022.

As Minister of Police, I take this opportunity to thank the Deputy Minister of Police, Mr Cassel Mathale, Chairperson of the Portfolio Committee on Police (PCoP), Ms Tina Joemat-Pettersson and members of the Portfolio Committee, the National Commissioner of the SAPS, General Khehla Sitole, his management team and all SAPS members. The National Head of the Directorate for Priority Crime Investigations (DPCI), Dr/Adv Lt Gen Godfrey Lebeya and his team, DPCI Judge Diale Frans Kgomo and his team, the Chairperson of the DNA Board, Senior Counsel Adv Lindiwe Nkosi-Thomas and her team and the Chairperson of the Firearms Appeals Board, Adv Lungelwa Shandu and her team.



GENERAL BH CELE (MP)

Minister of Police

20 September 2021

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4. DEPUTY MINISTER'S STATEMENT

"...once the storm is over, you won't remember how you made it through, how you managed to survive. You won't even be sure whether the storm is really over. But one thing is certain. When you come out of the storm, you won't be the same person who walked in. That's what this storm's all about." Haruki Murakami

Indeed, the previous financial year was a stormy year for all. Many lost loved ones, due to the outbreak of the Coronavirus Disease, 2019 (COVID-19) Pandemic, which resulted in devastating effects to employment and the economy. This too shall pass, if we all work together and adhere to all COVID-19 protocols. We will weather the storm. Certainly, we will come out different from when we walked in. The outbreak of the COVID-19 Pandemic has led to a sudden shift in the dynamics of workforce behaviour. More and more organisations and Government included, had to rush towards work-from-home arrangements to curb the rapid spread of the Pandemic. Most of us had to embrace technology as a new way of doing business.

Unfortunately, the same cannot be said for the many frontline workers, such as health workers and the SAPS, in particular. The outbreak saw the implementation of lockdown rules, which inevitably imposed added enforcement responsibilities on the SAPS. More police officers were deployed on the ground to enforce the law. I strongly believe that we have risen to the challenge.

The President declared that the Medium-Term Strategic Framework (MTSF) (2019-2024), as our second 5-year implementation plan for the National Development Plan (NDP). The MTSF (2019-2024) also sets out the package of interventions and programmes that will advance the seven priorities adopted by Government, therefore, the SAPS' main focus is in Priority 6: Social cohesion and safe communities. The achievement of this goal is realistic with the SAPS, in partnership with metropolitan police departments, the Civilian Secretariat for Police Service and Community Policing Forums (CPFs).

During the 2020/2021 financial year, the SAPS piloted the National Safer Cities project in identified cities to see law enforcement agencies integrating and maximising on technology, to fight crime more effectively. This project focuses far beyond the inner city and suburbs of the cities and stretches to the townships and rural communities, through the Rural Safety Strategy; the Traditional Crime Prevention Programme, with the introduction of community-based mounted police, as well as the Royal Reserve Police.

As part of our efforts to closely and effectively work with communities, in fighting crime in our communities, the Community-in-Blue protocol was developed for implementation in all nine provinces. Over eight thousand patrollers were recruited, nationally. The goal is to intensify efforts to improve community policing, focusing on the mobilisation of the Community-in-Blue initiatives, in order to improve visibility, particularly in high crime areas.

Engagements with traditional leaders, in the Mpumalanga and KwaZulu-Natal Provinces, for the implementation of the Traditional Policing Concept, were conducted in an effort to ensure that rural communities access policing services and collaborate in the fight against crime. These talks resulted in the launch of the Royal Reserve Police, which took place in KwaZulu-Natal, in December 2020. The plan is to implement this concept, in Mpumalanga and initiate the concept more broadly in other provinces, such as the Free State, Limpopo, etc.



Mr CC MATHALE, MP
Deputy Minister of Police

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There is a fast growing phenomenon of new locations (both formal and informal), human settlement mushrooming in our communities. Our police human capital and other resources are heavily overstretched to meet this growing demand. Hence, our approach, announced two years ago, to embark on an infrastructure plan that will reduce the oversized police stations to smaller and more manageable police stations, to improve access to policing needs, in both new settlements and rural areas.

An assessment of projects to build police stations, was conducted, recommendations were approved and the appointment of consultants is underway to proceed with planning and design of those found to be in line with reviewed criteria.

In terms of Section 205 of the Constitution of the Republic of South Africa (RSA), 1996, the objects of the SAPS are: to prevent, combat and investigate crime; to maintain public order; to protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law. Therefore, for this constitutional mandate to be enhanced, strong relationship ties between the SAPS and the community they serve, is crucial. The practise of the Batho Pele Principles is vital, as it aimed at providing a framework for making decisions about delivering public service to the many South Africans, who do not have access to them.

In order to overcome these challenges, the Service Delivery Improvement Programme, 2020-2025, was implemented, with the purpose to improve services to the community, by improving the speed in which the SAPS responds to its service delivery mandate, increasing police visibility and improving its crime fighting approach.

Gender-Based Violence and Femicide (GBVF) continues to rear its ugly head in the country. The rate remains unacceptably high and the SAPS family continues to prioritise efforts to fight against this pandemic. We have ensured that there are planned efforts and a focused budget to fight GBVF in all our programmes and those of our entities.

Therefore, as the SAPS and other key stakeholders that have a role to play in the achievement of the objectives of the NDP Vision, 2030, which is to secure a community life without fear, but peaceful and enjoyable. The SAPS is dependent on the assistance from the communities, for the sharing of valuable information about crime or anything that threatens the safety of South Africa. I wish to acknowledge the community for their continuous support, for taking strides in improving the partnership between the Police and communities.

I pledge my continuous and unwavering support to the management and members, to ensure that we achieve our goals towards the Department's mandate of serving the people of South Africa with diligence and respect of the laws of our country.

I am grateful to all the officers who did an excellent job, in ensuring a safer community for our people, especially for our woman and children who are the most vulnerable. I would further like to acknowledge the ground forces of the SAPS that works hard in ensuring that our policies, vision, safety and security in our community is implemented and achieved. Many targets were achieved and some are still a work in process. I thank you for your selfless service, determination and dedication throughout the previous financial year, 2020/2021.



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As Deputy Minister of Police, I know that a lot more has been executed, however, there is only so much that can be reflected, within the constraints and parameters of reporting about police performance in an Annual Report. I hereby declare that the Annual Report, 2020/2021 is a correct reflection and an account of the police performance.

Together, we will come out of the storm, stronger and better, as long as we keep moving forward.

Mr CC MATHALE, MP

Deputy Minister of Police

8 September 2021



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5. REPORT OF THE ACCOUNTING OFFICER

OVERVIEW OF THE OPERATIONS OF THE DEPARTMENT

The year 2020/2021 was an unprecedented year, a year of courage, changes and challenges. The Annual Report provides an opportunity to review the performance for the 2020/2021 financial year. In this financial year, some of our challenges were old and some new. Some root causes to crimes and social challenges persisted, which were further amplified by the devastating onset of the COVID-19 Pandemic. This disruptive year resulted in the optimisation of technology, to improve communications and to interact with internal and external role players. In national interest, there is a need for collective effort from the Justice, Crime Prevention and Security (JCPS) Cluster and other strategic partners, to address persistent and emerging challenges, especially in our endeavours to be responsive for and responding to restoring investor confidence, public trust and building safer communities. The NDP outlines specific focus areas that the Department needs to undertake to promote the values and principles of public administration, in terms of Section 195 of the Constitution and build an efficient, effective and developmental oriented public service. The NDP further places emphasis on the need to improve the quality on implementation of policies and programmes. The NDP states that Government's ability to achieve its developmental objectives require the building of safer communities (Chapter 12), promoting accountability and fighting corruption (Chapter 14) and transforming society and uniting the country (Chapter 15). Chapters 12, 14 and 15 of the NDP, have identified the following suboutcomes, which are expected to be realised to achieve the Vision 2030, which are as follows:

- > Strengthen the Criminal Justice System (CJS).
- > Make the police service professional.
- > Demilitarise the police.
- > Build safety, using an integrated approach.
- > Increase community participation in safety.

MEDIUM-TERM STRATEGIC FRAMEWORK (2019-2024)

The MTSF (2019-2024) is the second of Government strategic frameworks for delivery to the people of South Africa. The delivery mechanisms and the programmes of Government are brought together in the implementation of the MTSF of the NDP. There are nine years left before the end of the NDP 2030 timelines, for reaching these goals. Each financial year, focused interventions are planned through the MTSF and the Department's Annual Performance Plan, towards the realisation of these goals, as laid out in the NDP.

The MTSF (2019-2024) provides for seven key priorities:

- > **Priority 1:** Building a capable, ethical and developmental state.
- > **Priority 2:** Economic transformation and job creation.
- > **Priority 3:** Education, skills and health.
- > **Priority 4:** Consolidating the social wage through reliable and quality basic services.
- > **Priority 5:** Spatial integration, human settlements and local government.



**GENERAL
KJ SITOLE (SOEG)**
National Commissioner



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- > **Priority 6:** Social cohesion and safe communities.
- > **Priority 7:** A better Africa and world.

Some of the MTSF specific outcomes are aligned to the United Nations (UN) Sustainable Development Goals (SDGs) and the African Union (AU) Agenda 2063 goals and priority areas. One of the fundamental goals of the MTSF is that violent crime will be halved within the next ten years.

Priority 6 links social cohesion and safer communities, which requires the strengthening of criminal justice platforms, police service and community participation in policing. This cannot be achieved without improving trust and confidence in the SAPS.

The 2020/2021 SAPS Annual Performance Plan and 2020-2025 Strategic Plan are closely aligned to the MTSF (2019-2024) and include various performance indicators required by the MTSF. The MTSF is a stepping-stone towards the achievement of the NDP.

BUDGET

The SAPS was allocated an adjusted budget of R99,560 billion, in 2020/2021, for the five financial programmes, below:

Administration – R19,007 billion
Visible Policing – R53,401 billion
Detective Services – R19,688 billion
Crime Intelligence – R4,200 billion
Protection and Security Services – R3,263 billion

THE IMPACT OF THE COVID-19 PANDEMIC ON POLICING

The COVID-19 Pandemic has impacted negatively on the SAPS' resources and in particular, its human and financial resources. The impact of COVID-19 has been both direct, in that SAPS members have been affected by the virus and indirectly, as their ability to perform their mandated functions has been adversely affected. Many SAPS members have fulfilled their constitutional obligations in the face of adversity and uncertainty and continued to maintain high police visibility. As at 31 March 2021, there was a total number of 28 741 confirmed COVID-19 cases in the SAPS (1,86% of the total number of cases recorded in the Country (1 548 157)). Most confirmed cases were recorded at Head Office and National Divisions/Components (5 954), in the Western Cape (4 695), Gauteng (4 488), KwaZulu-Natal (3 647) and the Eastern Cape (3 223) Provinces. Sadly, a total of 598 fatalities were recorded, up to 31 March 2021. Most fatalities were recorded in the Eastern Cape (116), KwaZulu-Natal (96), Gauteng (79) and the Western Cape (75) Provinces. A total number of 99 fatalities were recorded at Head Office and National Divisions/Components.

THE DEPARTMENT'S RESPONSE TO COVID-19

The SAPS was mandated to ensure compliance during the lockdown periods with the support of South African National Defence Force (SANDF) and other law enforcement agencies to minimise the spread of this virus. The President tasked the National Joint Operational and Intelligence Structure (NATJOINTS), chaired by the SAPS and co-chaired by the SANDF and the State Security Agency, to coordinate the implementation of the Nationwide Action Response Plan of COVID-19.

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The security cluster developed an operational plan to enforce the regulations and to reduce the spread of the infection, while the National Department of Health undertook containment measures.

The SAPS established national and provincial COVID-19 Steering Committees. The SAPS also participated in the NATJOINTS, as well as the National Joint Operational Centre (NATJOC), at both national and provincial level, functioning as a multidisciplinary approach in providing inputs on a continuous basis, by various Departments on the containment and management of COVID-19. A number of Departmental (SAPS) protocols, directives and/or communication plans were developed and disseminated, to raise awareness and sensitise SAPS members on exercising preventative measures on the spread and containment of the virus.

STAFF ESTABLISHMENT OF THE SAPS

The initial establishment target of SAPS, for the 2020/2021 financial year, was 191 763. National Treasury communicated substantial in-year reductions to the Department's budget and an amount of R4,907 billion was withdrawn from the budget for the compensation of employees. This resulted in the Department to reconsider all human resource priorities, as well as a revision of the establishment target. The revised establishment target, in terms of the 2021/2022 Estimates of National Expenditure, for the 2020/2021 financial year, was 181 344. The target for the maintenance of the SAPS workforce is 98%.

The SAPS allocation for entry level appointments, in 2020/2021, was 3 600. A total of 3 000 posts were earmarked for the recruitment of SAPS Act Police Trainees, of which 2 511 or 83,70% posts were filled and 600 posts were earmarked for the recruitment of Public Service Act personnel, of which 395 were filled (65,83%). Retirements contributed significantly towards the number of exits recorded, in 2020/2021, followed by resignations and deaths. Retirements increased from 1 256, in 2019/2020 to 2 538, in 2020/2021, due to the early retirement without penalisation of pension benefits initiative. Resignations decreased from 2 257, in 2019/2020 to 1 540, in 2020/2021. Deaths increased significantly from 897, in 2019/2020 to 1 435, in 2020/2021, due to the COVID-19 Pandemic.

A total number of 81 police members were murdered on and off duty, during 2020/2021, compared to 76, in 2019/2020, an increase of 6,58%, compared to the previous financial year. The provinces that were mostly affected with police murders, on and off duty, were KwaZulu-Natal, with 21 murders, the Eastern Cape, with 16 murders, the Western Cape, with 16 murders and Gauteng, with nine murders.

SAPS PERFORMANCE, 2020/2021

During 2020/2021, a total number of 95 performance targets were planned for execution by the Department, of which 70 or 73,68%, were achieved and 25 or 26,32%, were not achieved.

The Administration Programme had a total number of 21 performance targets. The Supply Chain Management Division achieved three (75%) from four planned targets, the Technology Management Services Division achieved one (50%) of two planned targets, the Human Resource Development Division achieved all seven planned targets, the overall planned target for the Integrity and Risk Management Component, which was divided into subtargets, was not achieved, the one planned target for the Human Resource Management Division was achieved, the two targets planned for the Financial Management and Administration Division were achieved, the Internal Audit Component achieved one (50%) of its two planned targets and the Strategic Management Component and the Inspectorate achieved one target each that was planned for, in 2020/2021.

A total of 26 targets were measured for the Visible Policing Programme, including 16 for the Visible Policing Division (Crime Prevention Subprogramme) and 10 for the Operational Response Services Division (Border Security Subprogramme and the Specialised Interventions Subprogramme). The



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Operational Response Services Division achieved all its 10 planned targets, whilst the Visible Policing Division achieved nine or 56,25% of its planned targets. Seven or 43,75% of the planned targets for the Visible Policing Division were not achieved.

The Detective Services Programme had 29 planned targets and comprises the Detective Service Division (Crime Investigations Subprogramme), the Forensic Services Division (Criminal Record Centre Subprogramme and the Forensic Science Laboratory (FSL) Subprogramme) and the DPCI (Specialised Investigations Subprogramme). The number of planned targets for the Detective Service Division, were 16, of which 10 or 62,50% were achieved. The Forensic Services Division achieved one or 14,29% of its seven planned targets, whilst the DPCI achieved all its six planned targets.

A total number of 12 planned targets for the Crime Intelligence Programme, which is inclusive of the Crime Intelligence Operations Subprogramme and the Intelligence and Information Management Subprogramme, were managed by the Crime Intelligence Division. A total number of 10 or 83,33% of the planned targets were achieved, in 2020/2021.

The Protection and Security Services Programme had a total number of seven planned targets. The three subprogrammes that relates to this Programme are the Very Important Person (VIP) Protection Services, the Static Protection and the Government Security Regulator Subprogrammes. A total number of four of these targets were managed by the Protection and Security Services Division and all were achieved and three were managed by the Presidential Protection Service Component and all were achieved, in 2020/2021. Both the Protection and Security Services Division and the Presidential Protection Service Component were measured on all three subprogrammes.

ADMINISTRATION PROGRAMME

The purpose of the Programme is to provide strategic leadership, management and support services to the Department.

The SAPS has 54 179 transport assets, including 50 150 vehicles, 34 aircrafts, 136 boats, 143 machinery (e.g. forklifts), 972 motorcycles and 2 744 trailers. The ratio of personnel, per vehicle, at the end of March 2021, was 3.63:1, based on 50 150 motor vehicles and 182 126 personnel.

A total number of 12 mobile contact points were converted and delivered to the SAPS, to improve police presence, to ensure accessibility, to enhance service delivery in crime hotspots and to enhance and strengthen the relationship between communities and the police.

A total number of 492 775 evidence collection kits were procured, in 2020/2021 and 277 899 kits were distributed to end-users, in order to enhance the investigation of crime.

In 2020/2021, all SAPS operational systems were on average 90% available, maintained and supported by the State Information Technology Agency (SITA). Enhancements developed and implemented on the Crime Administration System (CAS)/Integrated Case Docket Management System (ICDMS), include 12 new Short Message Service notifications to complainants/victims, to keep the complainant/victim informed of progress on the case they registered.

VISIBLE POLICING PROGRAMME

The purpose of the Programme is to enable police stations to institute and preserve safety and security; and provide for specialised interventions and the policing of South Africa's borders. The priority areas within the Visible Policing Programme focused primarily on increased feelings of safety in communities.



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INCREASED FEELINGS OF SAFETY IN COMMUNITIES

Unacceptably high levels of crime in South Africa, especially serious and violent crime, result in people of South Africa living in fear and feeling unsafe, particularly vulnerable groups, such as women and children. Contact crimes reduced, by 13,9%, from 622 206, to 535 869, compared with the same period, in 2019/2020. The reduction of contact crimes was largely due to the COVID-19 Pandemic and lockdown regulations in effect over the period, especially relating to movement, which limited opportunities for crime-related interaction and increased police visibility in high-crime areas.

Serious crimes (the 17 community reported crimes) reduced, by 16,4%, from 1 635 896 to 1 367 516, compared with the same period, in 2019/2020. The majority of charges are contact crimes (39,19%), whilst 27,23% relates to property crime, 26,06% are for other serious crime and 7,52% are contact-related crimes. Contact-related crimes reduced, by 8,8% from 112 765 to 102 854, property-related crimes reduced, by 21,1% from 472 158 to 372 424 and other serious crimes reduced, by 16,9%, from 428 767 to 356 369, compared with the same period, in 2019/2020.

A total of 76 940 or 14,36% of the 535 869 contact crime charges were reported at the 30 High Contact Crime Weight Stations. Contact crime incidences decreased at all top 30 High Contact Crime Weight Stations, except for the Nyanga, Plessislaer and Ivory Park precincts, where increases were recorded. Nyanga, Khayelitsha, Johannesburg Central, Delft and Tembisa Police Stations were the five busiest police stations, in terms of the most contact crimes being reported.

Crimes committed against women decreased, by 9,4% from 171 070, in 2019/2020 to 155 062, in 2020/2021. All crimes under the contact crime category against women, except for attempted murder, contributed to the 9,4% decrease, with sexual offences indicating the biggest decrease of 23,6%, followed by assault Grievous Bodily Harm (GBH) (8,2%), common assault (5,4%) and murder (1,5%). This can be attributed to intensified awareness campaigns on crimes against women, to inform the community on the protection of women, a continuation of police visibility, to enforce the containment and management of COVID-19, throughout levels 1 to 5 and the ban on the sale of liquor over weekends. In respect of contact crimes against children, a decrease of 5,8% was recorded from 42 348, in 2019/2020 to 39 878, in 2020/2021. All crimes under the contact crime category against children contributed to the 5,8% decrease, with attempted murder indicating the biggest decrease of 13,3%, followed by common assault (7,7%), assault GBH (7,2%), murder (6,5%) and sexual offences (4,1%).

RESPONSIVE POLICING OF GBVF

The SAPS continues to promote and protect the rights of women, children and vulnerable groups and particular attention is paid to the violence and abuse, which is perpetrated against women and children.

The Integrated Youth Crime Prevention Strategy was approved, in December 2020. The purpose of the Strategy is to empower and support the youth to become self-sufficient and become involved in crime-fighting initiatives.

The SAPS continues to make an effort to improve services rendered to victims of sexual offences and domestic violence, by ensuring that a victim-friendly service is rendered and that Victim-Friendly Rooms (VFRs) are established at all police stations.

The SAPS established high-level committees on GBV, at national and provincial levels. The purpose of these committees is to manage GBV-related matters in a coordinated and efficient manner. A



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SAPS GBV and Sexual Offences Action Plan was approved, in March 2021, aimed to address GBV and sexual offences through a coordinated approach by all SAPS disciplines.

CITIZENRY ACTIVELY SUPPORTING IN THE FIGHT AGAINST CRIME

Increased police visibility is a key feature of the MTSF (2019-2024) and, given the current financial constraints, will not be achieved by simply increasing the number of SAPS members in uniform or by building additional police stations. Three key projects have, however, been included in the MTSF and the SAPS' Annual Performance Plans, with the express purpose of increasing police visibility and increasing feelings of safety in individual communities.

The Community-in-Blue, Traditional Policing Concepts and the Safer Cities Framework will be implemented over the medium-term and will require active engagement from the relevant stakeholders in the public and private sectors, rather than a significant increase to the budget allocation of the Department.

The National Rural Safety Strategy was implemented in 837 (92,49%) of the 905 identified rural and rural/urban mixed police stations. The Free State, Gauteng, Limpopo, Mpumalanga, the North West and the Western Cape Provinces, fully implemented the reviewed National Rural Safety Strategy, at all identified rural and rural/urban mixed police stations.

The SAPS has intensified its partnership with diverse stakeholders as a strategy to respond to crime, more proactively. The collaboration was part of the SAPS' drive, to enhance community policing and a culture of participative policing, in order to respond efficiently to the social complexities of crime and to address the root causes. In 2020/2021, the SAPS has identified three strategic partnerships to intensify the multidisciplinary approach to crime. These partnerships were initiated with Deaf Federation South Africa (DeafSA), Cape Mental Health and the Commission for Gender Equality (CGE).

The Eyes and Ears initiative is a joint crime fighting initiative between the SAPS, Business against Crime South Africa (BACSA) and the Private Security Industry Regulatory Authority (PSIRA), aimed to enhance the situational awareness and appropriate response by the SAPS. The initiative was piloted, in Gauteng, in 2019 and was rolled out to KwaZulu-Natal, Limpopo, the Eastern Cape and the Western Cape.

INTERNAL STABILITY

Labour strikes and protests occur frequently and can be violent and disruptive. South Africa frequently has more than 14 000 protests every year, of which the vast majority are peaceful. A total number of 8 050 crowd-related incidents were responded to and successfully policed/stabilised, in 2020/2021, including 5 286 peaceful incidents, such as assemblies, gatherings and meetings and 2 764 unrest-related incidents, such as tertiary institution conflicts, conflict between communities and gangs, labour disputes in the mining sector. A total number of 2 688 arrests were made, comprising 23 arrests for peaceful incidents and 2 665 arrests for crowd unrest incidents.

ILLEGAL MINING

Illegal mining presents challenges that need to be addressed from a range of angles. It takes place at abandoned mines and at operating mines with illegal miners often operating under dangerous conditions. The National Intervention Units (NIUs) successfully responded to 19 Illegal mining operations, in relation to medium- to high-risk requests received, with 215 arrests.

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SECURITY AT PORTS OF ENTRY

Ports of entry are a portal for the flow of people and goods. A total number of 485 wanted persons and 1 438 circulated stolen/robbed vehicles at the 53 land ports resulted in hits. These hits, resulted in the arrest of 124 wanted persons, for whom a warrant of arrest had been issued and the recovery of 35 circulated stolen/robbed vehicles. A total number of 3 807 planned crime prevention and combating actions were undertaken at ports of entry, including 233 roadblocks, 72 440 vehicle patrols, 2 307 checkpoints, 68 170 foot patrols and 1 497 vessel patrol inspections, to enhance the national security and territorial integrity at ports of entry. Various illicit drug confiscations were made at ports of entry, including 59 949 kg dry Cannabis, 1 776 Ecstasy tablets, 57 562 Mandax tablets, 118 kg Heroin and 42 288 kg Crystal Meth (Tik-Tik).

DETECTIVE SERVICES PROGRAMME

The purpose of the Programme is to enable the investigative work of the SAPS, including providing support to investigators, in terms of forensic evidence and criminal records.

FCS Units secured a total of 356 years life sentences, in 312 cases against 266 accused. FCS Units, countrywide, conducted a total of 8 459 suspect tracing operations, which resulted in a total of 13 171 arrests. A total number of 6 090 cases related to children were dealt with.

A total of 206 life sentences were secured by Crime Investigations Service, against a total of 209 persons, including 154 murder and rape cases. In support of the improvement of the overall detection rate and addressing contact crime levels at the identified Top 30 High Contact Crime Weight Stations, the SAPS reduced the number of outstanding wanted persons already circulated for the commission of contact crimes, with 31,61% or 11 756. A total number of 37 196 wanted persons were already circulated within precincts of the 30 High Contact Crime Weight Stations, on 1 April 2020. A total of 143 321 warrants of arrest for wanted persons were cancelled on the circulation system, compared to 165 555, in 2019/2020, a decrease of 22 234 or 13,43%. Most cancellations were, in Gauteng (52 886), KwaZulu-Natal (29 734) and the Free State (17 123) Provinces.

REDUCED ORGANISED CRIME

Reduced organised crime, which has been identified as a key outcome in the MTSF (2019-2024), has guided the prioritisation of drug syndicates and organised criminal groups; namely; the neutralisation of identified drug syndicates and organised criminal groups, as well as arrests for dealing in illicit drugs. In 2020/2021, a total of 232 identified persons were arrested, including 178 persons for dealing and 54 that were associated to the syndicates, which led to the neutralisation of 70,59% or 12 from a total of 17 identified syndicates. A total of 74 identified persons were arrested that were associated to an organised criminal group and/or gang, which led to a 50% (14 from a total of 28) neutralisation of identified criminal groupings.

UTILISATION OF FORENSIC INVESTIGATIVE AIDS

The effective utilisation of forensic investigative leads, through the reduction of outstanding follow-up investigations, is vital in support of the investigation of crime. A total number of 7 267 outstanding leads were identified, on 1 April 2020 and 522 of these were finalised, by 31 March 2021. All categories of investigative leads reduced, as planned, except for fingerprint investigative leads, due to a deficiency in the monitoring of the Automated Fingerprint Identification System (AFIS) list and the purification, thereof.



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During 2020/2021, a total of 86 969 buccal samples were taken from a total number of 199 507 suspects arrested for Schedule 8 offences.

INVESTIGATION OF CRIME SUPPORTED BY CRIMINAL RECORDS AND FORENSIC EVIDENCE

Criminal Record and Crime Scene Management received 999 711 requests for previous conviction reports (SAPS 76's), during 2020/2021, compared to 1 062 717 requests, in 2019/2020. A total of 877 864 or 87,81% were processed, within 15 calendar days, which is a 9,04% decrease, compared to the 2019/2020 achievement of 96,85%.

A total of 1 773 280 requests were received for fingerprint searches, in 2020/2021, compared to 2 076 652 requests received, during 2019/2020. A total of 1 003 181 or 56,57% of the total number of requests received were for criminal fingerprint searches, in order to determine whether an individual has a criminal record, whilst the remaining 43,43% or 770 099, were for non-criminal fingerprint searches, such as in the case of applications for firearm licenses, professional driver's permits and pre-employment screening. From the 1 003 181 criminal fingerprint searches processed, 508 295 or 50,67% were first offenders, who had no previous convictions recorded against them, whilst 494 886 or 49,33%, resulted in previous convictions being identified and verified.

The SAPS received a total number of 355 648 case exhibits, compared to 362 979, in 2019/2020. A total number of 130 353 or 36,65% case exhibits (entries) were finalised, in 2020/2021, compared to 252 988 or 69,69%, in 2019/2020.

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

The mandate of the DPCI is to prevent, combat and investigate national priority offences, focusing on serious organised crime, serious commercial crime and serious corruption.

A total of 2 253 arrests were effected, compared to 2 445, in 2019/2020, a decrease of 192 arrests. Convictions amounting to 38 411 were secured in court, compared to 37 728 convictions, in 2019/2020, an increase of 683 convictions. Seizures with an estimated value of R657 million, including R324 million narcotics, counterfeit goods, precious metals and wildlife were realised. A total of 114 firearms and 15 159 rounds of ammunition were seized, as well as 1 862 explosives. A total number of 175 vehicles, valued at R50 755 800.00, were seized and forfeited to the State. A total number of 231 orders, including restraint and confiscation orders, as well as preservation and forfeiture orders were issued for an amount of R207 million, for a total number of 289 assets.

SERIOUS CORRUPTION

The trial-ready rate for serious corruption by individuals within the JCPS Cluster, decreased from 89,63% (311 from a total of 347), in 2019/2020 to 85,15% (304 from a total of 357), in 2020/2021. The trial ready rate for serious corruption in the public sector was 72,34% (68 from a total of 94) and 78,48% (124 from a total of 158) within the private sector.

ORGANISED CRIME

A total number of 30 clandestine drug laboratories were identified and dismantled, compared to 24, in the previous reporting period, 2019/2020. The South African Narcotics Enforcement Bureau (SANEB) has succeeded in the seizure of drugs, valued at R324 million, ranging from Cannabis, Cocaine, etc. A total number of 60 persons were arrested, involved in serious organised crime clandestine

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laboratories. A total number of 1 369 persons were arrested for organised crime activities and 220 convictions were secured, collectively.

SERIOUS COMMERCIAL CRIME

The trial-ready rate for serious commercial crime investigation-related charges, increased from 63,87% or 1 619 from a total of 2 535, in 2019/2020 to 66,09% or 1 717 from a total 2 598, in 2020/2021, an increase of 2,22%.

CYBERCRIME

The Fourth Industrial Revolution (4IR) implies significant technological opportunities and advancements for the country, but also involves substantial risk for individual persons and the State. A total of 103 from a total of 120 or 85,83% cyber-related crime investigative support case files were investigated, of which 65,05% or 67 from a total of 103 were successfully investigated, within 90 calendar days.

CRIME INTELLIGENCE PROGRAMME

The purpose of the Crime Intelligence Programme is to manage crime intelligence, analyse crime information and provide technical support for investigations and crime prevention operations.

The top three contributing provinces, in terms of total number of network operations registered and terminated, were the Gauteng, KwaZulu-Natal and the Western Cape provinces. During the reporting period, a total number of 948 network operations were registered. A total number of 517 network operations were successfully terminated. A total of 55 296 proactive intelligence reports were operationalised, at cluster/district, provincial and national levels, in 2020/2021, from a total of 64 815 that were generated and a total of 229 863 reactive intelligence reports were operationalised, from a total of 275 969 that were operationalised. A total of 1 085 security clearances were finalised, of which 1 006 were issued, 70 were denied and nine were not issued, due to service terminations. A total of 2 631 Information Communication Technology (ICT) assessments, including soft and hardware technology, were conducted from a total of 2 370.

PROTECTION AND SECURITY SERVICES PROGRAMME

The purpose of the Programme is to provide protection and security services to all identified dignitaries and Government interests.

During the period under review, no security breaches occurred during the protection of South African VIPs, within South Africa, during major/special, national or provincial events or during visits by foreign heads of state/government or other VIPs to the country, as well as on visits abroad, by South African VIPs. A total of 220 National Key Points (NKPs) and 128 strategic installations were evaluated, to ensure the physical security compliance.

The Department will consider alternative means to sustain service delivery to communities, in an effort to mitigate the impact of the baseline reductions. This will include increasing the capacity of police stations; redirecting resources towards increasing police visibility; improving access to policing services; and enhancing frontline service delivery. This will be realised through the recruitment of entry-level officers and redeploying senior officers to stabilise areas with high levels of crime.

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While much remains to be done, progress was made towards the achievement of targets in the Annual Performance Plan 2020/2021. The Annual Report 2020/2021 is a reflection of the Department's commitments and achievements towards the 2nd year of the MTSF (2019-2024) and the 1st year of the SAPS Strategic Plan 2020-2025. Everyone has their part to play and the SAPS, together with all its strategic and social partners need to respond to the collective effort in making a better life for all.

OVERVIEW OF THE FINANCIAL RESULTS OF THE DEPARTMENT

DEPARTMENTAL RECEIPTS

Departmental receipts	2020/2021			2019/2020		
	Estimate	Actual amount collected	(Over)/under collection	Estimate	Actual amount collected	(Over)/under collection
	R'000	R'000	R'000	R'000	R'000	R'000
Sale of goods and services other than capital assets	293 600	344 376	(50 776)	304 622	331 208	(26 586)
Fines, penalties and forfeits	27 180	86 282	(59 102)	13 700	43 394	(29 694)
Interest, dividends and rent on land	2 190	3 058	(868)	1 325	1 755	(430)
Sale of capital assets	88 250	108 533	(20 283)	65 165	85 536	(20 371)
Financial transactions in assets and liabilities	127 295	130 201	(2 906)	145 594	139 810	5 784
Total	538 515	672 450	(133 935)	530 406	601 703	(71 297)

Departmental revenue collection destined for the National Revenue Fund, is mostly derived from services rendered to the public (such as firearm license applications, photocopies of accident reports and statements), disposal of departmental assets at auctions, forfeits (as a result of criminal activities) and the recovery of debt raised.

The reasons for deviations on performance are as follows:

- > **Sales of goods and services produced by the Department:** The positive deviation of R50,776 million is, *inter alia*, due to the increase in police services rendered (R30,0 million) and the increase in administrative fees charged (R21,7 million).
- > **Fines, penalties and forfeits:** The positive deviation of R59,102 million is mainly due to money forfeited to the State, during the latter part of the financial year that was not foreseen.
- > **Sale of capital assets:** The positive deviation of R20,283 million is mainly due to more money collected at auctions held for transport equipment, especially during the latter part of the reporting period.
- > **Financial transactions in assets and liabilities:** Recovery of debt related to previous financial years was marginally higher than anticipated and that contributed to the deviation of R2,906 million.

PROGRAMME EXPENDITURE

The total expenditure, for the 2020/2021 financial year, amounted to R95 483 142 734, which represents a spending rate of 95,9%. An amount of R4,078 billion remained from the voted allocation for the financial year, of which 79,3% comprised of funding earmarked and specifically allocated, which

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implied that the Department could not use these funds for any other purpose than those appropriated. In addition, spending performance on goods and services comprised 96,9% of the allocated budget for this category of expenditure, should the earmarked and specifically appropriated funding be excluded.

In general terms, overall spending performance was materially affected by COVID-19 lockdown regulations and the unforeseen and unavoidable nature of the Pandemic, that essentially impacted on the extent to which personnel movement were restricted, especially big cost centres, such as provinces and training interventions that had to be reconsidered or terminated. In addition, procurement processes and spending on buildings and infrastructure could not realise as anticipated, due to the challenges that the Department had to manage during the financial year, mainly as a result of the state of emergency proclaimed.

Programmes	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
1. Administration	19 007 044	18 702 270	304 774	20 151 549	19 922 542	229 007
2. Visible Policing	53 401 526	50 736 474	2 665 052	49 793 729	49 748 382	45 347
3. Detective Services	19 688 486	18 691 777	996 709	19 347 109	18 867 419	479 690
4. Crime Intelligence	4 200 110	4 129 774	70 336	4 155 774	4 155 774	0
5. Protection and Security Services	3 263 728	3 222 848	40 880	3 379 100	3 379 100	0
Total	99 560 894	95 483 143	4 077 751	96 827 261	96 073 217	754 044

VIREMENTS/ROLLOVERS

National Treasury provided approval for the Department to utilise earmarked funding for other purposes that those intended, as well as approval for reduced capital spending. Due to the spending performance realising surpluses towards year-end in each one of the programmes, no virement approvals were required from the Accounting Officer, for the 2020/2021 financial year.

Subsequent to an evaluation of the balances on the Vote at year-end, a submission to National Treasury was made to request for funds to be rolled-over, essentially to provide for costs associated with COVID-19, since no additional funding was appropriated for this purpose, in the 2021/2022 financial year.

UNAUTHORISED, FRUITLESS AND WASTEFUL EXPENDITURE

There is no unauthorised expenditure for the reporting period. Confirmed fruitless and wasteful expenditure for the reporting period, is R16 775 681.50; transactions with a value of R16 724 173.68 are under investigation as possible fruitless and wasteful expenditure. Refer to Part E: Notes to the Financial Statements.



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STRATEGIC FOCUS OVER THE SHORT-TO MEDIUM-TERM PERIOD

Amidst a protracted crisis, the end of which is unknown, the capacity to ensure strategic certainty and continuity is paramount, in the fulfilment of the objective to build safer communities. The country's ability to recover post COVID-19, undoubtedly also hinges on the creation of a conducive environment for growth and development, underpinned by concerted efforts to tackle crime and corruption, in particular. Policing approaches will continue to adapt to this changing landscape.

The alignment of the Department's five-year strategy to the MTSF (2019-2024), has undoubtedly aided the steady trajectory towards this objective and towards the achievement of its planned outcomes. This would improve community participation in the fight against crime, improve community-police relations; facilitate collaboration, coordination and integration on safety, crime and violence prevention within the three spheres of government; and thereby, working towards a transformed and accountable police service.

There are two elements of the MTSF that are key to the successful implementation of Government's broader medium-term strategic agenda and transformative programmes. The first element relates to the establishment of a capable, ethical and developmental State, which undoubtedly is the key driver behind all of the MTSF outcomes and interventions. Social cohesion and safe communities is closely linked to this requirement, as the MTSF will not be realised without the cohesive efforts of all South Africans and importantly, a prevailing sense that our communities are and feel safe.

The upholding and enforcing of the law to underpin the stamping or asserting of the authority of the State was characterised by the SAPS, not only enforcing the various levels of the COVID-19 lockdown, but also dealing with peaceful and violent public protests, some of which stemmed from public dissatisfaction with various elements of Government's COVID-19 programme, but also due to poor service delivery at local level.

COMPENSATION OF EMPLOYEES' BASELINE ALLOCATIONS FOR THE SAPS OVER THE MEDIUM-TERM EXPENDITURE FRAMEWORK

During 2020, reductions in the compensation of employees budget baseline were introduced, which have material negative impact on the human resource priorities of the SAPS, essentially as far as the enlistment of entry level police officers are concerned.

As a result of this, personnel numbers over the medium-term will require reconsideration, in terms of options that will ensure that the Department continues to achieve its mandate and to maintain service delivery at local level.

During the 2021/2022 financial year, approximately 3 000 vacancies will be considered for filling by the recruitment of new police officers. A process that will be embarked upon where Public Service Act (PSA) personnel and current serving reservists will be considered for recruitment as fully-fledged police officials. Respectively, 2 000 PSA personnel and 1 000 current serving reservists will be considered. This initiative is part of various capabilities that the Department is currently considering, in order to remain within the allocated budget framework.

An action plan would be developed, that aims to respond to crimes related to GBV, vulnerable groups and sexual offences. This plan also attends to the resourcing of FCS Units, both on national and provincial levels. This response plan will also ensure that capacity, in terms of personnel numbers be sustained and even increased, where critical vacancies and service delivery requirements are evident.

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The Department's spending focus for the year, which is mainly on goods and services, as well as capital investment over the medium-term, includes the following:

- > Reductions in the compensation of employees budget baseline, requires reprioritisation of SAPS resources, as well as investment in technology.
- > The Department will sustain the Forensic Services baseline allocation, as increased in the 2020/2021 financial year.
- > The baseline allocation for the DPCI baseline, as recently increased, will be sustained.
- > Professionalising the police service through skills development.
- > Continued strengthening of the CJS, by supporting the Integrated Criminal Justice Strategy.
- > Investing in capital assets consisting of machinery and equipment, essentially transport assets, as well as mobile contact points.
- > A continued focus of other critical items, such as Bullet Resistant Vests (BRVs), firearms, uniform, etc. will remain; as these are critical tools of trade, for police to successfully render their duties.
- > In our efforts to continue with the implementation of the Panel of Experts Reports emanating from the Marikana Commission recommendations, funding has been set aside to continue to capacitate the existing Public Order Police (POP) Units.

Departmental spending, over the medium-term, will be in relation to the core programmes, with Visible Policing, taking more than 51% weight of the total 2021/2022 budget. The Detective Services Programme, in terms of weight, is also a significant portion of more than 20%.

The initiation of the Safer Cities Framework in the targeted 10 pilot cities, during 2020/2021, laid a firm foundation for the introduction of a multidisciplinary approach to making our cities safer and more secure. The launch of the Royal Police Reserve would contribute to extending its visible policing reach in communities, through key initiatives, such as the Traditional Policing Concept and the Community-in-Blue Concept. These concepts, together with the Safer Cities Framework and the already established sector policing approach, will significantly increase the visibility of the SAPS at local level.

CENTRAL FIREARM REGISTER IMPROVEMENT PLAN

The Central Firearm Register (CFR) is another critical environment, where several interventions are required to address the growing reports of ineffectiveness and system challenges in this environment. A turnaround plan for the CFR is to be developed.

CREATING FUNCTIONAL CAPABILITY OF SPECIALISED SAPS UNITS

The establishment of specialised investigative capacities, including, the Anti-Gang Units, Murder and Robbery Units and Taxi Violence Units were approved for implementation. Anti-Gang Units have been established, in the Western Cape, the Eastern Cape, the Free State, Gauteng and the North West Provinces.

- > All specialised units' structures were reconfirmed and approved for implementation.
- > The Cold Case Investigations Unit was approved, during 2020/2021.
- > The review of the FCS Units, as directed by the Ministerial Plan of Action, was approved, during the 2020/2021 financial year.
- > The post establishment of both Organised Crime and Commercial Crime Investigation Units within the Detective Service, was approved, in the same year.

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FORENSIC SERVICES

The operational focus of the Division over the short- to medium-term, is to restore stability to the effectiveness of the FSLs. The ultimate goal of these measures is to progressively eradicate the backlog. The recently developed turnaround plan of the Division is a step in the right direction. As part of the systems reengineering process, the newly developed exhibit tracking system implementation is to be sustained, which replaces the manual process recently utilised – allowing for better tracking and management of exhibits.

System and process enhancement must, however, be supported by a clearly defined regulatory space. It is for this reason that the Deoxyribonucleic Acid (DNA) Regulations of 2015 were amended to allow for the establishment of dedicated Forensic Investigative Units at provincial level. These units are tasked with following up on investigative leads reported by the Laboratory. This process is currently being finalised.

The following steps are to be taken to reduce the specified backlog, in cases relating to GBV:

- > All forensic analysts underwent medical surveillance and vaccinations, as required.
- > Engagement with Labour to be initiated, to review the basic conditions of employment and allow for a shift system, in the Detective and Forensic Services Divisions.
- > The bid for the procurement of a manual and semi-automated DNA processing system, for the Eastern Cape, is to be finalised, as well as the awarding of the contract.
- > The bid to award all outstanding contracts, especially for consumables that are critical in addressing the DNA backlog.
- > Optimal implementation and utilisation of the Track and Trace System.

ENHANCED APPROACH TOWARDS ADDRESSING GBVF

A comprehensive approach that is community, family-centred and anchored, while driven and led by Government, is the paramount remedy and solution towards the reduction of GBVF horrific incidences. The country has made great strides in bringing awareness and waging a fearless war on GBVF.

The Department has allocated over 1,2 billion rand on baseline activities, which are related to fighting GBVF, both proactive and reactive responses to these crimes and the resourcing of FCS Units:

- > R1,142 billion on FCS Units' human and other resources, that includes operational expenses.
- > R30 million on youth, children and vulnerable groups, including awareness campaigns.

An additional amount of R100 million was allocated to provinces for prioritising GBV response and the strengthening of FCS Units. The amounts was allocated, as follows:

- | | | | |
|---|---------------|---|------------------|
| > | Western Cape | - | R13,336 million |
| > | Northern Cape | - | R5, 921 million |
| > | Free State | - | R7, 937 million |
| > | Eastern Cape | - | R14,336 million |
| > | KwaZulu-Natal | - | R17,051 million |
| > | Mpumalanga | - | R7, 937 million |
| > | Limpopo | - | R8, 494 million |
| > | Gauteng | - | R17, 051 million |
| > | North West | - | R7, 937 million |



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The SAPS will focus on ensuring the sustained reduction of the reported levels of contact crime and in particular, crimes against both women and children, as well as various other key initiatives in its contribution to the fight against GBVF.

ESTABLISHMENT OF THE DETECTIVE ACADEMY

The establishment of a Detective Academy, in order to enhance and improve the quality of our detection services is still underway. The Department will be looking into improving the infrastructure at our Hammanskraal Police Academy, to cater for the Detective Academy and is improving the training manual during the initial phase of the project.

ENHANCING THE EFFICIENCY OF THE DPCI

The role of the DPCI and the improved cooperation with other law enforcement agencies in combating corruption and other forms of organised crime is yielding the desired results. The Serious Commercial Crime Investigation Units of the DPCI have a joint working relationship with the Specialised Commercial Crime Units of the National Prosecuting Authority (NPA). Investigating serious corruption, serious organised crime and serious commercial crime remain the focus of the DPCI. The DPCI will be enhancing its capacity through the filling of prioritised vacant posts within its approved structure. The procurement and maintenance of the vehicle fleet and the procurement of specialised technological aids and equipment will be the focus.

The DPCI shall continue to participate in the processes for the implementation of Chapter 6A of the SAPS Act, 1995 (Act No 68 of 1995), including Section 17G, thereof. The integrity of personnel attached to the DPCI remains an integral part of the work they do and the manner in which they conduct themselves.

The DPCI will continue to work closely with the NPA, in targeting national priority offences, including disruption against organised criminal groups. The DPCI shall endeavour to have perpetrators prosecuted, in terms of the Prevention of Organised Crime Act (POCA), 1998 (Act No 121 of 1998).

Corruption levelled against state-owned enterprises and municipalities, serious violent crimes, such as Cash-in-Transit (CIT) robberies and the murder of police officials, crime committed by organised criminal groups who tamper, steal or damage essential infrastructure will remain the high focus of the DPCI.

The DPCI will continue to execute its mandate to the highest standards, by utilising its resources in an effective and responsible manner, whilst not only bringing those who have committed national priority offences to book, but also ensuring that the perpetrators do not benefit from the proceeds of crime.

PUBLIC/PRIVATE PARTNERSHIPS

No Public Private Partnership arrangements/approvals exist currently.

DISCONTINUED KEY ACTIVITIES/ACTIVITIES TO BE
DISCONTINUED

None

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NEW OR PROPOSED KEY ACTIVITIES

None

SUPPLY CHAIN MANAGEMENT

UNSOLICITED BID PROPOSALS

No unsolicited bids were approved in the financial year.

PROCESSES AND SYSTEMS IN PLACE TO ADDRESS IRREGULAR EXPENDITURE

The confirmed irregular expenditure cases for the reporting period (eight) has a combined value of R5 364 507,55.

The following activities have been undertaken, in respect of irregular expenditure, to ensure the decrease of irregular expenditure in the SAPS:

- > The pocket guide, which includes education relating to the prevention of irregular expenditure, was updated and was distributed to all procurement and supply chain management practitioners, on 1 October 2020.
- > Irregular Expenditure Committees were rolled out to provinces and divisions, responsible for monitoring and ensuring the timeous finalisation of all irregular expenditure cases within their respective divisions and/or provinces. Registers are to be submitted on a weekly basis for monitoring purposes by the Supply Chain Management Division.
- > A project plan was developed to conduct a National Intervention Road Show to all divisions and provinces, with the main objective to provide guidance to Provincial and Divisional Irregular Expenditure Committees and to finalise and prevent irregular expenditure.
- > Irregular expenditure is discussed during biannual Procurement Forums, held with provinces and divisions.

CHALLENGES EXPERIENCED AND HOW THEY WERE RESOLVED

In terms of the establishment of new police stations, as per the SAPS Infrastructure Development Programme, there is a delay from service providers, such as the Electricity Supply Commission (ESKOM) and municipalities, as well as interruption by construction mafias and business forums (criminals holding contractors to ransom, threatening workers and damage property, demanding a cut from construction projects).

GIFTS AND DONATIONS RECEIVED, IN KIND, FROM NON-RELATED PARTIES

Donations and transfers to the value of R36 894 000 were received by the SAPS, in 2020/2021.

Donations and transfers to the value of R738 000 were made by the SAPS, in 2020/2021.

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EXEMPTIONS AND DEVIATIONS RECEIVED FROM THE NATIONAL TREASURY

There are no deviations from financial reporting requirements submitted to National Treasury, in the current and previous financial years.

All deviations were reported to National Treasury, for the 2020/2021 financial year. A register is monitored by the Supply Chain Management Division.

EVENTS AFTER THE REPORTING DATE

No material events have occurred subsequent to the financial year-end that required disclosure.

OTHER

None

ACKNOWLEDGEMENTS AND CONCLUSION

The 2020/2021 financial year was the 2nd year of the MTSF (2019-2024) cycle. The 2020/2021 financial year also marked the commencement of the Strategic Plan, for the period 2020-2025.

I wish to extend my gratitude to the Minister of Police, the Honourable General BH Cele and his Honourable Deputy Minister, Mr CC Mathale. I wish to further extend my gratitude to the Chairperson of the PCoP, Ms Tina Joemat-Petterson and members of the PCoP, the Audit Committee, under the chairmanship of Mr LM Mangquku and the Risk Management Committee, under the chairmanship of Ms N Lubanga, for the continuous support, leadership and guidance, in the previous financial year.

The National Head of the DPCI, Dr/Adv Lieutenant General Godfrey Lebeya and his team, DPCI Judge Diale Frans Kgomo and his team, the Chairperson of the DNA Board, Senior Counsel Adv Lindiwe Nkosi-Thomas and her team and the Chairperson of the Firearms Appeals Board, Adv Lungelwa Shandu and her team, are indeed acknowledged for the role and contributions that they have made.

I further wish to express my gratitude to the team at the Ministry of Police, Mr Alvin Rapea, the Civilian Secretariat of Police Service and his team, the Executive Director of the Independent Police Investigative Directorate (IPID) and her team and the Chief Executive Officer of PSIRA and her team.

I am grateful for the cooperation and support of the communities that we serve. Communities play an important role in fighting crime. I wish to urge citizens and members of the community to stay vigilant and to become active at local level and to support endeavours to address the causes of crime.

I extend my acknowledgement to the CPFs, community-based organisations, faith-based organisations and non-governmental organisations for the support and participation in working together with the SAPS.



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I thank the reservists, law enforcement agencies (international, national, provincial and local), oversight bodies, among others, the Auditor-General of South Africa (AGSA), other government departments and entities, all our strategic partners, stakeholders and role players, who have contributed immensely to the performance of the Department.

The effective working of Government requires dedicated support and collaboration, among others, being the JCPS Cluster and the International Cooperation, Trade and Security Cluster, the Department for Planning, Monitoring and Evaluation (DPME), the Department of Public Service and Administration (DPSA), National Treasury and various other government departments, who work in close collaboration with the SAPS, to ensure that all people in South Africa, are and feel safe.

I would also like to acknowledge all other role players, stakeholders and strategic partners, who are not expressly mentioned and, who have made it possible for the Department to be able to deliver on its mandate.

I am looking forward to strengthening our policy document, policy implementation, improving working relations and processes towards building a better SAPS. I would like to thank all the public servants, who have remained resolute and managed to do their work from home during the COVID-19 period. We must continue to serve the citizens of South Africa, in line with the Batho Pele Principles, of putting people first.

In conclusion, I, together with the management of the SAPS, acknowledge the commitment and perseverance of the men and women in the SAPS, who strive to ensure that all people in South Africa, are and feel safe. This Annual Report (2020/2021), is a combined reflection of the efforts of the members of the SAPS. We, the men and women in blue, embark on the next chapter of the journey, implementing the SAPS Strategic Plan, 2020-2025, in the realisation of the NDP, 2030, by making a better life for all through safer communities.

GENERAL KJ SITOLE (SOEG)

Accounting Officer
Department of Police

31 August 2021

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6. STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY OF THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

All information and amounts, which are disclosed throughout the Annual Report, are consistent.

The Annual Report is complete, accurate and free from any omissions.

The Annual Report has been prepared, in accordance with the Annual Report Guide for National and Provincial Departments, issued by the National Treasury.

The Annual Financial Statements (Part E) have been prepared, in accordance with the modified cash standard and the relevant frameworks and guidelines, issued by the National Treasury.

The Accounting Officer is responsible for the preparation of the annual financial statements and for the judgements made in this information.

The Accounting Officer is responsible for establishing and implementing a system of internal control that has been designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the annual financial statements.

The external auditors are engaged to express an independent opinion on the annual financial statements.

In my opinion, the Annual Report fairly reflects the operations, the performance information, the human resource information and the financial affairs of the Department, for the financial year, ended 31 March 2021.

Yours faithfully



GENERAL KJ SITOLE (SOEG)

Accounting Officer
Department of Police

31 August 2021

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7. STRATEGIC OVERVIEW

7.1 VISION

To create a safe and secure environment for all people in South Africa.

7.2 MISSION

- > To prevent and combat crime that may threaten the safety and security of any community.
- > Investigate any crimes threatening the safety and security of any community.
- > Ensure that offenders are brought to justice.
- > Participate in efforts to address the causes of crime.

7.3 VALUES

- > Protecting everyone's rights and be impartial, respectful, open and accountable to the community.
- > Using the powers given to us in a responsible way.
- > Providing a responsible, effective and high-quality service with honesty and integrity.
- > Evaluating our service continuously and making every effort to improve on it.
- > Ensuring the effective, efficient and economic use of resources.
- > Developing the skills of all members through equal opportunity.
- > Cooperating with all communities, all spheres of government and other relevant role players.

7.4 CODE OF CONDUCT

I commit myself to creating a safe and secure environment for all the people in South Africa by –

- > participating in endeavours aimed at addressing the causes of crime;
- > preventing all acts which may threaten the safety or security of any community;
- > investigating criminal conduct that endangers the safety or security of the community; and
- > bringing the perpetrators to justice.

In carrying out this commitment, I shall, at all times –

- > uphold the Constitution and the law;
- > take into account the needs of the community;
- > recognise the needs of the South African Police Service, as my employer; and
- > cooperate with all interested parties in the community and the government at every level.

In order to achieve a safe and secure environment for all the people of South Africa, I undertake to –

- > act with integrity in the rendering of an effective service that is of a high standard, which is accessible to everybody and continuously strive towards improving this service;
- > utilise all available resources responsibly, efficiently and cost-effectively, thereby, optimising their use;

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- > develop my own skills and contribute towards the development of those of my colleagues, to ensure equal opportunities for all;
- > contribute to the reconstruction and development of and reconciliation in our country;
- > uphold and protect the fundamental rights of every person;
- > act in a manner that is impartial, courteous, honest, respectful, transparent and accountable;
- > exercise the powers conferred upon me in a responsible and controlled manner; and
- > work towards preventing any form of corruption and bring the perpetrators thereof, to justice.

8. LEGISLATIVE AND OTHER MANDATES

8.1 CONSTITUTIONAL MANDATE

The SAPS derives its mandate from Section 205 of the Constitution, 1996 and from the SAPS Act, 1995 (Act No 68 of 1995). This legislation regulates the Police Service, in terms of its core functions, which are to prevent, investigate and combat crime; maintain public order; protect and secure the inhabitants of South Africa and their property; and uphold and enforce the law.

8.2 LEGISLATIVE MANDATE

The Minister of Police is responsible for the administration of the following legislation:

- > Civilian Secretariat for Police Service Act, 2011 (Act No 2 of 2011)
- > Control of Access to Public Premises and Vehicles Act, 1985 (Act No 53 of 1985)
- > Critical Infrastructure Protection Act, 2019 (Act No 8 of 2019)
- > Dangerous Weapons Act, 2013 (Act No 15 of 2013)
- > Explosives Act, 1956 (Act No 26 of 1956)
- > Firearms Control Act, 2000 (Act No 60 of 2000)
- > Game Theft Act, 1991 (Act No 105 of 1991)
- > Intimidation Act, 1982 (Act No 72 of 1982)
- > Independent Police Investigative Directorate Act, 2011 (Act No 1 of 2011)
- > National Key Points Act, 1980 (Act No 102 of 1980)
- > Private Security Industry Regulation Act, 2001 (Act No 56 of 2001)
- > Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004)
- > Regulation of Gatherings Act, 1993 (Act No 205 of 1993)
- > Second-Hand Goods Act, 2009 (Act No 6 of 2009)
- > South African Police Service Act, 1995 (Act No 68 of 1995)
- > Stock Theft Act, 1959 (Act No 57 of 1959)
- > Tear-Gas Act, 1964 (Act No 16 of 1964)

In the execution of its constitutional mandate, the SAPS derives its powers and functions, mainly from the following key legislation:

- > Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No 32 of 2007)
- > Child Justice Act, 2008 (Act No 75 of 2008)
- > Children's Act, 2005 (Act No 38 of 2005)



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- > Criminal Procedure Act, 1977 (Act No 51 of 1977)
- > Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No 37 of 2013)
- > Counterfeit Goods Act, 1997 (Act No 37 of 1997)
- > Customs and Excise Act, 1966 (Act No 91 of 1966)
- > Diamonds Act, 1986 (Act No 56 of 1986)
- > Disaster Management Act, 2002 (Act No 57 of 2002)
- > Domestic Violence Act, 1998 (Act No 116 of 1998)
- > Drugs and Drug Trafficking Act, 1992 (Act No 140 of 1992)
- > Exchange Control Regulations, 1961
- > Films and Publications Act, 1996 (Act No 65 of 1996)
- > Financial Intelligence Centre Act, 2001 (Act No 38 of 2001)
- > Immigration Act, 2002 (Act No 13 of 2002)
- > Inquest Act, 1959 (Act No 58 of 1959)
- > Implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No 27 of 2002)
- > International Cooperation in Criminal Matters Act, 1996 (Act No 75 of 1996)
- > Liquor Act, 2003 (Act No 59 of 2003) and the various Provincial Liquor Acts
- > Marine Living Resources Act, 1998 (Act No 18 of 1998)
- > Mental Healthcare Act, 2002 (Act No 17 of 2002)
- > National Conventional Arms Control Act, 2002 (Act No 41 of 2002)
- > National Environmental Management Act, 1998 (Act No 107 of 1998)
- > National Road Traffic Act, 1996 (Act No 93 of 1996)
- > National Strategic Intelligence Act, 1994 (Act No 39 of 1994)
- > Non-proliferation of Weapons of Mass Destruction Act, 1993 (Act No 87 of 1993)
- > Older Persons Act, 2006 (Act No 13 of 2006)
- > Precious Metals Act, 2005 (Act No 37 of 2005)
- > Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004)
- > Prevention and Combating of Torture of Persons Act, 2013 (Act No 13 of 2013)
- > Protection from Harassment Act, 2011 (Act No 17 of 2011)
- > Prevention of Organised Crime Act, 1998 (Act No 121 of 1998)
- > Safety at Sports and Recreational Events Act, 2010 (Act No 2 of 2010)
- > Sexual Offences Act, 1957 (Act No 23 of 1957)
- > State of Emergency Act, 1997 (Act No 64 of 1997)
- > The Prevention and Combating of Trafficking in Persons Act, 2013 (Act No 7 of 2013)
- > The Regulation of Interception of Communication and Provision of Communication-related Information Act, 2002 (Act No 70 of 2002)

POLICY FRAMEWORKS IMPACTING ON THE SAPS

Agenda 2063

Agenda 2063, published by the AU Commission, in 2015, is a strategic framework for the socio-economic transformation of Africa, over the next 50 years. It builds on and aims to accelerate implementation of past and existing continental initiatives for growth and sustainable development. Agenda 2063 has the following aspirations: an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance; an Africa of good governance, democracy, respect for human rights, justice and the rule of law; a peaceful and secure Africa; an

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Africa with a strong cultural identity, common heritage, shared values and ethics; an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth and caring for children; and an Africa that is a strong, united and an influential global player and partner. These aspirations have priority areas aligned to the SDGs.

United Nations Sustainable Development Goals

The aim of the SDGs is to end poverty and hunger globally; combat inequalities within and among countries; build peaceful, just and inclusive societies; protect human rights; promote gender equality and the empowerment of women and girls; and ensure the lasting protection of the planet and its natural resources. Countries committed to the SDGs aim to create the conditions for sustainable, inclusive and sustained economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capacities. The SDGs are integrated and indivisible and balance the three dimensions of sustainable development: the economic, the social and the environmental. There are 17 SDGs, demonstrating the scale and ambition of this global agenda.

National Development Plan, 2030

The NDP is a long-term vision for the country, which provides a broad strategic framework to guide key government choices and actions and focuses on the critical capabilities needed to transform the economy and society. The plan highlights that accelerated development in South Africa requires the active support of all citizens; leadership in all sectors that puts the country's collective interests ahead of narrow, short-term goals; and radically improved government performance.

Medium-Term Strategic Framework (2019-2024)

The MTSF (2019-2024) outlines the country's priorities according to the electoral mandate and provides a medium-term roadmap for developing five-year institutional plans to enable the NDP's goals to be achieved. Intergovernmental and interdepartmental planning is crucial in the achievement of government's priorities and vision for South Africa. The MTSF promotes coordination and alignment of priorities across all spheres of government and with non-government stakeholders, as well as assisting with the integration of all components of national development, into mainstream planning processes.

White Paper on Safety and Security

The White Paper provides direction to government departments in the development and alignment of their respective policies, strategies and operational plans to achieving safer communities. In addition, the White Paper provides governance and oversight tools against which departments can be measured and held accountable. The objectives of the White Paper on Safety and Security are to: provide an overarching policy for safety, crime and violence prevention that will be articulated in a clear legislative and administrative framework to facilitate synergy and alignment of policies on safety and security; and facilitate the creation of a sustainable, well-resourced implementation and oversight mechanism, which will coordinate, monitor, evaluate and report on implementation of crime prevention priorities across all sectors.

White Paper on Policing

The White Paper on Policing separates the police focused policy from that of the broader policy on safety and security contained in the White Paper on Safety and Security and provides an enabling legislative framework for civilian oversight and additionally aligns the police service to the rest of the public service. The focus of the White Paper on Policing is on the core areas of policing and law enforcement, aimed at reducing crime and building safer communities, as called for by the NDP.

Spatial Development Frameworks

Spatial transformation and inclusive economic growth remain elusive despite an enabling legislative and policy environment. Spatial planning, infrastructure investment and social development

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expenditure by the post-apartheid state and the private sector have reproduced, entrenched and in some cases reinforced these historic spatial patterns. The purpose of Spatial Development Frameworks is to radically change the rationale for and rules by which planning, budgeting and infrastructure investment and development spending in the country take place.

Policy Framework for the Government-wide Monitoring and Evaluation System

A monitoring and evaluation system is a set of organisational structures, management processes, standards, strategies, plans, indicators, information systems, reporting lines and accountability relationships, which enable national and provincial departments, municipalities and other institutions to discharge their monitoring and evaluation functions effectively. In addition to these formal managerial elements are the organisational culture, capacity and other enabling conditions, which will determine whether the feedback from the monitoring and evaluation function influence the organisation's decision making, learning and service delivery.

Revised Framework for Strategic Plans and Annual Performance Plans, 2019

The DPME revised the 2010 Framework for Strategic Plans and Annual Performance Plans to align and further improve government planning systems and processes and to institutionalise development planning in government. It gives the requirements for strategic and annual performance planning, operational planning, implementation programme planning, infrastructure planning and monitoring, reporting and evaluations and aligns the aforementioned with Government's outcomes-based approach.

National Evaluation Policy Framework, 2011

The National Evaluation Policy Framework provides both the basis for a minimum system of evaluation across government and a common language for evaluation in the public service. Its purpose is to ensure good-quality evaluations that give information about what is working and what is not and in this way, helps to improve the effectiveness and impact of government's work. To improve performance, the framework underlines the need to use credible and objective evaluation derived evidence in planning, budgeting, organisational improvement and policy review, as well as in programme and project management.

National Cybersecurity Policy Framework

National Cybersecurity is a broad term encompassing the many aspects of electronic information, data and media services that affect a country's security, economy and wellbeing. Ensuring the security of a country's cyberspace, therefore, comprises a range of activities at different levels. The National Cybersecurity Policy Framework is intended to provide a holistic approach pertaining to the promotion of cybersecurity measures by all role players and will be supported by a National Cybersecurity Implementation Plan, which will be developed by the JCPS Cluster, in consultation with relevant stakeholders, identifying roles and responsibilities, time frames, specific performance indicators and monitoring and evaluation mechanisms.

The King IV Code of Corporate Governance for South Africa, 2017

The King Report on Corporate Governance is a report of the King Committee on Corporate Governance, which was established in 1993. The King Report on Corporate Governance was a principles and practices-based guideline of the governance structures and operations of companies in South Africa. The King Report recommended standards of conduct for boards and directors of listed companies in South Africa. The evolution of South African law, such as the enactment of the Public Finance Management Act (PFMA), 1999 (Act No 1 of 1999) and the Companies Act of South Africa, 2008 (Act No 71 of 2008), necessitated the review of the report from King I (1994), King II (2002) and King III (2009). King IV was necessitated by significant corporate governance and regulatory developments, locally and internationally and has now adopted an "apply and explain" approach. King IV also places greater emphasis on corporate governance in the public sector.

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Minimum Information Security Standards

The Minimum Information Security Standards is a standard for the minimum information security measures that any institution must put in place for sensitive or classified information, to protect national security.

White Paper on Affirmative Action in the Public Service

This White Paper sets out the mandatory requirements and guidance on the steps, which national departments and provincial administrations should take to develop and implement their affirmative action programmes.

White Paper on Human Resource Management in the Public Service

A professional and impartial public service, which is representative of all sections of society is essential for efficient and effective government and for the achievement of South Africa's democratic, economic and social goals. Transforming the public service into an instrument capable of fulfilling its role in bringing about the new South Africa, depends on many things, but above all, it depends on the commitment and effectiveness of its employees, which in turn depends on the way in which those employees are managed.

White Paper on Transforming Public Service Delivery

The White Paper on Transforming Public Service Delivery, published on 24 November 1995, sets out eight transformation priorities, amongst which Transforming Service Delivery is the key. This is because a transformed South African Public Service will be judged by one criterion above all: its effectiveness in delivering services, which meet the basic needs of all South African citizens. Improving service delivery is, therefore, the ultimate goal of the public service transformation programme.

White Paper on Public Service Training and Education

The principal aim of the White Paper on Public Service Training and Education is to establish a clear vision and policy framework, to guide the introduction and implementation of new policies, procedures and legislation, aimed at transforming public service training and education into a dynamic, needs-based and proactive instrument, capable of playing an integral and strategic part in the processes of building a new public service for a new and democratic society in South Africa.

White Paper on the Rights of Persons with Disabilities

The White Paper, approved by Cabinet, in 2015, seeks to involve all sectors of society in the socioeconomic inclusion of persons with disabilities, by accelerating transformation and redress, with regard to full inclusion, integration and equality for persons with disabilities.

South African Statistical Quality Assessment Framework, 2010

The framework provides criteria for evaluating and certifying statistics produced by government and non-government institutions. The framework enables assessment of the quality of statistics and the distinction between official and unofficial statistics. Official statistics are certified by the Statistician General, in line with Section 14 (7) (a) of the Statistics Act and are used by government institutions to inform their planning processes and the development of plans.

National Drug Master Plan 2019 to 2024

The National Drug Master Plan (NDMP) seeks to provide an integrated response from all sectors of society, involving policy reforms, the coordinated implementation activities and deployment of resources. The SAPS will implement action plans, at all levels, including local level, to facilitate the organisation's response to the NDMP.



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National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance

The National Action Plan intends to combat racism, racial discrimination, xenophobia and related intolerance, through the provision of a comprehensive policy framework, at both a private and public level. The National Action Plan is not intended to replace existing laws and policies, but to be complementary to existing legislation, policies and programmes, which address inequality, inequity and discrimination.

8.3 LIST OF LEGISLATION TABLED IN PARLIAMENT, IN 2020/2021

There was no legislation tabled in Parliament, during the year under review.

8.4 POLICIES APPROVED BY CABINET

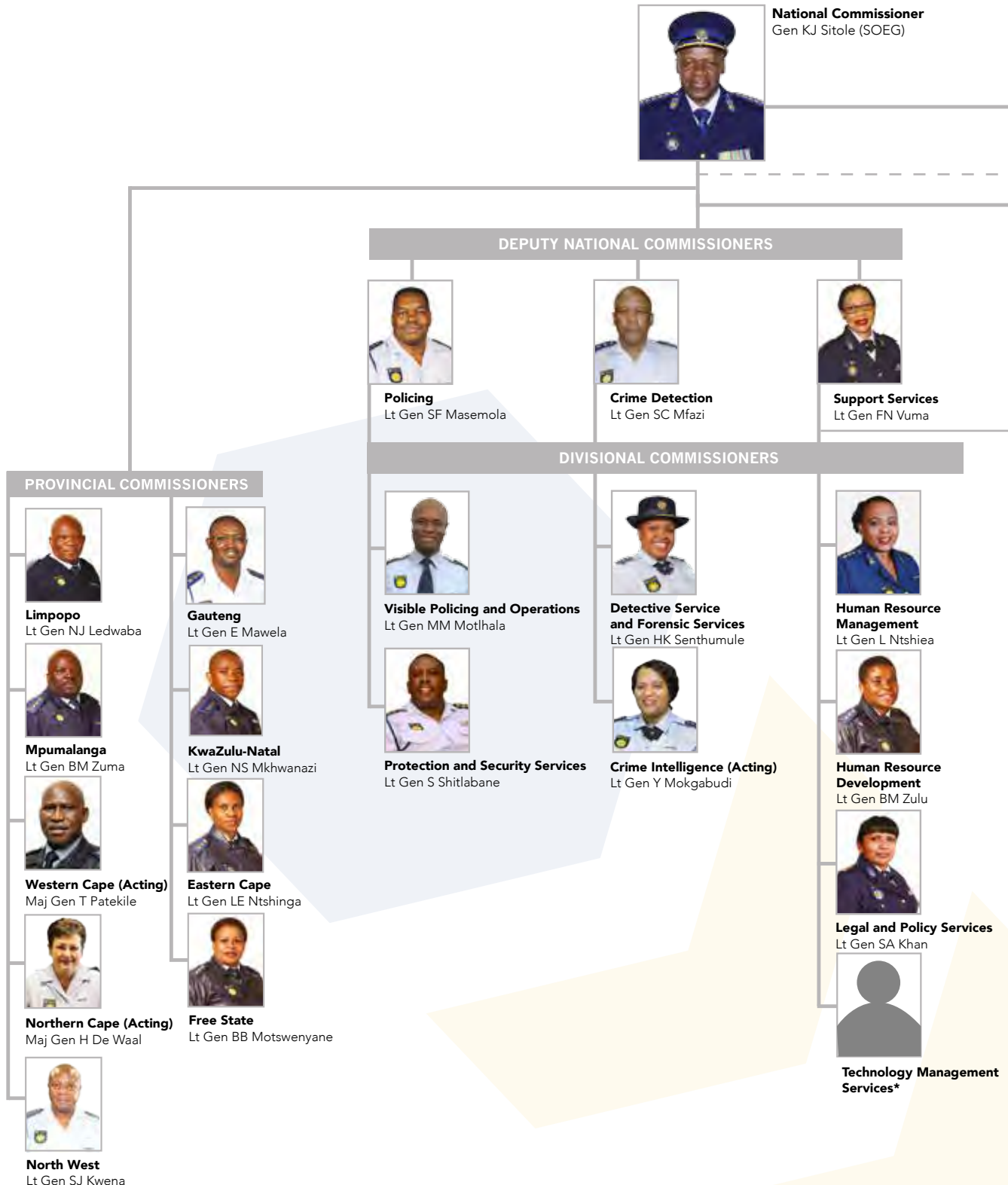
No new policies were approved by Cabinet, in 2020/2021.



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9. ORGANISATIONAL STRUCTURE, AS AT 31 MARCH 2021



* The Technology Management Services Division is overseen by the relevant Deputy National Commissioner.

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Minister of Police, MP
Gen BH Cele



Deputy Minister of Police, MP
Mr CC Mathale



National Head Directorate for Priority Crime Investigation
(Dr/Adv) Lt Gen SG Lebeya (SOEG)



Deputy National Head Directorate for Priority Crime Investigation
Lt Gen TC Mosikili



Financial Management and Administration (CFO)
Lt Gen PP Dimpane



Supply Chain Management
Lt Gen J Riet



Inspectorate
Lt Gen PA Jacobs

COMPONENTS HEADS



Organisational Development
Maj Gen NL Mzima



Strategic Management
Maj Gen L Rabie



Corporate Communication and Liaison (Acting)
Brig S Naidoo



Programme and Project Management
Maj Gen ME Mantsi



Chief Risk Officer
Maj Gen CW Matlou



Research
Maj Gen PR Vuma



Executive Support and International Relations
Maj Gen J Motubatsi



Internal Audit
Maj Gen DT Nkosi



Crime Registrar
Maj Gen TN Sekhukhune



Presidential Protection Service
Maj Gen WP Rhoades

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Rank/level description	White		Indian		Coloured		African		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Minister	0	0	0	0	0	0	1	0	1
Deputy Minister	0	0	0	0	0	0	1	0	1
Executive Authorities	0	0	0	0	0	0	2	0	2
Minister of Police personnel	0	0	0	0	0	3	7	21	31
National Commissioner (General)	0	0	0	0	0	0	1	0	1
Deputy National Commissioners/National Head (Lieutenant General)	0	0	0	0	0	0	3	2	5
Divisional Commissioners/ Deputy National Head and other top management (Lieutenant General)	0	0	0	1	2	0	5	3	11
Provincial Commissioners (Lieutenant General)	0	0	0	0	0	0	4	3	7
Top Management	0	0	0	1	2	0	13	8	24
Major General	9	4	9	1	9	2	62	53	149
Brigadier	74	36	31	11	38	23	241	155	609
Senior Management	83	40	40	12	47	25	303	208	758
Colonel	320	148	111	45	126	72	892	459	2 173
Lieutenant Colonel	771	537	202	105	345	207	2 281	1 387	5 835
Captain	1 890	1 175	424	220	1 018	473	5 316	2 872	13 388
Commissioned Officers	2 981	1 860	737	370	1 489	752	8 489	4 718	21 396
Non-commissioned Officers	6 046	1 643	2 008	358	9 825	3 520	67 984	30 691	122 075
PSA employees	400	2 884	292	642	1 229	2 982	10 527	18 884	37 840
Total employees	9 510	6 427	3 077	1 383	12 592	7 282	87 325	54 530	182 126

NATIONAL PROFILE OF THE SOUTH AFRICAN POLICE SERVICE

PROVINCES	9
POLICE STATIONS	1 155, as at 31 March 2021
RSA POPULATION	59 622 350 (Mid-year estimate, 2020)
RSA LAND SURFACE	1 219 090 km ²
ESTABLISHMENT	182 126
SAPS ACT EMPLOYEES	144 253
PSA EMPLOYEES	37 873
POLICE/POPULATION RATIO	1:413

10. ENTITIES REPORTING TO THE MINISTER

No entities reported to the Minister are covered in the SAPS Annual Report.

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11. ROLL OF HONOUR

From 1 April 2020 to 31 March 2021, a total of 34 members died, while on duty, compared to 40, in 2019/2020¹.

PERSAL No	Rank	Surname and initials	Date of death
Eastern Cape			
7019220-1	Sergeant	Damoense S	2020-04-01
7036512-1	Sergeant	Kolela M	2020-08-11
7137498-1	Sergeant	Faye NL	2020-08-24
7066735-7	Sergeant	Gxotani M	2020-10-19
0520435-6	Warrant Officer	Somacala M	2021-01-17
7023979-7	Warrant Officer	Harmans VC	2021-03-12
Free State			
2064635-6	Warrant Officer	Maolosi SPJ	2020-05-01
2108327-4	Sergeant	Monareng DJ	2020-05-01
Gauteng			
0174823-8	Major General	Maswanganyi TS	2013-06-18 ²
7187086-5	Constable	Ramalepe P	2020-04-09
7063985-0	Sergeant	Moamohe ML	2020-04-21
7231927-5	Constable	Baloyi R	2020-07-02
7175204-8	Constable	Nkambule BW	2020-07-02
7214339-8	Constable	Khoza K	2020-09-24
7173193-8	Constable	Masango SA	2021-02-11
7009689-9	Sergeant	Makgoba ME	2021-03-23
KwaZulu-Natal			
7163137-2	Sergeant	Phakathi NPS	2020-09-04
7197689-2	Constable	Venter JAJ	2020-11-12
0444029-3	Warrant Officer	Jackson A	2020-11-29
0608453-2	Captain	Molefe TLM	2020-12-14
7064671-6	Constable	Ndlovu RM	2021-02-18
7009689-9	Sergeant	Mbedu T	2021-03-06
Limpopo			
0488072-2	Warrant Officer	Mulanduli MR	2020-11-27
7232370-1	Constable	Netshivhambe RC	2021-03-27
Mpumalanga			
7208947-4	Constable	Mdluli T	2020-05-23
7086159-5	Sergeant	Sethibe MD	2020-07-15
2131245-1	Sergeant	Kgaratsi KT	2020-07-15
7055689-0	Sergeant	Makgareetsa MJ	2020-11-30
Western Cape			
7213714-2	Constable	Siyoko AS	2020-06-08
0622487-3	Lieutenant Colonel	Kinnear CA	2020-09-18
7006090-8	Sergeant	Mdoko MW	2021-02-28
7214948-5	Constable	Breakfast M	2021-02-28
Head Office			
6396392-2	Constable	Sikhakhane MS	2020-07-19
7051641-3	Sergeant	Mkhize SW	2020-10-23

PART B

PERFORMANCE INFORMATION



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1. AUDITOR-GENERAL'S REPORT: PREDETERMINED OBJECTIVES

The AGSA currently performs certain procedures on the performance information, to provide reasonable assurance in the form of an audit conclusion. The audit conclusion on the performance against predetermined targets is included in the Report to Management. Material findings are reported under the predetermined objectives heading in the Report on the other legal and regulatory requirements section of the Report of the AGSA.

Refer to pages 330 to 336 of the Report of the AGSA, as published in Part E: Financial Information.

2. OVERVIEW OF DEPARTMENTAL PERFORMANCE

2.1 SERVICE DELIVERY AND ORGANISATIONAL ENVIRONMENT

The impact of COVID-19 on the SAPS' activities, outputs and outcomes, concomitant performance measures has been both expected and unexpected. The key indicators that are reported on by the SAPS relate to the incidence of contact crime, which, as anticipated, decreased significantly during lockdown levels 5 to 3 and increased steadily as lockdown levels were eased. The detection of all categories of crime has been negatively affected by the COVID-19 Pandemic, primarily due to limitations on the movement of goods and persons that were imposed during lockdown. This phenomena has negatively affected other performance areas within both the SAPS' Strategic Plan and the Annual Performance Plan.

The COVID-19 Pandemic has also affected other areas of the SAPS' planned performance, for 2020/2021. Both internal support and external operational performance was and continues to be affected, as the restrictions imposed on the movement of people and goods affected these processes, resulting in the suspension of certain key support processes, such as the training of members and the engagement of service providers, in addition to the severe disruption of certain external processes, such as the investigation of reported crime and the processing of forensic exhibits and firearm licences.

The incidence of peaceful and violent public protest are increasing steadily year-on-year, which has the effect of diverting resources away from classical policing functions, such as the prevention and investigation of crime and has an attendant effect on the available resources of the SAPS.

The Pandemic's disproportionate impact on policing, has resulted in limited gains that were made during the reporting period, especially in relation to the Service Delivery Improvement Programme of the Department. The implementation of the various lockdown levels to contain and manage the spread of the COVID-19 virus has impacted on some functions, at all levels within the organisation. However, the Department will continue its efforts, to ensure that it fulfil its mandate towards ensuring that all people in South Africa are and feel safe.

The main objectives of the 2020/2021 Service Delivery Improvement Plan (SDIP) were aimed at ensuring effective and efficient improvement in service delivery at frontline offices. A number of actions/interventions were planned and executed, during the 2020/2021 financial year.

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5-YEAR SERVICE DELIVERY IMPROVEMENT PLAN

The SAPS has approved the 5-Year SDIP, which is aligned to the SAPS Strategic Plan 2020-2025. The plan outlines the services that have been prioritised for improvement, through a number of key deliverables that are embedded in the plan for implementation over the medium-term. The plan was distributed to all divisions, provinces, cluster/districts and police stations, including police libraries at training academies. The SDIP sets out key deliverables, which focuses on improving the following services:

- > Provide police assistance to clients, who lodge complaints.
- > Provide basic support to victims of crime.
- > Provide police initiated services to communities.
- > Provide feedback to complainants/victims on reported cases.
- > Provide support on the Service Delivery Improvement and Organisational Transformation Programmes.

Service Delivery Improvement Action Plans were developed and rolled out for implementation at all levels of the organisation, that is divisions/components, provinces, clusters/districts and police stations, through key actions, specifically focused to address the improvement of the prioritised services, at a particular level. Service Delivery Improvement Action Plans were rolled out at all 1 155 police stations, the nine provinces and 22 divisions/components. The aim of implementing the Service Delivery Improvement Action Plans was to support the achievement of the strategic objectives of the SAPS. The Service Delivery Improvement Programme, for the 2020/2021 financial year, resulted in the following achievements:

ENHANCED KNOWLEDGE OF SAPS MEMBERS IN POLICING PEOPLE WITH DISABILITIES

The SAPS has developed and approved Policing Guidelines on the Provision of Services to People with Disabilities, as well as the Integrated Action Plan on Policing People with Disabilities. Members are encouraged towards improving services to the communities that they serve, which includes the manner in which the people with disabilities is policed.

AFRICA PUBLIC SERVICE MONTH

The Africa Public Service Month was celebrated, during the month of September 2020, under the theme: "Growing South Africa Together for an Ethical Public Service". The theme sought to instill and rebuild good ethics and professionalism in the manner in which public servants perform their functions, whilst also recognising the selflessness of the many frontline public servants, inclusive of doctors, nurses, caregivers, paramedics and police officials, who continue to work tirelessly in fighting COVID-19 and have dedicated their lives to serving the public. The SAPS launched Public Service Month, on 6 September 2020, at the Union Buildings, together with the celebration of National Police Safety Month. The event was officiated by the Deputy President of the RSA, His Excellency, Mr David Mabuza, in the presence of the Minister of Police, General Bheki Cele, the Deputy Minister of Police, Mr Cassel Mathale and the National Commissioner, General Khehla Sitole. Due to the COVID-19 Pandemic, the 2020 celebration of this event, only included the family of three deceased members, who were allowed at the Union Buildings, as the country was in level 2 of the lockdown regulations.

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PROVINCIAL BATHO PELE LEARNING NETWORKS

Provincial Batho Pele Learning Networks were conducted in four of the nine provinces, namely; Limpopo, North West, Gauteng and Mpumalanga. The purpose of these learning networks was to empower Station Management Information Offices, including the Management Information Offices from district/clusters, station commanders, as well as representatives from the provincial office. The learning networks focused on encouraging those tasked with the responsibility of driving service delivery to:

- > take ownership by taking the lead within their respective environments of ensuring that Batho Pele is real;
- > develop standards that are applied throughout the SAPS, by demonstrating what this should look like; and
- > promote compliance with the requirements, through appropriate monitoring of the action plans at the different levels.

IMPROVING ACCESS TO COMMUNITIES THROUGH MOBILE CONTACT POINTS

Mobile contact points (mobile community centres) were introduced to improve police presence, to ensure accessibility, to enhance service delivery in crime hot spots and to enhance and strengthen the relationship between communities and the Police. A total number of 12 chassis cab trucks have been converted for use as mobile contact points.

IMPROVING FEEDBACK TO COMPLAINANTS

Enhancements were developed and implemented on the CAS/ICDMS, during 2020/2021, to include 12 new Short Message Service notifications to complainants/victims, to keep the complainant/victim informed of progress on the case they registered. This project is also aimed at reducing the number of complaints against the SAPS by complainants/victims, as they were not aware of the status of their cases.

PLATFORMS FOR COMMUNITIES TO ENGAGE WITH THE SAPS ON MATTERS RELATING TO CRIME

The SAPS Mobile Application (MySAPS App) Phase 3 development was completed. The following functionalities are at user acceptance testing phase.

- > Push notification: to inform communities on incidents/events/general knowledge.
- > Service complaints incident reporting.
- > Unstructured Supplementary Services Data (USSD) Code *134*10111#: languages, in addition to the existing languages, namely; English and Pedi: Southern Sotho, Zulu, Afrikaans, Tsonga, Ndebele, Xhosa, Venda and Tswana.
- > Unknown persons, published under the People of Interest Option.

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2.2 SERVICE DELIVERY IMPROVEMENT PLAN

SERVICE DELIVERY OBJECTIVES, MAIN SERVICES PROVIDED AND SERVICE STANDARDS

SERVICE DELIVERY INFORMATION TOOLS UTILISED TO PROVIDE INFORMATION BY CORPORATE COMMUNICATION AND LIAISON TO INTERNAL AND EXTERNAL CLIENTS

Current/actual information tools	Desired information tools	Actual achievement
External television broadcasts	Informing the public of successes achieved by the SAPS, to provide crime prevention hints and tips, to request assistance to locate wanted and missing persons and to advocate public participation in the fight against crime.	A Memorandum of Understanding (MoU) is pending signature and therefore, no external broadcasts were conducted.
Film and television	Assistance to production companies (domestic and international) with police resources and police officials to partake in films, drama series, local "soapies", advertisements and documentaries. Production companies assist the SAPS, by highlighting policing messages, themes, priorities and emergency numbers.	A total of 275 requests were received from production companies that were approved and monitored.
Internal publications	Police magazines are used as a medium to communicate successes and information to motivate employees to render an effective service to the public, as well as hints and guidelines, to enhance effective service delivery.	A total of 12 Police magazines (one per month) were produced and published. A total of 3 000 articles were published on the "Police Online".
Salary advice messages	Monthly salary advice and envelope messages to all SAPS employees to communicate information with the aim of motivating employees, to render an effective service to the public, as well as hints and guidelines, to enhance service delivery and prevent crime.	A total of 12 salary advice messages and envelopes were developed.
Organisational e-mail messages	E-mail messages to all SAPS employees to communicate information, aimed to motivate employees, to render an effective service to the public, as well as hints and guidelines, to enhance service delivery and prevent crime.	A total of 2 534 organisational email messages were circulated to all SAPS employees. A total of 532 internal communication messages were developed and approved, due to initiatives and requests.



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Current/actual information tools	Desired information tools	Actual achievement
E-mail footers	E-mail footers, with informative messages to motivate employees to render an effective service to the public, as well as hints and guidelines, to enhance service delivery and prevent crime.	» Police safety » COVID-19 » Code of Conduct » National launch of Operation Safer Festive Season » Firearm amnesty » COVID-19 (Protect yourself) » No waiting period (missing persons) » Do you take care of your state vehicle? » SAPS Physical Fitness Maintenance » Gender-Based Violence » Auxiliary Management » Integrity » SAPS service delivery available to the public during COVID-19. » Complaints service centre » Child protection week » Integrated Safer Cities Project
Media liaison	Informing the public of successes, which were achieved by the police, educating and informing the public on activities, events and projects in the SAPS and on the SAPS, as a department, through media statements, media invites, handling of the media at events and responding to media enquiries.	» 100% of events/projects were covered. » 12 media invitations and 131 media statements were disseminated » 2 106 media enquiries were dealt with. » 417 media interviews were conducted/facilitated. » 27 communication/implementation plans were developed. » Seven press briefings were arranged, on behalf of the National Commissioner. » 273 meetings of various environments were attended.
Content development	Generation of SAPS content-related material, in terms of speaker notes for principals, opinion pieces and letters to editors and forewords for strategies and booklets.	All requests were acceded to. A total number of 105 content-related material was produced.
Media monitoring, analysis and research	Daily monitoring of print, broadcasts and online media, to identify news items and events impacting on the image of the SAPS.	A total of 600 reports regarding the SAPS were monitored.
	Producing weekly media analysis reports.	A total of 900 media statements were distributed, internally and externally, to the media.

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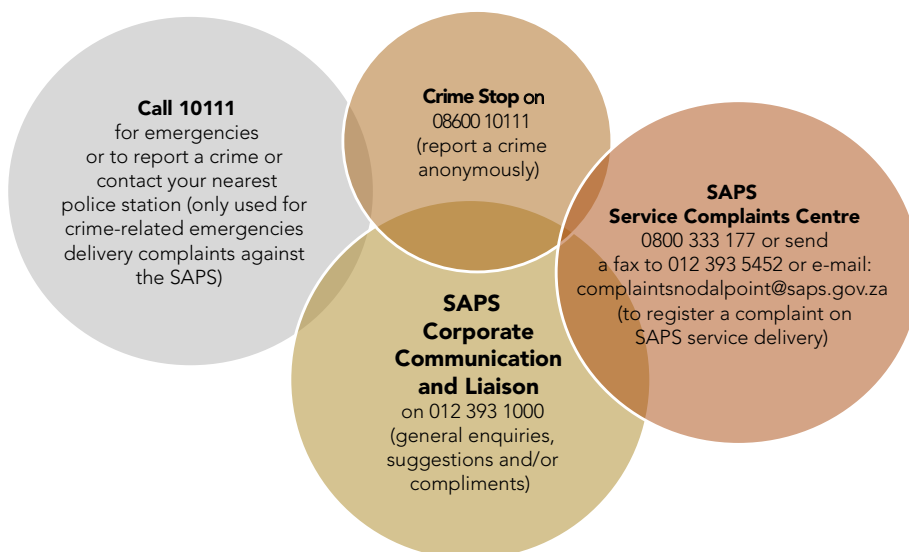
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Current/actual information tools	Desired information tools	Actual achievement
SAPS Website	A user-friendly website with updated content relating to the SAPS.	There was a total of 450 to 500, per month.
SAPS Intranet	An internal website with updated content to keep members informed.	A variety of documents were published on the SAPS Intranet, including circulars, instructions, regulations, directives, policies, news, events and vacancies.
Social media	A communication tool to send information to the public regarding events, media statements, awareness hints and successes.	The SAPS's Twitter account with 755 211 followers, gained 183 315 new followers, during 2020/2021 and posted 8 198 tweets, which had 137.61 million impressions (number of times users viewed tweets). The SAPS Facebook page with 894 662 followers, received 152 737 new "likes" and 5 562 posts were posted, acquiring 236.5 million views. SAPS Instagram with 17 500 followers, gained 8 103 new followers and posted 572 posts.
Public engagements and information sessions	Target specific communication tools/platforms.	Through stakeholder engagement, imbizos, crime awareness campaigns, public and civil society organisations.
Internal focused events	Internally communicate focused events.	» Firearm amnesty » Firearm destruction » National Police Day » Crime statistics » Safer Festive Season » National Commemoration Day » Police safety » Ethics and integrity management » COVID-19 » Ministerial visits during lockdown
Marketing campaigns	Advertising of all available national advertising platforms.	» COVID-19 awareness campaigns » Ministerial izimbizo » 30 worst performing police stations » MySAPS App » Gender-Based Violence » Commemoration Day » Prayer Day » National Police Day » National Excellence Awards

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The SAPS has implemented the following complaints mechanisms to receive complaints against the service:



2.3 KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

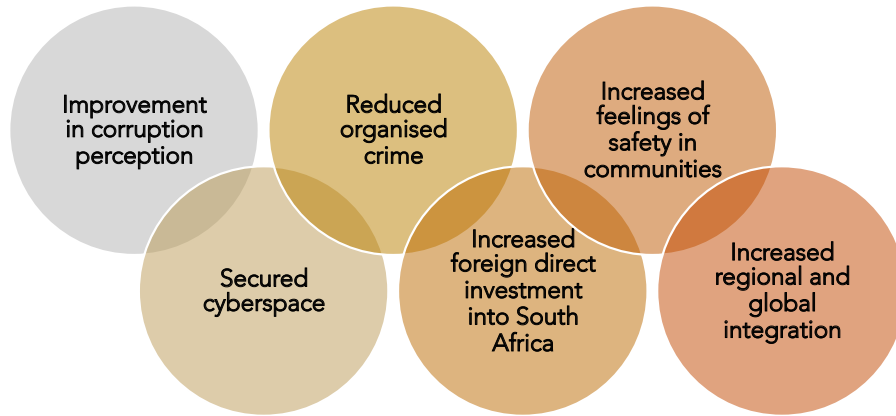
The Integrated Crime and Violence Prevention Strategy (ICVPS) has been developed to give effect to the provisions of the White Paper on Safety and Security, 2016. The ICVPS focuses on the prevention of crime and violence in the country in communities and advocates for an integrated and whole of government planning, in respect of safety. The ICVPS emphasises that safety is not the sole purview of the police, but a shared responsibility requiring the participation of all stakeholders, in both the public and private sector, including communities. The ICVPS importantly requires that the root causes of crime and violence be addressed, to ensure safer communities.

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3. ACHIEVEMENT OF INSTITUTIONAL IMPACTS AND OUTCOMES

MEDIUM-TERM STRATEGIC FRAMEWORK (2019-2024)



Chapter 12 of the NDP outlines a vision to build safer communities through demilitarising and professionalising the police service and adopting an integrated and holistic approach to safety and security in South Africa. This vision is given expression to Priority 6 (Social Cohesion and Safe Communities) of Government's MTSF (2019-2024), with which the work of the Department of Police is aligned. The outcomes, interventions and associated performance measures that are relevant to the SAPS are integrated into either the Strategic Plan or the Department's Annual Performance Plan. These MTSF-related priorities are cascaded down into the planning and performance management mechanisms of the Department, so as to ensure implementation. Increased feelings of safety in communities features as an Apex Priority of Government and is a key element of the MTSF. The SAPS approaches this priority from both an outcome and an output point of view, as several outcome-based measures that relate to trust in the SAPS, safety levels in communities and the professionalism of the SAPS will be measured within the context of the SAPS' 2020-2025 Strategic Plan.

ANNEXURE IP18

2024 Impact: Improved investor perception (confidence)

Outcome: Improvement in corruption perception				
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020 Actual achievement 2020/2021
Conviction rate for serious fraud and corruption in the private sector ³	New performance Indicator (baseline to be determined)	Improvement in Corruption Perception Index ranking by 5 (to 68/100)	70% conviction rate for serious fraud and corruption in the private sector	98% (49 from a total of 50). 97,96% (48 from a total of 49).
Conviction rate for serious fraud and corruption in the public sector ⁴	New performance Indicator (baseline to be determined)		70% conviction rate for serious fraud and corruption in the public sector	100% (426 from a total of 426). 100% (29 from a total of 29).

Fraud and corruption is a serious national security threat that undermines the authority and the credibility of the State and the economic development of the country. The country faces intolerably high levels of corruption within the public and private sectors, which undermine the rule of law and impede Government's efforts to achieve its socio-economic development and service delivery objectives and overcome inequality. Convictions are not in the control of investigating officers and are reliant on various external factors. During 2020/2021, the SAPS achieved a conviction rate of 97,96% or 48 from a total of 49, in the private sector and 100% or 29 from a total of 29, in the public sector, against a set target of 70%. The appointment of investigators has assisted in fast tracking investigations, thus the achievement of the set targets. However, bringing a new intake up to speed on case information requires a considerable amount of time. Investigation teams should be set up with experienced team leaders, to enable accelerated momentum. Although the DPCI has received vehicles, the available quantity is still below average, which is hindering the optimum output. The extent of the impediment that the global COVID-19 Pandemic presents, also constitutes a considerable threat to service delivery across all spheres of Government, which requires rigorous engagement amongst key clusters.

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2024 Impact: All people in South Africa are safe

Outcome: Reduced organised crime					
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020	Actual achievement 2020/2021
Percentage of identified drug syndicates neutralised with arrests	New performance indicator (baseline to be determined)	90% of identified organised crime groups/syndicates neutralised	90% identified drug syndicates neutralised with arrests ⁵	New performance indicator, in 2020/2021.	70,59% (12 from a total of 17), with 54 arrests.
Percentage of identified clandestine laboratories dismantled with arrests	Revised performance indicator (baseline to be determined)		90% identified clandestine laboratories dismantled with arrests	100% (24 from a total of 24), with 56 arrests.	90% (27 from a total of 30), with 60 arrests.
Percentage increase in the number of arrests (number of cases) for dealing in drugs (excluding cannabis)	New performance indicator (baseline to be determined)		5% increase in the number of arrests (number of cases) for dealing in drugs, per annum	New performance indicator, in 2020/2021.	45,90% (178 arrests, compared to 122 arrests, in 2019/2020).
Percentage of registered serious organised crime project investigations successfully closed ⁶	New performance indicator (baseline to be determined)		72% of registered serious organised crime project investigations successfully closed	70,00% (7 from a total of 10).	78,57% (11 from a total of 14).
Percentage of identified organised criminal groups or syndicates neutralised with arrests	New performance indicator (baseline to be determined)		90% of identified organised criminal groups or syndicates neutralised with arrests ⁷	New performance indicator, in 2020/2021.	50% (14 from a total of 28), with 74 arrests.
Percentage of identified illegal mining operations responded to, in relation to requests received ⁸	New performance indicator (baseline to be determined)		100% identified illegal mining operations responded to, in relation to requests received	100% (All 7 identified illegal mining operations were terminated), in relation to requests received.	100% (All 19 identified illegal mining operations were terminated), in relation to requests received.



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Serious organised crime continues to be a threat to the authority of the State and the safety and security of the citizens of South Africa. In particular, drug syndicates and those perpetrating illegal mining activities, pose a major risk to the safety of law-abiding citizens. Organised crime manifests in several forms, which significantly destabilises communities, by undermining levels and perceptions of safety and security and it poses a major threat to the legitimate economy. Illegal drugs are a key feature of organised crime that occurs at local level, as sophisticated organised drug syndicates embed themselves in local communities. Clandestine laboratories, identified and dismantled by the SAPS, used for the manufacturing of illicit drugs, present an insidious risk to the community, not only for illicit drug abuse, but also because of the toxic chemicals that are generated during the drug manufacturing processes, which can result in the contamination of buildings, soil, water and air, within or close proximity to the laboratory. Serious organised crime is a national priority offence, investigated through organised crime project investigations, as it requires threat-based project driven, multidisciplinary case planning and a management investigative approach, in order to address serious organised crime groups.

The Department did not achieve the target of 90%, in relation to identified drug syndicates, in 2020/2021. A total of 12 syndicates were neutralised from a total of 17 identified, with 54 arrests, an achievement of 70,59%. A total number of 14 from a total of 28 or 50% identified organised criminal groups/syndicates were neutralised, with 74 arrests, not achieving the target of 90%, in 2020/2021. These criminal networks were associated with land invasion, the theft of copper, robbery, gang violence, the theft of motor vehicles, as well as abalone poaching, money laundering and racketeering groups/syndicates. The deployment of capabilities to contain and manage COVID-19 lockdown restrictions (restricted access to the public and courts) and a decline in the aggressive approach to suspect track and trace operations/the utilisation of an informer network, were main constraints affecting performance.

A total of 27 or 90% from a total of 30 clandestine laboratories were dismantled, with 60 arrests, compared to 100% or 24 from a total of 24, with 56 arrests during the same period, in 2019/2020. The target was to dismantle 90% of identified clandestine laboratories, with arrests. Challenges that need to be addressed, are a lack of storage facilities for purposes of storing exhibits at the SAPS FSL and a shortage of physical resources. The SANEB is currently in a process of building capacity to address the shortage. Other challenges include, obtaining search warrants from some courts, as well as the procurement of external services for the cleaning up of a dismantled laboratory, as the DPCI does not have such a facility with skilled personnel.

In relation to the contribution towards the reduction of drug syndicates, through the implementation of the NDMP, the Department increased the number of arrests for dealing in drugs, by 45,90%, achieving the set target of a 5% increase, per annum. A total number of 178 arrests were effected, from April 2020 to March 2021, compared to 122 during the same period, in 2019/2020. Although capacity is limited at the Narcotics Section within the Detective Service environment, focused interventions continued, as well as participation and collaboration with stakeholders in the NDMP.

In relation to registered serious organised crime project investigations successfully closed, a total of 11 projects or 78,57%, were successfully closed and three were closed unsuccessfully, in 2020/2021, achieving the set target of 72%. Projects had to be extended/some targets could not be addressed, due to COVID-19 lockdown regulations.

Metals and minerals are essential to almost all aspects of life. South Africa is a top global producer of a diverse range of minerals, including gold, coal, platinum, palladium, manganese, titanium and uranium. Illegal mining⁹ is on the rise in South Africa and presents challenges that need to be addressed from a range of perspectives. It takes place at abandoned mines and at operating mines with illegal miners often operating under dangerous conditions. Illegal mining and organised crime are inter-related. Very often, illegal mining is directed by globally connected criminal syndicates.



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'Zama Zama's', a term commonly used in South Africa referring to illegal miners, are often heavily armed, have explosives and when trespassing on operating mines, set ambushes and 'booby traps' for employees, security personnel and rival groups of illegal miners. The application of law enforcement to reduce illegal mining, from a SAPS perspective, involves all of the SAPS' operational capabilities, including the DPCI. The reduction of illegal mining is a joint responsibility between the Department of Minerals and Energy and the SAPS. The Department responded to a total number of 19 identified illegal mining operations, with 215 arrests, in relation to requests received, during 2020/2021, achieving the target of 100%.





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Outcome: Increased feelings of safety in communities					
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020	Actual achievement 2020/2021
Percentage reduction in the number of contact crimes ¹⁰	Reported contact crimes increased, by 2,6%, from 602 697 in 2017/2018, to 618 472, in 2018/2019, 1 673 990 (2018/2019)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Reduce by 6,7% (Reduce by 112 157 crimes in 2019/2020), per annum ¹¹	Increased, by 0,6%, from 618 472, in 2018/2019, to 622 206, in 2019/2020.	Reduced, by 13,9% from 622 206, in 2019/2020 to 535 869, in 2020/2021.
Percentage reduction in the number of crimes against women ¹²	Reported crimes against women increased, by 1,2%, from 177 620, in 2017/2018 to 179 683, in 2018/2019	10% increase percentage of households, who felt safe walking alone in their areas of residence during the night (Statistics SA) (StatsSA)	6,7% reduction, per annum	Reduced, by 4,8%, from 179 683, in 2018/2019, to 171 070, in 2019/2020.	Reduced, by 9,4% from 171 070, in 2019/2020, to 155 062, in 2020/2021.
Percentage reduction in the number of crimes against children	Reported crimes against children increased, by 3,9%, from 43 540, in 2017/2018, to 45 229, in 2018/2019	10% increase percentage of households, who felt safe walking alone in their areas of residence during the night (StatsSA)	6,7% reduction, per annum	Increased, by 6,4%, from 45 229, in 2018/2019, to 42 348, in 2019/2020.	Reduced, by 5,8% from 42 348, in 2019/2020 to 39 878, in 2020/2021.
Percentage of police stations that have functional CPFs ¹³	99,56% (1 144 of 1 149) functional CPFs implemented at police stations, according to set guidelines	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	99,56% of police stations have functional CPFs	99,57% (1 149 from a total of 1 154).	99,83% (1 150 of 1 152 functional police stations from a total of 1 155 ¹⁴ police stations.
Implementation of the Community in Blue Concept ¹⁵	New performance indicator (baseline to be determined)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Community-in-Blue Concept implemented, in nine provinces, by 31 March 2021	New performance indicator, in 2020/2021.	The Community-in-Blue Concept has been initiated, in all 9 provinces.

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Outcome: Increased feelings of safety in communities					
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020	Actual achievement 2020/2021
Implementation of the Traditional Policing Concept	New performance indicator (baseline to be determined)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Traditional Policing Concept implemented, in KwaZulu-Natal, the Eastern Cape, Limpopo and Mpumalanga, by 31 March 2023	New performance indicator, in 2020/2021.	0 ¹⁶
Implementation of the Safer City Framework (including smart technology) ¹⁷	New performance indicator (baseline to be determined)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Safer City Framework implemented, at 10 pilot cities, by 31 March 2021	New performance indicator, in 2020/2021.	The Safer Cities Concept was initiated, in all 10 identified pilot cities.
Implementation of SAPS Integrated Person Management (IPM) Programme	New performance indicator (baseline to be determined)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Implementation of the SAPS IPM Programme, by 2022/2023	In support of a digital integrated process for the booking of accused persons, to obtain full person profiles and the identification and verification of all accused persons, witnesses and victims, in support of increased feelings of safety in communities and the utilisation of digital systems for multi-modal biometric person identification and verification, a supplier was appointed to develop the IPM System, on 28 August 2020. The development of the system is 8% completed.	
Utilisation of digital systems for multimodal biometric person identification and verification	New performance indicator (baseline to be determined)	10% increase in percentage of households, who felt safe walking alone in their areas of residence during the day	Utilisation of digital systems for multimodal biometric person identification and verification, by 2022/2023		



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Unacceptably high levels of crime in South Africa, especially serious and violent crime, result in people of South Africa living in fear and feeling unsafe, particularly vulnerable groups, such as women and children. Therefore, ongoing emphasis is placed on the reduction of contact crime and crimes committed against women and children. Contact crime refers to crime, in which the victims are the targets of violence or instances where the victims are in the vicinity of property, targeted by criminals. The crimes in question are; sexual offences, assault common and assault with the intent to inflict Grievous Bodily Harm (GBH), murder, attempted murder, common robbery and robbery with aggravating circumstances. In some instances, these crimes, particularly if related to domestic violence, are committed within the confines of residences. As a result, the SAPS cannot easily address these crimes by conventional policing strategies. Liquor, substance abuse and environmental design factors, also play a key role in the commission of these crimes.

Throughout the various alert levels of the lockdown, the SAPS continued to learn and adapt, in the face of unprecedented threats and resource constraints. Personnel have contracted the virus, police stations and other SAPS buildings had to be closed for decontamination and yet policing functions had to continue. Lockdown regulations continued to contribute to reductions in some crime categories, as experienced by many other high-crime countries around the world, since the outbreak of COVID-19. During the period 1 April 2020 to 31 March 2021, contact crimes reduced, by 13,9%, from 622 206, in 2019/2020 to 535 869, in 2020/2021. All crimes in the contact crime category decreased significantly. The biggest decreases were noted, in respect of common robbery charges (27,3%), robbery with aggravating circumstances (16,8%), assault GBH (13,9%) and sexual offences (13,4%). Decreases were also recorded, in respect of common assault (9,6%), murder (6,7%) and attempted murder (0,7%). Operations were initiated at police station, cluster/district, provincial and national level, informed by crime analysis and crime intelligence, during which force multipliers, such as reservists, K9 Units, Rapid Rail, the Metropolitan Police Services, as well as other government departments joined resources. Cooperation between the SAPS and the community and the call by the President to communities and Government at all levels, to work together in the fight against crime, shows the seriousness of Government.

The Safer Cities project, initiated in 10 pilot cities will strengthen the Department and the Sector in the fight against these violent crimes. Actions needed to address major constraints and challenges are the roll out and implementation of the Rural Safety Strategy, recognising that rural and farming communities are isolated and far removed from national and provincial government and that many rural police stations located in remote areas, responsible for vast areas, often lack basic infrastructure, which impact negatively on police response times to victims of crime; the roll out of the Traditional Policing Concept, aimed to guide traditional leadership structures in policing, to ensure safety and security, in collaboration with traditional leaders and to create a safe and secure rural environment; the Community Policing Strategy, an approach focusing on the establishment of partnerships and enhancing working relations with members of communities and which requires the police to inherit a proactive approach to address public safety and concerns, including sector policing with the utilisation of Community-in-Blue patrollers, among others; the roll out of the Eyes and Ears initiative, aimed to utilise the private security industries' geographical deployment footprint, to share information, to enhance operational responsiveness and to allow for the private security industry to assist each other and the SAPS, in a non-commercial and non-competitive capacity; and the roll out of the Departmental GBV and Sexual Offences Plan, aimed to ensure a reduction in GBV and sexual offences, through a coordinated approach by all SAPS disciplines. Various matters are not providing the intended results, including, *inter alia*, the activation of Government stakeholders, including municipalities, to address environmental design challenges, through the establishment of multiagency forums, as well as the Informal Settlement Safety Framework. Issues, which cut across government departments, which require solutions, is the enforcement of provincial liquor acts; addressing environmental design challenges; the finalisation of the Community Policing Policy; the review of the SAPS Act; as well as the consideration of a National Liquor Act.



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The percentage reduction in the number of crimes against women, in 2020/2021, was 9,4% from 171 070, in 2019/2020 to 155 062, in 2020/2021. All crimes under the contact crime category against women contributed to the 9,4% decrease, with sexual offences, indicating the biggest decrease of 23,6%, followed by assault GBH (8,2%), common assault (5,4%), attempted murder (2,4%) and murder (1,5%). The target of a 6,7% reduction, in terms of contact crimes against women was achieved, in 2020/2021, which can be attributed to intensified awareness campaigns on crimes against women, to inform the community on the protection of women, the continuation of police visibility, to enforce the containment and management of COVID-19, Operation Safer Festive Season, the ban on the sale of liquor during some lockdown levels, as well as increased awareness through national media by the President, the Minister of Police and other political leaders and through social networks. In terms of contact crimes against children, a decrease of 5,8% was recorded, in the 2020/2021 financial year from 42 348, in 2019/2020 to 39 878, in 2020/2021. Although the planned target of 6,7% was not achieved, all crimes under the contact crime category against children decreased, with attempted murder indicating the biggest decrease of 13,3%, followed by common assault (7,7%), assault GBH (7,2%), murder (6,5%) and sexual offences (4,1%). Most of these crimes are committed indoors between people, who know each other, thereby making it difficult to police. Liquor and substance abuse and environmental design also play a key role in the commission of these crimes.

Increasing police visibility is critical in improving feelings of safety in communities. Crime is a social phenomenon that cannot be prevented by the police alone, hence partnerships are critical in the fight against crime. Functional CPFs will enhance cooperation between communities and the police at local level, sharing information between the police and the community and tapping into resident's knowledge and expertise, while the establishment of strategic partnerships will mobilise key stakeholders in various sectors, to ensure a partnership approach to addressing crime in the country. Consultative and partnership policing fosters good relationships between a vast number of stakeholders; including Government, municipalities, businesses, civil society and other interest groups. The centrality of CPFs, in the fight against crime, can, therefore, not be over emphasised. It remains an invaluable and indispensable platform, for both problem identification, as well as problem solving. A total of 1 150 or 99,83% CPFs were implemented at 1 152¹⁸ functional police stations, according to set guidelines, at the end of March 2021, compared to 99,57%, at the end of March 2019, achieving the set target of 99,56%.

Various awareness campaigns/public interventions were hosted, in 2020/2021, to address crime-related matters. The Community Policing Strategy was reviewed for implementation and approved by the Accounting Officer, in September 2020. The CPF Application was also developed and approved, in October 2020. One of the major challenges affecting implementation is the operationalisation of community policing, which impacts on limited police visibility through the force multiplier approach (community patrollers), as well as dysfunctional CPFs. To support the operationalisation of the community policing concept, the Traditional Policing Concept will be embedded as a key feature to stimulate active citizenry and citizen participation in the fight against crime. In addition, the Community-in-Blue Concept, also a programme emanating from the Community Policing Strategy, will focus on increasing local communities' participation in social crime prevention and environmental design initiatives, institutionalise community participation within situational and developmental crime prevention, collaborate with the SAPS in increasing visibility and operational capacity and enhancing community-based intelligence. The responsibility for the implementation of the Community-in-Blue Concept resides with the various Community Police Boards and Forums and not with the SAPS. The SAPS will, however, provide the Concept itself and facilitate the communication of the Concept to Community Police Boards and Forums, in all nine provinces. The Concept was initiated in all nine provinces, by the end of March 2021, achieving the set target. The number of Community-in-Blue patrollers confirmed, are 8 243, at the end of 2020/2021.

Although all provinces recruited Community-in-Blue patrollers, not all criteria for initiating the Community-in-Blue Concept has been achieved, including the completion of a formal registration form by patrollers, the screening and training of patrollers, the issuing of a jacket to all patrollers and



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a record of the deployment of all patrollers. An analysis will be conducted on the monitoring tools and new directives will be issued on the enhancement of the initiation process with patrollers already recruited and new patrollers still to be recruited. The Department will create a functionality on one of its systems, in order to monitor the deployment of patrollers.

The planned target, in respect of the Traditional Policing Concept was to initiate the Concept in one province, by 31 March 2021. Over the medium-term, the Traditional Policing Concept is planned to be initiated, in KwaZulu-Natal, the Eastern Cape, Limpopo and Mpumalanga Provinces, by 31 March 2023. Although the Traditional Policing Concept has been initiated, in the Mpumalanga Province, it has not been implemented in its totality, thereby, not achieving the target set for the 2020/2021 financial year. A work session was held, on 30 March 2021 with established structures, to assist the Mpumalanga Province with the implementation of the concept. Support and guidance will be provided with the compilation of a Provincial Traditional Implementation Plan, with set goals, for implementation, continuous engagement and the development of a monitoring tool to monitor the implementation of the Provincial Traditional Implementation Plan. The involvement of traditional leaders in the fight against crime can be seen as a force-multiplier (eyes and ears) of the SAPS. Major challenges affecting implementation is: that most traditional leaders are in deep rural areas where people live in poverty, due to the ailing economy, which places the responsibility on the SAPS, to provide for most or all engagements, which bring budget constraints to the Department; some cultural practices clash with the Constitution of the RSA and are seen as crime from SAPS' prescripts; and the unavailability of senior leadership, due to conflicting schedules and calendar of events.

The COVID-19 Pandemic impacts on the implementation of partnership projects, including traditional policing, spiritual crime prevention and other initiatives relating to the MoU due to poor community/stakeholder participation, no face-to-face meetings, venues not big enough to hold meetings, while observing social distancing, the unavailability of equipment to hold online meetings (from the traditional leaders' side), as well as benchmarking with other neighbourhood countries. Actions needed to address major challenges are the engagement with other departments responsible for traditional leaders for the procurement of equipment, e.g. laptops or cellular telephones, to enable virtual meetings, engagement with private partners for support, especially data, having systems in place to block data from being utilised on sites, other than those identified, the alignment of some of the events to those of traditional leaders to fast track engagement and the delegation of the responsibility to provincial offices.

The Safer Cities Concept, which is sometimes referred to as, "Smart City" or "Urban Safety", is a multidisciplinary and collaborative approach, involving a range of stakeholders from various sectors of Government, civil society and business. The ultimate goal is to have a crime-free city or district, in order to enhance the economic status of the identified precinct. The initiation of the Safer City Framework is a new performance indicator, from 2020/2021 and has been planned to be implemented at 10 pilot cities, by 31 March 2021. Up to the end of December 2020, the Safer City Framework has been initiated in all pilot cities, namely; Nelson Mandela Bay, in the Eastern Cape; Mangaung, in the Free State; Johannesburg and Tshwane, in Gauteng; eThekweni, in KwaZulu-Natal; Polokwane, in Limpopo; Witbank, in Mpumalanga; Kimberley, in the Northern Cape; Cape Town, in the Western Cape; and Rustenburg, in the North West. The easing of COVID-19 containment measures made it possible to initiate the concept, in all targeted pilot cities. Meetings were conducted between the SAPS and city municipalities and relevant role players where the Safer Cities Concept has been introduced. Steering committees and technical work stream task teams, with a Terms of References have been established in all cities and a draft project plan was compiled for each of the cities. One of the major challenges is the dependency on external role players for the attendance of meetings and the execution of project plans. An action to address major constraints is to develop the legal guidelines in the implementation plan of the project and engagement by the executive. An issue, which cuts across government departments, which requires solution is the development of a Cooperative Terms of Reference for Project Steering Committees and Technical Work Stream Task Teams. Recommendations to improve on the delivery of the MTSF, include the alignment of





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functions, the improvement of infrastructure and service centres, as well a capacity building. A key action required is the integration of resources, as per the draft project plan. A shared responsibility between all respective role players that is still to be finalised, is the finalisation and costing of project plans.

In support of a digital integrated process for the booking of accused persons, to obtain full person profiles and the identification and verification of all accused persons, witnesses and victims, in support of increased feelings of safety in communities and the utilisation of digital systems for multi-model biometric person identification and verification, a supplier was appointed to develop the Integrated Person Management System, on 28 August 2020. The development of the system is 8% completed.



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Outcome: Secured cyber space				
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020
Percentage of specialised cybercrime investigative support case files successfully investigated	Revised performance indicator (baseline to be determined)	65% specialised cybercrime investigative case files successfully investigated	55% of specialised cybercrime investigative support case files successfully investigated	80,22% (73 from a total of 91).
				65,05% (67 from a total of 103).

The 4IR implies significant technological advancements for the country, but also involves substantial risk. The threat to the South African economy and population posed by the malicious and criminal targeting of the cyberspace is significant and must be countered, through the appropriate development and implementation of legislative, policy, strategic and operational responses. These responses require a collaborative, preventive effort from all sectors, championed by the JCPS Cluster. Cybercrime has been described as being relentless and having a catastrophic impact on economic growth, jobs and investment. Providing specialised investigative support to prevent, combat and investigate cybercrime, requires high-speed analytical thinking and capability in digital forensics. Cyber-related crime case files refer to Internet-related fraud and contravention of the Electronic Communications and Transactions Act, 2002. The "case files finalised" refers to case files with an element of cyber-related crime, which has been fully investigated or where specialised investigative support has been provided. Severe human resource and technical capacity constraints affects future output of specialised cybercrime, which is exasperated by COVID-19-related evacuations, quarantine and absenteeism. Therefore, there is a need for an increase in human resource and technical capacity. The focus on cyber investigative methodologies and exposing existing constrained human resources to adequate skill development are not providing the intended results. An increase in human resource and technical capacity is required urgently. An issue which cuts across government departments is an all-inclusive programme of action, involving all relevant departments, to address cybercrime and cybersecurity and an integrated approach to cybercrime, supported by relevant legislation, is required to improve delivery on the MTSF (2019-2024). Key interventions required, are addressing the current fragmented approach in the SAPS and the approval of the proposed Cybercrimes Bill, which will ensure a safer and more secure cyberspace that underpins national security priorities. From 1 April 2020 to 31 March 2021, 65,05% or 67 from a total of 103 cyber-related crime investigative support case files were successfully investigated, within 90 calendar days, achieving the set target of 55%. An expeditious nature of the investigation required on requests received, enabled the focus on the reduction of backlog cases.

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2024 Impact: A better South Africa

Outcome: Increased foreign direct investment into South Africa				
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020 Actual achievement 2020/2021
Country obligation to Southern African Development Community (SADC) and AU fulfilled	New performance indicator (baseline to be determined)	-	90% of obligations fulfilled	98,57% (69 from a total of 70 members were deployed, in fulfilment of the obligations to SADC and the AU). 83,60% (418 from a total of 500 pledged members were on standby for deployment).

Over the next five years, Government will continue working towards global peace, people-centred development and prosperity for all. To create a better South Africa and to contribute to a better and safer Africa in a better world, the vision the South African Government aspires to, is one where South Africa, informed by its national interests, is a globally competitive economy and an influential and leading member of the international community. South Africa should be a key promoter and contributor to sustainable development, democracy, the rule of law, human rights and peace and security, within a safe, peaceful and prosperous Southern African Region and Africa, as well as a fair and just world. The NDP, 2030 and the MTSF (2019-2024) prioritise increased foreign direct investment into South Africa and increased regional and global integration.

In fulfilment of South Africa's obligations towards UN, AU and the SADC, the SAPS renders specialised policing services to neighbouring countries, in accordance with the UN Security Council Resolutions, AU Constitutive Act and SADC Agreements, as agreed by the RSA Cabinet. The duties during missions, include the protection of civilians, confidence and capacity building patrols in the Internally Displaced Persons Camps and Villages, monitoring and mentoring the local police on accepted standards of policing and monitoring crime investigation and security within the camps. According to the SADC Standby Force Agreement and other mandating authorities, a total of 500 members must be trained and on standby for deployment, annually, as per Cabinet approval.

As at the end of March 2021, a total number of 418 SAPS members were verified to be trained and on standby for deployment, as per Cabinet approval. A total number of 38 members were deployed, in 2020/2021, of which 34 returned during the same period. Four members are currently deployed.



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2024 Impact: Peaceful and secure continent

Outcome: Increased regional and global integration				
Performance indicator	Baseline	2024 target	Target 2020/2021	Actual achievement 2019/2020
Promote regional, global integration and improve peace, security and stability on the Continent	New performance indicator	100% compliance with all international commitments and requests for external missions (including political and diplomatic initiatives) in pursuit of regional, continental and international stability	100% compliance with all international commitments and requests for external missions (including political and diplomatic initiatives) in pursuit of regional, continental and international stability	Nine Police Liaison Officers are placed, in SADC countries, which include Zimbabwe, Namibia, Eswatini (Swaziland), Angola, the Kingdom of Lesotho, Botswana, the Democratic Republic of Congo, Zambia and Mozambique.

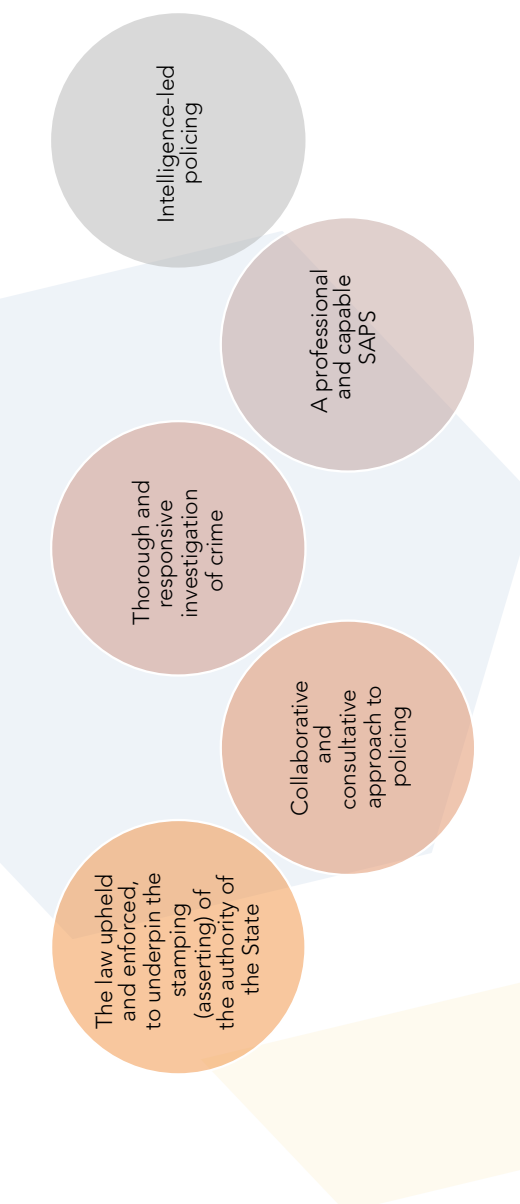
As part of efforts to address the challenges posed by transnational crime, police liaison officers are placed in strategic positions across the globe. Police liaison officers are attached to South African Embassies and High Commissions abroad and perform functions like the coordination of information on transnational organised crime, such as drug trafficking and terrorism-related investigations, the implementation of foreign policy in accredited countries, assisting South African Nationals, who are visiting accredited countries, who are victims or perpetrators of crime, provide feedback on requests regarding the tracing of wanted suspects, maximising operational intelligence effectiveness, through the International Criminal Police Organisation (INTERPOL) and the coordination of visits by SAPS members to host countries. The deployment of police liaison officers, results in the arrest of a large number of drug couriers at our international airports and elsewhere and can directly be attributed to the cooperation between the police liaison officers with other international law enforcement agencies.

Nine police liaison officers are currently placed, in SADC countries, which include Zimbabwe, Namibia, Eswatini (Swaziland), Angola, the Kingdom of Lesotho, Botswana, the Democratic Republic of Congo, Zambia and Mozambique. The deployment of two police liaison officers, to Malawi and Tanzania, will be guided by COVID-19 concessions. Pertaining to Mauritius, Madagascar and the Seychelles, the current threat is of such a nature that it will not be cost effective to deploy police liaison officers to these countries at this stage. There is also no South African Embassy or a High Commission, in the Seychelles and should the placement of a police liaison officer be required, in Mauritius, the appointed police liaison officer will also serve the Seychelles. An additional 13 police liaison officers are currently placed in RSA trade agreement countries, namely the United Kingdom, France, India, Nigeria, Pakistan, Brazil, Netherlands, Kenya, Thailand, Peru, Zimbabwe and Senegal. However, one police liaison officer has been approved for placement, in China, but the COVID-19 Pandemic is currently delaying the deployment of this police liaison officer. Apart from the challenges experienced, due to the COVID-19 Pandemic and language proficiency required by some police liaison officers, INTERPOL reports that they currently have an excellent working relationship with the Department of International Relations and Cooperation (DIRCO) and at the missions where police liaison officers are placed. The SAPS will interact with DIRCO pertaining to tailor-made language proficiency courses for approved placements to overcome language barriers.



STRATEGIC PLAN (2020-2025)

The SAPS' impact statement for 2020 to 2025, namely; "a safe and secure environment that is conducive for social and economic stability, supporting a better life for all", emphasises the crucial role that safety and security plays, within the overall social and economic development of the country, which is elaborated on within the MTSF (2019-2024), whose ultimate goal is a better life for all in South Africa. The improvement of safety and security requires an integrated, multisectoral response, however, the SAPS' constitutional mandate, as per Section 205(3) of the Constitution and the organisational vision, provide a clear indication that it has a leading role to play, in this regard. The SAPS has identified five outcomes that must be achieved, in order for the change, which is implied within the impact statement to be realised. These outcomes are aligned with the organisation's constitutional mandate and comprises four external outcomes and one internal outcome.



The SAPS included a number of perception-based performance indicators in its 2020-2025 Strategic Plan, which require the conducting of formal research. The relevant research-related processes will be completed, by the end of the 1st semester of 2021/2022 and the SAPS will, therefore, consider the publication of an Addendum to the 2021/2022 Annual Performance Plan, in order to communicate the required baselines and targets.

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Impact statement: A safe and secure environment that is conducive for social and economic stability, supporting a better life for all

Outcome performance indicator				
Outcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
The law upheld and enforced, to underpin the stamping (asserting) of the authority of the State	Public perceptions ²¹ of the SAPS' effectiveness ²²	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Increased feelings of safety in communities	Percentage of identified high crime or hotspot areas stabilised	New performance indicator (baseline to be determined)	100%	- ²³
Constitutionally grounded internal stability	Percentage of unrest crowd management incidents stabilised	100% (18 009) ²⁴	100%	100% (2 764) incidents stabilised.
Balance between trade and security at ports of entry ensured	Percentage effectively safeguarded and secured ports of entry	100% vehicles, containers and cargo profiled and searched (81 009) ²⁵	100%	100% (7 031) vehicles, containers and cargo profiled and searched.
Identified dignitaries and government interests, protected and secured	Percentage of complaints related to protection and security provided responded to	New performance indicator (baseline to be determined)	100%	100% (responded to one complaint related to protection and security provided) by Protection and Security Services. 100% (responded to four complaints related to protection and security provided) by Presidential Protection Services.

Outcome performance indicator				
Outcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Thorough and responsive investigation of crime	Levels of satisfaction ²⁶ with the SAPS' investigation of crime ²⁷	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.

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Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Improved perception of serious corruption in the public and private sectors ²⁸	Conviction rate for serious corruption in the private sector ²⁹	Revised performance indicator (baseline to be determined)	70%	97,96% (48 from a total of 49).
	Conviction rate for serious corruption in the public sector ³⁰	Revised performance indicator (baseline to be determined)	70%	100% (29 from a total of 29).
	Conviction rate for serious corruption in the JCPS Cluster	Revised performance indicator (baseline to be determined)	70%	91,57% (76 from a total of 83).
Increased feelings of safety in communities	Conviction rate for contact crime	82,45%	85%	83,44% (24 522 from a total of 29 388).
	Conviction rate for crimes against women	85,27%	88%	85,48% (9 293 from a total of 10 872).
	Conviction rate for crimes against children	82,54%	85%	81,94% (3 108 from a total of 3 793).
Reduced organised crime ³¹	Success rate for serious organised crime project investigations successfully closed	72% ³²	72%	78,57% (11 from a total of 14).
Improved investigation of serious commercial crime	Conviction rate for serious commercial crime ³³	Revised performance indicator (baseline to be determined)	93%	98,85% (38 411 from a total of 38 857).
Comprehensive utilisation of forensic investigative aids in the investigation of crime	Percentage reduction in outstanding forensic investigative leads ³⁴	6 348 ³⁵	22%	7,04% (522 from a total of 7 267).

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Outcome performance indicator				
Outcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Intelligence-led policing	End-user perceptions of the value-add of crime intelligence gathered, in respect of the prevention, combating and investigation of crime ³⁶	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
	Percentage of identified severe threats on the Threat Management System, successfully neutralised	12,6% ³⁷	15% ³⁸	The Department will reconsider the inclusion of the performance indicator in the Strategic Plan.
Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Crime intelligence gathered collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Percentage of intelligence reports that were operationalised	76% ³⁹	85%	83,68% (285 159 from a total of 340 784).
Counter-intelligence measures instituted in the SAPS	Percentage of employees in prioritised positions ⁴⁰ that have been vetted, in accordance with the Minimum Information Security Standards requirements of the post	100% (1 195) ⁴¹	100% ⁴²	125,43% (1 085 from a total of 865).
Enhanced external cooperation and innovation on police reform and security matters to prevent and fight crime	Percentage cross-border operations and arrests of identified transnational crime suspects facilitated, in relation to requests received	61% ⁴³	80%	66,44% (29 from a total of 45).

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Outcome performance indicator				
Outcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Collaborative and consultative approach to policing	Percentage households, who felt safe walking alone in their areas of residence during the day ⁴⁴ (StatsSA – Governance, Public Safety and Justice Survey (GPSJS) ⁴⁵	85% ⁴⁶	10% increase, per annum ⁴⁷	The relevant research-related processes were delayed by COVID-19.
	Percentage households, who felt safe walking alone in their areas of residence during the night ⁴⁸ (StatsSA – GPSJS) ⁴⁹	35% ⁵⁰	10% increase, per annum ⁵¹	The relevant research-related processes were delayed by COVID-19.
Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Increased feelings of safety in communities	Percentage of identified high crime or hotspot areas normalised The development of a Technical Indicator Description is dependent on the confirmation of the criteria for the identification of areas to be normalised and the criteria for the measurement of areas that have been normalised. These criteria will be developed in the first six months of 2020/2021 to inform the Technical Indicator Description.	New performance indicator (baseline to be determined)	100%	- ⁵²
Citizenry actively supporting the fight against crime	Levels of trust ⁵³ in the SAPS ⁵⁴	New performance indicator (baseline to be determined) ⁵⁵	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
Responsive policing of GBVF	Percentage of GBVF-related service complaints finalised within 30 working days	New performance indicator (baseline to be determined)	80%	66,56% (412 GBVF complaint files were finalised within 14 working days from a total of 619 received). 28,04% (30 Domestic Violence Act-related complaint files were finalised within three working days from a total of 107 received).



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Outcome performance indicator				
Outcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
A professional and capable SAPS	Public perceptions ⁵⁶ of the SAPS' professionalism ⁵⁷	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
	SAPS members' perceptions on the extent to which the police live up to the SAPS' Values ⁵⁸	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Ensure an effective and adequately resourced policing capability, in response to the demand	Percentage distribution of resources, in relation to the resource distribution criteria ⁵⁹	New performance indicator (baseline to be determined)	100%	The baseline information will be determined.
	Annual impact assessment on identified SAPS training	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	⁶⁰ The SAPS commenced with the following three impact studies, which are 90% finalised: Crime Prevention Learning Programme Station Management Learning Programme Task Force Learning Programme: Weapon Phase
	SAPS member' perceptions ⁶¹ on the extent to which the SAPS cares about the well-being of its employees ⁶²	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.
	Number of new service points established to improve access to policing	New police stations – 4 ⁶³ Mobile contact points procured – 15 ⁶⁴	New police stations – 22 Mobile contact points procured – 75	0 15
Ethics and integrity institutionalised within the SAPS	SAPS members' perceptions ⁶⁵ of ethics and integrity within the SAPS ⁶⁶	New performance indicator (baseline to be determined)	Dependent on the determination of a baseline	The relevant research-related processes were delayed by COVID-19.

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Suboutcome performance indicators				
Suboutcome	Performance indicator	Baseline	5-year target	Actual achievement 2020/2021
Sound corporate governance	Percentage compliance with the SAPS' Corporate Governance Framework ⁶⁷	New performance indicator (baseline to be determined)	100%	The Corporate Governance Framework was developed and submitted to the Accounting Officer, on 26 March 2021.
	Audit opinion on the SAPS' annual predetermined objectives and financial statements by the AGSA	The AGSA did not provide a qualified opinion on predetermined objectives, in the 2018/2019 Annual Report of the Department. The AGSA expressed a qualified opinion on the SAPS' Financial Statements as reflected in the 2018/2019 Annual Report.	Clean audit by the AGSA for the Department, in respect of predetermined objectives and financial statements	Material findings on the reliability and usefulness of reported performance information were reported on the audit of predetermined objectives. The AGSA expressed an unqualified audit opinion with no material findings on the SAPS' Financial Statements.



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4. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

REVISION OF THE ANNUAL PERFORMANCE PLAN, 2020/2021

The Annual Performance Plan for the SAPS, 2020/2021 was tabled, in March 2020. This Plan was implemented, during quarter 1 of the 2020/2021 financial year. The DPME, within the Presidency, directed the revisiting of the planning process, requiring all government entities to re-assess their strategic and annual plans, which were developed, prior to the onset of the 2020/2021 financial year. The SAPS undertook a review of its Annual Performance Plan 2020/2021, within the context of two key variables, the first being the current and estimated future impact of COVID-19 on its strategic and annual priorities and the second variable being the Special Adjustment Budget, which was necessitated by Government's prioritisation of the COVID-19 Pandemic and subsequent re-prioritisation of the Estimates of National Expenditure. The Annual Performance Plan 2020/2021 was re-tabled, in July 2020. The re-tabled Annual Performance Plan (Addendum) was implemented, from quarter 2 of the 2020/2021 financial year. Revisions were made to the outputs/output indicators/annual targets within Programmes 1, 2 and 4. The actual achievements for quarter 1 for output indicators, as per the originally tabled Annual Performance Plan, that were revised in the Addendum to the Annual Performance Plan for Programmes 1, 2 and 4 are reflected in tables 1, 3 and 7 and also reflect the reasons for the revisions. The actual achievements for the 2020/2021 financial year for output indicators, as per the Addendum to the Annual Performance Plan for all Programmes are reflected in tables 2, 4, 5, 6, 8, 9 and 10.

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1. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

PERFORMANCE INFORMATION BY PROGRAMME

4.1 PROGRAMME 1: ADMINISTRATION

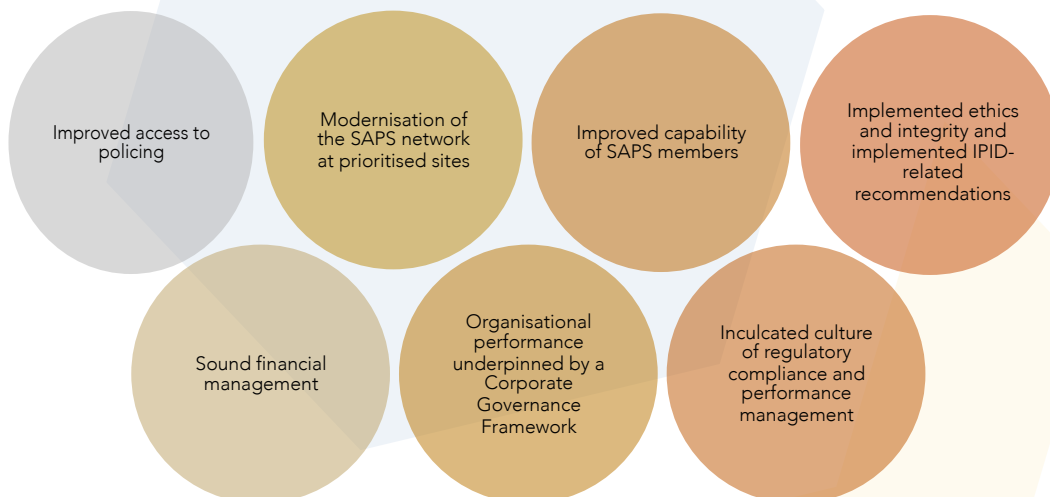
PROGRAMME OVERVIEW

The purpose of the Administration Programme is to provide strategic leadership, management and support services to the Department. The programme objective is to regulate the overall management of the Department and provide centralised support services.

The Administration Programme comprises the following subprogrammes:

- > Ministry
- > Management
- > Corporate Services

The outcome that relates directly to the Administration Programme is - A professional and capable SAPS, which includes the suboutcomes - Ensure an effective and adequately resourced policing capability, in response to the demand; Ethics and integrity institutionalised within the SAPS and sound corporate governance. The output - Improved regulation of firearms, which links to the outcome - The law upheld and enforced, to support the stamping (asserting) of the authority of the State, is also related to Programme 1, as it addresses the safeguarding of SAPS-owned firearms. The following outputs relate to a professional and capable SAPS:



OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 1: Actual performance against targets for quarter 1, 2020/2021 against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Reduced availability of illegal firearms	Improved regulation of firearms	Number of SAPS-owned firearms reported as stolen/lost	800	607	672	Reduce to 577 (10%)	144	121	23	The implementation of relevant legislative requirements when matters of lost firearms materialise. The monitoring of progress through the loss and the recovery of firearms (letters on the loss of firearms and follow-up monitoring letters of reported losses, for the 4 th quarter, 2019/2020 and the 1 st quarter, 2020/2021), were sent to Provincial and Divisional Offices).	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1 2020/2021	Deviation from planned target, in quarter 1, to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Reduced availability of illegal firearms	Improved regulation of firearms									Biannual inspections and the certification of all official firearms. Some members were confined to their place of residence during hard lockdown during the COVID-19 Pandemic.	
	Improved access to policing	The number of contact points established, as per the SAPS Infrastructure Development Programme, including: new police stations	1	1	2	2	0	0	-	This is an annual target in the Department's Annual Performance Plan and comprehensive progress will be available, at the end of the 2020/2021 financial year.	The establishment of mobile contact points was separated from the initial performance indicator, as they do not feature on the SAPS Infrastructure Development Programme, hence the use of "police stations".
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand											
		The number of new contact points established, as per the SAPS Infrastructure Development Programme, including: mobile contact points procured	15 new mobile contact points distributed.	Nine new mobile contact points distributed.	0 mobile contact points procured.	15	0	0	-	This is an annual target in the Department's Annual Performance Plan and comprehensive progress will be available, at the end of the 2020/2021 financial year.	



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Modernisation of the SAPS network and prioritised sites	Number of identified digital radio communication infrastructure sites modernised and implemented	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	26 high sites.	45 high sites	-3 high sites	0 high sites.	-3 high sites	The bid publication was delayed, within the Supply Chain Management Division, due to the COVID-19 Pandemic.	The target, for 2020/2021 was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting internal process related to contract management, restricting access to suppliers and the activities of suppliers.
			New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	0 Wide Area Network (WAN) sites.	488 WAN sites	29 WAN sites	0 WAN sites.	-29 WAN sites	Delays in receiving the revised quotations from SITA.	The target, for 2020/2021 was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting internal process related to contract management, restricting access to suppliers and the activities of suppliers.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Organisational performance underpinned by a Corporate Governance Framework	Developed Corporate Governance Framework	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	Developed Corporate Governance Framework, by 31 March 2021	-	-	-	This is an annual target in the Department's Annual Performance Plan and comprehensive progress will be available, at the end of the 2020/2021 financial year.	The output indicator was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting access to internal and external stakeholders for the purposes of consultation.
A professional and capable SAPS: » Sound Corporate Governance	Inculcated culture of regulatory compliance and performance management	Percentage of audits completed, in terms of the Internal Audit Plan	100% (236 from a total of 236). A total number of 14 audits were deferred and was discounted from the target.	100% (227 from a total of 227). A total number of nine audits were deferred and was discounted from the target.	84,34% (140 from a total of 166).	100% (160)	6,88% (11)	6,25% (10 from a total of 160).	-0,63% points	COVID-19 negatively impacted on the performance, as process owners and other relevant members worked remotely, as a result of SAPS buildings being decontaminated. In other instances, members and process owners were on annual leave avoiding forfeiture of their annual leave days.	The annual target was adjusted, as the Internal Audit Component was redirected by SAPS Management to prioritise audits related to COVID-19 prescripts.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
A professional and capable SAPS: » Sound Corporate Governance	Inculcated culture of regulatory compliance and performance management	Percentage of inspections executed, in terms of the approved Inspection Plan	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	100% (309)	18,12% (56)	0,32% (1 from a total of 309).	-17,80% points	The deviation from the initial first quarter inspection planning, was due to requests from the National Steering Committee, to ensure compliance with the directives and protocols that were applicable to the COVID-19 Pandemic (to conduct random compliance inspections on the distribution and the utilisation of Personal Protective Equipment (PPE) and adherence to the containment and management of COVID-19 instructions).	The annual target was adjusted, as the Inspectorate Division was redirected by SAPS Management to prioritise inspections related to compliance with COVID-19 prescripts. The advent of COVID-19 lockdown levels 5 and 4 placed restrictions on travelling and accommodation which hindered inspection methodology and activities.

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Table 2: Actual performance against targets, for 2020/2021, against the re-tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Reduced availability of illegal firearms	Improved regulation of firearms	Number of SAPS-owned firearms reported as stolen/lost	800	607	672	Reduce to 605 ⁶⁸ (10%)	566	39	Target achieved. Less firearms were stolen/lost, due to the COVID-19 lockdown, resulting in a decline of crimes committed against members including, but not limited to, housebreaking, robbery and negligence.
	Improved access to policing	The number of new police stations established, as per the SAPS Infrastructure Development Programme	1	1	2	2	0	-2	Target not achieved. The use of the previously appointed consultants was not approved by National Treasury. The non-availability of registered professionals within the SAPS, had a negative effect on the finalisation of the tender processes. The acquiring of services from the Department of Defence and the Department of Correctional Services were unsuccessful..
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand									



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Improved access to policing	The number of mobile contact points procured	15 new mobile contact points distributed.	Nine new mobile contact points distributed.	0 mobile contact points procured.	15	15 mobile contact points procured.	0	The deviation submitted to the National Treasury for the use of internal resources was not approved. The delay of the connection of electricity by ESKOM specialised services (mechanical and electrical), could not be executed by internal resources (Infrastructure Maintenance Services), due to a lack of expertise.
	Modernisation of the SAPS network prioritised sites	Number of identified digital radio communication infrastructure sites modernised and implemented ^{46/9}	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	26 high sites.	3 high sites	5 high sites.	2 high sites	Target achieved. The Department made use of quotations, in order to prevent delays in the modernisation of high sites. The additional two high sites were in critical stage and needed urgent attention. Springs high site was closed down.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Modernisation of the SAPS network prioritised sites	Number of identified National Network Communication Infrastructure sites modernised and implemented	New performance indicator, in 2017/2018.	New performance indicator, in 2018/2019.	0 WAN sites.	65 WAN sites	15 WAN sites.	-50 WAN sites	As a result, an alternative high site was needed to improve radio communication. Therefore, Wedela had to be erected, as a matter of urgency. Urgent security upgrades had to be done at Lefaragatha, due to vandalism. Target not achieved. SITA tasking was initiated and completed, in the 2018/2019 financial year. SITA submitted quotations, in 2019/2020. However, after the SAPS noted the errors on the quotations received from SITA it were sent back to SITA for rectification. The SAPS had earmarked 65 WAN sites to be modernised, based on the fact that SITA had initially indicated that the service tender was in place and service providers were ready for implementation.



ANNEXURE IP18

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Modernisation of the SAPS network prioritised sites								The SAPS issued Government Orders, in 2020/2021 where after SITA indicated to the SAPS that the services tender was cancelled stating issues raised by their internal Supply Chain Management. SITA republished the service tender, in 2020/21, which led to the target not being achieved. For the sake of progress it was then agreed to use SITA internal resources to carry out the work, whilst awaiting the awarding of the service contract.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Improved capability of SAPS members	Percentage of learners assessed and declared competent upon completion of specified training in prioritised training areas:							
		Crime Prevention	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	99,97% (A total number of 30 020 learners were trained and 30 012 were declared competent).	97% of learners assessed and declared competent ⁷⁰	100% (A total number of 655 learners were assessed and all were declared competent).	3,00% points	Target achieved. All learners, who were trained, were assessed and declared competent.
		Crimes committed against women and children	99,66% (A total number of 11 007 learners were trained and 10 970 were declared competent).	99,54% (A total number of 8 663 learners were trained and 8 623 were declared competent).	99,73% (A total number of 8 244 learners were trained and 8 222 were declared competent).	97% of learners assessed and declared competent	99,65% (A total number of 1 432 learners were assessed and 1 427 were declared competent).	2,65% points	Target achieved. Additional courses were added to the Training Provisioning Plan (TPP).
		Crime Investigations	99,21% (A total number of 8 857 learners were trained and 8 787 were declared competent).	99,40% (A total number of 9 002 learners were trained and 8 948 were declared competent).	99,00% of (A total number of 9 509 learners were trained and 9 414 were declared competent).	97% of learners assessed and declared competent	99,70% (A total number of 1 640 learners were assessed and 1 635 were declared competent).	2,70% points	Target achieved. Additional courses were added to the TPP.
		Percentage of learners assessed and declared competent upon completion of specified training in specialised capabilities:							
		Public Order Policing	99,73% (A total number of 7 405 learners were trained and 7 385 were declared competent).	99,81% (A total number of 7 202 learners were trained and 7 188 were declared competent).	99,87% (A total number of 10 546 learners were trained and 10 532 were declared competent).	97% of learners assessed and declared competent	100% (A total number of 459 learners were assessed and all were declared competent).	3,00% points	Target achieved. All learners, who were trained, were assessed and declared competent.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ensure an effective and adequately resourced policing capability, in response to the demand	Improved capability of SAPS members	Forensic Science	99,04% (A total number of 10 584 learners were trained and 10 482 were declared competent).	97,62% (A total number of 4 042 learners were trained and 3 946 were declared competent).	97,81% of (A total number of 2 465 learners were trained and 2 411 were declared competent).	97% of learners assessed and declared competent	98,33% (A total number of 180 learners were assessed and 177 were declared competent).	1,33% points	Target achieved. Additional courses were added to the TPP.
		Crime Intelligence	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	99,50% of (A total number of 1 202 learners were trained and 1 196 were declared competent).	97% of learners assessed and declared competent	100% (A total number of 52 learners were assessed and all were declared competent).	3,00% points	Target achieved. All learners, who were trained, were assessed and declared competent.
		Cybercrime	New performance indicator, in 2018/2019.	99,60% (A total number of 1 243 learners were trained and 1 238 were declared competent).	99,78% of (A total number of 903 learners were trained and 901 were declared competent).	97% of learners assessed and declared competent	100% (A total number of 128 learners were assessed and all were declared competent).	3,00% points	Target achieved. All learners, who were trained, were assessed and declared competent.
A professional and capable SAPS: » Ethics and integrity institutionalised within the SAPS	Implemented ethics and integrity	Percentage compliance ⁷¹ with the SAPS' Ethics and Integrity Plan ⁷²	New performance indicator in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	100% compliance, within prescribed time frames » 100% Senior Management Service (SMS) financial disclosures submitted to the Public Service Commission, by 31 May 2020.	100% or all 830 SMS members submitted, by 31 May 2020.	0% points	Overall target not achieved.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ethics and integrity institutionalised within the SAPS	Implemented ethics and integrity » Ethics and integrity institutionalised within the SAPS					100% compliance, within prescribed time frames » 100% Middle Management Service (MMS) financial disclosures submitted to the Head of Department, by 31 July 2020.	99,70% (2 328 from a total of 2 335 MMS members submitted, by 31 July 2020.	-0,30% points	Newly appointed MMS members could not submit their financial disclosures on time, due to the time lapse of the Personnel and Salary (PERSAL) System to update the E-disclosure System, which takes up to 60 days. Concession was received from the DPSA.
						100% compliance, within prescribed time frames » 100% Financial Management and Supply Chain Management financial disclosures submitted to the Head of Department, by 31 July 2020.	95,93% (10 625 from a total of 11 076 specific occupational categories (financial management and supply chain management) submitted, by 31 August 2020.	-4,07% points	Access to the E-disclosure System and technical difficulty were experienced by some officials in specific occupational categories. The number of officials that need to submit within short time frame of one month, as well as rotational duties, related to COVID-19.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS; » Ethics and integrity institutionalised within the SAPS	Implemented ethics and integrity					100% compliance, within prescribed time frames » Submission of SAPS certificate on remunerative work to the Head of Department, by 31 December 2020.	The SAPS certificate on remunerative work was submitted to the Head of the Department, by 31 March 2021.	-3 months	A total number of 15 220 lower level personnel have been registered on the E-disclosure System. Of these 4 144 still needs to be removed from the System by the DPSA, due to resignations, changes to job assignments/registered as additional staff not resorting in the designated categories and deceased members. Some Provinces and Divisions submitted their certificates after the due date, due to the unavailability of members, as a result of COVID-19. All certificates were however submitted by end of the financial year after inspections and interventions were conducted.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Ethics and integrity institutionalised within the SAPS	Implemented ethics and integrity					100% compliance, within prescribed time frames » 16 ethics and integrity advocacy and awareness programmes completed	100% (A total number of 71 ethics and integrity advocacy and awareness programmes were completed, including 59 advocacy and ethics interventions focusing on ethics, in terms of COVID-19 operations and 12 general advocacy and ethics interventions).	-	More integrity advocacy and awareness programmes were completed than planned for, due to COVID-19 operations, as well as additional requests from business units.
	Implemented IPID-related recommendations	Percentage of IPID-related cases finalised within the prescribed time frame	85,08% (154 from a total of 181). A total number of 11 cases were still pending within 60 calendar days.	90,45% (161 from a total of 178). A total number of 22 cases were still pending within 60 calendar days.	90,36% (178 from a total of 197). A total number of 37 cases were still pending within 60 calendar days.	90% within 60 calendar days	95,12% (117 from a total of 123). A total number of 20 cases were still pending within 60 calendar days.	5,12% points	Target achieved. Early warning systems were developed to expedite the finalisation of the IPID cases. Monitoring tools were developed to ensure compliance. Performance letters were sent to underperforming Provinces/Divisions to improve performance.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Sound Corporate Governance	Sound financial management ⁷³	Number of incidents of unauthorised expenditure	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	Zero incidents	Zero incidents.	Zero incidents	Target achieved.
	Percentage decrease in the number of incidents of:								
		Irregular expenditure	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	Decreased, by 66,67% from 24 confirmed cases, in 2019/2020, to 8 confirmed cases, in 2020/2021.	61,67% points	Target achieved. National intervention roadshows were conducted in all Provinces and a virtual session was conducted with Divisions.
		Fruitless and wasteful expenditure	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	Decreased, by 23,40%, from 47 confirmed cases, in 2019/2020, to 36 confirmed cases, in 2020/2021.	18,40% points	Target achieved. Compliance to prescripts relating to fruitless and wasteful expenditure.
	Organisational performance underpinned by a Corporate Governance Framework	Developed Corporate Governance Framework ⁷⁴	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	Developed Corporate Governance Framework, by 31 March 2021	The Corporate Governance Framework was developed and submitted to the Accounting Officer, on 26 March 2021.	-	Target achieved.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Sound Corporate Governance	Inculcated culture of regulatory compliance and performance management	Percentage of audits completed, in terms of the Internal Audit Plan	100% (236 from a total of 236). A total number of 14 audits were deferred and was discounted from the target.	100% (227 from a total of 227). A total number of nine audits were deferred and was discounted from the target.	84,34% (140 from the total 166).	100% (134)	80,60% (108 from a total of 134).	-19,40% points	Target not achieved. The Audit Committee approved Internal Audit's request to reduce its audits, due to the impact of COVID-19. Furthermore, SAPS Management requested Internal Audit to address the qualification issued by the AGSA on the performance information and network assets. As a result, the set target in the Internal Audit Plan was amended from 153 audits to 134 audits. A total number of 24 audits were finalised, in April 2021. Target achieved.
		Percentage of planned forensic investigations finalised ⁷⁵	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	75,00% (6 from a total of 8).	100% (8)	100% (8 from a total of 8).	0% points	



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
A professional and capable SAPS: » Sound Corporate Governance	Inculcated culture of regulatory compliance and performance management	Percentage of inspections executed, in terms of the approved Inspection Plan	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	100% (231)	133,33% (308 from a total of 231).	33,33% points	Target achieved. Additional inspections were executed that were not part of the target, requested by the Offices of the Minister, the Deputy Minister, the National Commissioner and the Deputy National Commissioners/Provincial Commissioners. These inspections focused on service delivery issues identified by the various offices.

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SERVICE DELIVERY ACHIEVEMENTS

ADMINISTRATIVE BUSINESS UNITS

Key Focus Areas

- » The Supply Chain Management Division is responsible for the design, planning, execution, control and monitoring of supply chain activities in the delivery of goods and services, with the objective of creating net value and providing oversight and coordination of information and finances within the supply chain environment. It also includes the acquiring and disposing of all goods, services, the construction of works, vehicles and movable property. It involves the management of working capital invested in goods, stores and services, with the objective of optimising the economic return on such investment with the proper planning of the budget phase, careful product/service/supplier selection and management. Furthermore, is an integral part of prudent financial management. It introduces best practice principles, while addressing Government's preferential procurement policies and objectives.
- » The Technology Management Services Division is responsible for infrastructure systems management, e.g. crime administration and crime investigation systems, technology infrastructure management, e.g. WAN and Local Area Network (LAN) and technology governance management, e.g. information security.
- » The Human Resource Development Division is responsible for the Education, Training and Development (ETD) of all personnel of the SAPS.
- » The Financial Management and Administration Division is responsible for the effective and efficient management of the facets of the financial function, within the broad framework of the Department's strategies and plans and contributes to the Department's objectives, through the performance of budgeting, accounting, reporting and corporate governance.
- » The Inspectorate Division is responsible for the professional knowledge-based management of inspections, focusing on non-compliance and/or poor performance of the organisation towards achieving its constitutional objectives.

IMPROVED REGULATION OF FIREARMS

Firearms stolen or lost by individual owners, private collectors, hunters, sports shooters, government departments, including the police and private institutions, such as private security providers and guards, enter the illegal firearms pool. These firearms often become unlicensed, illegally owned and diverted to the underground firearms market, where they are sold, traded and used in violent crimes. The negligent loss of SAPS-owned firearms and in instances when service firearms are forcefully taken or stolen from members by criminals, is a major concern, as these firearms are invariably used in the perpetration of crimes that undermine communities' feelings of safety, due to increased levels of violent crime and the perceptions that the SAPS is not able to completely control this critical resource. Firearms issued to SAPS members are regulated for safety purposes. Any negligent loss of firearms are to be dealt with through disciplinary proceedings. The number of SAPS-owned firearms stolen/lost, decreased, by 15,77%, from 672, in 2019/2020 to 566, in 2020/2021.

IMPROVED ACCESS TO POLICING

The increasing of access to the policing services provided to communities will enhance the SAPS' geographical footprint. Over the medium-term, the SAPS plans to establish 10 new police stations, of which two were to be established, in 2020/2021, namely; Mabeskraal and Moeka Vuma, in the North West Province. The finalisation of the two planned projects was hampered by the use of previously appointed consultants that were not approved by National Treasury, the non-availability of registered professionals within the SAPS, that negatively impacted on the finalisation of the tender processes, the unsuccessful acquiring of services from the Department of Defence and the Department of Correctional Services, the non-approval of the deviation submitted to the National Treasury for the use of internal resources and the delay of the connection of electricity by ESKOM. These projects were 80% completed, by the end of March 2021.



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Mobile Community Service was introduced to improve police presence, to ensure accessibility, to enhance service delivery in crime hotspots and to enhance and strengthen the relationship between communities and the police. In 2018/2019, 15 chassis cab trucks were procured. The bid for conversion of the chassis cab trucks into mobile contact points was advertised, on 13 March 2019. The bid was cancelled, on 24 February 2020 and no chassis cab trucks could be procured, in the 2019/2020 financial year. A new requirement was submitted, on 3 March 2020 for the establishment of a conversion contract. The contract was only awarded, in December 2020. A total number of 12 of the 15 mobile contact points were converted and delivered to the SAPS, but have not been distributed, by the end of March 2021. The planned target was to procure 15 mobile contact points.

Feedback, in terms of a recommendation by the PCoP, that the SAPS request additional funding to get its infrastructure plans back on track.

- » The delay in the execution of infrastructure projects was not necessarily due to budget constraints, but due to the change of priorities and procurement strategies, including the impact of COVID-19 on the construction industry.
- » However, a submission will be made for additional funding for the security upgrades, repair and upgrade of police stations and the finalisation of the placement of VFRs at non-devolved police stations, in 2022/2023.
- » This will include the activation of the provincial top five priorities for the construction of police stations and satellite police stations to cover the backlog of all the outstanding projects, that have not been activated.
- » The budget for 2021/2022, has been fully committed and additional projects cannot be activated, due to capacity constraints, e.g. the non-availability of construction project managers and other professionals, e.g. civil, structural and mechanical engineers.
- » The work study investigation for the establishment of SAPS provincial maintenance units is in progress and these units will enhance the acceleration of the building programme.

MODERNISATION OF THE SAPS NETWORK AND PRIORITISED SITES

A total number of five digital radio communication high sites have been modernised/implemented, in 2020/2021, against a set target of three. Two additional high sites, namely; Wedela and Lefaragatlha were in critical stage and needed urgent attention.

Furthermore, a total number of 15 of the 65 planned identified National Network Communication Infrastructure sites (WAN sites) were modernised and implemented. The SITA tasking was initiated and completed, in the 2018/2019 financial year. SITA submitted quotations, in 2019/2020. However, after the SAPS noted errors on the quotations received from SITA, it was sent back to SITA for rectification. The SAPS had earmarked 65 WAN sites to be modernised, based on the fact that SITA had initially indicated that the service tender was in place and service providers were ready for implementation. The SAPS issued Government Orders, in 2020/2021, whereafter SITA indicated to the SAPS that the services tender was cancelled, stating issues raised by their internal Supply Chain Management. SITA republished the service tender, in 2020/2021, which led to the target not being achieved. For the sake of progress, it was then agreed to use SITA internal resources to carry out the work, whilst awaiting the awarding of the service contract.



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Achievements, in terms of infrastructure systems management, technology infrastructure management and technology governance management, are as follow:

INFRASTRUCTURE SYSTEMS MANAGEMENT

- » All SAPS operational systems were on average 90% available, maintained and supported by SITA.
- » MySAPS App Phase 3 development was completed. The following functionalities are at user acceptance testing phase:
 - > Push Notification:- to inform communities on incidents/events/general knowledge.
 - > Service complaints incident reporting.
 - > Unstructured Supplementary Services Data (USSD Code *134*10111#) languages, in addition to the existing languages, namely; English and Pedi: Southern Sotho, Zulu, Afrikaans, Tsonga, Ndebele, Xhosa, Venda and Tswana.
 - > Unknown persons, published under the People of Interest Module.

Control Document, Release 2: Integrated Control Document; Release 2: Solution Architecture; Release Data 2: Security Architecture; Release 2: Data Architecture; Release 1: Functional Design Specification

- » SITA formally appointed the supplier for the development of the Integrated Persons Management System, on 25 November 2020 and the following deliverable was completed: Release 1: Solution Architecture; Release 1: Data Architecture; Release 1: Security Architecture; Release 1: Integrated Control Document; Release 2: Integrated Control Document; Release 2: Solution Architecture; Release 2: Security Architecture; Release 2: Data Architecture; Release 1: Functional Design Specification.
- » The integration of the Circulation System (Persons), through the Department of Home Affairs, enables the validation of the true identification of a person. Validated information is then used on the Circulation System, for both wanted and missing persons. The data integrity of person information captured, is higher and the investigation officer has access to more reliable data. This integration also prevents the circulation of persons that are deceased.
- » Reports on Domestic Violence and Gangster Analysis on the Management Information System, enhanced to detail the capability created for a user to obtain a report instantly for all cases, where the gangster-related or domestic violence-related indicators were marked within specified periods. The development is now providing much more detail to unit commanders and investigation officers, when analysing domestic violence and gangster-related incidents, minimising the time taken to search for related incidents and specific case detail for reporting.
- » The Electronic Distribution Document (EDD) function was enhanced, tested and successfully implemented, in September 2020, whereby employees now receive their payslips electronically, either through official/private e-mails or official/private cell phones, depending on members' payslip indicator option selected on the Personnel and Salary Sub System (PERSAP). This endeavour equates to an approximate saving of R1 383 900.00, per month. The physical printing, the packaging and distribution of payslips took an average of 10 days to be delivered to the respective recipients. Distribution, via EDD, takes approximately six hours for uploading and distribution.
- » Enhancements developed and implemented on the CAS/ICDMS, during 2020/2021, include 12 new Short Message Service notifications to complainants/victims, to keep the complainant/victim informed of progress on the case they registered. This project is also aimed at reducing the number of complaints against the SAPS by complainants/victims, as they are not aware of what the status of their cases are.
- » A new command centre for the National Operational Command Centre (NOCC) for the COVID-19 Pandemic was established.
- » Call centres were established for the SAPS Legal Services, to assist SAPS personnel to interpret and understand the COVID-19-related regulations, as well as for SAPS Employee Health and Wellness (EHW), to support SAPS families, when encountering COVID-19 cases.

TECHNOLOGY INFRASTRUCTURE MANAGEMENT

- » A total of 171 video conferencing units were procured, all of which have been installed and operationalised at 121 sites, nationally. The COVID-19 Pandemic placed a lot of pressure on the SAPS and the organisation needed to swiftly respond to operational incidence, while the whole country was on complete lockdown. The installation of video conferencing units enabled personnel to continue some of its operations, virtually.

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- » End-User Equipment were on average 90% operational, maintained and supported by SITA.
- » The Smart ICT National Operational Centre was operational and maintained.
- » The bandwidth capacity was upgraded, at 77 sites, ensuring modernisation of the SAPS communication capability, consisting of data and images/videos, including Internet Protocol Telephony (voice and video).
- » A total number of 597 radio communication high sites, in eight Provinces and 82 Terrestrial Trunked Radio Communication high sites, for the Gauteng and the Eastern Cape Provinces, were maintained.

TECHNOLOGY GOVERNANCE MANAGEMENT

The 4IR Task Team was established, led by the Technology Management Services Divisional Commissioner. Furthermore, the concept document articulating the organisational intent, in relation to 4IR, was also compiled and approved by the National Commissioner. The concept document was adopted by the Ministry of Police, as part of the Minister's Programme of Action on how SAPS should respond to the demands of the 4IR era for effective policing.

A programme was also initiated that focuses on the alignment of its technology-related services, with the intention to purposefully enabling SAPS operational initiatives in policing and service delivery. This is done as part of the Divisional Corporate Renewal Strategy, where information technology service management and digital transformation are cornerstones of the endeavours towards effective policing and focused alignment of the technology strategy with the business strategy at a corporate level.

ENSURE AN EFFECTIVE AND ADEQUATELY RESOURCED POLICING CAPABILITY, IN RESPONSE TO THE DEMAND

It is imperative that the Department manages its human resources, to ensure the effective, economic and equitable distribution and use of all human resources, to ultimately be able to deliver on the core objectives of the SAPS. An enlistment plan is compiled annually, according to the allocated budget and the set targets and priorities, which are contained in the Estimates of National Expenditure, in order to ensure that targets have been achieved by the end of the financial year. The target was to maintain a minimum workforce of 98%, in terms of the establishment target of 181 344⁷⁶. The Department managed to maintain a staff compliment of 100,43% or 182 126, in relation to the target of 181 344.

Due to major in-year cuts in the compensation budget of the SAPS by National Treasury, as well as the COVID-19 Pandemic, the filling of posts were placed in abeyance. Only limited interventions could be executed, in an attempt to supplement the workforce, especially in terms of frontline operational environments. The early retirement initiative of Government contributed to the 7 572 personnel, who exited the Service.

The SAPS allocation for entry level appointments, in 2020/2021, was 3 600. A total of 3 000 posts were earmarked for the recruitment of SAPS Act Police Trainees, of which 2 511 or 83,70% posts were filled and 600 posts were earmarked for the recruitment of Public Service Act personnel, of which 395 were filled (65,83%).

A total of 4 201 vacant posts were advertised, in 2020/2021. Following major in-year cuts in the compensation budget of the SAPS by National Treasury, funding to fill such posts had to be reprioritised and the filling of the posts were placed on hold. A total of 976 or 100% posts were filled within the prescribed time frame, after funding to the effect were re-appropriated. A total number of 3 225 were still pending within the prescribed time frame.

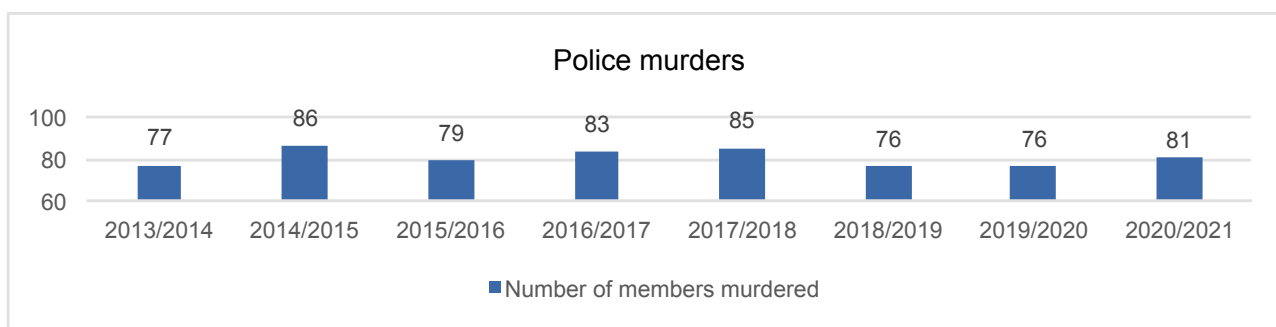
A total of 349 PSA employees received grade progression. The grade progression for PSA members, for 2020/2021, has been deferred, due to major budget cuts in the compensation budget of the SAPS by National Treasury. The implementation of the relevant grade progressions will again be considered, during 2021/2022, subject to the availability of funds.

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Retirements contributed significantly towards the number of exits recorded, in 2020/2021, followed by resignations and deaths. Retirements increased from 1 256, in 2019/2020 to 2 538, in 2020/2021, due to the early retirement without penalisation of pension benefits initiative. Resignations decreased from 2 257, in 2019/2020 to 1 540, in 2020/2021. Deaths increased significantly from 897, in 2019/2020 to 1 435, in 2020/2021, due to the COVID-19 Pandemic. The most prominent reasons for employees resigning from the Service was due to more lucrative work prospects, including better compensation opportunities.

A total number of 81 police members were murdered, 31 on duty and 50 off duty, during 2020/2021, compared to 76 members murdered, in 2019/2020, an increase of 6,58%. Of the total number of 81 police members killed, during the 2020/2021 financial year, 68 or 83,95% police members were male and 13 or 16,05% were female. The Provinces that were mostly affected with police murders, on and off duty, were KwaZulu-Natal, with 21 murders, the Eastern Cape, with 16 murders, the Western Cape, with 17 murders and Gauteng, with nine murders. On duty murders occur when members are attending to complaints, search suspects, respond to complaints, apprehend suspects and during police actions (stop-and-searches, etc.). The implementation of the National Police Safety Strategy, approved, in May 2019 and the development of preventative plans, to enhance operational readiness, in order to mitigate the risk of murders and attacks towards on-and-off duty police members, falls within the responsibility of the Visible Policing Division.



The SAPS has 54 179 transport assets, including 50 150 vehicles, 34 aircrafts, 136 boats, 143 machinery (e.g. forklifts), 972 motorcycles and 2 744 trailers. The SAPS has an approved norm of an average of 4.51 personnel, per vehicle for effective policing in the country. The ratio, at the end of March 2021, was 3.63:1, based on 50 150 motor vehicles and 182 126 personnel.

Transport asset distribution

Province	Vehicles	Aircrafts	Boats	Machinery	Motorcycles	Trailers	Total assets
Eastern Cape	5 658	-	6	3	113	287	6 067
Free State	3 848	-	15	5	109	306	4 283
Gauteng	9 905	-	9	12	119	223	10 268
KwaZulu-Natal	6 919	-	19	5	117	239	7 299
Limpopo	3 104	-	4	7	53	206	3 374
Mpumalanga	3 103	-	10	1	74	162	3 350
North West	2 701	-	7	3	52	220	2 983
Northern Cape	2 172	-	6	1	27	129	2 335
Western Cape	6 406	-	29	10	183	334	6 962
Head Office	6 334	34	31	96	125	638	7 258
Total	50 150	34	136	143	972	2 744	54 179

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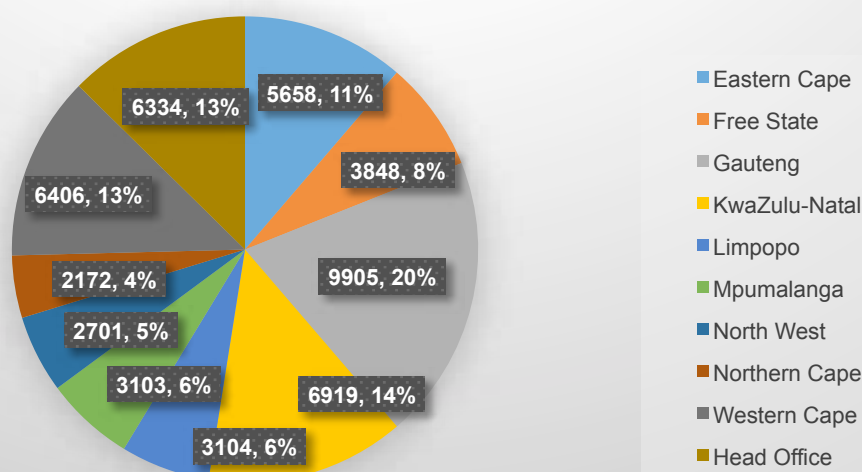
Distribution of vehicles and personnel

Province	2019/2020			2020/2021		
	Number of active vehicles	Number of personnel	Personnel to vehicle ratio	Number of active vehicles	Number of personnel	Personnel to vehicle ratio
Eastern Cape	5 593	18 197	3.25	5 658	17 593	3.10
Free State	3 556	10 575	2.97	3 848	10 318	2.68
Gauteng	9 545	31 967	3.35	9 905	31 079	3.13
KwaZulu-Natal	6 985	23 322	3.34	6 919	22 701	3.28
Limpopo	3 062	11 048	3.61	3 104	10 895	3.50
Mpumalanga	2 914	9 673	3.32	3 103	9 516	3.06
North West	2 850	8 857	3.11	2 701	8 674	3.21
Northern Cape	2 075	7 142	3.44	2 172	6 938	3.19
Western Cape	6 309	20 146	3.19	6 406	19 499	3.04
Head Office	6 245	46 431	7.43	6 334	44 913	7.09
Total	49 134	187 358	3.81	50 150	182 126	3.63

Vehicles in the SAPS are procured, through National Treasury Transversal Contract RT57. A total number of 4 299 vehicles, valued at R1 767 094 709.00, were ordered and 4 291 vehicles were delivered, of which 4 280 or 99,74% vehicles were paid for, in 2020/2021. The outstanding invoices will be paid, in the 2021/2022 financial year.

A total of 2 489 vehicles were auctioned, generating R101 860 378.18. A further R736 274.90 was generated from 795 vehicles, canopies and engines, which were compacted.

Active vehicles, per province



There were no new contracts in place for the procurement of BRVs, in 2020/2021. Therefore, no orders were placed for the procurement of BRVs. A bid for the procurement of BRVs was advertised, on 25 September 2020, which closed, on 23 October 2020. The final evaluation was done, on 8 December 2020. Approval was done by the Bid Adjudication Committee, for a once-off contract for the procurement of 8 834 BRVs. In this regard, Contract, 19/1/9/1/28TT (20) was signed, on 2 March 2021. A presentation regarding the new generation, light weight BRV will be made to the Board of Commissioners, for a decision and the drafting of the specifications for the new generation BRVs.

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No demand for firearms was received from end-users (Provinces and Divisions), for 2020/2021. Contract, 19/1/9/1/76TT(18) is in place. A total of 5 000 pistols (Beretta, Mod. PX4s) were procured on order and was finalised, on 11 March 2021.

A total number of 492 775 evidence collection kits were procured, in 2020/2021. A total number of 277 899 evidence collection kits were distributed to end-users, in order to enhance the investigation of crime. Upon requisitioning, these kits were distributed to police stations and units in a controlled manner, while a reasonable buffer stock was kept on hand at the Provisioning Stores in Pretoria, Cape Town and KwaZulu-Natal, for a consistent supply of evidence collection kits.

The SAPS was unable to conclude and finalise its own contracts for the sourcing of uniform items, due to the receipt of unresponsive bids, on numerous occasions. A decision was taken to source these items from National Treasury Transversal Contracts (RT-59, as well as RT-64). Despite the COVID-19 Pandemic and challenges, with regard to load shedding, uniform items, valued at R190 693 183.54, were issued to members, nationally, by the clothing stores and the uniform shops located, in the Gauteng, the Western Cape, the Northern Cape, the North West, the Free State, Limpopo, KwaZulu-Natal and the Eastern Cape Provinces. Uniform items are delivered to the Pretoria Store by the contracted manufacturers and suppliers, where after it is transported to the other stores. In 2020/2021, a total of 510 132 kilometres were covered by trucks, delivering stock and other critical goods to all the Provinces.

The Department is continuously utilising National Treasury's Central Supplier Database for the sourcing of prospective suppliers, whenever a need arises, to procure goods or services on a price quotation basis. Bid committees, from cross-functional units are in place and meet, when required. Bid committee members are aware of their ethical obligations, as they are expected to sign a declaration of confidentiality and also declare any conflict of interest. Bid committee members, as well as supply chain management practitioners are required to sign Codes of Conduct. Furthermore, Bid Adjudication Committee members are required to sign an oath of secrecy and to be vetted, together with senior officials and other personnel from the supply chain management environment. The performance of suppliers and contractors are reviewed by end-users and reporting, to this effect, are submitted to Procurement and Contract Management. The Divisional Commissioner of Supply Chain Management appoints, on a rotational basis, members to oversee the bid opening processes. Responses, sealed in serialised tamper proof evidence bags, are kept safe and are opened and registered, until such time that the appointed Bid Evaluation Committee Chairperson takes possession of the documents. This ensures the continuity of possession and restricted access to the documentation. A need was identified, to enhance compliance, monitoring and improving transparency and accountability with the management of contracts, in the supply chain management environment. Subsequently, a Contract Management Strategy was developed and implemented as a National Instruction, during November 2019. The SAPS has reviewed the procurement pocket guide pertaining to the invitation and consideration of price quotations. The purpose of this guide is to spell out the procurement directives of the Department for the sourcing and approval of quotations for goods and services, as well as contract management. Furthermore, this guide will also mitigate irregular expenditure cases. It provides all stakeholders who are involved in the procurement process, with guidelines, to ensure that all procurement transactions are carried out, in a manner that is fair, equitable, transparent, competitive and cost effective, thereby promoting good governance. The Annual Procurement Forum, held during December 2019, was used to communicate and explain any new legislation, regulations and other important issues in the procurement environment. During the Forum, practitioners were again sensitised to manage irregular expenditure more effectively. All attendees were provided with a number of the pocket guides for distribution within their respective Provinces and Divisions.

IMPROVED CAPABILITY OF SAPS MEMBERS

The 2020/2021 TPP, approved, on 19 February 2020, is aimed to capacitate operational personnel with the knowledge and skills, in order to execute their operational mandate. Over and above the capacitation of operational personnel, managers, supervisors, technical and support personnel were capacitated with the relevant development programmes, in order to perform their support functions to provide required support to operational personnel. The TPP was implemented, towards the end of the 2nd quarter of the financial year, due to training being suspended, during the 1st quarter, as a result of COVID-19 Pandemic lockdown levels 5 and 4. Training was also suspended, during parts of the 4th quarter, amid the second wave of the Pandemic. The TPP was revised and approved by the National Commissioner, on 4 August 2020, for implementation.

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Other alternative training methods, such as virtual or online training have been implemented during the financial year. Personnel have been afforded the opportunity to attend virtual or online training, which did not require practical training. The programmes were presented by local and international stakeholders.

In terms of the percentage of learners assessed and declared competent upon completion of specified training, in terms of the TPP, a total of 9 753 learners were assessed, of which 9 673 or 99,18% were declared competent upon completion of such training.

Priority	Number of learners trained	Number of learners declared competent	Competency rate
Crime prevention-related learning areas	655	655	100%
Crimes committed against women and children-related learning areas	1 432	1 427	99,65%
Crime investigation learning areas	1 640	1 635	99,70%
POP-related learning areas	459	459	100%
Forensic service-related learning areas	180	177	98,33%
Crime intelligence-related learning areas	52	52	100%
Cybercrime-related learning areas	128	128	100%

Despite COVID-19 and the suspension of training, the National Commissioner authorised that the Special Task Force (STF) training cycle be presented, due to its lengthy period, as well as avoiding compromising the security of the country, due to a shortage of STF operators. The following specialised critical training interventions were presented:

Course description	Trainees	Attendance	Competent
STF Training Cycles			
STF Survival Phase	20	20	20 (100%)
STF Basic Rural Phase	29	29	27 (93,10%)
STF Advanced Rural Survival Phase	23	23	23 (100%)
STF Basic Urban Phase	28	28	19 (67,86%)
STF Hostage Release Phase	23	23	16 (69,57%)
STF Waterborne Phase	12	12	12 (100%)
Airport Reaction Team			
Police Preparation and Conditioning	56	55	38 (67,86%)
Police Weapon Phase	40	39	29 (72,50%)
Police Rural Phase	29	29	28 (96,55%)
Police Urban Phase	21	21	19 (90,48%)
Counter Assault Team			
Weapon Phase	18	18	12 (66,67%)

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Other training interventions, in 2020/2021 are as follows:

SAPS members have been trained on GBV-related training interventions. The aim of the programmes is to professionalise and train members, in order to equip them to effectively deal with complaints of violence against vulnerable groups, as well as improving the quality of investigations into GBV crimes and increase the conviction rate of offenders in courts. The following programmes were presented:

- » Children and Youth at Risk
- » Children and Youth at Risk Train-the-Trainer
- » Domestic Violence and Vulnerable Group Learning Programme
- » Domestic Violence Learning Programme
- » Human Rights in Policing Programme
- » National Victim Empowerment Training Programme
- » Victim Empowerment Programme Train-the-Trainer

During the Resolving of Crime Skills Programmes and related basic detective training courses, all detectives are trained to investigate all types of crimes, including GBV and to utilise the available investigative support resources provided by Crime Intelligence, specialised K9 Services and Forensic Services. A whole array of intelligence and forensic courses were presented to equip members working in these support environments, to provide effective support services to detectives. The following are examples of intelligence, specialised K9 and forensic in-service training courses, which were planned, during the 2020/2021 training cycle, aimed at ensuring that an effective support service is provided to detectives:

- » Biological Body Fluid Detection Dog Course
- » Forensic Biology: DNA Casework Overview
- » Forensic Biology: Evidence Recovery
- » Advance Crime Scene Management
- » Crime Information Analysis
- » Crime Intelligence Collection
- » Crime Intelligence Gathering Course

Over and above the basic detective training, specialised investigation courses were presented to selected detectives, to sharpen the skills of specialist investigators, to deal with cases of GBV and crimes against vulnerable groups. A total number of 1 763 members were trained on courses related to GBVF.

The Sexual Offences Course for Investigating Officers was planned, for the 2020/2021 training cycle, aimed at equipping SAPS detectives to effectively investigate complaints of violence against women and children.



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INTERNATIONAL/REGIONAL TRAINING INTERVENTIONS

AMERICAS AND EUROPE

A total of two courses were presented, by France, at the SAPS Academy, in Paarl, from 16 November 2020 to 20 November 2020 and at the SAPS Academy, in Rietondale, from 30 November 2020 to 4 December 2020. A total number of 24 participants attended the training, which included members from the Crime Intelligence and Detective Service Divisions, as well as the DPCI. The course was based on using the Data Analysis Response to Windows (DARWIN) tool as a strategy, allowing ground officers to perform searches on computers, protecting the suspected hard drive and so respecting the chain of custody. It is an intermediate step between ground investigations and the central laboratories and quick to get answers from electronic evidence, during the search of houses and custodies. The DARWIN tool provides the capability to image a suspect's hard drive in a forensic way, something useful for the SAPS central laboratories. The financial expenditure for SAPS on these courses was R22 965.90.

AFRICA, ASIA AND MIDDLE EAST

The Southern African Regional Police Chiefs Cooperation Organisation (SARPPCO) Pilot Virtual Training Course on Strengthening Counter-Terrorism Skills for Law Enforcement Agencies, in Eastern and Southern Africa, was presented, in South Africa, Pretoria, from 5 October 2020 to 16 October 2020. The objectives of the training course are to enhance the capabilities of police officers, to investigate cases relating to counter-terrorism and transnational crime, especially during the COVID-19 Pandemic. A total number 15 SAPS members from the Crime Intelligence Division, Forensic Services (Explosives Unit) and the DPCI attended this course. All members from countries within the SADC attended virtually.

The SARPPCO Virtual Course on Investigating Terrorism and Transnational Organised Crime in South Africa, was presented, in Pretoria, from 30 November 2020 to 4 December 2020. The objectives of the training intervention are to capacitate commanders on the latest developments in terrorist and organised crime tactics in Southern Africa, raise awareness on the complex dynamics of the nexus between terrorism and transnational organised crime and promote common strategies for complex crime scene investigation and management. A total of 11 SAPS members from the Crime Intelligence Division and the DPCI attended this training course. All members from countries within the SADC attendant virtually. All training courses were sponsored by the Institute for Security Studies, through INTERPOL, with no financial implication against the SAPS budget.

BASIC POLICE DEVELOPMENT

As a result of restrictions placed on gatherings and compliance to health protocols, as well as regulations, highlighted by the National Disaster Management Act, 2002 (Act 57 of 2002), all planned training and development interventions, including the training of new recruits at the various Basic Police Development Academies, were suspended and deferred by the National Commissioner of the SAPS.

SPORTS AND RECREATION IN THE SAPS

The Human Resource Development Division, as the custodian of physical fitness in the SAPS, has a role to play, in ensuring that members are physically ready to perform functional duties throughout their police career. Due to COVID-19 regulations and protocols, challenges were experienced concerning the conducting of group exercise programmes and/or activities. Guidelines on conducting physical fitness activities during COVID-19 was developed. The purpose of the guidelines, is to standardise, conduct and maintain the Summative Physical Fitness Assessment protocol, structured exercise programmes and gymnasium operating safety procedures, during the COVID-19 Pandemic. In pursue for alternative fitness exercise means, an initiative was taken to create a platform pertaining to exercise activities through the development of a home-based exercise video, to assist police members to improve their fitness. Furthermore, a Summative Fitness Assessment pilot project was conducted, in four in-land Provinces, namely; Gauteng, the North West, Mpumalanga and Limpopo, from 16 to 19 November 2020. A National Gym Contract: Supply and Delivery was also established for the SAPS. Sporting codes, national championships and other sport-related activities were suspended, due to COVID-19. Therefore, no sport activities took place at provincial, national and international levels.

In 2020/2021, 42 SAPS Skills Development Providers were re-accredited, in order to provide and assess National Qualification Framework (NQF) aligned training to SAPS personnel and 198 assessors and 123 moderators were re-registered, in ensuring that learner achievements are being endorsed against formal registered Unit Standards or Qualifications, thereby assuring the quality of the training that they receive.

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A total number of 1 539 certificates for the Unit Standard 'Use of Firearms in Law Enforcement Environment' and 1 092 certificates for the National Certificate in Policing were received from the Safety and Security Sector Education and Training Authority (SASSETA) and forwarded to provincial offices, for distribution to learners.

In terms of organisational standards and qualifications, the Occupational Certificate: Detective: NQF Level 6 Qualification, was developed and submitted to the South African Qualification Authority (SAQA) for registration and the Occupational Certificate: Commissioned Police Officer: NQF 6 was developed and submitted to the Quality Council for Trade and Occupation for evaluation and verification and submission to the SAQA for registration.

The following ETD Regulators were identified for development and review, during 2020/2021, in order to regulate and standardise ETD practices, nationally, that will have a positive impact on quality service delivery:

- > Review of the National Instruction on Official Funerals in the SAPS.
- > Development of the Standing Operating Procedure (SOP) on Quality Assurance of ETD Solutions in the SAPS.
- > Review of the SOP for Workplace Learning in the SAPS.
- > Review of the SOP for the Internship Programme in the SAPS.

In terms of assessment strategies and assessments, the Quality Assurance of Learners achievements of 237 SAPS members was conducted by the SASSETA for Recognition of Prior Learning in the National Certificate: Policing: NQF Level 5. The awarding of the National Certificate: Policing: NQF Level 5 will exempt SAPS members to complete the first year of the National Diploma in Policing, should they enrol for this qualification at tertiary institutions.

The conducting of three impact studies were planned for, in 2020/2021, namely; the Station Management Learning Programme, the Crime Prevention Learning Programme and the Task Force: Weapons Phase Learning Programme. Draft reports were completed for the Station Management and Crime Prevention Learning Programmes and the data collection was completed for the Task Force: Weapons Phase Learning Programme and are currently in the process of transcribing the interviews conducted.

Two tertiary institution conferences were hosted successfully for benchmarking SAPS practices through participation with external professional bodies, to exchange knowledge, information and skills.

A successful Monitoring and Evaluation Webinar was convened for the Provincial Human Resource Development Centre. The purpose of the Webinar was to review and develop monitoring and evaluation tools, based on the implementation of best practices, gaps and shortcomings experienced at skill development providers. A Code of Conduct was developed and approved for monitoring and evaluation practitioners for professionalisation training within skill development providers. A Monitoring and Evaluation Process Flow for the readiness of skill development providers was developed and approved, in order to provide step-by-step guidance on the responsibility, documents and actions required by various role players within the organisation.

The Quality Assurance environment conducted 99 quality assurances on various learning programmes. A total of 16 learning programmes were presented before the ETD Evaluation Committee and the following learning programmes were approved for the financial year:

- > Designated Firearm Officer
- > Road Crime Crash Mechanical Investigation



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- > Vulnerable Groups
- > 10111 Call Centre
- > Firearm Investigation
- > Junior Management Learning Programme
- > Workplace Exposure Official
- > Crowd Management Platoon Commander
- > Authorisation to Drive State Vehicle
- > Policy Analysis Workshop
- > Disability Awareness
- > Mentoring and Coaching
- > Resolving of Crime Blended Learning Programme
- > Family Violence, Child and Sexual Offences

In terms of ETD Curriculum Development, the development of the following learning programmes were finalised, which were approved by the ETD Evaluation Committee:

- > Designated Firearm Officer
- > Road Crime Crash Mechanical Investigation
- > Vulnerable Groups
- > 10111 Call Centre
- > Firearm Investigation
- > Crowd Management Platoon Commander
- > Tactical Policing 2
- > Resolving of Crime Blended Learning Programme

The Department also commenced with the development of the Anti-Gangsterism Learning Solutions, which comprises three streams, namely; Crime Prevention and Combating, Investigation of Gangsterism and Crime Intelligence of Gangsterism. Despite the challenges resulting from COVID-19, the Department also managed to conduct train-the-trainer for vulnerable groups and 10111 Call Centre Learning Programmes.

The SAPS is one of the 12 Government Departments identified by the DPSA, to participate in a Graduate Recruitment Scheme Pilot Project. The Graduate Recruitment Scheme of the SAPS is seen as a turnaround strategy for youth development, in terms of facilitating the provisioning of workplace experience to unemployed youth, in line with their qualifications. The target set for the number of internships undertaken, during 2020/2021, was 1 226. A total 1 226 interns were placed within the SAPS during the 2020/2021 financial year, classified into the following three categories:

Graduates (a person who has successfully completed a formal qualification, in terms of the National Qualifications Framework Act, 2008 (Act No 67 of 2008) and requires practical work experience, to increase his/her opportunities for a permanent position in government or the private sector). The table below provides a summary of all graduate interns placed in the SAPS, during 2020/2021.



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Profession	Number of interns
Animal health	5
Arts	3
Communications	10
Criminology	32
Profession	Number of interns
Engineering studies	14
Film and television	9
Finance	127
Forensics	5
Graphic design	6
Hospitality	24
Information Technology	26
Internal Audit	28
Law	35
Logistics	72
Management	374
Music	6
Policing	11
Population development studies	6
Psychology	14
Social science	29
Social work	9
Sports	9
Total	854

Student interns (a person who is currently studying towards a higher education qualification and must undertake a period of work experience, in order to fulfil the requirements of the qualification). The table below provides a summary of all student interns placed in the SAPS, during 2020/2021.

Field of study	Number of interns
Finance	26
Hospitality	18
Management	137
Music	16
Total	197

Artisans (a person who has been certified as competent to perform a listed trade, in accordance with the Skills Development Act, 1998 (Act No 97 of 1998), as amended. An Artisan learner is a person undergoing a formal learning programme, which include structured work experience components in a listed trade and include a trade test, in respect of that trade). The table below provides a summary of all student interns placed at SAPS garages in the SAPS, during 2020/2021.

Trade	Number of interns
Engineering studies (motor mechanics)	175



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IMPLEMENTED ETHICS AND INTEGRITY

There is a direct association between a professional and capable SAPS and the enhancement of levels of ethics and integrity within the SAPS. The SAPS has, therefore, included outputs related to the implementation of the organisation's Ethics and Integrity Schedule, comprising obligatory financial disclosures for various categories of employees, the management of remunerative work, performed outside of the SAPS, by SAPS members and the conducting of ethics and integrity advocacy and awareness programmes. Although the planned target of 16 ethics and integrity advocacy and awareness programmes completed was exceeded, with 55 and all 830 SMS members submitted their financial disclosures, by the planned due date of 31 May 2020, the overall target of 100% compliance with the SAPS Ethics and Integrity Plan was not achieved. Seven newly appointed MMS members submitted their disclosures, after the due date of 31 July 2020, due to the E-disclosure System not immediately updating from the PERSAL System (2 328 from a total of 2 335 submitted) and 451 employees from specific occupational categories submitted their financial disclosures, after the due date of 31 July 2020, due to technical difficulties with the System experienced by some officials and the vast number of officials that need to submit within a short period of time (10 625 from a total of 11 076 submitted). All financial disclosures were verified, during 2020/2021. Furthermore, the SAPS certificate on remunerative work was submitted, by 31 March 2021, after the planned submission date of 31 December 2020, as some Provinces and Divisions submitted their certificates after the due date, due to the unavailability of members, as a result of COVID-19. All certificates were, however, submitted by end of the financial year after inspections and interventions were conducted.

IMPLEMENTED INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE-RELATED RECOMMENDATIONS

Despite the challenges associated with disciplinary hearings, inclusive of IPID recommendations, which are also treated as discipline, which have been worsened by the Pandemic, Conduct Committees established at national and provincial level have provided guidance on the management of discipline. In these forums, business units are invited to account on the areas of non-compliance with the prescript. There has been constant interaction between head office and Provinces/Divisions, with a view of providing guidance and directives. The same interaction applies with functionaries at provincial level. Early warning systems are implemented to track the status of disciplinary hearings.

The planned target of 90% for disciplinary cases was achieved (91,57% or 1 064 from a total of 1 162). A total of 102 cases were still pending within the time frame. A total of 117 from a total of 123 or 95,12% IPID-related recommendations were finalised within the prescribed time frame, achieving the planned target of 90%, within 60 calendar days. A total number of 20 cases were still pending within 60 calendar days. More needs to be done in the coming financial year, including intensifying inspections, improving the early warning system, optimising Conduct Committees, etc.

SOUND FINANCIAL MANAGEMENT

The institutionalisation of sound corporate governance at all levels within the SAPS, guided by national and internal standards, is a key requirement underlying the establishment of a professional and capable SAPS, as it addresses both of the elements of the outcome. The MTSF (2019-2024) commits Government to the eradication of fruitless and wasteful expenditure, in addition to unauthorised and irregular expenditure. The backbone of the finance function is underpinned by the principles of the PFMA, 1999 (Act No 1 of 1999), which aspires to build a public sector with sound financial management systems and processes; to ensure transparency, accountability and sound management of the revenue, expenditure, assets and liabilities of the SAPS; unqualified annual financial statements, prepared on modified cash basis of accounting; and exercise effective

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budgetary control, which requires monitoring systems that warn of impending overspending of a vote or main Division. No unauthorised expenditure occurred, in 2020/2021.

In terms of dealing with fruitless and wasteful expenditure, a process was circulated, on 26 March 2020, guiding all Provincial Heads of Finance and Support Heads, to conduct assessments and liability determinations, which resulted in the Financial Heads and Support Heads to be more aware of the types of fruitless and wasteful expenditure in their environments and to implement preventative measures, going forward. Incidents of fruitless and wasteful expenditure decreased, by 23,40% (36 confirmed incidents, in 2020/2021, compared to 47 confirmed incidents during the same period, in 2019/2020), achieving the set reduced target of 5%.

Incidents of irregular expenditure indicated a significant decrease of 66,67% (eight confirmed incidents, in 2020/2021, compared to 24 confirmed incidents during the same period, in 2019/2020), achieving the set reduced target of 5%. National intervention roadshows were conducted, in all nine Provinces and a virtual session with Divisions.

ORGANISATIONAL PERFORMANCE UNDERPINNED BY A CORPORATE GOVERNANCE FRAMEWORK

In institutionalising sound corporate governance within the SAPS, the point of departure will be the development and phased implementation of a tailored-made corporate governance framework for the organisation, informed by King IV and the internal dynamics of the organisation. It needs to be mentioned that this output currently has a short-term focus, which will be extended by the inclusion of additional outputs that are associated with the implementation of the schedule of deliverables that are reflected in the corporate governance framework. The SAPS Corporate Governance Framework was developed and submitted to the National Commissioner, on 26 March 2021.

INCULCATED CULTURE OF REGULATORY COMPLIANCE AND PERFORMANCE MANAGEMENT

A total of 308 or 133,33% of the planned 231 inspections were executed by the Inspectorate, in 2020/2021, in terms of the approved inspection plan. The target was exceeded by 77 planned inspections, due to requests by the Minister, the Deputy Minister, the National Commissioner or Provincial Commissioners, to address specific service delivery issues.

An Adaptive Inspection Model was developed. The main purpose of the Model is to limit exposure of personnel from the Inspectorate at inspection sites, requiring less personnel on a site for inspection. This allowed for the division of personnel to cover more sites within a shorter period of time, in conjunction with a reduced criteria in its assessment tool.

The Inspectorate finalised 74,03% or 8 312 from a total of 11 228 of service delivery complaint files received, within 30 working days, in 2020/2021.

In terms of auditing, 80,60% or 108 from a total of 134 audits were completed, in 2020/2021, which was lower than the planned target of 100%. The planned target of 153 was reduced to 134, due to a request from SAPS Management to address the qualification issued by the AGSA on performance information and network assets and the approval of the Audit Committee to reduce the audits, due to COVID-19 restrictions. The Internal Audit Plan was also approved, after the tabling of the Departmental Annual Performance Plan. Furthermore, a total number of two audits were deferred by the Audit Committee.



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All eight forensic investigations that were planned for, in 2020/2021, were finalised by the Internal Audit Component.

LEGAL SERVICES

During 2020/2021, a total number of 10 689 new civil claims were registered, valued at R16 782 612 292.45. A total of 52 203 claims, valued at R59 812 179 327.28 were still pending, as at 31 March 2021. These claims emanate from previous financial years, as well as the current financial year.

Breakdown of civil claims pending, as at 31 March 2021

Province	Number of claims	Amount claimed
Eastern Cape	6 364	R7 796 603 814.77
Free State	959	R1 227 123 716.25
Gauteng	19 313	R 23 894 775 540.03
KwaZulu-Natal	13 885	R10 256 785 366.78
Limpopo	3 827	R4 278 802 113.74
Mpumalanga	3 486	R2 877 154 850.52
North West	2 684	R2 245 911 000.38
Northern Cape	302	R258 141 646.87
Western Cape	1 257	R1 322 215 100.01
Head Office	126	R5 654 666 177.93
Total	52 203	R59 812 179 327.28

A total of 2 899 payments (court orders and settlements) were made, to the value of R367 247 932.15, of which arrest and detention claims were the highest pay outs, viz. R239 299 759.27.

Number of claims for arrests and detention, for the period 2020/2021

Province	Number of claims	Amount claimed
Eastern Cape	953	R1 025 229 293.40
Free State	310	R296 364 363.00
Gauteng	2 692	R3 056 919 005.26
KwaZulu-Natal	2 906	R1 298 097 763.35
Limpopo	871	R843 265 347.40
Mpumalanga	731	R344 311 953.21
North West	1 155	R858 321 286.58
Northern Cape	95	R58 427 000.00
Western Cape	197	R172 928 834.96
Head Office	31	R108 695 003.00
Total	9 941	R8 062 629 850.16

A civil claims project came into being, in 2016, to address root causes and establish ownership and accountability for the prevention of incidents leading to civil claims. The various phases of the civil claims project has given impetus to the impact and success of the project, in that of the 33 key deliverables, 26 were finalised, with seven in progress, which reflects a 78,79% success rate. There were various initiatives embarked on focusing on, *inter alia*, the development and review of policy, procedures, directives and processes with emphasis placed on inspections, assessments, training, intelligence, communication and systems and technology.

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Specific emphasis was also placed on interventions for the down management of civil claims, focusing on the primary generators of civil claims, viz; unlawful arrests and detention, among others. Inspections were also conducted at the top 10 police stations identified as national contributors. The purpose of down management of civil claims, is to provide guidance on proactive and preventative measures, coupled with creating awareness. There were engagements on analysing the trends. A new National Instruction on Civil Claims and Integrity Management, highlighted the need for a complete mindset change and the need for SAPS employees to change “attitudes and behaviours”, in order to prevent unlawful behaviours, which contribute to unlawful actions leading to civil claims. Emphasis was also placed on the responsibilities of line managers/functionaries and the need for accountability at all levels in the SAPS.

A workstream has been established on Contingent Liability and Civil Claims reporting to the Integrated Resource Management Committee. The sole purpose of the workstream is to down manage civil claims, in an integrated approach. A draft action plan has been developed. The plan focuses on actions aimed at mindset changes on “attitudes and behaviours” of SAPS employees, in order to prevent unlawful actions. These actions do not only contribute to civil claims, but also impacts on SAPS employees being held directly accountable and liable for the compensation for any act or omission, either through negligence or intention, which infringes on the rights of others. The workstream will replace the civil claims project. Outstanding deliverables will be handed over to the subcommittee and other project owners, due to medium- to long-term actions that needed more time and resources to finalise, which is still envisaged to be monitored by the workstream.

PRIORITISING WOMEN, YOUTH AND PERSONS WITH DISABILITIES IN ITS SERVICE DELIVERY ENVIRONMENT

The SAPS included performance indicators in the MTSF (2019-2024), that are focused specifically on women and the youth, namely; the percentage reduction in the number of contact crimes against women (18 years and above) and the percentage reduction in the number of contact crimes against children (below 18 years). In addition, the SAPS’ 2020-2025 Strategic Plan and Annual Performance Plan contains the following gender-responsive performance indicator, within the Administration Programme: Public perceptions of the SAPS’ professionalism; SAPS members’ perceptions on the extent to which the police live up to the SAPS’ Values and the percentage of GBVF-related service complaints finalised within 30 working days. The measurement of the abovementioned perception-based performance indicator will be gender responsive (women will form part of the stratified sampling that will be undertaken) and will, therefore, support the empowerment of women as they will be measured in a gender-responsive manner.

The SAPS’ Service Delivery Improvement Plan priorities services to persons with disabilities, through the implementation of the Policing Persons with Disabilities Action Plan; the introduction of sign language interpreters at local level and the improving of access to SAPS infrastructure for persons with disability.

PLANS/INTERVENTIONS/STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Administration Programme underperformed in the following areas:

- > The number of new police stations established, as per the SAPS Infrastructure Development Programme
- > Number of identified National Network Communication Infrastructure sites modernised and implemented



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- > Percentage compliance with the SAPS' Ethics and Integrity Plan
- > Percentage of audits completed, in terms of the Internal Audit Plan

PLANS/INTERVENTIONS/STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

The number of new police stations established, as per the SAPS Infrastructure Development Programme

Planning and Design: The amendment of the Terms of Reference for the appointment of the consultants was reviewed. The review of the Terms of Reference for the appointment of the consultants for planning and design will proceed, in 2021/2022.

Execution: The execution of projects were delayed, as the condition of the buildings necessitated additional workings, to be included in the scope of work. Some projects' scope of work had to be revised, due to the deteriorated condition of the buildings, as the planning and design phase was conducted, during 2012/2013 and was never previously executed. The review of the scope of work has been finalised, but was executed, in 2021/2022.

Number of identified National Network Communication Infrastructure sites modernised and implemented

The services bid was not awarded by SITA during the financial year, as planned. The services tender was cancelled and republished. SITA is currently utilising their internal resources to carry out the installation on limited scale, until the awarding of the bid, after which WAN site implementation and sign-off are anticipated to be finalised.

Percentage compliance with the SAPS' Ethics and Integrity Plan

Interventions were conducted, which revealed that officials on MMS level were newly appointed and the E-disclosure System takes approximately two months to update from the PERSAL System. Some officials at lower levels experienced technological challenges to submit disclosures, because of a lack of access to the system and the capacity to assist these officials was constrained, in terms of the number of ethics officers. Non-compliant officials were nonetheless, all subjected to corrective counselling.

Percentage of audits completed, in terms of the Internal Audit Plan

Internal Audit resolved to finalise the outstanding audit reports without comments from management in situations, whereby comments were long awaited, followed by intensified consultation with the clients, by the Chief Audit Executive.

PERFORMANCE, IN RELATION TO STANDARDISED OUTPUTS AND OUTPUT INDICATORS FOR SECTORS WITH CONCURRENT FUNCTIONS

The South African system of government is designed so that certain functions are exclusive (performed by one sphere only), while others are concurrent (shared between different spheres). The



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Constitution divides functions among the three spheres of government and clearly distinguishes between exclusive and concurrent responsibilities. Concurrent functions, include policy-making, legislation, implementation and monitoring and performance assessment. Functions, such as school education, health services, social welfare services, housing and agriculture are shared between national and provincial governments. The SAPS, therefore, does not have specified concurrent functions that should be reported on.

INSTITUTIONAL RESPONSE TO COVID-19

Interventions implemented within the Administration Programme, in response to COVID-19, includes, the procurement and provisioning of PPE and sanitisers to SAPS personnel and awaiting trial prisoners, as well as random inspections, to assess compliance with the directives and the protocols that have been put in place to prevent the spread of COVID-19, as per the table below.

BUDGET

During the Special Adjustments Estimate, an amount of R3,7 billion was allocated, in addition to the baseline of the Department to fund expenditure incurred by the SAPS, in response to the COVID-19 Pandemic. This amount was allocated, in addition to an amount of R1,136 billion, reprioritised by the Department towards this specific purpose. During the 2020 Second Adjustment Estimate process, an amount of R248,440 million roll-over request for COVID-19 was approved by National Treasury. The earmarking was removed by National Treasury from an amount of R1,054 billion, being part of the R1,136 billion previously reprioritised from the SAPS' baseline.

Main programmes	2020/2021 Estimates	Reprioritisation towards COVID-19	Additional allocation	Roll-overs	Other adjustments	Adjusted estimates 2020/2021
	(R'000)	(R'000)	(R'000)	(R'000)	(R'000)	(R'000)
Administration	20 912 779	(818 200)	-	-	(1 087 535)	19 007 044
Visible Policing	52 327 272	1 021 000	3 700 000	248 440	(3 895 186)	53 401 526
Detective Services	20 624 159	(132 800)	-	4 332	(807 205)	19 688 486
Crime Intelligence	4 403 531	-	-	-	(203 421)	4 200 110
Protection and Security Services	3 443 292	(70 000)	-	-	(109 564)	3 263 728
Total	101 711 033	-	3 700 000	252 772	(6 102 911)	99 560 894



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Interventions implemented, in response to COVID-19

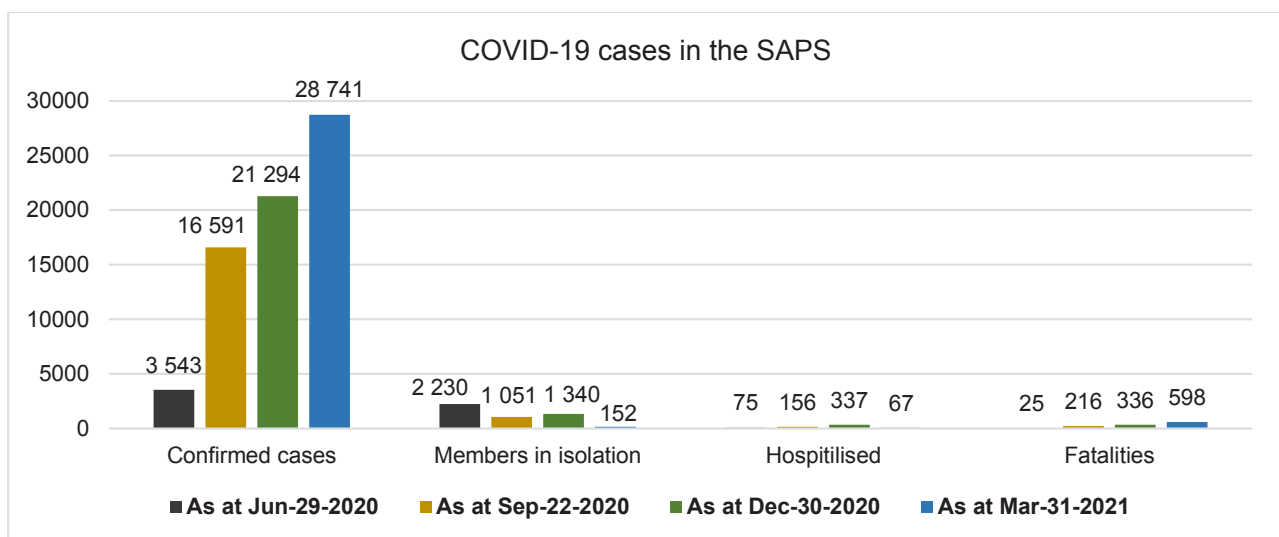
Budget Programme	Intervention	Geographic location	Number of beneficiaries	Disaggregation of beneficiaries	Budget allocation	Budget spent ¹²	Outputs to which the intervention contribute to	Immediate outcomes
Programme 1: Administration (Supply Chain Management)	Procurement and provisioning of PPE and sanitisers to SAPS personnel and awaiting trial prisoners, during the State of Disaster	All organisational levels	Total number of SAPS Act and PSA Act employees at the end of March 2021. (±182 126) ±112 504 males ±69 622 females, including ±3 076 with disabilities Awaiting trial prisoners and reservists Refer to Note 1	All SAPS employees, including reservists and awaiting trial prisoners detained in police facilities	R1 950 000 000	R1 546 150 819 (Goods and services)	Expansion of resources to sustain quality service delivery	To ensure the well-being of SAPS personnel, reservists, members of the community and awaiting trial prisoners
Programme 1: Administration (Inspectorate)	Compliance inspections to assess adherence to the containment and management of COVID-19 instructions	Inspections were conducted at SAPS premises, in all nine Provinces	SAPS personnel present during the inspections (the number of personnel could not be determined) Refer to Note 2	SAPS employees at national, provincial, district/cluster, police station and unit levels	No additional allocation was received. The annual budget allocation for National and Provincial Inspectorate was utilised	-	A professional and capable SAPS	To enhance the responsiveness of the SAPS and to prevent the spreading of COVID-19 within the SAPS
Note 1: Number of people is not known, as numbers fluctuate, per day.								
Note 2: Disaggregated information on beneficiaries is not available.								

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One of the hurdles during the COVID-19 Pandemic, was the diminished strength of the workforce, due to infections and illness of members and their families. A lack of available personnel, due to absenteeism and illnesses placed additional stress on the pool of available members and can become a limiting factor for even the simplest police operations or administrative functions. In addition, working with a diminished force can severely impact members' performance and professional standards. Additional workload for healthy members, thus adds to the already existent psychological and physical stress on members.

Many SAPS members have fulfilled their constitutional obligations in the face of adversity and uncertainty and continued to maintain high police visibility. Despite various efforts to keep the virus at bay by wearing protective equipment, sanitising and by maintaining social distancing while enforcing the law, as at 31 March 2021, there was a total number of 28 741 confirmed COVID-19 cases in the SAPS (1,86% of the total number of cases recorded in the Country (1 548 157)). Most confirmed cases were recorded at Head Office and National Divisions/Components (5 954), in the Western Cape (4 695), Gauteng (4 488), KwaZulu-Natal (3 647) and the Eastern Cape (3 223) Provinces. As at 31 March 2021, 27 998 or 97,41% recoveries were recorded. Sadly, a total of 598 fatalities were recorded, up to 31 March 2021. Most fatalities were recorded in the Eastern Cape (116), KwaZulu-Natal (96), Gauteng (79) and the Western Cape (75) Provinces. A total number of 99 fatalities were recorded at Head Office and National Divisions/Components.



The SAPS created awareness on COVID-19, from March 2020, followed by a COVID-19 Hotline for members to call, to be provided with emotional guidance, in terms of COVID-19-related matters. The hotline was manned by psychologists, social workers and chaplains. Over a period of six months, 960 calls were received. The hotline was closed, in September 2020, as information on COVID-19 became more available and known. As a result, calls declined.

An awareness programme was presented to employees by EHW professionals and police trainers from the Human Resource Development Division. A total of 1 075 training sessions were presented, reaching 20 629 employees. These were further complemented by 1 796 COVID-19 information-sharing sessions, reaching another 44 756 employees. These sessions aimed at building resilience and focused more on practical matters, to assist employees in dealing with the devastation caused by COVID-19.

Personnel from EHW also played a preventative function, by visiting police stations, roadblocks and lockdown hotspots, checking and encouraging employees to comply with COVID-19 regulations. A total of 3 068 visits were performed with the goal of ensuring and encouraging compliance.



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The SAPS have strived through its chaplains, social workers, psychologists and Quality of Worklife personnel, to support the families of the members. Over and above, the SAPS, in partnership with the Police Medical Aid (POLMED), established a quarantine site for employees at the SAPS Tshwane Academy.

The Supply Chain Management Division was tasked to procure PPE items in bulk and to distribute to all Provinces, who in turn, distributed the items to police stations. All SAPS employees, including reservists and awaiting trial prisoners detained in police facilities were provided with PPE. In terms of the procurement of PPE, the COVID-19 Pandemic necessitated the SAPS to engage in emergency procurement, as prescribed by National Treasury Instruction Notes 8 of 2019/2020 and 5 of 2020/2021, as well as SAPS Delegation of Powers Part 5, Procurement. These National Treasury instruction notes were issued with measures in place, to assist State institutions to procure the basic preventative items, in order to contain and manage the transmission of COVID-19. Three Transversal Contracts, with price lists, were put in place by National Treasury. The nature of the goods that were required were not goods ordinarily procured by the SAPS and there was a high demand, in both the private and public sectors.

In urgent and emergency cases, an institution may dispense with the invitation of bids and may obtain the required goods, works or services, by means of quotations, by preferably making use of the database of prospective suppliers or otherwise, in any manner to the best interest of the State. Price quotations or negotiations must be executed, in accordance with Treasury Regulation 16A6.4. Urgent cases are cases where early delivery is of critical importance and the invitation of competitive bids is either impossible or impractical. Emergency cases are cases where immediate action is necessary, in order to avoid a dangerous, risky situation or misery. The reasons for the urgency/emergency and for dispensing of competitive bids, should be clearly recorded and approved by the Accounting Officer/authority or his/her delegate. The SAPS engaged the respective suppliers, as provided by National Treasury Instruction Notes 8 of 2019/2020 and 5 of 2020/2021, without success of the availability of stock. National Treasury was informed, in relation to the challenges encountered and to request the utilisation of suppliers out of contract, for the procurement of PPE for the SAPS. Suppliers were sourced from the Central Supplier Database and contacted, telephonically, to confirm the availability for any commodity of PPE they had in stock. On confirmation of the availability of stock and quantities, officials/members were sent to conduct due diligence and after the inspection if satisfied, the request for quotations were sent to each supplier. The request for financial authority and the granting of procurement authorisation were processed individually, to the different suppliers, without a comparative table, in order to secure the availability of sufficient PPE, due to the emergency of the requirement, as well as the shortage of stock in the market. Official order forms were issued to different suppliers, according to their capability and quantities. Suppliers that were issued with Request for Quotation documents, without a confirmation of availability of any commodity of PPE in stock and issued with an official order form, did not keep to delivery schedules confirmed and had to be cancelled later.

The Inspectorate Division conducted inspections at various sites and operational deployments, to determine the level of compliance to COVID-19 protocols. The information gathered at these sites, provide the backbone for information reported weekly to the National COVID-19 Steering Committee. A total of 4 957 COVID-19 inspections were executed, in 2020/2021.

CHANGES TO PLANNED TARGETS

In terms of audits completed and according to the Internal Audit Plan, the Audit Committee granted approval to reduce the planned target from 153 to 134 audits. This was due to COVID-19 restrictions and its impact to the normal way of operating. Furthermore, SAPS management required assistance from Internal Audit, in addressing the qualification raised/issued to the Accounting Officer by the AGSA, on 25 July 2019.

**ANNEXURE IP18****1009****LINKING PERFORMANCE WITH BUDGETS****SUBPROGRAMME EXPENDITURE**

Subprogramme Name	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Ministry	63 860	37 062	26 798	53 061	53 061	-
Management	86 584	86 584	-	67 795	67 795	-
Corporate Services	19 680 185	18 578 624	1 101 561	19 887 642	19 658 635	229 007
Civilian Secretariat	-	-	-	143 051	143 051	-
Total	19 830 629	18 702 270	1 128 359	20 151 549	19 922 542	229 007

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4.2 PROGRAMME 2: VISIBLE POLICING

PROGRAMME OVERVIEW

The purpose of the Visible Policing Programme is to enable police stations to institute and preserve safety and security; and provide for specialised interventions and the policing of South Africa's borders. The programme objective is to discourage all crimes, by providing a proactive and responsive policing service that will reduce the levels of priority crimes.

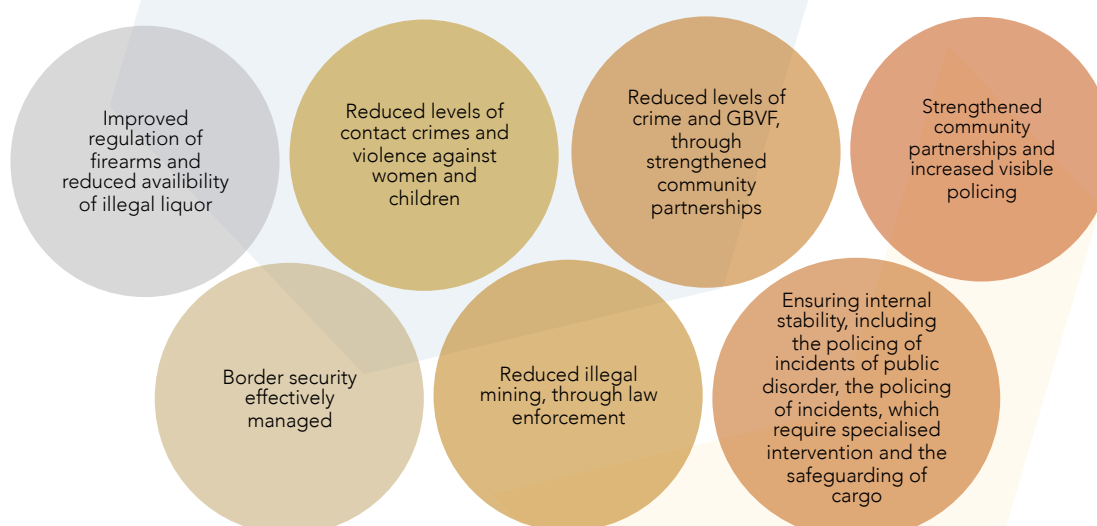
The Visible Policing Programme comprises the following three subprogrammes:

Crime Prevention provides for basic crime prevention and visible policing services at police stations and community service centres.

Border Security provides for the policing of South Africa's borders.

Specialised Interventions provides for interventions in medium-risk to high-risk operations, including the air wing, the STF and crime combating units and the protection of valuable and dangerous cargo.

There are two outcomes that relate directly to the Visible Policing Programme; namely, the law upheld and enforced in support of the stamping of the authority of the State and a collaborative, consultative approach to policing. The following suboutcomes are associated with the law upheld and enforced in support of the stamping of the authority of the State - increased feelings of safety in communities; constitutionally grounded internal stability; reduced organised crime; and balance between trade and security at ports of entry ensured. The suboutcomes associated with a collaborative, consultative approach to policing are - increased feelings of safety in communities; responsive policing of GBVF and citizenry actively supporting the fight against crime. The following outputs relate to the two outcomes that are relevant to this Programme, respectively:



OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 3: Actual performance against targets for quarter 1, 2020/2021 against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Subprogramme: Crime Prevention											
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Improved regulation of firearms	Number of stolen, lost and illegal firearms recovered	18 592	7 141	4 204	Increase to 3 570 (1%)	893	280	-613	Restrictions placed on movement prevented people to travel during the national lockdown, levels 5 and 4.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.
										The curfew, introduced under Section 16(3) of the COVID-19 Regulations confined South Africans to their place of residence, from 20:00 to 05:00.	
										Increased police visibility to enforce the containment and management of COVID-19, resulted in increased roadblocks and stop-and-searches, which deterred criminals to carry firearms.	

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Improved regulation of firearms									The majority of firearms recovered are without serial numbers. These firearms must first be sent for ballistic testing (etching) to retrieve the serial numbers. If serial numbers cannot be retrieved, applications must be submitted to the CFR, to issue a firearm identification number, where after the firearm can be circulated. Non-compliance by members to circulate firearms as found.	

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Improved regulation of firearms	Number of identifiable stolen/lost SAPS firearms recovered	358	362	459	Increase to 428 (10%)	107	139	32	The implementation of the Property and Exhibit Management Turnaround Plan. The clearance of firearms from evidence stores. Stop-and-search operations and roadblocks. Intelligence-led operations.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Improved regulation of firearms	Percentage of applications for new firearm licenses finalised, within 90 working days	78,41% (80 920 from a total of 103 205 finalised) within 90 working days.	70,31% (69 770 finalised from a total of 99 236 received) within 90 working days.	80,58% (81 976 finalised from a total of 101 733 received) within 90 working days.	90% of new applications finalised, within 90 working days	90% of new applications finalised, within 90 working days	31,55% (3 665 finalised from a total of 11 618 received, within 90 working days).	-58,45% points	The majority of PSA members who are responsible for the registration, capturing and administration of all firearm applications were under lockdown, during lockdown levels 5 and 4. During alert level 3, only one third of PSA members were allowed to return back to the office, as part of the reintegration of members to the workplace, in adherence to the Circular 18 of 2020: State of Disaster: Public Service Return to Work Guideline, issued by the DPSA. The closure and decontamination of the building, as well as the quarantine/isolation of members, as a result of positive COVID-19 test results.	The target for 2020/2021 was adjusted due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting internal process, at all levels, related to the management of firearm licence applications.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Percentage reduction in the number of contact crimes	Reported contact crime decreased, by 1,1%, from 609 413, in 2016/2017, to 602 697, in 2017/2018.	Reported contact crime increased, by 2,6%, from 602 697, in 2017/2018, to 618 472, in 2018/2019.	Reported contact crimes increased, by 0,6%, from 618 472, in 2018/2019, to 622 206, in 2019/2020.	Reduce to 576 664 (7,5%)	144 166	Reported contact crimes reduced, by 37,9% from 144 267 during the 1 st quarter in 2019/2020 to 89 592, during the 1 st quarter, in 2020/2021.	30,4% points	Restrictions placed on movement prevented people to travel during the national lockdown, levels 5 and 4. The curfew, introduced under Section 16(3) of the COVID-19 Regulations confined South Africans to their place of residence, from 20:00 to 05:00. Increased police visibility to enforce the containment and management of COVID-19, resulted in increased roadblocks and stop-and-searches. Increased operations to enforce the COVID-19 Regulations. The ban on the sale of liquor contributed to the decrease in all categories of contact crimes.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Percentage reduction in the number of contact crimes at the Top 30 High Contact Crime Weight Stations ⁷	New performance indicator, in 2019/2020.	Reported contact crimes at the identified 30 High Crime Weight Stations increased, by 1.34% from 92 887 in 2017/2018 to 94 131, in 2018/2019.	Reported contact crimes at the identified 30 High Crime Weight Stations reduced, by 0.1% from 94 131, in 2018/2019 to 94 230, in 2019/2020.	Reduce to 87 594 (7.5%)	21 899	Reported contact crimes at the identified 30 High Crime Weight Stations reduced, by 43.5% from 22 578, during the 1 st quarter, in 2019/2020 to 12 764 during the 1 st quarter, in 2020/2021.	36% points	Restrictions placed on movement prevented people to travel during the national lockdown, levels 5 and 4. The curfew, introduced under Section 16(3) of the COVID-19 Regulations confined South Africans to their place of residence, from 20:00 to 05:00. Increased police visibility to enforce the containment and management of COVID-19, resulted in increased roadblocks and stop-and-searches. Increased operations to enforce the COVID-19 Regulations. The ban on the sale of liquor contributed to the decrease in all categories of contact crimes.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Number of escapees from custody	A total of 785 persons escaped from police custody. The 785 escapees represent 0,054% of the 1 467 217 persons arrested and charged during 2017/2018.	A total of 656 persons escaped from police custody. The 656 represent 0,048% of the 1 360 319 persons arrested and charged during 2018/2019.	A total of 680 persons escaped from police custody.	Reduce to 618 (2%)	155	A total of 132 persons escaped from police custody.	23	An approved national plan to prevent escape incidents was implemented, supported by provincial plans. All incidents of escapes are investigated and disciplinary action is initiated.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1 to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Number of stolen/robbed vehicles recovered	27 747 vehicles were recovered, including 22 093 identified vehicles, 5 499 unidentified vehicles and 1 55 vehicles recovered during cross-border operations.	28 418 vehicles were recovered, including 22 442 identified vehicles, 5 773 unidentified vehicles and 203 vehicles recovered during cross-border operations.	36 674 vehicles were recovered, including 31 725 identified vehicles, 4 786 unidentified vehicles and 163 vehicles recovered during cross-border operations.	Maintain the number of stolen/robbed vehicles recovered at 33 397	8 349	4 429 vehicles were recovered, including 3 647 identified vehicles, 769 unidentified vehicles and 13 vehicles during cross-border operations.	-3 920	Restrictions placed on movement prevented people to travel during the national lockdown, levels 5 and 4. The curfew, introduced under Section 16(3) of the COVID-19 Regulations confined South Africans to their place of residence, from 20:00 to 05:00. Increased police visibility to enforce the containment and management of COVID-19, resulted in increased roadblocks and stop-and-searches, which deterred criminals to use stolen/robbed vehicles.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance at the time of the revision of the 2020/2021 Annual Performance Plan.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Responsive policing of GBVF	Reduced levels of crime and GBVF, through strengthened community partnerships	Percentage of functional police stations rendering a victim-friendly service to victims of crime, including GBVF	100% (All 1 146 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	100% (All 1 149 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	99,91% (1 153 from a total of 1 154) police stations are compliant with 2 of the 3 set criteria.	100%	100%	100% (All 1 155 police stations are compliant with 2 of the 3 set criteria).	0% points	-	The performance indicator and target were adjusted, to ensure that police stations that are functional or operational are included in the method of calculation, thereby excluding new police stations that have been registered on the PERSAL System but that are not yet functional.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Responsive policing of GBVF	Reduced violence against women	Percentage reduction in the number of contact crimes against women (18 years and above)	Reported crimes against women increased, by 2,7%, from 172 961, in 2016/2017, to 177 620, in 2017/2018.	Reported crimes against women increased, by 1,2%, from 177 620, in 2017/2018, to 179 683, in 2018/2019.	Reported crimes against women decreased, by 4,8%, from 179 683, in 2018/2019, to 171 070, in 2019/2020.	Decrease to 168 517 (7,6%)	Reduce to 42 129 (7,6%)	Reported contact crimes against women increased, by 2,89% from 24 723 during the 1 st quarter, in 2019/2020 to 25 438 during the 1 st quarter, in 2020/2021.	10,49% points	Most of these cases happens indoors making it difficult to police. The lockdown, due to COVID-19 left women vulnerable, as they were confined to their homes with their families (abusers) most of the time, due to restricted movement. Despite the non-achievement of the targeted percentage, less charges were reported, than projected.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Responsive policing of GBVF	Reduced violence against children	Percentage reduction in the number of contact crimes against children (below 18 years)	Reported crimes against children decreased, by 0,7%, from 43 842, in 2016/2017, to 43 540, in 2017/2018.	Reported crimes against children increased, by 3,9%, from 43 540, in 2017/2018, to 45 229, in 2018/2019.	Reported crimes against children increased, by 6,4%, from 45 229, in 2018/2019, to 42 348, in 2019/2020.	Decrease to 42 113 (7,5%)	Reduce to 10 528 (7,5%)	Reported contact crimes against children increased, by 10,4% from 6 024 during the 1 st quarter, in 2019/2020 to 6 653 during the 1 st quarter, in 2020/2021.	17,9% points	Most of these cases happens indoors making it difficult to police. The lockdown, due to COVID-19 left children vulnerable, as they were confined to their homes with their families (abusers) most of the time, due to restricted movement. Despite the non-achievement of the targeted percentage, less charges were reported, than projected.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, achievement, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Citizenry actively supporting the fight against crime	Strengthened community partnerships	Percentage of police stations that have functional Community Police Forums	99,48% (1 140 from a total of 1 146 police stations) have functional CPFs, as per the set guidelines.	99,56% (1 144 from a total of 1 149) functional CPFs implemented at police stations, according to set guidelines.	99,57% (1 149 from a total of 1 154).	99,56% of police stations	99,56% of police stations	99,73% (1 149 from a total of 1 152 functional police stations out of 1 155 police stations).	0,17% points	Qhasa Police Station, in the Eastern Cape and Doornkop Police Station, in Gauteng are new police stations and a CPF board still needs to be elected.	The target was adjusted, in line with the actual performance, for 2019/2020, which was available at the time of the revision of the 2020/2021 Annual Performance Plan, rather than the estimated performance and has a significant impact on the target.
	Increased police visibility	Number of Provinces in which the Community-in-Blue Concept has been implemented	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	9 provinces, by 31 March 2021	3 provinces	0	-3	No directive/guideline pertaining to the expectations on the implementation of the Community-in-Blue Concept.	The performance indicator was adjusted to eliminate the implementation dependence on CPFs, hence the use of "initiated".

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Collaborative and consultative approach to policing: » Citizenry actively supporting the fight against crime	Increased police visibility	Number of cities in which the implementation of the Safer City Framework has been implemented	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	10 pilot cities	2 pilot cities	3 (Ethekwini (Durban), Cape Town and Port Elizabeth).	1	The National Commissioner invited the premier of the Western Cape and the mayor of the City of Cape Town, as well as other role players and Provincial SAPS management to a virtual meeting. During this meeting, the National Commissioner initiated the Safer City methodology to obtain buy-in from role players. The utilisation of virtual platforms for engagement lend itself to an opportunity to overachieve on the planned target.	The performance indicator was adjusted to eliminate the implementation dependence on various stakeholders, including municipalities and other departments, hence the use of "initiated".

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Table 4: Actual performance against targets, for 2020/2021, against the re-tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Crime Prevention									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities⁷	Improved regulation of firearms	Number of stolen, lost and illegal firearms recovered	18 592	7 141	4 204	Increase to 4 225 (0,5%) ⁸	2 035	-2 190	Target not achieved. COVID-19 restrictions, related to movement, especially during levels 5, 4 and 3, resulted in an increase in visible policing, which resulted in lesser illegal firearms recovered.
		Number of identifiable stolen/lost SAPS firearms recovered	358	362	459	Increase to 482 (5%) ⁹	376	-106	Target not achieved. COVID-19 restrictions, related to movement, especially during levels 5, 4 and 3, resulted in an increase in visible policing, which resulted in lesser illegal firearms recovered.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Improved regulation of firearms	Percentage of applications for new firearm licenses finalised, within 120 working days	78,41% (80 920 from a total of 103 205 finalised), within 90 working days.	70,31% (69 770 finalised from a total of 99 236 received), within 90 working days.	80,58% (81 976 finalised from a total of 101 733 received), within 90 working days.	90% of new applications finalised, within 120 working days ⁸⁰	38,87% (24 133 finalised from a total of 62 082 received), within 120 working days.	-51,13% points	Target not achieved. The rotation of members and the decontamination of buildings, due to positive COVID-19 cases, resulted in a loss of production. Dependencies to finalise applications.
	Reduced availability of illegal liquor	Percentage of identified illegal liquor outlets closed ⁸¹	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	90%	100% (24 683)	10% points	Target achieved. This forms part of crimes mostly dependant on police action for detection, which occurs during day-to-day patrols or operations conducted. The positive identification of illegal liquor outlets, requires that a SAPS member physically visit the premises in question, to confirm that an individual is allegedly selling liquor and to confirm that the liquor is being sold by a person that is not in possession of



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Increased feelings of safety in communities	Reduced availability of illegal liquor								a valid liquor licence or registration. The SAPS member who has conducted the positive identification is obliged, in terms of the SAPS Act, 1995 (Act No 68 of 1995), to place the individual under arrest and to confiscate the liquor, which is being held on the premises.
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime ⁸²	Percentage reduction in the number of contact crimes ⁸³	Reported contact crime reduced, by 1,1%, from 609 413, in 2016/2017, to 602 697, in 2017/2018.	Reported contact crime increased, by 2,6%, from 602 697, in 2017/2018, to 618 472, in 2018/2019.	Reported contact crimes increased, by 0,6%, from 618 472, in 2018/2019, to 622 206, in 2019/2020.	Reduce to 575 696 (7,48%)	Reported contact crimes reduced, by 13,9% from 622 206, in 2019/2020 to 535 869, in 2020/2021.	6,42% points	Target achieved. COVID-19 restrictions related to movement, especially during levels 5, 4 and 3. An integrated approach to policing through the use of force multipliers, such as reservists, K9 Units, Rapid Rail, Metropolitan Police Service, as well as other government departments who joined resources during these operations. Cooperation between the SAPS and the community.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Percentage reduction in the number of contact crimes at the Top 30 High Contact Crime Weight Stations ⁶⁴	New performance indicator, in 2019/2020.	Reported contact crimes at the identified 30 High Crime Weight Stations increased, by 1,34% from 92 887 in 2017/2018 to 94 131, in 2018/2019.	Reported contact crimes at the identified 30 High Crime Weight Stations reduced, by 0,1%, in 2018/2019 to 94 230, in 2019/2020.	Reduce to 87 234 (7,42%)	Reported contact crimes at the identified 30 High Crime Weight Stations reduced, by 18,9% from 94 849 ⁶⁵ , in 2019/2020 to 76 940, in 2020/2021.	11,48% points	Target achieved. COVID-19 restrictions related to movement, especially during levels 5, 4 and 3. The allocation of resources to the identified 30 High Contact Crime Weight Stations. Intensive crime combating operations at district, provincial and national levels.
		Number of escapees from custody	A total of 785 persons escaped from police custody. The 785 escapees represent 0,054% of the 1 467 217 persons arrested and charged, during 2017/2018.	A total of 656 persons escaped from police custody. The 656 represent 0,048% of the 1 360 319 persons arrested and charged, during 2018/2019.	A total of 680 persons escaped from police custody.	Reduce to 666 (2%)	A total of 545 persons escaped from police custody.	121	Target achieved. An approved National Plan and Impact Assessment circulated to Provincial Commissioners for implementation, supported by provincial plans. All incidents of escapes are being investigated and disciplinary action initiated.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Collaborative and consultative approach to policing: » Increased feelings of safety in communities	Reduced levels of contact crime	Number of stolen/robbed vehicles recovered	27 747 vehicles were recovered, including 22 093 identified vehicles, 5 499 unidentified vehicles and 1 55 vehicles recovered during cross-border operations.	28 418 vehicles were recovered, including 22 442 identified vehicles, 5 773 unidentified vehicles and 203 vehicles recovered during cross-border operations.	36 674 vehicles were recovered, including 31 725 identified vehicles, 4 786 unidentified vehicles and 163 vehicles recovered during cross-border operations.	Maintain the number of stolen/robbed vehicles recovered at 36 674 ⁸⁶	29 422 vehicles were recovered, including 25 782 identified vehicles, 3 531 unidentified vehicles and 109 vehicles recovered during cross-border operations.	- 7 252	Target not achieved. The measures implemented for the management and/or containment of COVID-19 affected policing activities focused on the recovery of vehicles. The SAPS was required to assist with the enforcement of the Regulations, issued in terms of the Disaster Management Act operations. COVID-19 also influenced the patterns of movement of business and civil society, including cross-border movement of people and goods, on which crime combating operations, targeting stolen and robbed vehicles, would usually focus.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Collaborative and consultative approach to policing: » Responsive policing of GBVF	Reduced levels of crime and GBVF through strengthened community partnerships	Percentage of functional police stations rendering a victim-friendly service to victims of crime, including GBVF	100% (All 1 146 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	100% (All 1 149 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	99,91% (1 153 from a total of 1 154) police stations compliant with 2 of the 3 set criteria.	100% of functional police stations	100% (All 1 155 police stations were compliant with 2 of the 3 set criteria).	0% points	Target achieved.
	Reduced violence against women ⁸⁷	Percentage reduction in the number of contact crimes against women (18 years and above) ^{88 89}	Reported crimes against women increased, by 2,7%, from 172 961, in 2016/2017, to 177 620, in 2017/2018.	Reported crimes against women increased, by 1,2%, from 177 620, in 2017/2018, to 179 683, in 2018/2019.	Reported crimes against women reduced, by 4,8%, from 179 683, in 2018/2019, to 171 070, in 2019/2020.	Decrease to 159 210 (6,9%)	Reported contact crimes against women reduced, by 9,4% from 171 070, in 2019/2020 to 155 062, in 2020/2021 ⁹⁰ .	2,5% points	Target achieved. Intensified awareness campaigns on crimes against women, to inform the community on the protection of women. A continuation of police visibility, to enforce the containment and management of COVID-19, throughout levels 1 to 5. The ban on the sale of liquor over weekends, contributed to the decrease in all categories of contact crimes against women.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Collaborative and consultative approach to policing: » Responsive policing of GBVF	Reduced violence against children ⁹¹	Percentage reduction in the number of contact crimes against children (below 18 years) ⁹²	Reported crimes against children reduced, by 0,7%, from 43 842, in 2016/2017, to 43 540, in 2017/2018.	Reported crimes against children increased, by 3,9%, from 43 540, in 2017/2018, to 45 229, in 2018/2019.	Reported crimes against children increased, by 6,4%, from 45 229, in 2018/2019, to 48 048, in 2019/2020.	Decrease to 39 497 (6,73%)	Reported contact crimes against children reduced, by 5,8% from 42 348, in 2019/2020, to 39 878, in 2020/2021 ⁹⁴ .	-0,93% points	Target not achieved. Most of these crimes are committed indoors between people who know each other, making it difficult to police. Liquor and substance abuse and environmental design play a key role in the commission of these crimes.
	Strengthened community partnerships ⁹⁵	Percentage of police stations that have functional Community Police Forums ⁹⁶	99,48% (1 140 from a total of 1 146 police stations) have functional CPFs, as per the set guidelines.	99,56% (1 144 from a total of 1 149) functional CPFs implemented at police stations, according to set guidelines.	99,57% (1 149 from a total of 1 154) functional CPFs implemented at police stations, according to set guidelines.	99,57% of police stations	99,83% (1 150 from a total of 1 152 of police stations have functional CPFs) ⁹⁷ .	0,26% points	Target achieved. The Executive CPF resigned at Wepener Police Station and a new executive committee to be elected. Molelane Police Station, in the Limpopo Province is a newly established police station and is not fully operational.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Collaborative and consultative approach to policing: » Citizenry actively supporting the fight against crime	Strengthened community partnerships	Number of identified functional strategic partnerships	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	3	0 function strategic partnerships.	-3	Target not achieved. Dependency on external role players. It was not always favourable to meet, in adherence to COVID-19 Regulations, including social distancing.
	Increased police visibility ⁹⁸	Number of Provinces in which the Community-in-Blue Concept has been initiated ⁹⁹	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	9 provinces, by 31 March 2021	The Community-in-Blue Concept has been initiated in all 9 provinces.	0	Target achieved.
		Number of Provinces in which the Traditional Policing Concept has been implemented ¹⁰⁰	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	1 province, by 31 March 2021	The Traditional Policing Concept has been implemented in 0 provinces.	-1	Target not achieved. The Traditional Policing Concept has been partially initiated, in the Mpumalanga Province. Dependency on external stakeholders.
		Number of cities in which the implementation of the Safer City Framework has been initiated ¹⁰¹	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	10 pilot cities ¹⁰²	The Safer City Framework was initiated in 10 identified pilot cities.	0	Target achieved.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Border Security									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Balance between trade and security at ports of entry ensured	Border security effectively managed	Percentage of crime-related hits reacted to as a result of the Movement Control System (MCS) and Enhanced Movement Control System (EMCS) on:							
		Wanted persons	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 879 wanted persons.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 780 wanted persons.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 304 wanted persons.	100%	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 485 wanted persons.	0% points	Target achieved.
		Circulated stolen or robbed vehicles	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 3 661 circulated stolen/robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 895 circulated stolen/robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 204 stolen/robbed vehicles.	100%	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 1 438 circulated stolen/robbed vehicles.	0% points	Target achieved.
		Percentage of profiled vehicles at land ports searched for the illegal facilitation of persons, contraband, illicit goods and/or stolen/robbed property	100% (10 587)	100% (8 436)	100% (7 441)	100%	100% (1 162)	0% points	Target achieved.
		Percentage of profiled containers at sea ports searched for the illegal facilitation of persons, contraband, illicit goods and/or stolen/robbed property	100% (7 317)	100% (6 252)	100% (6 640)	100%	100% (4 171)	0% points	Target achieved.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Balance between trade and security at ports of entry ensured	Border security effectively managed	Percentage of profiled cargo consignments searched for illegal facilitation of persons, contraband, illicit goods and/or stolen/robbed property	100% (3 521)	100% (4 920)	100% (4 041)	100%	100% (1 698)	0% points	Target achieved.
Subprogramme: Specialised Interventions									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Constitutionally grounded internal stability	Incidents of public disorder and crowd management, policed in accordance with the Constitution	Percentage of peaceful crowd management incidents policed	100% (10 853) incidents policed.	100% (11 431) incidents policed.	100% (8 608) incidents policed.	100%	100% (5 286) incidents policed.	0% points	Target achieved.
		Percentage of unrest crowd management incidents stabilised	100% (3 540) incidents stabilised.	100% (4 526) incidents stabilised.	100% (3 636) incidents stabilised.	100%	100% (2 764) incidents stabilised.	0% points	Target achieved.
	Effective policing of incidents of a security nature, which require specialised intervention	Percentage of medium- to high-risk incidents responded to, in relation to requests received	100% (2 629, including 2 407 incidents responded to by NIU and 222 incidents responded to by STF).	100% (2 094, including 1 920 incidents responded to by NIU and 174 incidents responded to by STF).	100% (1 202, including 977 incidents responded to by NIU and 225 incidents responded to by STF).	100%	100% (1 402, including 1 176 incidents responded to by NIU and 226 incidents responded to by STF).	0% points	Target achieved.
	Valuable and/or dangerous government cargo safeguarded	Percentage of safe delivery of valuable and/or dangerous government cargo, in relation to the number of cargo protection provided	100% protection was provided to 206 cargos with no security breaches.	100% protection was provided to 199 cargos with no security breaches.	100% protection was provided to 171 cargos with no security breaches.	100% protection provided without security breaches	100% protection was provided to 154 cargos with no security breaches.	0% points	Target achieved.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Reduced organised crime ¹⁰³	Reduced illegal mining through law enforcement ^{104, 105}	Percentage of identified illegal mining operations responded to, in relation to medium- to high-risk requests received ¹⁰⁶	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	100%	100% (19 identified illegal mining operations responded to).	0% points	Target achieved.

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SERVICE DELIVERY ACHIEVEMENTS

VISIBLE POLICING

Key Focus Areas

- » Provides direction on the effective prevention and combating of crime, through the provisioning of a visible policing service.
- » Provides a proactive and responsive policing service, striving towards the reduction of crime levels and to instill community confidence in the SAPS.
- » Deals with the strategic, tactical and operational approach in policing, to address the incidence of crime, aimed to reduce and combat crime, improve the SAPS' response time, enhance community mobilisation and partnerships, encourage victim empowerment programmes, address the proliferation of firearms, address incidents of unlawful possession of and dealing in drugs, as well as the closure of markets for stolen goods.

SUBPROGRAMME: CRIME PREVENTION

REDUCED LEVELS OF CONTACT CRIME

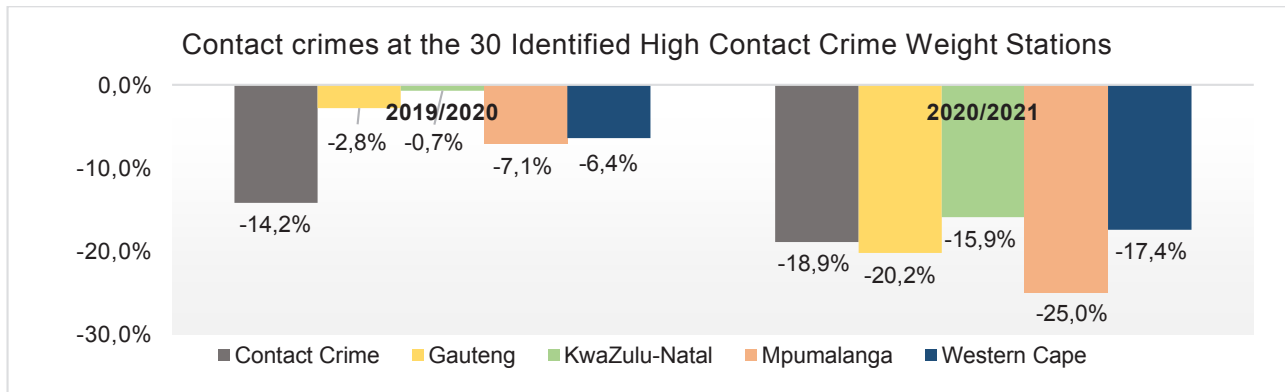
Unacceptably high levels of crime in South Africa, especially serious and violent crime, result in people of South Africa living in fear and feeling unsafe, particularly vulnerable groups, such as women and children. Therefore, ongoing emphasis is placed on the reduction of contact crime and crimes committed against women and children. The call by the President on all communities and government, on all levels, to work together in the fight against crime, shows the seriousness of government to reduce the levels of crime. Contact crime refers to crime, in which the victims are the targets of violence or instances where the victims are in the vicinity of property, targeted by criminals. The crimes in question are; sexual offences, assault common and assault GBH, murder, attempted murder, common robbery and robbery with aggravating circumstances (robbery at residential and non-residential premises, carjacking, truck hijacking, robbery of CIT and bank robbery).

Contact crimes reduced, by 13,9%, from 622 206, to 535 869, compared with the same period, in 2019/2020. The reduction of contact crimes was largely owed to the COVID-19 Pandemic and lockdown regulations in effect over the period, especially relating to movement, which limited opportunities for crime-related interaction and increased police visibility in high-crime areas. People were confined to their homes and there were less movement in public areas. Law enforcement activities heightened throughout the country, as roadblocks were set up on all strategic routes. Traveling between provinces was prohibited. Greater restrictions were implemented to control alcohol sales, which has proven to have a direct effect to the commission of crime. In sustaining these gains, provinces were directed to focus on multiagency interventions and to intensify intelligence-driven operations, ensuring that hotspots are policed.

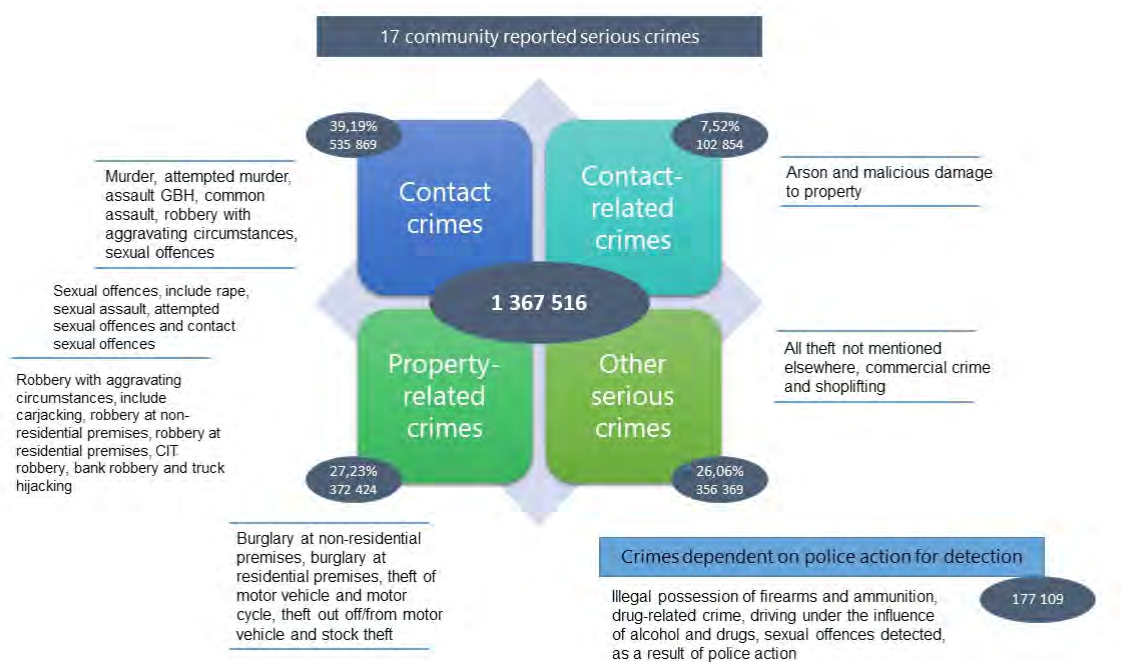
Despite the decreases, the levels of violent crime remains of extreme concern, which could be due to the socio-economic strain placed on society during the lockdown and its negative impact on jobs and food security, for example.

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Serious crimes (the 17 community reported crimes) reduced, by 16,4%, from 1 635 896 to 1 367 516, compared with the same period, in 2019/2020. The majority of charges are contact crimes (39,19%), whilst 27,23% relates to property crime, 26,06% are for other serious crime and 7,52% are contact-related crimes. Contact-related crimes reduced, by 8,8% from 112 765 to 102 854, property-related crimes reduced, by 21,1% from 472 158 to 372 424 and other serious crimes reduced, by 16,9% from 428 767 to 356 369, compared with the same period, in 2019/2020.



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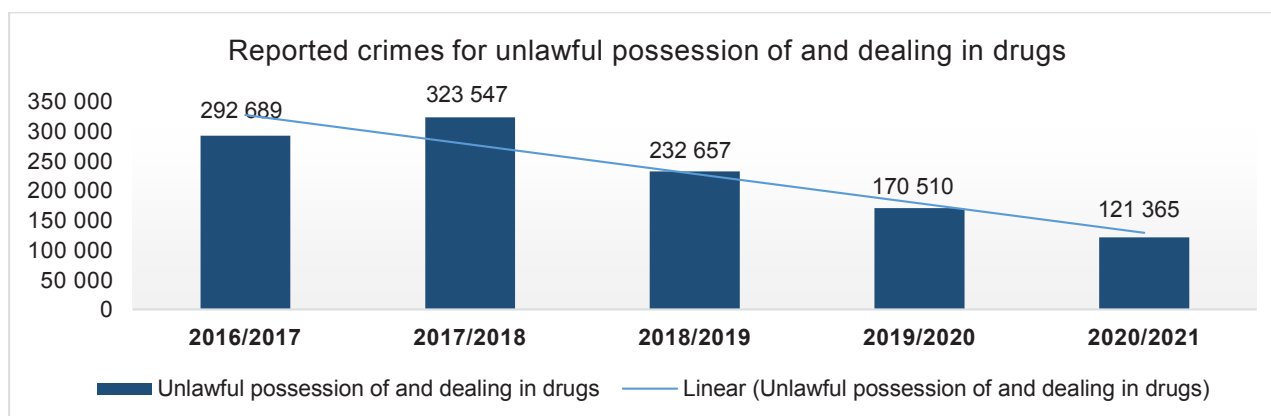
Breakdown of the 17 community reported serious crimes, 2020/2021¹⁰⁷

Crime category	2019/2020	2020/2021	Case difference	% change
Contact crimes (crimes against the person)				
Murder	21 341	19 904	-1 437	-6,7%
Sexual offences	53 776	46 548	-7 228	-13,4%
Attempted murder	18 661	18 528	-133	-0,7%
Assault GBH	166 828	143 593	-23 235	-13,9%
Common assault	165 643	149 724	-15 919	-9,6%
Common robbery	51 879	37 720	-14 159	-27,3%
Robbery with aggravating circumstances	144 078	119 852	-24 226	-16,8%
Total	622 206	535 869	-86 337	-13,9%
Total sexual offences				
Rape	42 664	36 552	-6 112	-14,3%
Sexual assault	7 833	7 128	-705	-9,0%
Attempted sexual offences	2 088	1 790	-298	-14,3%
Contact sexual offences	1 191	1 078	-113	-9,5%
Total	53 776	46 548	-7 228	-13,4%
Some subcategories of aggravated robbery				
Carjacking	18 197	16 802	-1 395	-7,7%
Robbery at residential premises	21 142	20 859	-283	-1,3%
Robbery at non-residential premises	20 661	18 208	-2 453	-11,9%
Bank robbery	0	2	2	2 more charges
CIT robbery	164	191	27	16,5%
Truck hijacking	1 204	1 401	197	16,4%
Contact-related crimes				
Arson	3 852	3 312	-540	-14,0%
Malicious damage to property	108 913	99 542	-9 371	-8,6%
Total	112 765	102 854	-9 911	-8,8%
Property-related crimes				
Burglary at non-residential premises	69 729	65 528	-4 201	-6,0%
Burglary at residential premises	206 104	159 892	-46 212	-22,4%
Theft of motor vehicle and motorcycle	47 023	35 090	-11 933	-25,4%
Theft out off/from motor vehicle	118 321	83 239	-35 082	-29,6%
Stock theft	30 981	28 675	-2 306	-7,4%
Total	472 158	372 424	-99 734	-21,1%
Other serious crimes				
All theft not mentioned elsewhere	284 131	225 539	-58 592	-20,6%
Commercial crime	84 752	83 482	-1 270	-1,5%
Shoplifting	59 884	47 348	-12 536	-20,9%
Total	428 767	356 369	-72 398	-16,9%
Total 17 community reported serious crimes	1 635 896	1 367 516	-268 380	-16,4%

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Crimes for unlawful possession of and dealing in drugs decreased, by 28,8% from 170 510, in 2019/2020 to 121 365, in 2020/2021.



Minister of Justice and Constitutional Development and Others v Prince, Case CCT 108/17 [2018] ZACC 30 – Constitutional Court (2018-09-18)

The judgment relates to the use, possession or cultivation of cannabis by an adult for that adult's personal private consumption. The Constitutional Court declared certain provisions of the Drugs and Drug Trafficking Act, 1992 (Act No 140 of 1992), read with the Medicines and Related Substances Control Act, 1965 (Act No 101 of 1965), unconstitutional and invalid. The judgment has created uncertainty with regard to the policing and prosecution of cannabis matters, which may or may not qualify as personal private consumption. The Constitutional Court did not give specific guidelines as to the weight or quantity of cannabis that would be regarded as "cannabis for personal use". To a large extent, the policing of cannabis is left to the discretion of each police officer, depending on the specific circumstances. Legal certainty will be achieved when the Regulation of Cannabis is finalised in Parliament. The Department of Justice and Constitutional Development is currently processing the Regulation of the Cannabis Bill and the SAPS is being consulted, in this regard.

Crimes dependent on police action for detection decreased, by 39%, from 290 176, in 2019/2020 to 177 109, in 2020/2021. The restrictions placed on the movement of people and goods also limited the opportunity to detect crimes dependent on police action for detection.

The SAPS has identified the top 30 High Contact Crime Weight Station areas. These 30 stations are identified, based on the analysis of reported contact crime, during the preceding financial year. The following police stations were identified as the top 30 High Contact Crime Weight Stations: Gauteng (Johannesburg Central, Hillbrow, Dobsonville, Ivory Park, Kagiso, Honeydew, Temba, Alexandra, Pretoria Central, Moroka, Mamelodi East, Jeppe, Tembisa, Randfontein, Eldorado Park and Rietgat); Western Cape (Nyanga, Cape Town Central, Mitchells Plain, Khayelitsha, Delft, Kraaifontein, Mfuleni and Harare); KwaZulu-Natal (Umlazi, Inanda, Plessislaer, Durban Central and Phoenix); and Mpumalanga (Witbank). Reported contact crimes at the identified 30 High Contact Crime Weight Stations reduced, by 18,9% from 94 849, in 2019/2020 to 76 940, in 2020/2021. Nyanga, Khayelitsha, Johannesburg Central, Delft and Tembisa Police Stations were the five busiest police stations, in terms of the most contact crimes being reported. A total of 76 940 or 14,36% of the 535 869 contact crime charges were reported at these police stations. All four provinces, where these stations are located, contributed towards the achievement of the 7,42% annual target. The Mpumalanga Province reported a 25,0% reduction of contact crime, followed by the Gauteng Province, with a reduction of 20,2%, while the Western Cape Province recorded a 17,4% reduction and the KwaZulu-Natal Province, a reduction of 15,9%. Contact crime incidences decreased at all top 30 High Contact Crime Weight Stations, except for the Nyanga, Plessislaer and Ivory Park precincts, where increases were recorded.



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Rapid Rail Police Units covers about 33 000 km rail lines, nationally. During 2020/2021, a total of 8 958 crimes were reported within the rail environment, of which 7 586 were for the 17 community reported serious crimes, 270 were crimes dependent on police action for detection and 1 102 were for less serious crimes, including 523 Alpha crimes and 579 Bravo crimes. In terms of the 17 community reported serious crimes, 682 were contact crimes, 347 contact-related crimes, 397 property-related crimes and 6 160 were other serious crimes. Overall, crimes reported in the rail environment decreased, by 41,89% from 15 416, in 2019/2020 to 8 958, in 2020/2021. Contact crime decreased, by 66,63%, contact-related crimes, by 26,01%, property-related crimes, by 10,59%, other serious crimes, by 20,03% and less serious crimes, by 72,68%. Crimes dependent on police action for detection decreased, by 62,60%, from 722, in 2019/2020 to 270, in 2020/2021.



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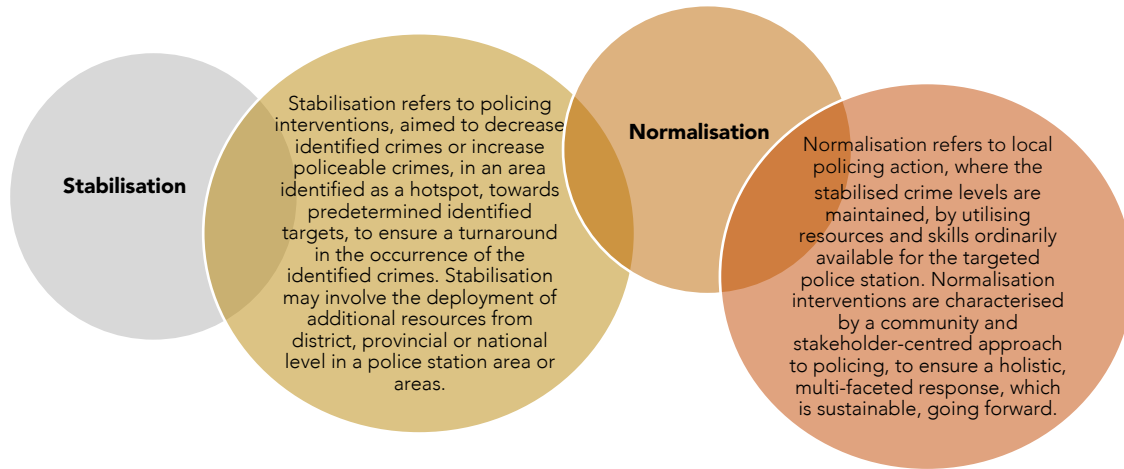
Reported crime in the rail environment, 2020/2021

Province	Contact crimes		Contact-related crimes		Property-related crimes		Other serious crimes		Crimes dependent on police action for detection		Less serious crimes		Total	
	2019/2020	2020/2021	2019/2020	2020/2021	2019/2020	2020/2021	2019/2020	2020/2021	2019/2020	2020/2021	2019/2020	2020/2021	2019/2020	2020/2021
Gauteng North	249	147	131	62	58	58	1 119	981	173	74	614	195	2 344	1 517
Gauteng South	417	140	136	116	98	94	2 210	1 688	162	51	160	97	3 183	2 186
Limpopo	6	7	0	4	7	6	88	187	0	1	2	3	103	208
North West	15	6	9	10	7	5	318	255	3	1	12	10	364	287
Western Cape	1 098	211	70	41	94	66	1 444	843	289	71	388	301	3 383	1 533
Northern Cape	21	23	21	9	61	21	178	92	1	1	121	60	403	206
Eastern Cape	37	30	22	28	47	43	231	274	3	5	1 011	11	1 351	391
Free State	13	13	9	11	10	19	94	166	1	1	24	13	151	223
KwaZulu-Natal	167	82	41	45	33	65	1 190	971	89	64	1 677	390	3 197	1 617
Mpumalanga	21	23	30	21	29	20	831	703	1	1	25	22	937	790
Total	2 044	682	469	347	444	397	7 703	6 160	722	270	4 034	1 102	15 416	8 958
Increase/decrease	-66,63%		-26,01%		-10,59%		-20,03%		-62,60%		-72,68%		-41,89%	

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The SAPS has adopted a two-pronged approach to crime reduction, referred to, as the stabilisation and normalisation of crime, informed by the SAPS Turnaround Vision.



SAPS crime combating activities are informed by Crime Pattern Analysis and Crime Threat Analysis. Various operations were initiated, in 2020/2021, including Operation COVID-19, aimed at enforcing the Regulations, in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No 57 of 2002); Operation Safer Festive Season, aimed at ensuring that communities can enjoy a peaceful and safe festive season; as well as Operation Vhuthu Hawe, a five-year operation, to address violent crimes through a geographic and organised crime approach. Force multipliers, such as reservists, K9 Units, Rapid Rail Police Units, the Metropolitan Police Services, as well as other government departments are joining resources, during these operations.

The policing of community protest actions in most areas around the country, CIT robberies, taxi violence, political killings and gang violence, impacts negatively on police stations in the planning of crime prevention operations. As a result, Priority Committees were established at the NATJOINTS, the operational arm of the JCPS Cluster, to assist provinces to address these incidents, thereby enabling police stations to focus on day-to-day crime operations. The committee initiated the establishment of teams at all clusters, to deal with high crime areas. The Operational Command Centre Concept was introduced, to assist with the coordination of crime combating initiatives, with the aim of giving effect to crime reduction objectives. Crime prevention operations are aimed at creating conditions, in which opportunities for the commission of crime will be reduced.

A total number of 46 321 roadblocks were conducted, countrywide, in 2020/2021, compared to 32 769, in 2019/2020, a significant increase, compared to the previous financial year. This can be attributed to adherence to NATJOINTS directives, by all provinces. A noteworthy increase in the number of vehicle (9 019 962) and person (18 867 914) searches was also noted, compared to previous financial years. Provinces were assisted to sustain the achievements, by redirecting resources to areas where they were most required, for example priority police station areas and hotspot areas, identified through crime analysis. Crime prevention units were gradually introduced at police stations, to enable them to function to full capacity.

A total of 2 797 097 arrests were made for all crimes, during 2020/2021, compared to 1 133 891 arrests, in 2019/2020, an increase of 1 663 206 arrests. The provinces that contributed to the most arrests for priority crimes were: the Gauteng Province, with 422 840, followed by the Western Cape Province, with 378 267, the KwaZulu-Natal Province, with 246 266 and the Eastern Cape Province, with 176 374.



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Police actions conducted and arrests, from 1 April 2020 to 31 March 2021

Police actions	Number of actions, in 2019/2020	Number of actions, in 2020/2021
Roadblocks	32 769	46 321
Cordon-and searches	2 783	1 866
Air support operations	141	107
Vehicle searches	6 289 939	9 019 962
Premises searches	1 069 160	896 516
Stop-and-searches	3 802 393	3 787 225
Person searches	1 512 045	18 867 914
Shopping complex visits	5 736 264	1 554 001
Spaza shop visits	4 519 733	5 187 756
ATM visits	5 736 246	5 717 328
Farm visits	1 088 033	1 093 851
Firearm checks	26 107	26 735
School visits (include patrols, attending to complaints, searches for drugs and weapons, attending meetings on school safety and other crime prevention initiatives)	2 287 184	2 927 493
Hostage and suicide incidents attended to	651	572

Arrests		
Crime type	Number of arrests, in 2019/2020	Number of arrests, in 2020/2021
Contact crime		
Murder (including farm murder)	15 895	29 855
Attempted murder (including attempted farm murder)	10 274	19 960
Sexual offences (including rape, attempted rape and indecent assault)	31 609	60 818
Assault GBH	109 759	263 009
Common assault	79 048	185 954
Aggravated robbery (includes hijacking of cars and trucks, robbery at residential and business premises, CIT robbery, bank robbery and robbery with a firearm)	48 624	96 612
Common robbery	14 859	29 395
Total	310 068	685 603
Some subcategories of aggravated robbery		
Carjacking	2 789	5 923
Truck hijacking	182	431
Robbery at residential premises (house robbery)	4 805	11 905
Robbery at non-residential premises (business robbery)	5 184	12 223
CIT robbery	52	175
Bank robbery	3	5
Other robbery with aggravating circumstances (robbery with a firearm and robbery with a weapon, other than a firearm)	35 609	71 145
Total	48 624	101 807

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Contact-related crime		
Arson	1 452	3 374
Malicious damage to property	41 689	99 332
Total	43 141	102 706
Crimes dependent on police action for detection		
Illegal possession of firearms and ammunition	18 999	41 968
Drug-related crime (offences under the Drugs and Drug Trafficking Act, 1992 (Act No 140 of 1992) and the Medicines and Related Substances Control Act, 1965 (Act No 101 of 1965))	158 621	301 685
Driving under the influence of alcohol and drugs	84 207	128 630
Sexual offences as a result of police action	3 961	8 149
Total	265 788	480 432
Property-related crime		
Burglary at residential premises	28 267	64 760
Burglary at business premises	10 203	25 881
Theft of motor vehicle and motorcycle	4 505	9 168
Theft out off/from motor vehicle	8 150	17 454
Stock theft	3 557	10 707
Commercial crime (fraud)	1 177	30 442
Shoplifting	54 956	112 799
Other theft	60 070	126 608
Total	170 885	397 819
Other serious crime		
Culpable homicide	1 177	2 024
Public violence	5 054	8 826
Crimen injuria	10 343	19 982
Child abuse	906	2 098
Kidnapping	3 483	8 448
Abduction	211	450
Attempted house robbery	127	333
Attempted business robbery	248	604
Other offences related to livestock, poultry and birds	1 106	3 333
Arrests, in terms of the Explosives Act	369	766
Total	23 024	46 864
Arrests for serious crime ¹⁰⁸	798 672	1 713 424
Other arrests (not listed above)	27 112	55 013
Arrests for less serious crime	308 107	1 028 660
Total	1 133 891	2 797 097



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The National Gambling Board is an agency of the Department of Trade and Industry (DTI), established, in terms of the National Gambling Act, 1996 (Act No 33 of 1996), which was repealed, on 1 November 2004 by the National Gambling Act, 2004, (Act No 7 of 2004). The Act provides for the oversight of matters relating to casinos, gambling, betting and wagering and promotes uniform norms and standards, in relation to gambling throughout South Africa. According to the DTI website, the modes of gambling that are legal and regulated are: casinos, bingo, limited-payout machines and betting on horse racing and sporting events. Casino games can only be enjoyed at licensed land-based casinos. Any establishment that is unable to display a valid gambling licence, issued by a provincial licensing authority, is operating illegally. In terms of the National Gambling Act, 2004 interactive gambling, as envisaged in the National Gambling Amendment Act, 2008 (Act No 10 of 2008), remains prohibited. Examples of interactive gambling is clarified as casino-style games that are accessible through the use of a device, such as a smartphone or tablet, as well as server-based gambling inside a physical establishment, such as an internet lounge. In terms of National and Provincial gambling legislation, the Gambling Board is responsible for oversight of legal gambling premises, while the SAPS is responsible for illegal gambling premises.

- » A National Stakeholder Priority Committee was established, to address illegal gambling activities within South Africa and meet on a quarterly basis. The following was achieved by the committee, in 2020/2021:
- » An approved Response Plan (2019-2024), to address illegal gambling.
- » An operation, launched in the Gauteng Province, focusing on the legal principles of closing down internet cafes/ lounges fronting as illegal gambling premises.
- » A NATJOINTS Instruction (24 of 2019) to direct the establishment of Provincial Stakeholder Priority Committees to address illegal gambling.
- » An updated contact list of all inspectors, appointed, in terms of national and provincial gambling legislation.
- » A National Crime Combating Forum (NCCF) Instruction (4 of 2020), to address the implementation of measures, with regard to illegal gambling, in support of the JCPS Cluster Operational Pillars.



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10111 Command Centres

The total of 21 SAPS 10111 Command Centres received 16 493 275 calls, in 2020/2021, compared to 10 966 851, in 2019/2020, an increase of 50,39% in the number of calls received, compared to 2019/2020. Approximately 2 259 834 or 13,70% of the 16 493 275 calls were registered as police-related emergency calls compared to 4 060 273 or 37,02%, in 2019/2020. There was an increase of 106,09% in calls not related to the SAPS from 6 906 578, in 2019/2020 to 14 233 441, in 2020/2021. Calls not related to SAPS emergencies, are classified as hoax, nuisance and abusive, not police-related emergency enquiries, e.g. fire and ambulance and general enquiries or matters relating to service information to the public. The large number of calls that are not related to SAPS emergencies, places a heavy burden on personnel at 10111 Command Centres to render an effective service, as every call received is considered an emergency, unless otherwise determined. Non-police-related calls have an impact on the prioritisation of legitimate emergency calls and hampers service delivery.

Flying Squad Units

The Flying Squad Units are currently used as force multipliers, in support of police stations and other units. The Flying Squad has been mandated to ensure an effective response to priority or serious and violent crimes in progress, which require immediate response and police assistance and less serious crimes/complaints, if no other response vehicle is available. There are 30 Flying Squad Units, countrywide. During the reporting period, the Flying Squad Units attended to 55 387 complaints, secured 49 557 arrests, conducted 1 784 903 searches of vehicles and persons, conducted 124 441 patrols, 35 368 vehicle check points and 5 473 roadblocks. The Flying Squad Units recovered 731 illegal firearms, 4 119 stolen/robbed vehicles and drugs valued at R 22 316 986.55.

Hostage negotiators

Hostage negotiators have been involved in hostage and related crisis incidents, including both national and international negotiations. These incidents include hostage, barricade and kidnapping incidents, as well as dealing with suicidal or mentally disturbed persons. Precautionary practices relating to COVID-19 limited exercises, to one exercise involving the STF and the Department of Correctional Services, at Baviaanspoort, Gauteng. The SAPS currently has 326 active negotiators. During 2020/2021, hostage negotiators attended to 572 incidents compared to 651, in 2019/2020. Hostage negotiators have spent approximately 10 482 working hours on hostage negotiation, in 2020/2021, which is 3 558 approximate working hours less than in the previous year (14 040). The COVID-19 Pandemic had a significant role in the decrease of incidents (12,14%). Hostage negotiators collaboratively dealt with major kidnapping incidents, in the 2020/2021 financial year and stay committed in ensuring an effective response to kidnapping. About 59% of the incidents dealt with, were related to hostage taking, while 31% were related to suicide incidents. Dealing with kidnapping is the most time consuming of all incidents, but is the only way to safely release the hostage when the process is effectively managed. Visits and inspections were conducted, in all the provinces, concluding that sustainable efforts are made with hostage negotiations, as a secondary function, to provide a service in the community.

Water Policing and Diving Services

Water Policing and Diving Services are rendered as a secondary service, being mobilised where necessary. Response includes the recovery of the bodies of drowned victims, exhibits submerged in water, hazardous liquid or substance and ensuring adherence to water safety regulations. Water Policing and Diving Services members also participate in policing operations relating to organised water sports or recreational events. The SAPS currently has 132 active divers and 79 vessel handlers deployed in the Water Policing and Diving Services environment. During the period under review, police divers conducted 1 322 dive-related operations, which is approximately 136 less than the previous year. More than 12 550 hours were spent on diving operations, in which 821 bodies of drowned victims were recovered. A number of 522 bodies were recovered from usually inaccessible locations and 884 persons were rescued. More than 11 551 hours were spent on crime prevention in the Water Policing and Diving Services environment.

Disaster Management

Disaster Management is rendered as a secondary service, being mobilised, where necessary. Members were assigned to NATJOINTS and National Joint Operational Centre Committees dealing with the COVID-19 Pandemic. The SAPS was represented, virtually, in three National Disaster Management Forum meetings, participated in the Incident Management Organisation, established to attend to oil spill contingency planning and contributed to the SOPs related to this environment. Coordinators assisted in the deployment of SAPS members where support was required in major incidents, like floods, veld fires and aircraft in distress. All provinces were visited for inspection and all members assigned to the business unit were trained in Disaster Risk Reduction. The Disaster Management Learning Programme was presented, in the Eastern Cape and the Western Cape Provinces. The remaining provinces are expected to follow suit when COVID-19 restrictions allow such interventions.



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Accident Combating Units

The SAPS have dedicated Accident Combating Units and teams established and functioning within the various provinces. There are currently six established Accident Combating Units and seven Accident Response Teams, countrywide. Members attached to these teams/units are trained to ensure a response to serious road accidents and high profile road accidents, including on scene investigation, recording and collection of evidence. Members of the units/teams also conduct reconstruction of road accidents, on request from investigating officers and courts. Members are highly skilled to conduct mechanical investigation of vehicles involved in serious road accidents, including high profile accidents, such as "five or more fatalities in a single accident, dangerous goods spillage, resulting in a fatality and where the Road Traffic Management Corporation has declared a road accident as high profile. A total number of 8 213 fatal road accidents were attended to, in 2020/2021, compared to 9 873, in 2019/2020. Eleven members from the Accident Combating environment, from the Gauteng, Limpopo, the Western Cape and KwaZulu-Natal Provinces, have been trained in Plan Drawing and Photography, from 9 November 2020 to 4 December 2020, in Pretoria. The Vehicle Road Crash Mechanical Crime Investigation Learning Programme was approved by the ETD Evaluation Committee, on 10 February 2021. Provincial Accident Combating Coordinators are appointed to facilitate and coordinate responses to road accidents and participate in Road Incident Management Systems.

Mounted Units

There are currently 20 Visible Policing Mounted Units, nationally, with 245 mounted riders and 202 police horses. Mounted Units are utilised for high visibility crime prevention patrols in identified problematic areas, crime prevention operations, assist with crime combating and crime prevention operations with organised roadblocks, search-and-rescue operations to locate lost and drowned persons and with stock theft crime prevention and recovery operations. Furthermore, they are deployed at major events and conduct beach patrols during peak holiday periods, during rural and stock theft operations, sector policing, community policing, community social events, rail environments and at taxi ranks. Mounted Units also patrol at polling stations, during national and local elections and visit various rural environments, in support of the National Rural Safety Strategy. In 2020/2021, Mounted Units conducted 57 626 searches and recovered 18 stolen/hijacked vehicles, 16 illegal firearms, 211 rounds of ammunitions and 1 426 stolen livestock of various types. A quantity of 82 962,028 grams narcotics were confiscated, including cannabis, Mandrax tablets, cocaine, heroin and Crystal meth (Tik-Tik). A Community Mounted Patrollers Policy document was developed, aimed to regulate the roles and responsibilities of community mounted patrollers during their involvement with safety and security concepts, through a partnership between the community and the SAPS. Approximately 146 450 horse hours were spent on horseback, during 2020/2021.

SAPS K9 Services

The SAPS has 109 operational K9 Units, nationally. SAPS K9 Service deploys active K9 handlers and dogs from 11 K9 disciplines (patrol, narcotic, tracker, explosives, search-and-rescue, biological body fluid, fire investigation, protected species, carcass and hide, currency and sheepdogs). Compliance inspections were conducted at 94 operational K9 Units, nationally and assessed the operational standards of 288 K9 handlers and their dogs, at the various K9 Units. From 1 April 2020 to 31 March 2021, K9 Units conducted 1 444 901 searches, confiscated 2 832 stolen/robbed vehicles and 1 230 illegal firearms, attended to 8 761 complaints and made 33 044 arrests for various crimes. Furthermore, various operational procedures/directives were reviewed and approved for implementation. A total of four additional K9 assessors and two K9 moderators were appointed, to ensure that the national standards of K9 handlers and dogs are maintained, according to organisational prescripts. K9 Units assisted in various crime prevention operations, high visibility patrols, attended organised roadblocks, assisted with various major events, policed local elections and swept event centres before high profile delegates attended conferences, meetings and events. K9 handlers and dogs were also deployed at the border between the Northern KwaZulu-Natal Province (Emangusi) and Mozambique, to assist with cross-border crimes, as well as in the Western Cape Province, to assist with gang-related crimes. Furthermore, they were actively involved with search-and-rescue operations and assisted the Kingdom of Lesotho to search for missing persons in mountainous areas, after torrential rains caused landslides and swept infrastructure and humans away.

SAPS Veterinary Services

Much of the work done by the SAPS Veterinary Services is anchored around primary, secondary and tertiary healthcare, to ensure sound welfare within the K9 and mounted environment. Given the uncertainty surrounding the COVID-19 Pandemic, including travel restrictions and the potential for infection from physical interaction, SAPS Veterinary Inspection and Farriers continued to provide services at various K9 and Mounted Units, across the nine provinces, while clinical teams constantly remained available from the three veterinary clinical facilities, to ensure that the animals of the Service remained healthy and viable, in support of operational key priorities. Coronaviruses are responsible for respiratory and intestinal infections in animals and humans. With animals believed by many to be the source of the virus, the SAPS Veterinary Services received requests to provide insight on the panic and confusion by members within the K9

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and mounted environment, who were concerned by the risk of exposure of humans to the virus from companion animals. Several reports emerged from Hong Kong, Belgium and the United States, about positive tests in cats and dogs, some with concurrent evidence of mild respiratory disease. In all of these tests, animals were living within the homes of positive COVID-19 patients. At that time, prospective trial where ongoing to objectively examine the prevalence of the transmission of the virus from infected patients to household companion animals. The World Health Organisation and other public health organisations emphasised the limited scientific evidence that pets can directly transmit the virus to the people with whom they live. From a risk management perspective, it was only viable to encourage members not to panic, nor abandon their animals because of concerns about virus transmission, to emphasise that members should wash their hands, before and after touching animals and to distance themselves from their pets and service animals, when sick with COVID-19, to minimise virus transmission. The implementation of the 50/50 rotation system within the Service has unfortunately led to incidents where animal welfare was compromised, due to a lack of proper grooming, proper cleaning of kennels and inadequate exercise of dogs. Appropriate measures will be put in place to ensure, that regardless how the virus is impacting various activities within the Service, sound animal welfare should remain a priority.

Animal welfare interventions, during 2020/2021			
Primary health care	2019/2020		2020/2021
Veterinary inspections at K9 Units	81		110
Veterinary inspections at mounted units	15		21
Deworming (dogs and horses)	4 190		2 969
Vaccinations (dogs and horses)	3 146		2 906
Horses shod	2 522		2 339
Secondary health care			
Medical consultations (dogs and horses)	3 480		1 865
Surgical consultations (dogs and horses)	245		91
Dentals (dogs and horses)	413		207
Tertiary health care (referrals)			
Practice name	Specialisation	Number of animal patients (2019/2020)	Number of animal patients (2020/2021)
University of Pretoria: Onderstepoort Academic Veterinary Hospital	Orthopaedic surgery	5	27
	Abdominal surgery	19	14
	Dentistry	1	1
	Medicine	24	19
	Skin specialist	4	0
	Eye specialist	4	3
Total referrals		57	64



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In terms of the Policy Framework and the Reservist National Instruction: 3 of 2014, the **reservist system** provides a mechanism for increasing the operational capacity of police stations, by utilising trained police reservists to complement the permanent capacity of the SAPS. As part of the Traditional Policing Pilot Project, in KwaZulu-Natal, the launch of the Royal Reserve Police took place, on 3 December 2020. This represents the combined implementation, of both the Traditional Policing Concept and the Rural Safety Strategy. The launch entailed the graduation of 75 police reservists, who successfully completed their training, at the Mankweng Police Academy, who will complement the policing capacity, by serving the community in the rural areas of Kwa-Nongoma. A budget of R1 513 142.40 was allocated for the call-up of the reservists, in order to conclude their training and for the launch.

The **SAPS and Metropolitan Police Service Collaboration Strategy**, to enhance coordination and cooperation between the SAPS and Metropolitan Police Service, was approved by the National Commissioner, on 19 November 2019 and approval was obtained by the municipal managers of the Ekurhuleni, Johannesburg Tshwane, Cape Town, Ethekwini and Nelson Mandela Bay Metropolitan Municipalities. The remaining municipalities indicated that they were consulting with the relevant structures within their municipalities, before the Strategy will be approved for implementation, but the consultation process was hampered by COVID-19 restrictions. The key focus areas and deliverables of the Strategy were implemented by the Ekurhuleni, Johannesburg and Tshwane Municipalities and the Gauteng Provincial Commissioner; the Ethekwini Municipality and the KwaZulu-Natal Provincial Commissioner; as well as the Nelson Mandela Bay Municipality and the Eastern Cape Provincial Commissioner.

The **Diplomatic Policing Unit** conducted 12 crime prevention operations, during 2020/2021 and reported 243 957 daily visits to key points. A total number of 101 criminal cases were reported, 46 diplomatic functions were policed without incidents from different missions, 41 protest actions were policed from different foreign missions and 58 requested escorts were conducted by foreign missions without negative incidents.

The main objectives of the **Second-Hand Goods Act, 2009 (Act No 6 of 2009)** are to regulate the business of dealing in second-hand goods and pawn brokering, to combat the illegal trade in stolen goods and to promote ethical standards in the second-hand goods environment that is accomplished, due to the effective administration of the registration of second-hand goods dealers and the conducting of compliance inspections at registered second-hand goods dealers' premises, as well as accredited second-hand goods dealers' associations.

The number of registered second-hand goods dealers increased, since the implementation of the Second-Hand Goods Act, 2009. The total registered second-hand goods dealers varies, annually, due to the registration of new dealers and the closure of existing registered dealers. A total number of 24 562 registered second-hand goods dealers were recorded, on 31 March 2021, compared to 23 473, on 31 March 2020.

A Compliance Inspection Toolkit is implemented and monitored to guide Designated Second-Hand Goods Officers (DSO's) in the proper execution of their functions within the second-hand goods environment. The main purpose of the Compliance Inspection Toolkit is to establish a standardised approach and provide guidance when conducting compliance assessments at provincial and police station DSO offices and inspections, at registered second-hand goods dealers. Six compliance assessments were conducted at provincial second-hand goods offices, 24 assessments at identified police station second-hand goods offices and 382 compliance inspections at identified registered second-hand goods dealers and recyclers, in order to determine the level of compliance, in terms of the Second-Hand Goods Act, 2009.

The National Non-Ferrous Metals Crime Combating Committee (NFMCCC) is entrusted to focus and coordinate integrated intelligence driven crime combating operations for the prevention and combating of non-ferrous metal and essential infrastructure-related crimes. The NFMCCC is also responsible to raise awareness and drive communication initiatives to address these crimes.

Guidelines regarding the implementation and application of the Criminal Matters Amendment Act, 2015 (Act No 18 of 2015), including the roles and responsibilities of all stakeholders within the NFMCCC, were compiled and communicated to members through the SAPS Intranet. The guidelines were implemented and monitored through receiving quarterly reports from the provinces.

An increase of 167 cases of essential infrastructure-related crimes, in terms of the Criminal Matters Amendment Act, 2015 and a decrease of 5 141 cases in non-ferrous metal-related crimes were reported, in 2020/2021. The increase of essential infrastructure-related crimes can be attributed to intensified awareness of the Criminal Matters Amendment Act, 2015 and the decrease in non-ferrous metal-related crimes can be attributed to joint and intensified initiatives by all the industry stakeholders represented at the NFMCCC.

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A total number of 92 948 compliance inspections were conducted at provincial and police station levels during day-to-day activities, at registered second-hand goods dealers, resulting in 281 arrests, the registration of 107 case dockets, the issuing of 862 (J534) fines and the closure of 60 premises. During these activities, 52 528,975 kg copper cable, 5 628,572 kg copper, 10 kg brass, 448,02 kg aluminium, 25 kg lead and 2,009 kg zinc were confiscated. In an effort to enhance the administration of the Second-Hand Goods Act, 2009 (Act No 6 of 2009), it is anticipated that the Second-Hand Goods Control System will be operational, before the end of the 2020/2021 financial year, after which full implementation of the system will commence.

Continued focus was placed on reducing the incidence of recovery of illicit drugs and stolen and robbed vehicles, as well as escapes from police custody, due to their association with violent crime.

Increases were recorded in the quantity of illicit drugs seized, in particular Cannabis, Mandrax and Crystal Meth (Tik-Tik). Cannabis seizures increased, by 80,22%, Mandrax, by 99,73% and Crystal Meth, by 105,51%, compared with the 2019/2020 financial year. Operations conducted at police station level were based on information provided by informers and through community engagement. The Crime Pattern Analysis and Crime Threat Analysis approach was also followed, by police stations, targeting hotspot areas. A collective approach by various sectors and government departments, as outlined in the NDMP, contributed, to ensure that the demand for drugs is diminished and the supply of illicit drugs is reduced. The seizure of smaller quantities, in particular Cocaine and Heroin can be attributed to restrictions placed on travel and cross-border movement of people and goods, as a result of the lockdown, which also impacted on policing operations to seize drugs that are trafficked into South Africa.

Type of drug	Quantity seized, in 2019/2020	Quantity seized, in 2020/2021
Cannabis (dry cannabis and plants)	159 234,402 kg (155 008,202 kg dry cannabis and 42 262 cannabis plants (equals 4 226,200 kg)	286 977,273 kg (280 859,773 kg dry cannabis and 61 175 cannabis plants (equals 6 117,500 kg)
Mandrax	920 657.95 tablets	1 047 037.75 tablets
Crystal Meth (Tik-Tik)	638,288 kg	1 311,763 kg
Cocaine	192,466 kg	60,456 kg
Heroin	313,697 kg	301,769 kg

From 1 April 2020 to 31 March 2021, a total number of 53 327 vehicles were reported as stolen/robbed. In the same period, 29 422 vehicles were recovered, against a set target of 36 674, including 25 782 identified and 3 531 unidentified vehicles, as well as 109 vehicles recovered during cross-border operations. Most stolen/robbed vehicles were recovered in the Gauteng (12 989), KwaZulu-Natal (5 027) and the Western Cape (4 984) Provinces. A comparative analysis of recovery rates indicate that there was no significant decrease in efforts to recover vehicles. In the 2019/2020 financial year, the recovery rate was 55,82%, whilst the recovery rate, in the 2020/2021 financial year, was 55,17%.



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Vehicles stolen/robbed and recovered, from 1 April 2020 to 31 March 2021

Province	Vehicles stolen/ robbed, in 2020/2021	Identified vehicles recovered, in 2020/2021	Unidentified vehicles recovered, in 2020/2021	Total vehicles recovered, in 2020/2021
Eastern Cape	2 653	1 812	88	1 900
Free State	1 137	542	40	582
Gauteng	27 286	11 115	1 874	12 989
KwaZulu-Natal	8 878	4 441	586	5 027
Limpopo	1 174	843	201	1 044
Mpumalanga	3 001	1 509	65	1 574
North West	1 872	767	119	886
Northern Cape	142	117	34	151
Western Cape	7 180	4 460	524	4 984
Military Police Agency	4	1	0	1
Head Office	0	175	0	175
Cross-border	0	0	0	109
Total	53 327	25 782	3 531	29 422

A total number of 545 persons escaped from police custody in 412 incidents, during 2020/2021, compared to 680 persons, during 2019/2020, a decrease of 135 escapees or 19,85%, achieving the targeted decrease, of 2%. A total number of 202 escapees were re-arrested within 24 hours after the incident occurred. The highest number of escapees escaped from police station holding cells (165), followed by Community Service Centres (CSCs) and temporary holding facilities (86), from courts (dock, room or passage) (58), from court cells (47), from hospitals (44), wrongfully released (35), in transit (33), from police station loading zones (31), from court loading zones (18), during further investigation (17) and during arrest (before taken to police stations) (11).

The SAPS developed and implemented a National Plan to prevent escapes from and deaths in police custody, including Provincial Plans, which are revised annually, to ensure adherence to instructions regulating safe and secure custody. An impact assessment was also compiled and circulated to all provinces. A total of 270 members, allegedly involved during escape incidents, were charged departmentally. A total of 136 disciplinary proceeding (cases) were reported, 48 cases were placed on roll and 43 cases were finalised. In 25 cases, members were found guilty, one member was dismissed, 15 members received warnings, eight members were suspended without pay for a period of not more than two months and 34 members were given, either a verbal warning, a written warning, a final written warning or counselling.

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Number of escape incidents and escapees, (2017/2018 to 2020/2021)

Province	Number of persons who escaped from police custody (escapees)							
	Number of incidents				Number of escapees			
	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021
Eastern Cape	66	45	49	60	93	62	69	93
Free State	33	32	21	37	36	36	23	49
Gauteng	84	72	67	81	136	95	152	88
KwaZulu-Natal	75	92	61	69	88	124	105	88
Limpopo	65	51	53	45	105	82	97	59
Mpumalanga	42	37	53	28	71	75	62	50
North West	62	39	41	31	94	72	66	50
Northern Cape	30	16	16	19	40	26	21	20
Western Cape	99	79	70	42	122	84	85	48
Total	556	463	431	412	785	656	680	545

Places and number of escapees where escape incidents took place

Places	Number of incidents	Number of escapees	Number of incidents	Number of escapees
	2019/2020		2020/2021	
CSCs (temporary holding cells, processing office, consultation room/other offices)	77	83	81	86
Police station holding cells	71	212	73	165
Court cells	36	48	36	47
Hospitals	44	44	43	44
During arrest (before taken to police stations)	14	16	11	11
Wrongfully released (at courts or police stations)	47	48	35	35
Court during appearance	45	48	53	58
In-transit	25	46	22	33
Police station loading zones	27	79	26	31
During further investigation	23	24	16	17
Court loading zones	22	32	16	18
Total	431	680	412	545

REDUCED VIOLENCE AGAINST WOMEN AND CHILDREN

In his Women's Day 2020 message, on 9 August 2020, the President stated that South Africa is in the grip of two pandemics, namely; the COVID-19 Pandemic and the scourge of GBV. The Minister of Police stated, on 22 September 2020, that Government has identified 30 GBV hotspots, in six provinces, namely; the Eastern Cape, the Free State, Gauteng, the KwaZulu-Natal, the North West and the Western Cape Provinces, based on, inter alia, the number of cases reported to the SAPS, during 2019/2020. All police stations in the identified areas are expected to have a permanent desk dedicated to GBV. The affected Provincial Commissioners were requested to develop intervention plans, indicating the necessity for additional resources, proactive interventions and partnerships, to address social ills and/or contributory factors to GBV. Furthermore, a draft implementation plan for GBV desks at police stations, was developed, to realise the goals of the GBV and Sexual Offences Action Plan and some of the pillars of the National Strategic Plan on GBV. A Pathways Database was also distributed, introduced by the GBVF Interim Steering Committee, in order to address the extraordinary circumstances of responding to GBVF complaints during the lockdown. Guidelines were also distributed to provincial level for the use of SAPS members when policing GBV during lockdown.

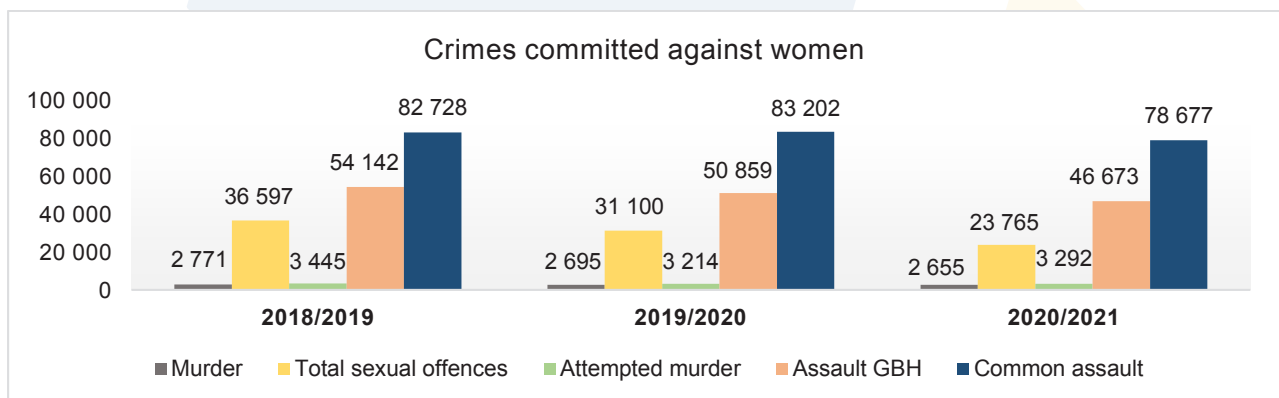


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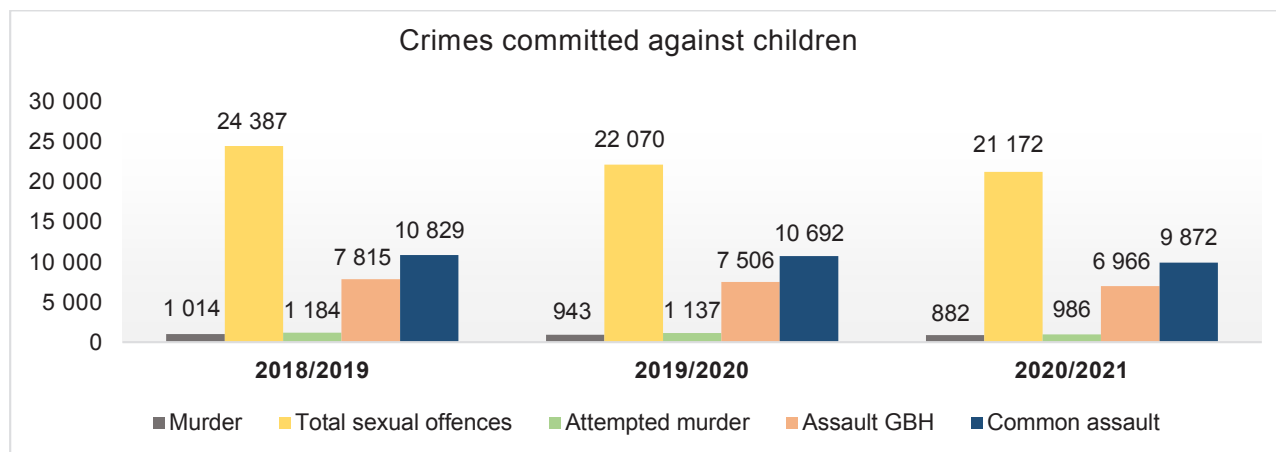
Crimes committed against women decreased, by 9,4% from 171 070, in 2019/2020 to 155 062, in 2020/2021. All crimes under the contact crime category against women, except for attempted murder, contributed to the 9,4% decrease, with sexual offences indicating the biggest decrease of 23,6%, followed by assault GBH (8,2%), common assault (5,4%) and murder (1,5%). This can be attributed to intensified awareness campaigns on crimes against women, to inform the community on the protection of women, a continuation of police visibility, to enforce the containment and management of COVID-19, throughout levels 1 to 5 and the ban on the sale of liquor over weekends. In respect of contact crimes against children, a decrease of 5,8% was recorded from 42 348, in 2019/2020 to 39 878, in 2020/2021. All crimes under the contact crime category against children contributed to the 5,8% decrease, with attempted murder indicating the biggest decrease of 13,3%, followed by common assault (7,7%), assault GBH (7,2%), murder (6,5%) and sexual offences (4,1%). Most of these crimes are committed indoors between people who know each other, making it difficult to police. Liquor and substance abuse and environmental design also play a key role in the commission of these crimes.

Crime type	2019/2020	2020/2021	Case difference	% change
Crimes committed against women (above 18 years)				
Murder	2 695	2 655	-40	-1,5%
Total sexual offences	31 100	23 765	-7 335	-23,6%
Attempted murder	3 214	3 292	78	2,4%
Assault GBH	50 859	46 673	-4 186	-8,2%
Common assault	83 202	78 677	-4 525	-5,4%
Total	171 070	155 062	-16 008	-9,4%
Crimes committed against children (under 18 years)				
Murder	943	882	-61	-6,5%
Sexual offences	22 070	21 172	-898	-4,1%
Attempted murder	1 137	986	-151	-13,3%
Assault GBH	7 506	6 966	-540	-7,2%
Common assault	10 692	9 872	-820	-7,7%
Total	42 348	39 878	-2 470	-5,8%



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IMPROVEMENT OF THE REGULATION OF FIREARMS

The improvement of the regulation of firearms will reduce the number of illegal firearms in circulation, as one of the key drivers of violent crime and play a key role in the investigation and the detection of firearm-related crimes and ultimately the efficient control of firearms, as required by the Firearms Control Act, 2000 (Act No 60 of 2000). The SAPS, through the CFR, is mandated to regulate and ensure effective control over small arms and light weapons, within and across the borders of the Republic.

- > In 2020/2021, a total of 2 035 firearms owned by individuals, dealers and institutions (excluding SAPS-owned firearms), were circulated as recovered, compared to 4 204 firearms, in 2019/2020.
- > The details of 5 332 firearms were circulated as stolen or lost, during 2020/2021.
- > A total of 376 SAPS-owned firearms were circulated as recovered.
- > The National Commissioner approved SAPS National Instruction 06 of 2019: Notification of lost, stolen or found firearms, which aims to streamline and standardise practices involved in the processing of lost, stolen and found firearms, as well as to guide the provincial offices and police stations on firearm circulation.

Firearms circulated as stolen/lost and found

Province	Firearms reported stolen or lost, during 2020/2021			Firearms recovered							Total recovered
	Lost	Stolen	Total	Lost	Stolen	Total	Lost	Stolen	Total	Firearms recovered, during 2020/2021 (with/without serial numbers)	
Eastern Cape	1	548	549	1	46	47	12	100	112	184	343
Free State	2	201	203	4	9	13	1	25	26	77	116
Gauteng	13	1 724	1 737	3	56	59	7	103	110	139	308
KwaZulu-Natal	2	1 075	1 077	1	57	58	2	114	116	188	362
Limpopo	2	383	385	2	23	25	6	51	57	98	180
Mpumalanga	3	424	427	2	11	13	1	23	24	38	75
North West	2	302	304	0	21	21	4	27	31	51	103
Northern Cape	4	76	80	1	7	8	1	4	5	5	18
Western Cape	25	545	570	8	68	76	3	173	176	278	530
Total	54	5 278	5 332	22	298	320	37	620	657	1 058	2 035



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SAPS-owned firearms circulated as stolen/lost and found

Province	Firearms recovered							
	Firearms reported stolen or lost, recovered during 2020/2021			Firearms reported stolen or lost, prior to 1 April 2020			Firearms recovered, during 2020/2021 (with/ without serial numbers)	Total recovered
	Lost	Stolen	Total	Lost	Stolen	Total		
Eastern Cape	0	11	11	3	17	20	23	54
Free State	0	3	3	0	2	2	3	8
Gauteng	0	6	6	10	93	103	13	122
KwaZulu-Natal	0	14	14	2	24	26	7	47
Limpopo	0	4	4	1	28	29	6	39
Mpumalanga	0	3	3	1	20	21	1	25
North West	2	4	6	5	24	29	4	39
Northern Cape	0	0	0	0	2	2	1	3
Western Cape	0	10	10	3	24	27	2	39
Total	2	55	57	25	234	259	60	376

The CFR is mandated to administer firearm applications and issue firearm licences, in accordance with the prescripts of the Firearms Control Act, 2000. In 2020/2021, the target, in terms of the finalisation process was adjusted, from applications finalised within 90 working days, to applications finalised within 120 working days. The impact of the COVID-19 Pandemic, led to the SAPS operating at reduced capacity, in order to mitigate the spread of the virus. The closure of buildings, for the purposes of decontamination, added to delays in the application and the finalisation processes.

- > In 2020/2021, a total of 526 374 firearm-related applications were received, including 201 123 competency certificate applications, 143 803 new firearm licence applications, 178 231 firearm licence renewal applications, 1 984 import/export permit applications, 1 057 commercial import/export permit applications and 176 temporary authorisation applications.
- > A total of 270 555 applications were finalised.
- > A total of 24 133 or 38,87% from a total of 62 082 new firearm applications, 56 293 or 43,25% from a total of 130 160 competency certificate applications and 37 357 or 49,60% from a total of 75 311 firearm licence renewal applications were finalised within 120 working days.
- > A total of 50 institutions were accredited, which brings the total number of accredited institutions to 2 751, compared with 2 701, at the end of 2019/2020.

Firearm applications finalised, in 2020/2021

Category of applications	Number of applications received, during, 2020/2021	Number of applications finalised, during 2020/2021	Applications finalised within 120 working days, during 2020/2021	Applications finalised (received, prior to 1 April 2020)
Competency applications	201 123	130 160	56 293	61 118
Firearm licences (individuals/institutions)	143 803	62 082	24 133	31 872
Renewals (individuals/institutions)	178 231	75 311	37 357	32 935
Temporary authorisations	176	184	163	43
Import/export (individuals and institutions)	1 984	1 770	1 742	197
Import/export (commercial)	1 057	1 048	864	333
Total	526 374	270 555	120 552	126 498

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Section 20 (2) (a) of the Firearms Control Act, 2000, provides that the Registrar may issue a licence to a security company and such a firearm may only be used as specified on the licence. The security company must, among others, be registered with PSIRA, to qualify for such a firearm licence. Section 146 of the Act, read with Regulation 102 of the Firearms Control Regulations, 2004 states that whenever such security service provider ceases to carry on business for any reason, the Registrar must be notified, in writing and dispose of the firearms and ammunition, as prescribed, within a period of 90 days, in a prescribed manner.

- > A total of 165 deregistered security service providers were visited, in 2020/2021 and 3 058 firearms and 6 823 rounds of ammunition were confiscated.
- > In total, 212 compliance inspections were conducted at identified non-official institutions, including firearm dealers, manufacturers, gunsmiths, security companies and firearm training providers.
- > A further 105 compliance inspections were conducted at identified official institutions, including municipalities, Metropolitan Police Departments, state departments at national and provincial levels, museums and SANParks.

Subsequent to the approval by Parliament, the Minister of Police has declared a firearm amnesty, in terms of Section 139(1) of the Firearms Control Act, 2000, for a period of six months, from 1 December 2019 to 31 May 2020. The amnesty period was later extended for another six months, from 1 August 2020 to 31 January 2021. The amnesty period created an opportunity for members of the public to surrender unwanted firearms or firearms they possess illegally, as well as ammunition and/or firearm parts to the SAPS, without fear of being prosecuted for unlawful possession. The objective of the amnesty period was to reduce the large pool of illegal/unwanted firearms ammunition and/or firearm parts that are in circulation in the country.

- > A total of 149 726 firearms were surrendered for the duration of both amnesty periods, of which 133 456 were surrendered within the reporting period (31 103 was surrendered, in 2019/2020 and 102 353, in 2020/2021).
- > A total of 723 959 rounds of ammunition were also surrendered during both amnesty periods.
- > All surrendered firearms were subjected to Integrated Ballistic Identification System (IBIS) testing with a total of seven positive hits across the country.
- > A further 77 553 firearm applications were received during the amnesty periods, with 4 778 and 1 355 applications finalised, in 2019/2020 and 2020/2021, respectively.

In terms of Section 149(2)(a) of the Firearms Control Act, 2000, any firearm, firearm part and or ammunition forfeited to the State must be destroyed by the State, within six months of the date of forfeiture or after all possible appeals have been noted. Section 136(1) of the Act further states that, "The Registrar may in respect of any firearm or ammunition seized by, surrendered to or forfeited to the State, issue a notice in the Gazette stating that it is the intention of the State to destroy that firearm or ammunition". The National Commissioner gazetted two firearm destructions, in 2020/2021, which took place on 7 July 2020 and 28 January 2021, respectively, during which 69 053 firearms were destroyed through melting, to ensure its permanent removal from circulation.

REDUCED AVAILABILITY OF ILLEGAL LIQUOR

The active closure of identified illegal liquor outlets improves socioeconomic conditions, particularly for those who are most vulnerable to crime, particularly women and children. Liquor abuse is viewed as a contributor to violent, serious and contact crime in South Africa and a concerted effort by the SAPS, is therefore necessary, to enhance enforcement of compliance to national and provincial liquor legislation.

- > To address the reduction in contact-related crimes and the termination of illegal trade in liquor by unlicensed liquor outlets. A total number of 24 683 identified illegal liquor



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outlets were closed, in the nine provinces, in 2020/2021, including 10 209, in KwaZulu-Natal, 5 504, in Gauteng, 2 544, in Limpopo, 2 332, in the Western Cape, 1 895, in the North West, 1 210, in the Eastern Cape, 554, in the Free State, 410, in Mpumalanga and 114, in the Northern Cape. These closures resulted in the confiscation of a total volume of 2 166 833 litres of liquor (135 296 litres home brew and 2 031 536 litres liquor).

- > To ensure that licensed liquor traders adhere to the provisions of the respective provincial and national liquor legislation, a total number of 1 138 727 compliance inspections were conducted at liquor retailer's and micro-manufactures and 15 965 compliance inspections were conducted at macro-manufactures and distributors of liquor, during 1 April 2020 to 31 March 2021.
- > During the execution of compliance inspections, a total number of 649 liquor premises were inspected (108 national premises and 541 provincial premises), four compliance notices were issued for non-compliance to the National Liquor Act, 2003 (Act No 59 of 2003), 27 (J534) fines were issued to the value of R44 000.00, one illegal liquor outlet was closed and a total volume of 258 litres of liquor was confiscated.
- > Targeted joint interdepartmental liquor compliance inspections were conducted, in the Free State, Gauteng, the Eastern Cape, Limpopo, KwaZulu-Natal, Mpumalanga and the Northern Cape Provinces, in conjunction with the DTI (National Liquor Authority) and respective Provincial Liquor Boards/Authorities, in order to enforce compliance to National and Provincial Liquor Legislation.

REDUCED LEVELS OF CRIME AND GENDER-BASED VIOLENCE AND FEMICIDE, THROUGH STRENGTHENED COMMUNITY PARTNERSHIPS

The SAPS continues to make an effort to improve services rendered to victims of sexual offences and domestic violence, by ensuring that a victim-friendly service is rendered and that VFRs are established at all police stations. A victim-friendly service is rendered, to reduce secondary victimisation and to enable victims to provide details that will assist in investigations. All 1 155 police stations are rendering a victim-friendly service to victims of crime and a total number of 1 011 VFRs are established, throughout in the country. To enhance the rendering of a victim-friendly service and the implementation of the Victim Empowerment Programme, a SOP on Victim-Friendly Service was approved, on 11 February 2021. The SOP is a step-by-step guideline on the rendering of a service to all victims of crime when they come to police stations.

The SAPS established high-level committees on GBV, at national and provincial levels. The purpose of these committees is to manage GBV-related matters in a coordinated and efficient manner. The National Committee will report directly to the Board of Commissioners. A SAPS GBV and Sexual Offences Action Plan was developed and approved by the National Commissioner, on 15 March 2021, aimed to address GBV and sexual offences through a coordinated approach by all SAPS disciplines.

An Integrated GBV and Sexual Offences Strategy was developed for the JCPS Cluster, to intensify and accelerate efforts to prevent acts of GBVF, in support of the GBVF National Strategic Plan. The Strategy will be presented to the JCPS Cluster.

GBV-related directives, such as the SAPS Domestic Violence National Instruction 7 of 1999, was revised and approved, on 2 July 2020.

Monitoring reports on the implementation of the Domestic Violence Act and the Sexual Offences Act was approved by the Minister of Police, for tabling, in Parliament.

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The SAPS has compiled a National Child Programme that will focus on police stations that have recorded the highest reports of children in conflict with the law and those who are victims of crime and violence, strategically. The primary objective of the programme is to reduce child offending behaviour and preventing the victimisation of children, resulting from crime and violence. The SAPS National Child Programme is aimed to foster sound partnerships with key government and non-government organisations, at all levels, with active participation of communities in the championing and advocating of the rights and protection of children, from all forms of crime and violence. Police stations identified for the pilot project are: Soshanguve, Sunnyside, Lomanyaneng, Deneysville, Mankweng, Tonga, Kwadukuza, Willowvale, Mitchels Plain and Gugulethu.

A total number of 20 trainers were capacitated on the Vulnerable Groups and Victim Empowerment Learning Programme, in order to train and capacitate frontline members and detectives. A total of 466 members from all nine provinces, were trained on the Children and Youth at Risk and Vulnerable Children Learning Programmes.

A Webinar Series 'Back-to-School during COVID-19' was held, on 17 July 2020, through the Microsoft Teams platform. The objectives of the Webinar Series were, amongst others, to combine efforts and collectively develop response measures that will support learners that may be exposed to violence and crime; develop digital solutions, aimed to enable and empower learners to access violence and crime prevention tools; and programmes during the COVID-19 lockdown and beyond.

A workshop on Self Awareness and Leadership took place, on 15 August 2020, through the Microsoft Teams platform, aimed to build capacity for Junior Commissioners, to enable them to successfully implement learner-led crime prevention interventions. Participants were taken through the process of reflecting on what leadership style would best work for them, taking into consideration, individual results of a self-awareness exercise that was conducted.

A Learner-led Intervention seminar was conducted, on 28 August 2020, through the Microsoft Teams platform, aimed to explore the realities of child safety in schools, including the challenges of violence in South African schools during the COVID-19 Pandemic and showcasing learner-led interventions, to prevent violence and crime in schools, through engagement with experts on school safety of the SAPS and the Department of Basic Education.

A reflection session was held, on 29 August 2020, through the Microsoft Teams platform, aimed to enable Junior Commissioners to reflect on different skills acquired during their journey as Junior Commissioners.

The guideline for the SAPS, in support of the establishment and functioning of Youth Crime Prevention Desks has been approved for implementation, in March 2021. The purpose of the guideline is to give guidance in the establishment and management of youth crime prevention in all provinces, districts and police stations; ensure uniform practices in the establishment of youth crime prevention; and to promote youth participation in crime prevention initiatives, geared primarily towards reducing the involvement of young people in criminal activities. The introduction of the guideline in the SAPS will set a standard in the establishment of youth crime prevention desks.

The Integrated Youth Crime Prevention Strategy was approved, in December 2020. The purpose of the Strategy is to empower and support the youth to become self-sufficient and become involved in crime-fighting initiatives.

A Guide for the implementation of the Junior Commissioner Project for School-Based Practitioners and Facilitators was approved, in February 2021. The guidebook will serve as a standard document that will be used as a systematic guiding tool for the SAPS, in all provinces, on how to implement the project effectively and efficiently. The Project replaces the Junior Commissioner Project Blueprint.

A Crime Dialogue GBV against young women, children, disabled and youth Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) was approved, aimed to provide a detailed guide on the hosting of GBV dialogues to reach out to communities, both through direct engagement and engagement through virtual platforms.

STRENGTHENED COMMUNITY PARTNERSHIPS

A total number of 1 152 from a total of 1 155 police stations were identified, to have functional CPFs. The Executive CPF, at Wepener Police Station resigned and a new executive committee is to be elected. Moletlane Police Station, in the Limpopo Province, is a newly established police

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station and is not fully operational. Although Boetsap, Kubusiedrift and Mokopong Police Stations are functional, these police stations are exempted from having a CPF, as they have no community in the policing precinct, only seasonal workers and are, therefore, excluded from the number of police stations.

Functional CPFs, as at 31 March 2021

Province	Number of police stations	Number of police stations with a functional CPF	Number of police stations exempted from establishing a CPF	Number of police stations not implemented
Eastern Cape	198	197	1	0
Free State	111	110	0	1
Gauteng	143	143	0	0
KwaZulu-Natal	184	184	0	0
Limpopo	104	103	0	1
Mpumalanga	90	90	0	0
North West	83	82	1	0
Northern Cape	91	90	1	0
Western Cape	151	151	0	0
Total	1 155	1 150	3	2

The SAPS has intensified its partnership with diverse stakeholders as a strategy to respond to crime, more proactively. The collaboration was part of the SAPS' drive, to enhance community policing and a culture of participative policing, in order to respond efficiently to the social complexities of crime and to address the root causes. In 2020/2021, the SAPS has identified three strategic partnerships to intensify the multidisciplinary approach to crime. These partnerships were initiated with DeafSA, Cape Mental Health and the CGE. The partnership between the SAPS and DeafSA seeks to address barriers for people with hearing impairments with a key deliverable, namely; "Institute friendly reporting measures for Deaf people", aimed to ensure the availability of a sign language interpreting service at SAPS frontline service points. The partnership between the SAPS and Cape Mental Health strives towards ensuring access to justice for mental care users and to position the SAPS to move in consonance with contemporary international and national human rights instruments. Police officers encounter people with mental illness in many different situations, whether criminal offenders, disorderly persons, missing person complaints of victims and persons in need of care. The partnership between the SAPS and CGE, aims to establish an integrated implementation plan on domestic violence and gender-related matters, e.g. LGBTQI, violence against women and the review of the witness protection programme.

Signed MOUs/agreements between SAPS and strategic partners

- » BACSA
- » Consumer Goods Industry South Africa
- » Passenger Rail Agency of South Africa
- » Cross-Border Transport Agency
- » Department of Tourism
- » South African Human Rights Commission
- » Moral Regeneration Movement
- » Premier Soccer League
- » PSIRA

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Sector Policing was implemented by the SAPS, as a community-centred policing approach, to enhance service delivery, police response and interaction, as well as the participation of the community in crime prevention. A total number of 876 police stations were identified, to maintain the implementation of sector policing. A total of 279 police stations are not able to implement sector policing. From the 876 identified police stations, 857 or 97,83% implemented sector policing.

Status of the implementation of sector policing, as at 31 March 2021

Province	Number of identified police stations	Identified police stations implemented	Identified police stations not implemented	Police stations not able to implement
Eastern Cape	177	158	19	21
Free State	100	100	0	11
Gauteng	142	142	0	1
KwaZulu-Natal	171	171	0	13
Limpopo	7	7	0	97
Mpumalanga	39	39	0	51
North West	70	70	0	21
Northern Cape	49	49	0	34
Western Cape	121	121	0	30
Total	876	857	19	279

The National Rural Safety Strategy was implemented in 837 (92,49%) of the 905 identified rural and rural/urban mixed police stations. The Free State, Gauteng, Limpopo, Mpumalanga, the North West and the Western Cape Provinces fully implemented the reviewed National Rural Safety Strategy, at all identified rural and rural/urban mixed police stations, whilst the Eastern Cape did not implement the Strategy, at three identified police stations, KwaZulu-Natal did not implement the Strategy at 58 identified stations and the Northern Cape did not implement the Strategy at seven identified police stations.

National Rural Safety Strategy implemented, as at 31 March 2021

Province	Total rural police stations	Total implemented	Total rural/urban mixed police stations	Total implemented	Total rural and rural/urban mixed police stations	Total implemented
Eastern Cape	123	121	39	38	162	159
Free State	11	11	92	92	103	103
Gauteng	0	0	30	30	30	30
KwaZulu-Natal	62	44	92	52	154	96
Limpopo	82	82	22	22	104	104
Mpumalanga	29	29	61	61	90	90
North West	44	44	39	39	83	83
Northern Cape	12	11	68	62	80	73
Western Cape	58	58	41	41	99	99
Total	421	400	484	437	905	837

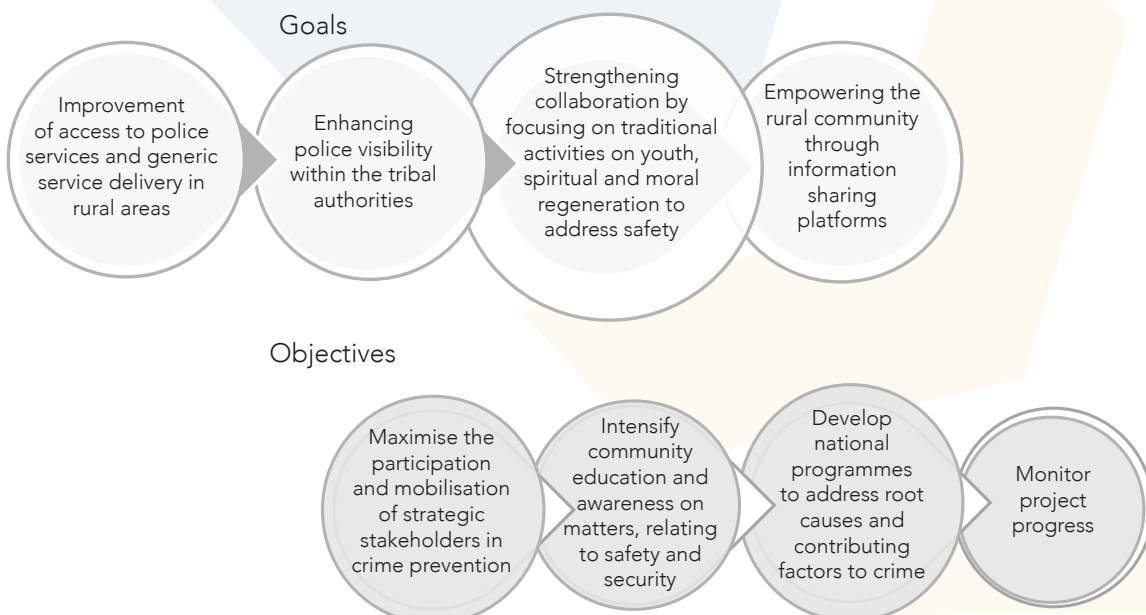
Crime, violence and abuse affect all aspects of our communities and schools are not always free from fear, intimidation and victimisation. The School Safety Programme was implemented at 200 identified schools, in partnership with the Department of Basic Education to prevent, manage and respond to incidents of crime and violence in schools.

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INCREASED POLICE VISIBILITY

The **Community-in-Blue Concept**, a programme emanating from the Community Policing Strategy, focused on increasing local communities' participation in social crime prevention and environmental design initiatives, institutionalise community participation within situational and developmental crime prevention, collaborate with the SAPS in increasing visibility and operational capacity and enhancing community-based intelligence. The responsibility for the implementation of the Community-in-Blue Concept resides with the various Community Police Boards and Forums and not with the SAPS. The SAPS will, however, provide the concept itself and facilitate the communication, thereof, to Community Police Boards and Forums, in all nine provinces. The concept was initiated in all nine provinces, by the end of March 2021, achieving the set target. The number of Community-in-Blue patrollers, at the end of March 2021, was 8 243. Although all provinces recruited Community-in-Blue patrollers, not all criteria for initiating the Community-in-Blue Concept has been achieved, including the completion of a formal registration form by patrollers, the screening and training of patrollers, the issuing of the prescribed uniform to all patrollers and a record of the deployment of all patrollers. An analysis will be conducted on the monitoring tools and new directives will be issued on the enhancement of the initiation process with patrollers already recruited and new patrollers still to be recruited. The Department will create a functionality on one of its systems, in order to monitor the deployment of patrollers.

Several cooperation practices between traditional leadership structures and provinces, districts and police stations were already in existence, however, a formal and standard corporation framework/agreement were not in place, to guide and measure the level and success of the collaboration. Hence, the **Traditional Policing Concept** was launched, in the Eastern Cape. The planned target, in respect of the Traditional Policing Concept was to initiate the concept in one province, by 31 March 2021. Over the medium-term, the Traditional Policing Concept is planned to be initiated, in KwaZulu-Natal, the Eastern Cape, Limpopo and Mpumalanga Provinces, by 31 March 2023. Although the Traditional Policing Concept has been initiated, in the Mpumalanga Province, it has not been implemented in its totality, thereby, not achieving the target set for the 2020/2021 financial year. A work session was held, on 30 March 2021 with established structures, to assist the Mpumalanga Province with the implementation of the concept. Support and guidance will be provided with the compilation of a Provincial Traditional Implementation Plan, with set goals, for implementation, continuous engagement and the development of a monitoring tool to monitor the implementation of the Provincial Traditional Implementation Plan. The involvement of traditional leaders in the fight against crime can be seen as a force-multiplier (eyes and ears) of the SAPS.



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The **Safer Cities Framework/Concept**, which is sometimes referred to as “Smart City” or “Urban Safety”, is a multidisciplinary and collaborative approach, involving a range of stakeholders from various sectors of Government, civil society and business. The ultimate goal is to have a crime-free city or district, in order to enhance the economic status of the identified precinct. The initiation of the Safer City Framework is a new performance indicator, from 2020/2021 and has been planned to be implemented at pilot cities, by 31 March 2021. The Safer City Framework has been initiated in all 10 pilot cities, namely; Nelson Mandela Bay, in the Eastern Cape; Mangaung, in the Free State; Johannesburg and Tshwane, in Gauteng; eThekweni, in KwaZulu-Natal; Polokwane, in Limpopo; Witbank, in Mpumalanga; Kimberley, in the Northern Cape; Cape Town, in the Western Cape; and Rustenburg, in the North West. The easing of COVID-19 containment measures made it possible to initiate the concept framework, in all 10 targeted pilot cities. Meetings were conducted between the SAPS and city municipalities and relevant role players where the concept/framework has been introduced. Steering committees and technical work stream task teams, with a Terms of Reference have been established in all cities and a draft project/implementation plan was compiled for each of the cities.

The Eyes and Ears initiative is a joint crime fighting initiative between the SAPS, BACSA and PSIRA, aimed to enhance the situational awareness and appropriate response by the SAPS, through collaboration with the private security industry, functioning as additional eyes and ears of the SAPS. The private security industry has a large geographical deployment footprint, which can be used by the SAPS as an information resource in the fight against crime. The objectives of the Eyes and Ears initiative are to implement the initiative operationally, in all provinces, through the Provincial Operational Command Centres or any other suitable identified centres, based on operational requirements; to develop a model for improved situational information sharing between the SAPS and the private security industry; and to enhance operational response to crime hotspot areas and TRIO crimes, with specific emphasis on crimes which are heavily dependent on situational information and a shared concern for both the SAPS and PSIRA. The initiative was piloted, in Gauteng, in 2019 and was rolled out to the KwaZulu-Natal Province, on 13 August 2020, the Limpopo Province, on 1 September 2020, the Eastern Cape Province, from 13 to 14 October 2020 and the Western Cape Province, from 5 to 6 March 2020.

POLICING PEOPLE WITH DISABILITIES

- » The Vulnerable Groups Learning Program was approved by the ETD Evaluation Committee, on 22 April 2020. A train-the-trainer Programme on the Vulnerable Groups Learning Programme, which covers a disability module, was conducted, from 9 to 20 November 2020, at the SAPS Academy Tshwane, during which 20 provincial trainers were trained.
- » A total of 3 000 booklets of the SAPS Guidelines for Policing Persons with Disabilities was procured for roll out purposes.
- » Through the partnership with DeafSA, an interim arrangement was made for police stations, across the country, to access sign language interpreting services, free of charge, by contacting the DeafSA National Coordinator.
- » Members from Firearms, Liquor and Second Hand Goods, POP, Rapid Rail Police and members from the Eastern Cape, Gauteng and KwaZulu-Natal were trained in sign language.
- » A total number of 30 police officials were trained on the Sexual Abuse and Victim Empowerment Model, by Cape Mental Health, in February 2020, as part of a MoU, signed on 9 December 2020. The model is designed to educate officials on skills in obtaining statements from victims with mental illness. Three clinical psychologists were appointed by Forensic Services.
- » A total of 74 special needs schools were linked to police stations. Eight safer schools programmes were conducted, during which 822 children were reached.

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Police stations with disability-friendly facilities (rails and ramps)

Province	Number of police stations	Number of police stations with disability-friendly facilities
Eastern Cape	198	171 (86,36%)
Free State	111	78 (70,27%)
Gauteng	143	131 (91,61%)
KwaZulu-Natal	184	126 (68,48%)
Limpopo	104	90 (86,54%)
Mpumalanga	90	54 (60%)
North West	83	74 (89,16%)
Northern Cape	91	73 (80,22%)
Western Cape	151	129 (85,43%)
Total	1 155	926 (80,17%)

- » Leaflets/pamphlets translated into Braille, relating to the rights of older persons, child justice, children's rights, victim empowerment and sexual offences were procured.
- » Pamphlets and posters on security tips for parents and children with Albinism were procured.

OPERATIONAL RESPONSE SERVICES

Key Focus Areas

- » Maintenance of public order and crowd management.
- » Conducting of medium- to high-risk operations, to enable normal policing.
- » Safeguarding and securing of all ports of entry.
- » Provisioning of operational support to all Divisions within the SAPS, including; the rendering of airborne support; the rendering of support to all operational-related and national coordinated operations; the deployment of members to neighbouring countries in peacekeeping missions; the coordination, planning, implementation and monitoring of all integrated police specific and interdepartmental (all-of-government) operations, to address the priorities of the SAPS and the JCPS; ensuring safety and security during major events; and the safeguarding of valuable and dangerous cargo.

SUBPROGRAMME: BORDER SECURITY

BALANCE BETWEEN TRADE AND SECURITY AT PORTS OF ENTRY SECURED

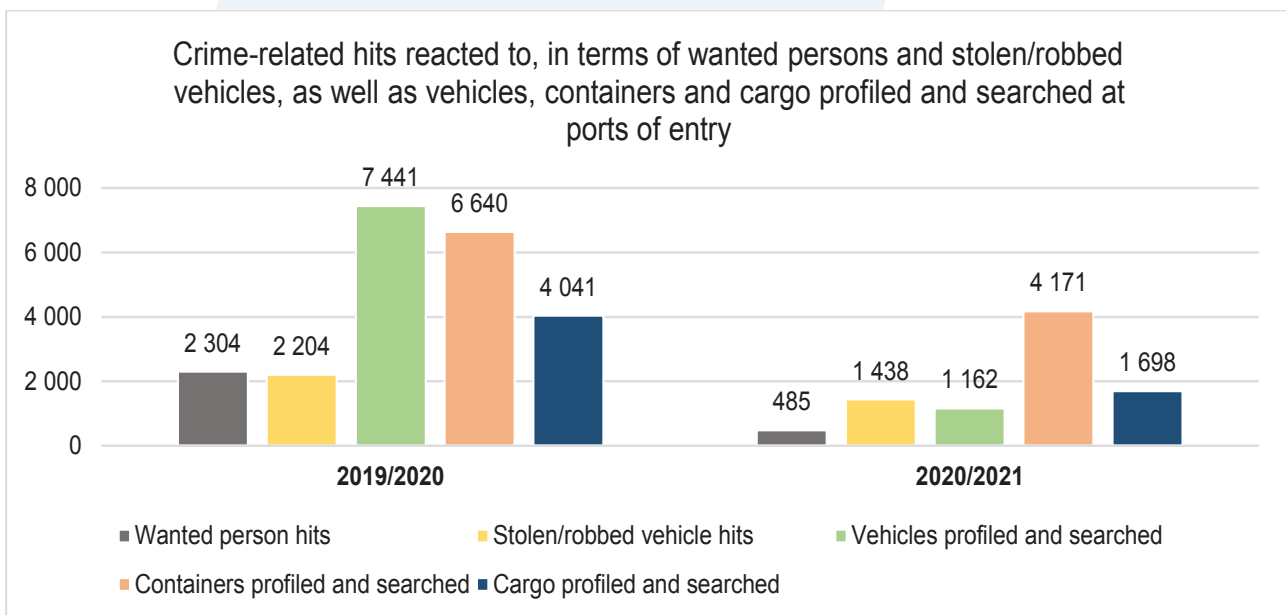
The Border Security Subprogramme is managed by the SAPS Border Control capability and focuses on operations that are undertaken at land ports, sea ports and airports. The entry and exit of vehicles and individuals that have been circulated as being wanted in connection with an ongoing investigation are monitored, using the MCS and EMCS, which enables the identification and arrest of wanted suspects and vehicles that have been circulated as having been stolen/robbed. A profiling system is utilised at ports of entry to prioritise the searching of vehicles, containers and cargo consignment for illicit drugs, firearms, stolen/robbed vehicles, consignment, smuggled persons and counterfeit goods/contraband that are identified as high-risk, focusing on suspicious persons and vehicles, goods from identified high-risk countries and the commission of serious crime.

The effective management of the 72 ports of entry, including 53 land ports, nine seaports and 10 international airports, is vital in ensuring the enforcement of the relevant legislation and the prevention of the flow of, *inter alia*, contraband, illegal drugs, undocumented persons, stolen/robbed vehicles, stolen firearms, as well as to combat human smuggling and trafficking. The main focus is to prevent and combat transnational organised crime and illegal border crossing and migration; to enhance national security, to optimise territorial integrity and to prevent terrorist and related activities, as well as a balance between trade and security.

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- > In 2020/2021, a total number of 485 wanted persons and 1 438 circulated stolen/robbed vehicles at the 53 land ports resulted in hits¹⁰⁹.
- > Wanted persons and circulated stolen/robbed vehicle hits, resulted in the arrest of 124 wanted persons for whom a warrant of arrest had been issued and the recovery of 35 circulated stolen/robbed vehicles.
- > Three people were arrested for corruption, including one SAPS member, one immigration official and one official from the South African Revenue Service (SARS).
- > The SAPS took part in the establishment process of the Border Management Authority, led by the Department of Home Affairs. The Border Management Authority Bill, aimed to provide for the establishment, organisation, regulation, functions and control of the Border Management Authority, was submitted to Parliament for consideration and approval and the Bill was signed into an Act. Implementation protocols were developed for the Ministers of Safety and Security and Home Affairs.
- > The SAPS embarked on a recruitment drive to capacitate Border Policing Reaction Teams at Durban Harbour, Port Elizabeth International Airport, Port Elizabeth Harbour, Ngqura Harbour, King Shaka International Airport, Cape Town International Airport and Cape Town Harbour, in order to conform to international prescripts in the border policing environment. A total number of 21 members completed the first Border Policing Reaction Team Course comprising of Weapons, Rural and Urban Phases.
- > A total number of 3 807 planned crime prevention and combating actions were undertaken, including 233 roadblocks, 72 440 vehicle patrols, 2 307 checkpoints, 68 170 foot patrols and 1 497 vessel patrol inspections¹¹⁰, to enhance the national security and territorial integrity at ports of entry.
- > A total of 189 police officials, including members at police station level, were deployed on a rotational detached duty system, at the borders between South Africa and Namibia. Members are recruited, in Northern Cape and Gauteng to perform border policing functions on a rotational basis at ports of entry in the Northern Cape Province. These detached members rotate every four months.
- > A total number of 1 162 vehicles were profiled and searched at the 53 land ports, 4 171 containers were profiled and searched at the nine sea ports and 1 698 cargo consignment were profiled and searched at the 10 international airports.





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Successes achieved at ports of entry: 2019/2020 and 2020/2021

Success/confiscation	2019/2020	2020/2021
Firearms and ammunition		
Arrests	43 for illegal possession of firearms 37 for illegal possession of ammunition	19 for illegal possession of firearms 11 for illegal possession of ammunition
Number of firearms and ammunition recovered	46 illegal firearms and 1 160 rounds of ammunition	20 illegal firearms and 632 rounds of ammunition
Illicit drugs		
Arrests	1 076	1 068
Drug confiscations		
Heroin	50,815 kg	118,409 kg
Cocaine	216,574 kg	2,197 kg
Crystal Meth (Tik-Tik)	26,332 kg	42,288 kg
Cannabis (dry)	6 272,958 kg	59 949,624 kg
Cannabis (plants)	266 plants	409 plants
Ecstasy tablets	1 316 tablets	1 776 tablets
Mandrax tablets	11 650.5 tablets	57 562.25
Crack cocaine rocks	1 rock	38 rocks
Stolen and robbed vehicles		
Arrests	269	139
Number of vehicles recovered	232	112
Violations, in terms of the Immigration Act (undocumented persons)		
Arrests	9 716	6 605
Transnational commerce-related crimes (illegal goods)		
Arrests	43	68
Maritime-related offences		
Arrests	226	50
Other crimes (crimes not mentioned in this table)		
Arrests	1 188	1 235
Human trafficking		
Arrests	0	2
Stock theft		
Arrests	27	2

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Highlights	Dedicated members of the SAPS and the SANDF deployed at the Telle Bridge Port of Entry made a significant inroad, in curbing cross-border crime and confiscated a significant assortment of cigarettes, drugs and vehicles, on 20 May 2020. Two suspects were arrested for the illegal transportation of tobacco, with an estimated street value of R742 000.00.	In a major breakthrough in clamping down the illegal importation of unregistered medicine, members of the SAPS at the OR Tambo International Airport have seized unregistered medicine, with a market value of R126 million, on 19 February 2021. The discovery of the tablets was made by authorities during an inspection of a cargo container that was destined to South Africa, from India. Upon a compliance verification of the unregistered medicine by the South African Health Products Regulatory Authority, authorities found that the company that had imported the medicine into the country, had done so without the necessary written approval and authorisation from the Regulatory Authority. The SAPS, through its Interpol Office, worked with authorities, from India to establish the delivery address of the consignment in the country.
	A 51-year-old Mozambican National was arrested, on 10 June 2020, at the Lebombo Border Port of Entry for the possession of Heroin and illicit cigarettes, worth an estimated street value of R1.5 million, which was hidden in the engine compartment of the truck he was driving. The arrest came when members of the SAPS and customs conducted a multidisciplinary operation at the Port of Entry, as part of their day-to-day duties.	
	The SAPS has arrested a 43-year-old man who arrived into the country, from Dubai, at the King Shaka International Airport, on 7 January 2021, for being in possession of 2 464 Ivermectin tablets in his hand luggage, worth an estimated street value of R100 000.00.	



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Levels of COVID-19 and its effect on ports of entries

Lockdown Level 5 (26 March 2020 to 30 April 2020) Drastic measures were implemented to contain the spread of COVID-19			Lockdown Level 4 (1 May 2020 to 31 May 2020) Relative activities were allowed to resume, subject to extreme precaution to limit community transmission and outbreaks			The easing of some restrictions, including work and social-related activities, to address a high-risk of transmission			Lockdown Level 3 (1 June 2020 to 17 August 2020) The further easing of restrictions and the maintenance of physical distancing and restrictions on some leisure and social activities, to prevent a resurgence of the virus			Lockdown Level 2 (18 August 2020 to 20 September 2020) The further easing of restrictions and the maintenance of physical distancing and restrictions on some leisure and social activities, to prevent a resurgence of the virus			Lockdown Level 1 (21 September 2020 to 28 December 2020) Some of the normal activities could resume, with precaution and health guidelines to be followed, at all times			Lockdown Adjusted Level 3 (29 December 2020 to 28 February 2021)			Lockdown Level 1 (From 1 March 2021) Most normal activities could resume, with precaution and health guidelines followed, at all times			Partial reopening of borders. 20 land ports were partially operational and 33 land ports remained closed. Traveling to and from the Republic were allowed, subject to daily commuters from neighbouring countries, who attended or teach at schools in South Africa.			All commercial seaports remained open and small craft were allowed to enter seaports, in compliance with health and border law enforcement protocol.			International scheduled operations and charter flights carrying passengers were allowed, at OR Tambo-, King Shaka-, Cape Town, Kruger Mpumalanga and Lanseria International Airports. Long-haul flight departures and landings at the above International Airports were permitted during the hours of curfew.														
Land All cross-border freight movement were allowed.			Sea Cruise ships were prohibited. Loading and offloading of cargo were permitted.			Air All international and domestic passenger flights were prohibited. Only repatriation of foreign nationals from South Africa and back to the respective countries were allowed. The evacuation of South African citizens back to South Africa was allowed from foreign countries. Medical evacuation and aircrafts in a state of an emergency, over flights and refuelling were allowed.			Land All cross-border freight movement were allowed.			Sea Cruise ships were prohibited. Loading and offloading of cargo were permitted.			Air All international and domestic passenger flights were prohibited. Only repatriation of foreign nationals from South Africa and back to the respective countries were allowed. The evacuation of South African citizens back to South Africa was allowed from foreign countries. Medical evacuation and aircrafts in a state of an emergency, over flights and refuelling were allowed.			Land 20 land ports were fully operational and 33 land ports remained closed.			Sea All seaports of the Republic were closed, except for Durban-, Cape Town-, Mosselbay and Saldanha Bay Harbours.			Air All airports of the Republic were closed, except for King Shaka-, OR Tambo-, Cape Town- and Lanseria International Airports.			Land 20 land ports were fully operational and 33 land ports remained closed.			Sea All commercial seaport entries remained open.			Air All airports of the Republic were closed, except for King Shaka-, OR Tambo-, Cape Town- and Lanseria International Airports.			Land Partial reopening of borders. 20 land ports were fully operational and 33 land ports remained closed. Traveling to and from the Republic were allowed, subject to daily commuters from neighbouring countries, who attended or teach at schools in South Africa.			Sea All commercial seaports remained open and small craft were allowed to enter seaports, in compliance with health and border law enforcement protocol.			Air International travel were restricted to OR Tambo-, King Shaka-, Cape Town and Lanseria International Airports.		

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SUBPROGRAMME: SPECIALISED INTERVENTIONS

The SAPS' specialised interventions capability is focused on ensuring internal stability, as a crucial element of the upholding and enforcing of the law and is responsible for the policing of incidents of peaceful and violent public protest, specialised capabilities' individual responses to medium- to high-risk incidents, which cannot be dealt with by the policing capability that is deployed at local level, the safe delivery of valuable and/or dangerous government cargo and the provisioning of specialised operational support, in respect of identified illegal mining operations, which pose a threat to the economy and undermine the authority of the State.

REDUCED ORGANISED CRIME

The NIUs successfully responded to 19 Illegal mining operations, in relation to medium- to high-risk requests received, with 215 arrests.

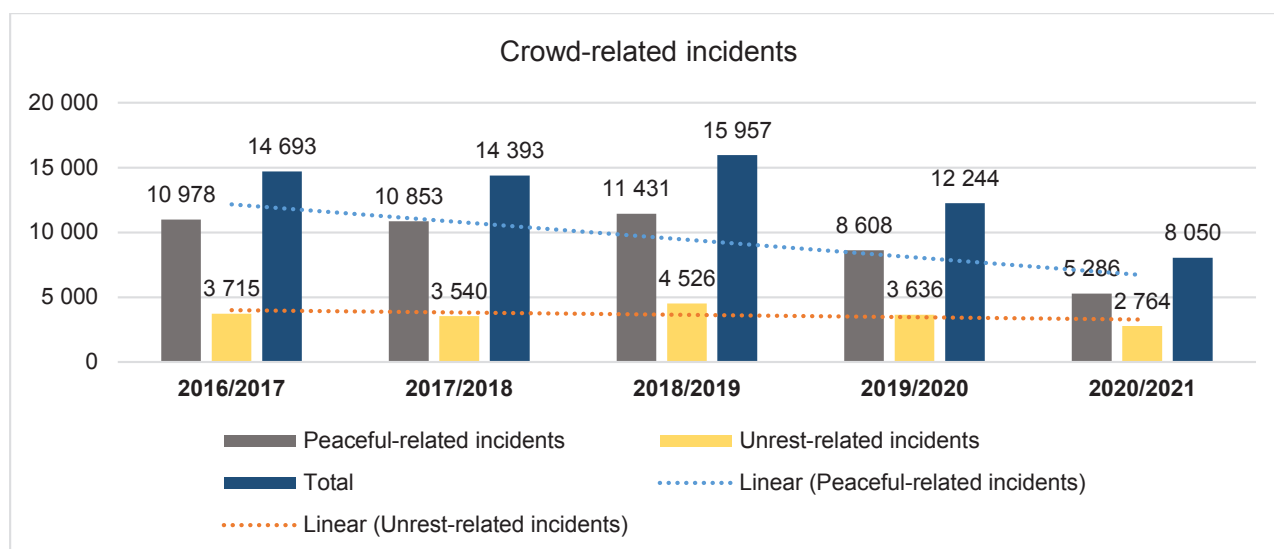
CONSTITUTIONALLY GROUNDED INTERNAL STABILITY

Public Order Policing is mandated to maintain public order, through crowd management and the combating of crime. The SAPS continues to capacitate the 45 Provincial POP Units, as well as the four reserve units (in Pretoria, Durban, Cape Town and Mbombela) that it has at its disposal, to manage community protests, including the training and equipping of members to deal with crowd management. The human resource capability decreased, with 134 from 6 138 members, in 2019/2020, to 6 004 members, in 2020/2021, comprising of 5 605 SAPS Act members and 399 PSA personnel.

- > A total number of 8 050 crowd-related incidents were responded to and successfully policed/stabilised, in 2020/2021, including 5 286 peaceful incidents, such as assemblies, gatherings and meetings and 2 764 unrest-related incidents, such as tertiary institution conflicts, conflict between communities and gangs, labour disputes in the mining sector, e.g. the Association of Mineworkers and Construction Union, strikes at ESKOM, election campaigns, funerals, land invasion, demarcation, attacks on foreign nationals, taxi industry violence and dissatisfaction with service delivery protests by local municipalities. A total number of 2 688 arrests were made, comprising 23 arrests for peaceful incidents and 2 665 arrests for crowd unrest incidents.
- > A total number of 7 531 crime prevention actions were conducted and 401 unrest (other) incidents¹¹¹ and 11 615 specialised operational support-related incidents¹¹² were policed. A total number of 27 273 arrests were made, comprising 19 057 arrests during crime prevention actions, 8 127 arrests during specialised operational support-related incidents and 89 arrests during unrest (other) incidents.
- > National Reserve Units provided support to local/provincial POP Units and the National Council of Provinces during the policing of 300 incidents, comprising of 156 peaceful, 73 unrest and 71 national incidents.
- > A total number of 208 members received POP Refresher's training. All other training interventions were put on hold, as a result of the COVID-19 Pandemic.
- > Eight Mobile Joint Operational Centres were procured and distributed to provincial level.

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Highlights	Members of POP were deployed, at the Bloemfontein Magistrate Court, on 19 February 2021, where an estimated number of 4 000 supporters gathered, to support the General Secretary of ANC, Mr Ace Magashule, who was appearing in court. The participants dispersed peacefully and no incidents were reported.	An estimated number of 8 500 people attended the memorial service of the late King Goodwill Zwelithini at KwaKhethomthandayo Royal Palace, in Ulundi, Nongoma, on 18 March 2021. Members of POP monitored and policed the service with no incidents.
	An estimated number of 600 community members barricaded the N2, at Ezinqoleni, on 22 March 2021, with burning tyres and stones, complaining about service delivery. During the incident, a Mitsubishi Grader and a container were burnt inside the municipal premises and three vehicles were damaged with stones, the municipal office was set alight and equipment were stolen, a petrol bomb was thrown at the community hall and five vehicles were set on fire, two shops were looted and one truck was set on fire. Rubber rounds were used to stabilise and to disperse the crowd. A total number of 71 suspects were arrested for public violence, malicious damage to property and the possession of stolen property.	An estimated number of 3 000 people gathered, at Siloam for the opening of Mphephu Plaza, in Thohoyandou, on 25 March 2021. POP members were deployed and the event was successfully policed. The participants dispersed peacefully.

NIUs provide a rapid response capability for intervening in medium- to high-risk incidents, where conventional policing has been compromised. This includes interventions in dealing with serious and violent crime, the escorting of dangerous criminals, the safeguarding of VIPs, safeguarding big events and specialised operational assistance to police stations, as well as other government departments. These Units are situated, in Cape Town, Durban, Mthatha and Pretoria.

- > A total number of 1 176 medium- to high-risk incidents were responded to, during which 146 arrests were made.
- > A total number of 382 self-initiated operations, intelligence driven operations, as well as planned and targeted deployments were performed, to address specific incidents of crime. The respective Units conducted operations on gangsterism, firearms and ammunition, drugs, stolen vehicles and counterfeit goods. These operations resulted in 249 arrests

The STF respond to medium- to high-risk incidents, which requires specialised technical skills, operational equipment and advance field training skills. The STF is to manage medium- to high-risk incidents, such as hostage situations, high-risk crime incidents (to combat acts of terrorism, organised crime, serious and violent crime, and anti-poaching), to protect VIPs and high-risk persons, conduct search-and-rescue operations and provide operational support (transportation of ammunition and

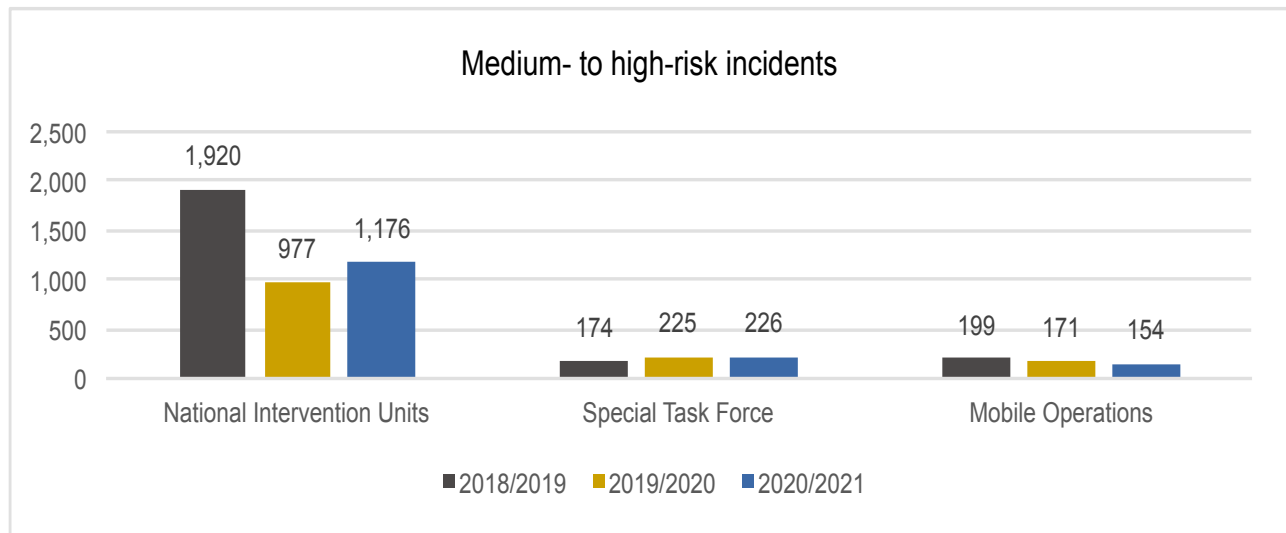
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money), which require specialised skills, training and equipment. There are three STF Units, in Cape Town, Durban and Pretoria. STF Units responded to 226 medium- to high-risk incidents, in 2020/2021.

Mobile Operations is responsible for the safeguarding of valuable¹¹³ and/or dangerous¹¹⁴ government cargo. There are two Mobile Operation Units, in Pretoria and Cape Town. COVID-19 restrictions had an enormous impact on the normal day-to-day duties of Mobile Operations, especially during levels 5 and 4. Due to the restriction on movement, there was a significant reduction in requests for assistance on the movement of government cargo.

- > A total of 15 operations were conducted, in order to enforce COVID-19 restrictions, in terms of the Disaster Management Act, 2010, in Pretoria West, Akasia, Soshanguve, Hammanskraal, Pretoria North and Pretoria.
- > No security breaches occurred during the protection of 154 valuable and/or dangerous government cargo.
- > A total of 59 self-initiated operations and 18 crime prevention operations were successfully executed, with 31 arrests.



Confiscations	Specialised capability		
	NIU	STF	Mobile Operations
Heroin capsules	11 028	-	-
Cocaine	0,050 kg	973 kg	-
Cocaine pieces	29	-	-
Cocaine capsules	-	160	-
Crystal Meth (Tik-Tik)	0,291 kg	-	-
Cannabis (dry)	34,374 kg	670 kg	-
Ecstasy tablets	1 008	-	-
Mandrax tablets	1 316.25	-	-
Firearms (handguns and rifles)	138	51	2
Rounds of ammunition	9 804	1 086	-
Vehicles	92	21	1
Cash	R1 047 433.90	R155 550.00	-
Abalone	-	9 760	-
Chucked abalone	-	812	-
Boxes abalone	-	18	-
Alcohol	-	-	312,57 litres
Packets of cigarettes	-	-	638



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OTHER UNITS WITHIN THE SPECIALISED INTERVENTIONS CAPABILITY

Tactical Response Teams is to provide a tactical response capability, to resolve confirmed medium- to high-risk, serious and violent crimes, which are in progress. It also provides tactical operational support through planned operations or specific requests, within the Province, as well as a tactical intervention solution, to safely resolve confirmed medium- to high-risk crime threats, which have escalated beyond the capabilities of generic policing skills. There are currently 29 Tactical Response Team Units in the nine provinces, including nine, in KwaZulu-Natal, two each, in the Western Cape, the Free State and Mpumalanga, four each, in Gauteng, the Eastern Cape and the North West and one each, in Limpopo and the Northern Cape.	» Tactical Response Team Units attended to 492 tactical response activities (responding to serious crimes in progress, crowd management, crisis incidents in progress and assisting other units when a tactical capability is required). A total of 19 378 tactical operational support operations and activities (anti-poaching, cross-border operations and the transporting of dangerous criminals); executed 413 tactical intervention activities (active shooter situations, cordon-and-search operations to search persons, vehicles and premises); 706 self-initiated operations, focusing on trio-related crimes, (aggravated robberies, theft of motor vehicles, drug-related crimes and firearms and ammunition); and attended to 261 933 day-to-day operations. During these activities 2 385 arrests were made for various offences. » A total of 15 391,901 kg Cannabis, 8 328 Mandrax tablets, 0,348 kg Crystal Meth (Tik-Tik), 39,469 kg Cocaine, 1 325 Ecstasy tablets, 487 illegal firearms, 7 807 rounds of ammunition, 286 stolen/robbed vehicles and 0,143 kg of gold were confiscated, as well as R4 842 292.40 in cash.
The SAPS renders specialised policing services to neighbouring countries, in fulfilment of Outcome 11 of Government's Programme of Action: "Enhanced Africa Agenda and Sustainable Development". It includes the deployment of members on peacekeeping missions¹¹⁵ and other interventions, in accordance with the UN, Security Council Resolutions, AU Constitutive Act and Southern African Development Community (SADC) Agreements, as agreed by the RSA Cabinet.	» A total number of 38 members were deployed in AU/UN peacekeeping missions, including 15 members in South Sudan, 21 members in Darfur and one member in Abyei Darfur as police advisors¹¹⁶. One female member is appointed as the Senior Police Coordinator, in Somalia. The SAPS representative, appointed as the UN Police Sector Commander, in Darfur, after returning from Darfur, was appointed as Senior Police Coordinator, in Somalia, to assist with the building of the Federal Government's capacity to promote respect for human rights and women empowerment, child protection, to prevent conflict-related sexual GBV; and strengthen justice institutions. One female member is appointed as Protection of Civilians Coordinator, in South Sudan, responsible for operational oversight of the maintenance of public order and security within the UN Missions Protection of Civilians Sites and any other mandated UN police activities related to the Protection of Civilians Sites. » According to the SADC Standby Force Agreement and other mandating authorities, a total of 500 members must be trained and on standby for deployment, annually, as per cabinet approval. During the reporting period, a total of 418 members were trained and placed on standby for deployment in peacekeeping missions.

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The SAPS Air Wing provides air support for crime-related matters to police stations, other units and specialised forces.	» The SAPS currently has 49 aircraft, including 37 helicopters and 12 fixed wing aeroplanes. The 37 helicopters include 13 BO105 Helicopters, which have been removed from service, due to ageing and serviceability constraints and two AS350B3 (H125) Helicopters are grounded for boarding, due to accident and lifespan maturity. » By the end of March 2021, there were 54 pilots in the SAPS, including 30 helicopter pilots, 18 fixed-wing pilots and six dual-rated pilots, who were flying both helicopters and fixed-wing aeroplanes, as well as 52 Airborne Law Enforcement Officers (crew). » A total of 2 498.7 hours were flown, including 1 971.4 operational hours for crime-related matters, such as crime call-outs (430.7 hours), crime prevention (592.4 hours), planned operations (760.2 hours) and assistance to specialised forces (188.1 hours). A total of 527.3 hours were flown for non-crime related flights, including communication flights (223.5 hours), shows (10.5 hours), training (185.3 hours) and maintenance flights (108.0 hours). » A total of 103 self-initiated operations, focusing on high visibility air patrols to prevent crimes, such as trio-crimes, business and residential robberies, coastal patrols and other, were conducted.
Mobilisation support is rendering assistance transport and/or vehicle-related equipment, to support operational-related and national coordinated operations and events, including armoured vehicles, support to operational deployments, such as cross-border operations, the building/maintaining of camps, the deployment of chefs and camp supervisors, the supplying of equipment and consumables, such as speed fencing, riot helmets, flags, chairs, tables, tents, lawnmowers and furniture removal.	» A total of 154 requests were successfully attended to, with regard to transport activities. These are inclusive of assistance to approved official funerals, officials attending courses, training and maintenance shooting, shuttle services for high ranking officer visits, deploying and recovering of armoured vehicles, transporting operational equipment to be utilised in provinces, during COVID-19 lockdown operations and assistance provided to border policing-related detached duties. » A total of 48 requests were successfully attended to, with regard to support activities. These activities include providing assistance for training camps, the erecting of speed fencing, firearm destruction operations and the hosting of work sessions/meetings. » At the end of March 2021, a total of 548 selective armoured vehicles were active, of which 234 were reported operable/serviceable.
National Operational Coordination is responsible for coordinating, implementing and monitoring interdepartmental and police specific operations, to address JCPS and SAPS priorities, managing cabinet-approved major events, as well as other events, in terms of the Safety at Sports and Recreational Events Act, 2010 (Act No 2 of 2010). National Operational Coordination serves as the coordinating structure and the secretariat of the NCCF and the Interdepartmental NATJOINTS, responsible for coordinating all security and stability operations, throughout the country. The SAPS holds the chairmanship of the NATJOINTS.	» A total number of nine intervention operations were planned, coordinated, evaluated and executed and identified hotspot areas were stabilised, in 2020/2021. » A total of eight cabinet approved events, in terms of the Safety at Sports and Recreational Events Act, 2010, were approved in 2020/2021.



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Crime Combating Operations

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- » Operation Vala, addressing serious and violent crimes, in the in KwaZulu-Natal Province, from 1 April to 31 July 2020.
- » Operation Lockdown, addressing gang-related crime, such as murder, attempted murder and drug-related crime, in the Western Cape Province, from 1 April to 31 July 2020.
- » Emanguzi Presidential Operation, addressing cross-border and trio crime, in the KwaZulu-Natal Province, from 1 April to 31 July 2020.
- » Stabilisation of robbery aggravated, focussing on CIT robberies, in the North West, Mpumalanga, the Eastern Cape, the KwaZulu-Natal and the Gauteng Provinces, from 11 December 2020 to 15 March 2021.
- » Stabilisation and normalisation operations, in the Dr Kaunda District, in the North West Province, from 1 October 2020 to 31 March 2021.
- » Stabilisation of the top 30 High Contact Crime Weight Stations, in the Eastern Cape, Gauteng, the KwaZulu-Natal, Mpumalanga and the Western Cape Provinces, from 1 to 28 February 2021.
- » Safer Festive Season Operation, from 15 October 2020 to 31 January 2021.
- » Operation Lockdown II, from 14 March 2021 to 30 April 2021.
- » KwaZulu-Natal Stabilisation Operation, from 26 March 2021 to 30 April 2021.

Major events/operations, in terms of the Safety at Sports and Recreational Events Act, 2010 (Act No 2 of 2010)

- » Official funeral (Category One) for the late Mr Andrew Mlangeni, on 29 July 2020, at the University of Johannesburg (Soweto Campus), in the Gauteng Province.
- » Official Funeral (Category One) for the late Mr John Nkadimeng, on 14 August 2020, at the Westpark Cemetery, in the Gauteng Province.
- » Official Funeral (Category One) for the late Advocate George Bizos, on 17 September 2020, at the Westpark Cemetery in the Gauteng Province.
- » South Africa Investment Conference, on 18 November 2020, at the Sandton Convention Centre, in the Gauteng Province.
- » Official Funeral (Category One) for the late Bapedi King Victor Thulare III, on 17 January 2021, at the King's Palace, in Sekhukhune, in the Limpopo Province.
- » Official Funeral (Category One) for the late Minister in the Presidency: Honourable Jackson Mphikwa Mthembu, on 24 January 2021, at the Roman Catholic Church, in Witbank, in the Mpumalanga Province.
- » SONA, on 11 February 2021, at the Parliament of South Africa, in Cape Town.
- » Official Funeral (Category One) and memorial service for the late Zulu King, His Majesty Goodwill Zwelithini KaBhekuzulu, on 17 and 18 March 2021, at the KwaKhethomthandayo Royal Palace, in KwaNongoma, in the KwaZulu-Natal Province.

PRIORITISING WOMEN, YOUTH AND PERSONS WITH DISABILITIES IN ITS SERVICE DELIVERY ENVIRONMENT

The SAPS included performance indicators in the MTSF (2019-2024), that are focused specifically on women and the youth, namely: the percentage reduction in the number of contact crimes against women (18 years and above) and the percentage reduction in the number of contact crimes against children (below 18 years). In addition, the SAPS' Strategic Plan 2020-2025 and Annual Performance Plan contains the following gender-responsive performance indicator, within the Visible Policing Programme: Public perceptions of the SAPS' effectiveness; the percentage households who felt safe walking alone in their areas of residence during the day and during the night; the levels of trust in the SAPS and reported levels of contact crime against women and children.

The measurement of the abovementioned perception-based performance indicator will be gender responsive (women will form part of the stratified sampling that will be undertaken) and will, therefore, support the empowerment of women as they will be measured in a gender-responsive manner.

The challenges associated with addressing crimes against women and children, include the underreporting of crimes against women and children, due to various socio-economic variables and the limited involvement of all stakeholders in the fight against GBVF.



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PLANS/INTERVENTIONS/STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Visible Policing Programme underperformed in the following areas:

- > Number of stolen, lost and illegal firearms recovered
- > Number of identifiable stolen/lost SAPS firearms recovered
- > Percentage of applications for new firearm licenses finalised within 120 working days
- > Number of stolen/robbed vehicles recovered
- > Percentage reduction in the number of contact crimes against children (below 18 years)
- > Number of identified functional strategic partnerships
- > Number of provinces in which the Traditional Policing Concept has been implemented

PLANS/INTERVENTIONS/STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Number of stolen, lost and illegal firearms recovered and Number of identifiable stolen/lost SAPS firearms recovered

Intensified cordon-and-search and stop-and-search operations, including roadblocks.

Compliance inspections at security companies.

National Instruction 6 of 2019: 'Notification of lost, stolen and/or found firearms' was re-disseminated to all police stations and provinces, to ensure the proper handling and reporting of stolen/lost and recovered firearms and to streamline and standardise practices involved in the processing of lost, stolen and found firearms.

Percentage of applications for new firearm licenses finalised within 120 working days

A CFR Action Plan was developed by the SAPS, aimed to address service delivery complaints pertaining to the management of application backlogs within the CFR.

The Action Plan consist of the following pillars

- > Pillar 1: Enhancement of capacity and capability
- > Pillar 2: Enhance governance structures
- > Pillar 3: Secure and suitable storage, filing facilities and office accommodation
- > Pillar 4: System development and enhancement

Number of stolen/robbed vehicles recovered

The SAPS will continue to improve increased visibility, including at police actions, such as roadblocks and control at ports of entry, to prevent the theft of vehicles and will enhance operations to recover stolen/robbed vehicles.

The administrative processes regarding the first-phase cancellation on the Circulation System for vehicles will be enhanced.



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Percentage reduction in the number of contact crimes against children (below 18 years)

Community outreach programmes.

Enhanced police visibility and cooperation with civil society.

Involvement of the community, *via* community structures, such as CPFs, law enforcement agencies and force multipliers, which are essential to join the SAPS to engage with communities, to address crimes in households (child abuse, domestic violence, rape, etc.).

Number of identified functional strategic partnerships

The National Instruction on the Establishment of Crime Prevention Partnerships will be finalised. The purpose of the National Instruction is to contextualise and standardise the effective management of crime prevention partnerships in the Service and to offer guidance to those individuals directly involved in managing crime prevention partnerships. The Instruction will further outline the governance arrangements to be observed, in undertaking and maintaining these partnerships.

Number of provinces in which the Traditional Policing Concept has been implemented

A National Project Plan has been developed, to ensure the roll out of the Traditional Policing Concept, in the identified provinces. The Traditional Policing Project aims to ensure the achievement of the following deliverables:

- > The development of clear directives to provinces for implementation.
- > To facilitate consultations with relevant strategic stakeholders (the Department of Cooperative Governance and Traditional Affairs, the Provincial House of Traditional Leaders, as well as SAPS Provincial Offices).
- > To conduct assessment visits in identified provinces.

PERFORMANCE, IN RELATION TO STANDARDISED OUTPUTS AND OUTPUT INDICATORS FOR SECTORS WITH CONCURRENT FUNCTIONS

The South African system of government is designed so that certain functions are exclusive (performed by one sphere only), while others are concurrent (shared between different spheres). The Constitution divides functions among the three spheres of government and clearly distinguishes between exclusive and concurrent responsibilities. Concurrent functions, include policy-making, legislation, implementation and monitoring and performance assessment. Functions, such as school education, health services, social welfare services, housing and agriculture are shared between national and provincial governments. The SAPS, therefore, does not have specified concurrent functions that should be reported on.



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INSTITUTIONAL RESPONSE TO COVID-19

Interventions implemented within the Visible Policing Programme, in response to COVID-19, includes, the deployment of reservists to support with policing duties; the payment of overtime duties to SAPS employees to enforce the regulations relating to COVID-19, as well as for the decontamination of SAPS premises; the payment of travel and subsistence for SAPS employees deployed outside their normal place of work; the procurement of items for services, such as waste removal, resources for roadblocks, etc.; assistance with the escorting of South African citizens, who were repatriated/evacuated from various countries; and the provisioning of air transportation, as a result of no commercial air travel, as per the table below.





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Interventions, in response to COVID-19

Budget Programme	Intervention	Geographic location	Number of beneficiaries	Disaggregation of beneficiaries	Budget allocation	Budget spent ⁵⁶	Outputs to which the intervention contribute to	Immediate outcomes
Programme 2: Visible Policing Crime Prevention Subprogramme	Deployment of reservists to support with policing duties	In all nine provinces, up to police station level	±3 000 reservists Refer to note 3	Reservists called-up for duty, by Provincial Commissioners	R90 000 000	Expenditure to the amount of R43 731 936	A professional and capable SAPS	To enhance the responsiveness of the SAPS
	Overtime duties by SAPS employees to enforce regulations relating to COVID-19, as well as for the decontamination of SAPS premises	All organisational levels	All SAPS employees, who performed overtime duties, as well as personnel responsible for the decontamination of SAPS premises Refer to note 3	SAPS employees at all organisational levels	R57 105 000	Expenditure to the amount of R32 054 648	A professional and capable SAPS	To enhance the responsiveness of the SAPS
	Travel and subsistence expenditure for SAPS employees deployed outside their normal place of work, to enforce regulations relating to COVID-19	All organisational levels	All SAPS employees, who were required to travel outside their normal place of work Refer to note 3	SAPS employees at all organisational levels	R100 000 000	R79 801 172 for the year	Effective utilisation of resources	To enhance the responsiveness of the SAPS
	Procurement of other items or services to support SAPS employees during COVID-19 deployments (waste removal, roadblock resources, etc.)	All provinces, up to police station level	Total number of Police Act and Public Service Act members at the end of March 2021. (±186 126) ±112 504 males ±69 622 females, including ±3 076 with disabilities	All SAPS employees	R50 000 000	R49 632 758 for the year	-	Support to SAPS employees during deployments

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Budget Programme	Intervention	Geographic location	Number of beneficiaries	Disaggregation of beneficiaries	Budget allocation	Budget spent ⁵⁶	Outputs to which the intervention contribute to	Immediate outcomes
Programme 2: Visible Policing (Specialised Interventions Subprogramme)	The escorting of South African Citizens, who were repatriated/evacuated from various countries to designated quarantine sites and the monitoring of these sites	Cape Town, OR Tambo and King Shaka International Airports and Beit Bridge, Lebombo, Oshoek, Maseru Bridge and Ramatlabama Ports of Entry	During the 1 st and the 2 nd quarters, assistance was provided with the repatriation, evacuation and medical evacuation of the following number of citizens: » Repatriation: 30 067 » Evacuation: 61 283 » Medical evacuation: 291	South African citizens, who were repatriated from various countries	No additional allocation was received. The annual budget allocation for the Specialised Interventions Subprogramme was utilised	-	A professional and capable SAPS	Ensuring the safe transportation of repatriated/evacuated South African citizens to designated quarantine sites and the effective monitoring of these sites during the quarantine period
	The provisioning of air transportation, as a result of no commercial air travel	Wonderboom Airwing	17 senior managers within the SAPS, as well as the Minister and the Deputy Minister of Police were transported, during the 1 st quarter. A total number of 68 flight requests were attended to, with 345 passengers, during the period July 2020 to March 2021. In quarter 4, 20 flight requests were attended to, with 78 passengers (custodians from the company BIOCAIR, responsible for the movement of vaccines).	Senior managers within the SAPS, as well as the Minister and the Deputy Minister of Police, as well as passengers from the company BIOCAIR, responsible for the movement of vaccines	No additional allocation was received. The annual budget allocation for the Specialised Interventions Subprogramme was utilised	-	A professional and capable SAPS	Ensuring the provisioning of air support to the Minister and the Deputy Minister of Police, as well as senior managers within the SAPS, during the COVID 19 Pandemic

Note 3: Expenditure for reservists, overtime and travel and subsistence normally are only paid in a subsequent month and then overtime and reservist expenditure needs to be journalised against the project. These journals are performed in bulk after a couple of months, per request, from a province and the number of people or breakdown of such people can, in no way be determined. Counting the number of travel and subsistence claims will be labour intensive, as thousands of people could have been deployed once or more than once and trying to determine the breakdown of those in terms of the guidelines, will require manually confirming the number of claimants and then confirming each of the thousands of claimants' details individually, as per the guidelines. The same applies to the awaiting trial prisoners. Therefore, it is indicated to be unknown, as these manual processes will be very labour intensive.

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A call-up for reservists, for the period 20 July 2020 to 31 March 2021, has been approved by the Accounting Officer, in terms of the South African Reserve Police Service Amendment Regulations: No 36922, dated 15 October 2013. Reservists were required to assist the SAPS to enforce the Regulations, issued to contain and manage COVID-19 Regulations, during operations and with policing services, mostly during lockdown levels 3 and 2, in line with the directives issued by the SAPS, to manage COVID-19, as well as the annual operational plan for each province. Police station commanders were required to identify suitable reservists with a commendable track record to be called-up to perform the abovementioned duties and who met predetermined requirements. Provincial offices were responsible to manage the call-up of reservists. A budget was allocated to each of the nine provinces and Provincial Commissioners were required to call-up a specific number of reservists, in accordance with the allocated budget. The approval of claims by reservists were the responsibility at the Provincial Finance Office, after the verification of information recorded in a claim register. In total, 3 000 reservists were budgeted for.

Budget allocated for the call-up of active reservists, to assist with the policing of COVID-19 restrictions and crime prevention

Province	Total funds allocated (call-up instruction, dated 24 March 2020)	Total funds allocated (call-up instruction, dated 25 August 2020)	Total number of reservists, as per PERSAP (31 March 2021)
Western Cape	R1 500 000.00	R12 000 000.00	590
Eastern Cape	R1 200 000.00	R9 600 000.00	461
Northern Cape	R400 000.00	R3 200 000.00	218
Free State	R750 000.00	R6 000 000.00	367
Kwa-Zulu Natal	R1 800 000.00	R14 400 000.00	582
North West	R650 000.00	R5 200 000.00	393
Mpumalanga	R800 000.00	R6 400 000.00	338
Limpopo	R900 000.00	R7 200 000.00	535
Gauteng	R2 000 000.00	R16 000 000.00	1 479
Total	R10 000 000.00	R80 000 000.00	4 963

South African borders were closed to all travellers during the 1st and the 2nd quarters, to prevent the spread of COVID-19, except for the Cape Town, OR Tambo and King Shaka International Airports and the Beit Bridge, Lebombo, Oshoek, Maseru Bridge and Ramatlabama Ports of Entry. During this period, the SAPS continued its functions to react to crime-related hits, as a result of MCS or EMCS screening on wanted persons and stolen/robbed vehicles at the abovementioned ports of entry, as well as the profiling of vehicles at land ports and cargo consignment at airports for the illegal facilitation of persons, contraband, illicit goods and/or stolen robbed property. The SAPS and other border security stakeholders were deployed, 24/7 at all 18 designated ports and the 35 closed land ports, as well as at other airports and sea ports to implement border security interventions. International travel was opened, in level 1 of the lockdown, on 1 October 2020. Travelling became normal, whereby travellers utilised ports of entry without applying to the NATJOINTS for authority to travel. During the last quarter of the financial year travelling to and from South Africa was allowed, subject to having a valid Polymerase Chain Reaction test performed by the Department of Health, not older than 72 hours. Approval of movement was done by the Department of Home Affairs.

The NATJOINTS on COVID-19 was activated, on 7 February 2020. During the early lockdown, South African citizens and residents returning to South Africa could travel to South Africa, but were required to request prior permission, through the South African Embassy/High Commission in the country where they were present. These requests were then submitted to DIRCO for consideration, after which it was submitted to the NATJOINTS Border Security and Travel Restrictions Work Stream,

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who ultimately decided on approvals. The SAPS was represented on the Work Stream. Only King Shaka, OR Tambo and Cape Town International Airports were open for repatriation/evacuation. At OR Tambo, the SAPS formed part of the operational group, who processed repatriations. Apart from the execution of normal day-to-day policing functions at the ports of entry, the SAPS also escorted citizens to designated quarantine sites and monitored these sites, to ensure that quarantine orders are not violated, until such time that they were transported to their places of residence after the quarantine period.

A total of 114 citizens from the People's Republic of China, requested the South African Government for support in their repatriation back to South Africa, which led to the planning of repatriation of all 114 citizens. The citizens arrived in South Africa, on 14 March 2020 and they were quarantined at the Protea Hotel's, 'The Range Resort', outside Polokwane, together with the rescue team from the SANDF, for 21 days. The resort was secured by both the SANDF and the SAPS.

During the period April to September 2020, assistance was provided with the repatriation of 30 067 citizens, the evacuation of 61 283 citizens and the medical evacuation of 291 citizens.

The SAPS Air Wing provides operational air support for crime-related matters to police stations, other units and specialised forces. During the unavailability of commercial air transportation, the SAPS Air Wing assisted with the transportation of senior managers within the SAPS, as well as the Minister and the Deputy Minister of Police. During the period April to June 2020 (levels 5, 4 and 3 of the lockdown), 17 senior managers were transported. A total number of 19 requests were dealt with, with 92 passengers, during July to September 2020 (levels 3, 2 and 1), 29 requests were dealt with, with 195 passengers, during October to December 2020 (level 1) and 12 requests were dealt with, with 64 passengers, including custodians from the company BIOCAIR, responsible for the movement of vaccines, during January to March 2021 (adjusted level 3 and 1).

CHANGES TO PLANNED TARGETS

No changes were made to planned targets, in 2020/2021.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme Name	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Prevention	41 327 823	39 722 291	1 605 532	38 834 120	38 788 773	45 347
Border Security	2 204 551	2 163 448	41 103	2 155 632	2 155 632	-
Specialised Interventions	4 555 793	4 538 584	17 209	4 542 265	4 542 265	-
Facilities	4 475 974	4 312 152	163 822	4 261 712	4 261 712	-
Total	52 564 141	50 736 475	1 827 666	49 793 729	49 748 382	45 347

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PROGRAMME 3: DETECTIVE SERVICES

PROGRAMME OVERVIEW

The purpose of the Detective Services Programme is to enable the investigative work of the SAPS, including providing support to investigators, in terms of forensic evidence and criminal records. The programme objective is to contribute to the successful prosecution of offenders by investigating, gathering and analysing evidence.

The Detective Services Programme comprises the following four subprogrammes:

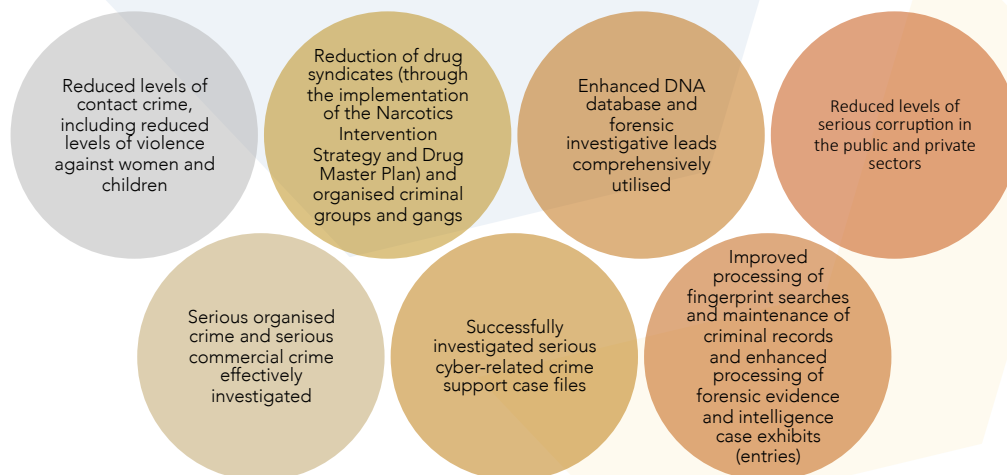
Crime Investigations provides for detectives at police stations who investigate crimes, including crimes against women and children.

Criminal Record Centre provides for effective and credible Criminal Record Centres, in respect of crime scene management or processing and provides criminal records and related information.

Forensic Science Laboratory funds Forensic Science Laboratories, which provide specialised, evidence-related technical analysis and support to investigators.

Specialised Investigations provides for the prevention, combating and investigation of national priority offences, including the investigation of organised crime syndicates, serious and violent crime, commercial crime and corruption.

There is one outcome that relates directly to Programme 3, thorough and responsive investigation of crime, which is supported by the following suboutcomes - increased feelings of safety in communities; reduced organised crime; comprehensive utilisation of forensic investigative aids in the investigation of crime; improved perceptions of fraud and corruption in the private and public sectors; reduced serious organised crime; reduced levels of serious commercial crime; ensure an effective response to serious cyber-related crime and investigation of crime, supported by criminal records and forensic evidence. The following outputs relate to the outcome - thorough and responsive investigation of crime:



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OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 5: Actual performance against targets, for 2020/2021, against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Crime Investigations									
Thorough and responsive investigation of crime: » Increased feelings of safety in communities ¹¹⁷	Reduced levels of contact crime ¹¹⁸	Percentage increase in the detection rate for contact crimes	51,12% (391 528 from a total of 765 846).	50,58% (401 222 from a total of 793 213).	49,13% (395 255 from a total of 804 478).	55,47%	47,43% (348 355 from a total of 734 496).	-8,04% points	Target not achieved. Murder, attempted murder, sexual assault, assault GBH, robbery with aggravating circumstances and common robbery contributed to the underperformance. Witnesses are reluctant to make statements, due to fear of victimisation, e.g. gang, public violence and domestic violence-related incidents. Dockets with IPID where suspects have been arrested but not charged on the system (no access to systems and delays in finalising investigations).



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of contact crime								Crime scenes are contaminated by the community, before the first responder arrives at the scene, resulting in contaminated forensic evidence. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Turnaround time on the finalisation of a decision on case dockets. Difficulty in the tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages). COVID-19 restrictions, related to movement, especially during levels 5, 4 and 3.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of contact crime	Percentage increase in the detection rate for contact crimes at the 30 High Contact Crime Weight Stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	36,92% (47 150 from a total of 127 711).	56,23%	33,94% (37 112 from a total of 109 335).	-22,29% points	Target not achieved. Murder, attempted murder, sexual assault, assault common, assault GBH, robbery with aggravating circumstances and common robbery contributed to the underperformance. Witnesses are reluctant to make statements, due to fear of victimisation, e.g. gang, public violence and domestic violence-related incidents. Dockets with IPID where suspects have been arrested but not charged on the system (no access to systems and delays in finalising investigations). Crime scenes are contaminated by the community, before the first responder arrives at the scene, resulting in contaminated forensic evidence.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of contact crime								Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Turnaround time on the finalisation of a decision on case dockets. Difficulty in the tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages). COVID-19 restrictions, related to movement, especially during levels 5, 4 and 3.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of contact crime	Percentage reduction in outstanding case dockets related to contact crimes older than 3 years	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	14,7%	-46,22% (22 517 from a total of 48 719).	31,52% points	Target achieved. Increased utilisation of the Persons Identification and Verification Application (PIVA) System. Enhanced profiling of suspects. Structured monitoring system implemented from Divisional level.
		Percentage reduction in outstanding wanted persons for contact crimes already circulated at the 30 High Contact Crime Weight Stations	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	10%	-31,61% (11 756 from a total of 37 196).	21,61% points	Target achieved. Increased utilisation of the PIVA System. Enhanced profiling of suspects. Structured monitoring system implemented from Divisional level.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of violence against women ¹¹⁹	Percentage increase in the detection rate for crimes against women (18 years and above) ¹²⁰	74,29% (143 638 from a total of 193 346).	73,81% (147 933 from a total of 200 422).	72,92% (144 384 from a total of 198 012).	75,15%	71,29% (132 443 from a total of 185 778).	-3,86% points	Target not achieved. Murder, attempted murder, contact sexual offences, assault GBH and assault common contributed to the underperformance. Witnesses are reluctant to make statements, due to fear of victimisation, e.g. domestic violence-related incidents. Crime scenes are contaminated by the community, before the first responder arrives at the scene, resulting in contaminated forensic evidence. Turnaround time on the finalisation of a decision on case dockets.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of violence against women	Percentage reduction in outstanding case dockets related to crimes against women (18 years and above) older than 1 year	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	-42,63% (3 534 from a total of 8 289).	37,63% points	Difficulty in the tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages). COVID-19 restrictions, related to movement, especially during levels 5, 4 and 3. Target achieved. Increased utilisation of the PIVA System. Enhanced profiling of suspects. Structured monitoring system implemented from Divisional level.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of violence against children ¹²¹	Percentage increase in the detection rate for crimes against children (below 18 years) ¹²²	69,90% (38 298 from a total of 54 786).	69,19% (40 807 from a total of 58 975).	66,14% (38 047 from a total of 57 529).	70,10%	64,88% (34 890 from a total of 53 776).	-5,22% points	Target not achieved. Murder, attempted murder, rape, attempted rape, assault GBH, assault common, sexual assault and contact sexual offences contributed to the underperformance. Children are easily intimidated by the suspects and they are afraid to name the suspects, especially where suspects are relatives. Crime scenes are contaminated by the community, before the first responder arrives at the scene, resulting in contaminated forensic evidence. Reports required by the CJS (Criminal Capacity, Intermediary Reports, Department of Social Development Reports and Cape Mental Health) resulted in a slower turnaround time.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Increased feelings of safety in communities	Reduced levels of violence against children								COVID-19 restrictions related to movement, especially during levels 5, 4 and 3.
		Percentage reduction in outstanding case dockets related to crimes against children (below 18 years) older than 1 year	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	4%	-54,73% (2 339 from a total of 4 274).	50,73% points	Target achieved. Increased utilisation of the PVA System. Enhanced profiling of suspects. Structured monitoring system implemented from Divisional level.
Thorough and responsive investigation of crime: » Reduced organised crime ¹²³	Reduction of drug syndicates (through the implementation of the Narcotics Intervention Strategy and National Drug Master Plan) ¹²⁴	Percentage of identified drug syndicates neutralised with arrests ¹²⁵	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	50%	70,59% (12 from a total of 17), with 54 arrests.	20,59% points	Target achieved. Focused intervention by the Narcotics Section, however, capacity is limited. Participation and collaboration with stakeholders in the NDMIP.
		Percentage increase in the number of arrests for dealing in illicit drugs ¹²⁶	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	45,90% (178 arrests, compared with 122 arrests, in 2019/2020).	40,90% points	Target achieved. Focused intervention by the Narcotics Section, however, capacity is limited. Participation and collaboration with stakeholders in the NDMIP.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Reduced organised crime	Reduction of organised criminal groups and gangs ¹²⁷	Percentage of identified organised criminal groups neutralised with arrests ¹²⁸	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	50% ¹²⁹	50,00% (14 from a total of 28), with 74 arrests.	0% points	Target achieved. Focused approach in dealing with organised criminal groups (Organised Crime Threat Analysis), however, capacity is limited.
	Enhanced DNA database	Percentage increase in compliance with the taking of buccal samples from arrested offenders ¹³⁰	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	60%	43,59% (86 969 from a total of 199 507).	-16,41% points	Target not achieved. Under utilisation of and monitoring of the taking of buccal samples.
Thorough and responsive investigation of crime: » Comprehensive utilisation of forensic investigative aids in the investigation of crime	Forensic investigative leads comprehensively utilised ¹³¹	Percentage reduction in outstanding person-to-crime DNA investigative leads	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	-70,53% (1 692 from a total of 2 399).	65,53% points	Target achieved. Structured monitoring system implemented from Divisional level. Enhanced profiling of suspects.
		Percentage reduction in outstanding crime-to-crime DNA investigative leads	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	-55,67% (761 from a total of 1 367).	50,67% points	Target achieved. Structured monitoring system implemented from Divisional level. Enhanced profiling of suspects.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Comprehensive utilisation of forensic investigative aids in the investigation of crime	Forensic investigative leads comprehensively utilised	Percentage reduction in outstanding fingerprint investigative leads	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	144,91% (2 575 from a total of 1 777).	-139,91% points	Target not achieved. Deficiency in the monitoring of the AFIS list and the purification thereof.
		Percentage reduction in outstanding Integrated Ballistics Identification System (IBIS) investigative leads	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	New performance indicator, in 2020/2021.	5%	-37,35% (644 from a total of 1 724).	32,35% points	Target achieved. Structured monitoring system implemented from Divisional level.
Subprogramme: Criminal Record Centre									
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Improved processing of fingerprint searches and maintenance of criminal records	Percentage of results of trial updated in respect of the following:							
		Guilty verdict	97,94% (326 583 from a total of 333 451) of results of trial (guilty) updated, within 20 calendar days.	97,95% (272 326 from a total of 278 019) of results of trial (guilty) updated, within 20 calendar days.	89,85% (223 237 from a total of 248 449) of results of trial (guilty) updated within 20 calendar days.	95% of results of trial (guilty) updated, within 20 calendar days	93,09% (154 173 from a total of 165 613) of results of trial (guilty) updated within 20 calendar days.	-1,91% points	Target not achieved. The decontamination of buildings resulted in a loss of production.
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Improved processing of fingerprint searches and maintenance of criminal records	Not guilty verdict	98,44% (965 884 from a total of 981 205) of results of trial (not guilty/withdrawn) updated, within 20 calendar days.	98,39% (957 449 from a total of 973 089) of results of trial (not guilty/withdrawn) updated, within 20 calendar days.	90,44% (1 024 306 from a total of 1 132 568) of results of trial (not guilty/withdrawn) updated within 20 calendar days.	95% of results of trial (not guilty/withdrawn) updated within 20 calendar days	96,53% (789 284 from a total of 817 670) of results of trial (not guilty/withdrawn) updated within 20 calendar days.	1,53% points	Target achieved. The efficiency of the AFIS, as well as sustained daily production, monitoring and management of the workload.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Forensic Science Laboratory									
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Enhanced processing of forensic evidence case exhibits (entries)	Percentage of routine case exhibits (entries) finalised ¹³²	69,53% (164 946 from a total of 237 225), within 28 working days.	71,92% (171 989 from a total of 239 123), within 35 calendar days.	63,75% (122 609 from a total of 192 319), within 35 calendar days.	75% of routine case exhibits (entries) processed, within 35 calendar days	32,23% (27 983 from a total of 86 824), within 35 calendar days.	-42,77% points	Target not achieved. Lower production levels, due to COVID-19. The evacuation of buildings, due to positive COVID-19 cases. Non-operational equipment and machinery, due to outstanding service. Outstanding maintenance, calibration and validation contract.
	Enhanced processing of forensic evidence case exhibits (entries)	Percentage of non-routine case exhibits (entries) finalised ¹³³	75,30% (4 656 from a total of 6 183), within 75 working days.	91,66% (5 034 from a total of 5 492), within 113 calendar days.	79,67% (3 794 from a total of 4 762), within 113 calendar days.	70% of non-routine case exhibits (entries) processed, within 113 calendar days	61,70% (1 226 from a total of 1 987), within 113 calendar days.	-8,3% points	Target not achieved. Lower production levels, due to COVID-19. The evacuation of buildings, due to positive COVID-19 cases. Non-operational equipment and machinery, due to outstanding service. Outstanding maintenance, calibration and validation contract.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Enhanced processing of forensic evidence case exhibits (entries)	Percentage of case exhibits (entries) not yet finalised exceeding the prescribed time frames ¹³⁴	1,12% (7 164 from a total of 639 745) case exhibits (entries) not yet finalised, exceeding the prescribed time frames.	2,49% (10 609 from a total of 426 797) case exhibits (entries) not yet finalised exceeding prescribed time frames.	27,06% (98 238 from a total of 362 979) case exhibits (entries) not yet finalised exceeding prescribed time frames.	Backlog not exceeding 10% of registered case exhibits (entries)	84,56% (300 722 from a total of 355 648) case exhibits (entries) not yet finalised exceeding prescribed time frames.	-74,56% points	Target not achieved. Lower production levels, due to COVID-19. The evacuation of buildings, due to positive COVID-19 cases. Non-operational equipment and machinery, due to outstanding service. Outstanding maintenance, calibration and validation contract.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Enhanced processing of forensic intelligence case exhibits (entries)	Percentage of Ballistics Intelligence (IBIS) case exhibits (entries) finalised	97,29% (17 821 from a total of 18 318), within 28 working days.	90,66% (14 213 from a total of 15 677), within 35 calendar days.	84,64% (6 105 from a total of 7 213), within 35 calendar days.	95% of IBIS case exhibits (entries) finalised, within 35 calendar days	90,50% (33 216 from a total of 36 704), within 35 calendar days.	-4,5% points	Target not achieved. A lack of electronic track and trace capability, resulting in the manual track and trace of cases and exhibits. The rotation of members, in response to the adjusted alert levels of the COVID-19 Pandemic, between April 2020 and March 2021. A shortage of human capital, in terms of support and operational environments.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Investigation of crime supported by criminal records and forensic evidence	Enhanced processing of forensic evidence case exhibits (entries)	Percentage of Biology DNA Intelligence case exhibits (entries) finalised	95,16% (365 593 from a total of 384 182), within 63 working days.	79,58% (129 944 from a total of 163 278), within 90 calendar days.	59,87% (29 152 from a total of 48 694), within 63 calendar days.	80% of DNA intelligence case exhibits (entries) processed, within 90 calendar days	14,59% (706 from a total of 4 838), within 63 calendar days.	-65,41% points	Target not achieved. Lower production levels, due to COVID-19. The evacuation of buildings, due to positive COVID-19 cases. Non-operational equipment and machinery, due to outstanding service. Outstanding maintenance, calibration and validation contract.

ANNEXURE IP18

SERVICE DELIVERY ACHIEVEMENTS

DETECTIVE SERVICE

Key Focus Areas

- » Manages and secures the investigation of crime at police station level.
- » The effective and efficient investigation of crimes against women and children and the rendering of forensic social work support.
- » The effective and efficient investigation of the movement of stolen vehicles crossing South Africa's borders and the conducting of operations relating to the repatriation of recovered vehicles.
- » The effective investigation and detection of stock theft.
- » The conducting of executive bilateral operations with SARPPCO member countries and internal disruptive operations targeting stolen vehicle routes to SARPPCO member countries.
- » The effective investigation of allocated/instructed case dockets, including follow-home robberies.
- » The effective investigation of commercial crime, organised crime and corruption, outside the mandate of the DPCI.
- » The tracing of suspects circulated, as wanted.
- » Investigative support to members, tasked with investigations into the disappearance of persons.
- » The effective investigation of occult-related crimes.
- » The transmitting of tip-offs received through the Crime Stop Centre.

SUBPROGRAMME – CRIME INVESTIGATIONS

The detection¹³⁵ of crime is the process that the SAPS undertakes, which extends from the time that the SAPS becomes aware of a crime and where a case docket is subsequently opened for investigation. This extends to the time that a suspect has been arrested and charged on the CAS/ICDMS or the case docket has been closed off as unfounded or as withdrawn before court. This process will include the utilisation of recognised investigative aids and the services of other divisions, within the SAPS and role players.

PERFORMANCE MANAGEMENT

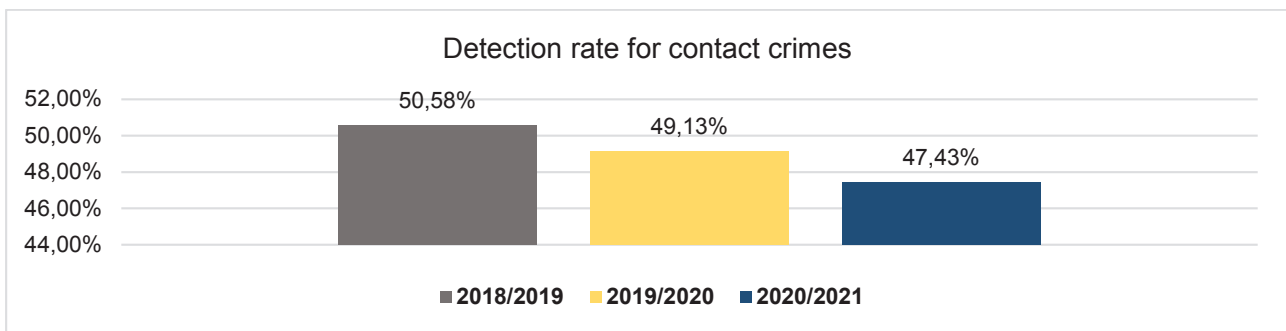
Column 1 (charges reported)	When an incident of crime is reported, a case is opened on the CAS and a unique CAS number is allocated to the case. However, a case docket may have more than one charge being investigated against an alleged offender/s. For this reason, more than one charge may be indicated on the Crime Management Information System.
Column 2 (charges carried forward)	The number of charges that were carried forward from the previous year and where the investigation is still pending.
Column 3 (charges to court)	The number of charges where an arrest was made and the suspect was sent to court, in that specific year. Arrest means the actual detention of the suspect or the issuing of a summons to appear in court.
Column 4 (charges withdrawn before court)	Charges sent to the NPA for a decision to be made whether to prosecute or not. Charges may be withdrawn for the following reasons: » the victim is unwilling to continue with the case; » the crime is trivial in nature; » the prosecutor is of the opinion that there is no prospect of a successful prosecution; and » witnesses/complainants cannot be traced.
Column 6 (case docket closed as unfounded/false)	When it is evident from the investigation that no offence has been committed, e.g., when it is alleged that goods have been stolen and the investigation proves that the goods were merely misplaced, the case docket is closed as unfounded/false or is a civil matter.

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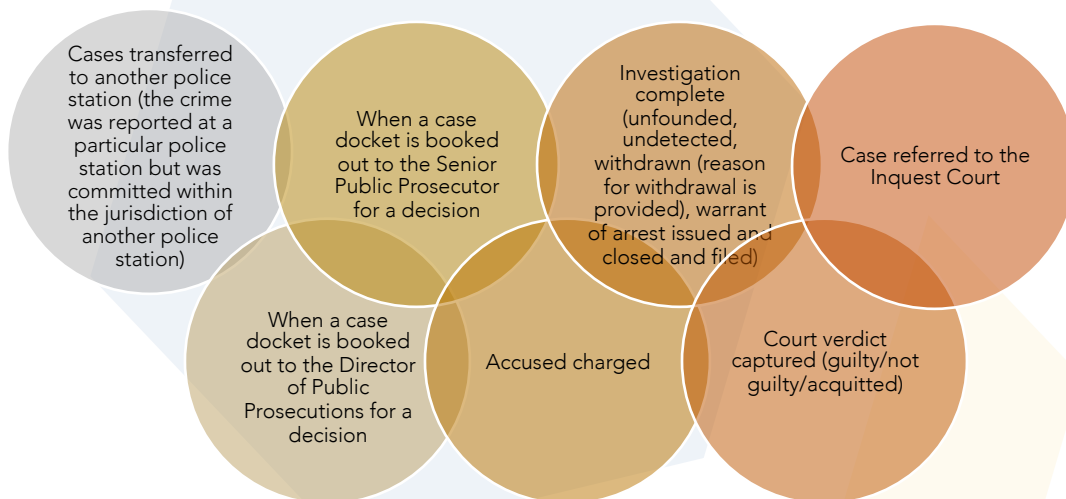
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REDUCED LEVELS OF CONTACT CRIME

The total number of charges reported for contact crimes (crimes against the person), decreased with 85 835 (13,79%), in comparison with the same period, in the 2019/2020 financial year. Murder decreased with 1 332 (6,24%), robbery with aggravating circumstances with 24 113 (16,73%), common robbery with 14 152 (27,29%), assault GBH with 23 282 (13,96%), assault common with 15 988 (9,65%) and sexual offences with 7 074 (13,15%). Attempted murder increased with 106 (0,57%). The detection rate decreased, by 1,70% to 47,43%. Murder decreased, by 3,90% to 15,37%, attempted murder, by 2,76% to 31,99%, common robbery, by 0,65% to 25,62%, assault GBH, by 1,77% to 74,10%, assault common, by 1,52% to 69,17% and sexual offences, by 1,87% to 60,31%. Robbery with aggravating circumstances increased, by 3,81% to 15,53%.



The following additional system notifications were implemented on the CAS/ICDMS, from 6 February 2021, in order to minimise service delivery complaints, through the provisioning of feedback to victims of crime.



The following table provides an overview of the total number of complaints reported and incomplete, as well as the detection, trial-ready and conviction rates for community reported serious crimes and public violence.

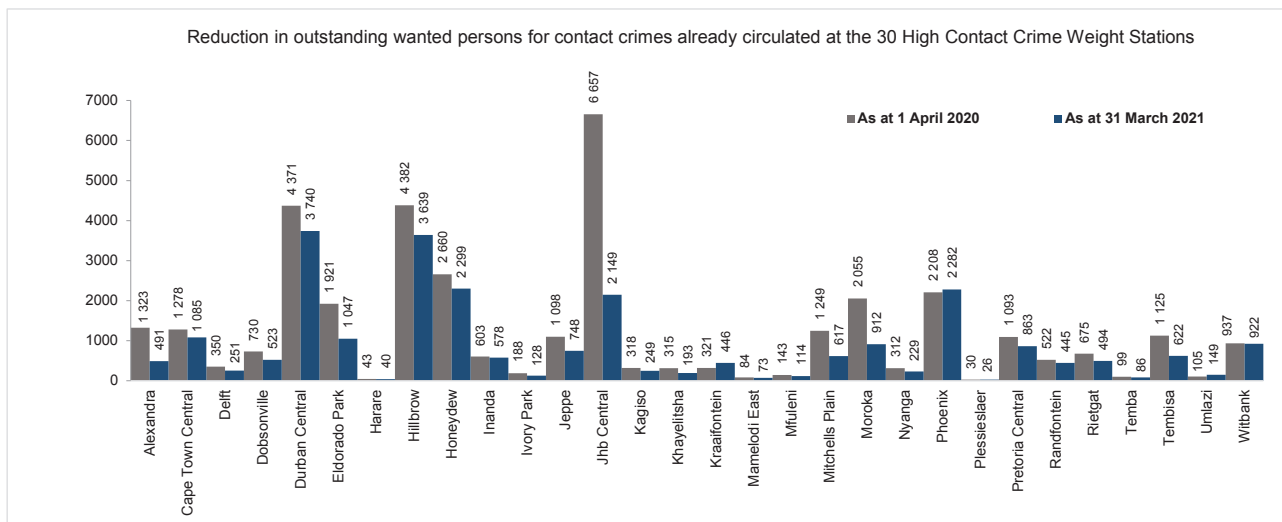
81%	62%	78%		44%	1098
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The SAPS circulates a wanted person for whom a warrant of arrest was issued by the court on an offence that he/she is sought for, who were either convicted or accused for a crime and hiding from law enforcement. A wanted person can also be a suspect who is sought, but not arrested yet and whose particulars are known and are used to circulate him/her as wanted. In 2020/2021, the SAPS focused on wanted persons already circulated, meaning that the wanted person was previously circulated on the same case so there is no need to circulate him/her again. In support of the improvement of the overall detection rate and addressing contact crime levels at the identified Top 30 High Contact Crime Weight Stations, the SAPS reduced the number of outstanding wanted persons already circulated for the commission of contact crimes, with 31,61% or 11 756. A total number of 37 196 wanted persons were already circulated within the precincts of the 30 High Contact Crime Weight Stations, on 1 April 2020.



During 2020/2021, a total of 143 321 warrants of arrest for wanted persons were cancelled on the circulation system, compared to 165 555, in 2019/2020, a decrease of 22 234 or 13,43%. Most cancellations were, in the Gauteng (52 886), KwaZulu-Natal (29 734) and the Free State (17 123) Provinces.

Detective Service Centres, focusing on providing a 24-hour service at police stations are to be implemented at 305 police stations. Up to the end of March 2021, Detective Service Centres were implemented at 234 or 76,72% police stations. Most of these centres are, in the Gauteng (93) and the Western Cape (22) Provinces. All police stations in all the provinces have a Detective Unit, which provides this service, however, it is not available 24-hours. At police stations where there is no 24-hour service, police station members are placed on standby, to attend to cases that are reported after office hours.

The Detective Service Helpline, launched in January 2016, continued to contribute to the solving of volumes of complex investigative enquiries. The helpline provides support to detectives in need of information about any aspect related to the investigation of crime. Detectives are encouraged to consult the Detective Helpline when in need of support, to obtain the correct information in the investigation of crime or to share best investigative practices, if they are in need to consult with Legal Services or in understanding National Instructions, Standing Orders and policies. The Detective Helpline received a total number of 2 283 enquiries.

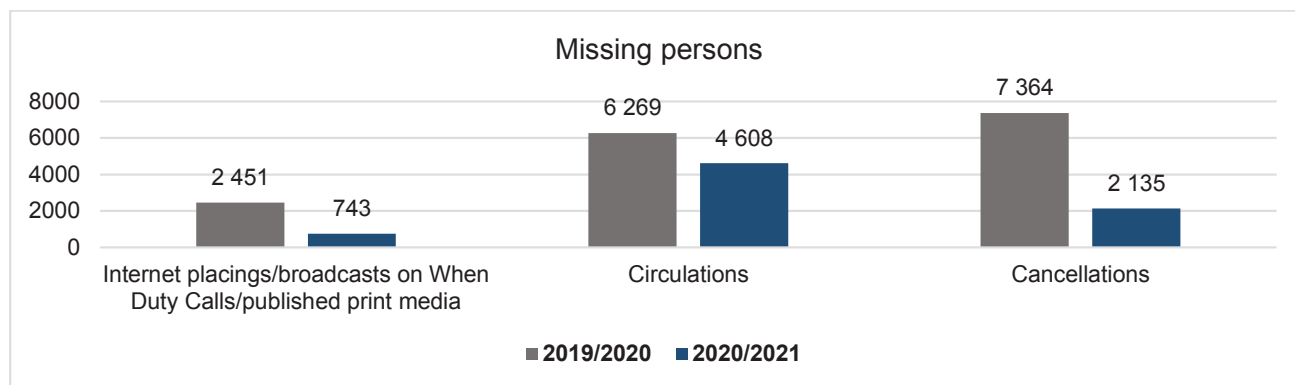
During 2020/2021, a total of 206 life sentences were secured by Crime Investigations, against a total of 209 persons, including 154 murder and rape cases.

When a person goes missing, it is of utmost importance for the SAPS to fulfil its mandate to serve and protect the citizens of South Africa. It is essential to take steps and start the investigation into a missing person's case, immediately. In 2020/2021, a total number of 4 608 circulations were processed for persons reported missing and 2 135 cancellations were processed for missing persons that were found¹³⁶, including persons under 18, adults, unknown and unidentified bodies. Missing persons are broadcasted, both internally to SAPS members, as well as nationally and internationally, via printed and electronic media and mediums, to the general public. In order to educate the general public,

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especially children, on the missing person's phenomenon in South Africa, the SAPS conducted nine awareness projects, such as road shows and static displays and initiated 29 Yellow Notice alerts to locate a missing person, globally. A total of 743 postings were done, representing missing children and/or adults, including unidentified, whose information and photographs were placed on the SAPS Internet, the MySAPS App, Social Media (SAPS Facebook, Twitter, and Instagram), newspapers, magazines, When Duty Calls and various television broadcasts. These postings are executed, by distributing it to various email addresses and do not include printing and distribution of information by private businesses. The end-user prints the poster of the missing person and displays it at his/her shop/place of business.



A total number of 429 requests were received for the broadcasting of wanted persons and all were published on the SAPS Website.

The Amber Alert is used for missing children, under 18 only, when an investigator established that a child is at imminent risk of death or serious bodily harm. Since the launch of the South African Amber Alert, on 30 January 2020, a total number of 28 amber alerts were published.

Crime Stop provided ongoing support in the investigation of crime, solving and preventing crime. On receipt of tip-offs through the share call number 08600 10111, the MySAPS App/USSD or electronic media, it is transmitted to the relevant police station or investigating unit for the necessary attention. Successes and the value of the items which were confiscated are valuable to the SAPS, as it indicates the value of having this service available to the public. During 2020/2021, a total number of 72 091 in- and outbound calls were dealt with. Crime Stop information received, via the 08600 10111, MySAPS App/USSD and electronic media, resulted in 36 arrests on 38 positive cases. Items with an estimated value of R533 388.92 were confiscated. A total number of five awareness campaigns were conducted, to educate the community on the crime tip-off service, whereby the community can report criminals and their criminal activity, while remaining anonymous. Currently, there are a total of 1 381 active cases.

Harmful occult-related crimes relate to human conduct that constitutes a crime, the modus operandi, which is related to or emanates primarily from any belief or ostensible belief, in an occult. The main objective of the Harmful Occult-Related Practices Section, is to ensure the effective investigation of harmful occult-related crimes; the prevention of harmful occult-related crimes; and the effective gathering, management, use and dissemination of information on harmful occult-related crimes, in order to meet the legal obligation of the harmful occult-related crimes investigation capacity, in collaboration with Crime Intelligence.

REDUCED LEVELS OF VIOLENCE AGAINST WOMEN AND CHILDREN

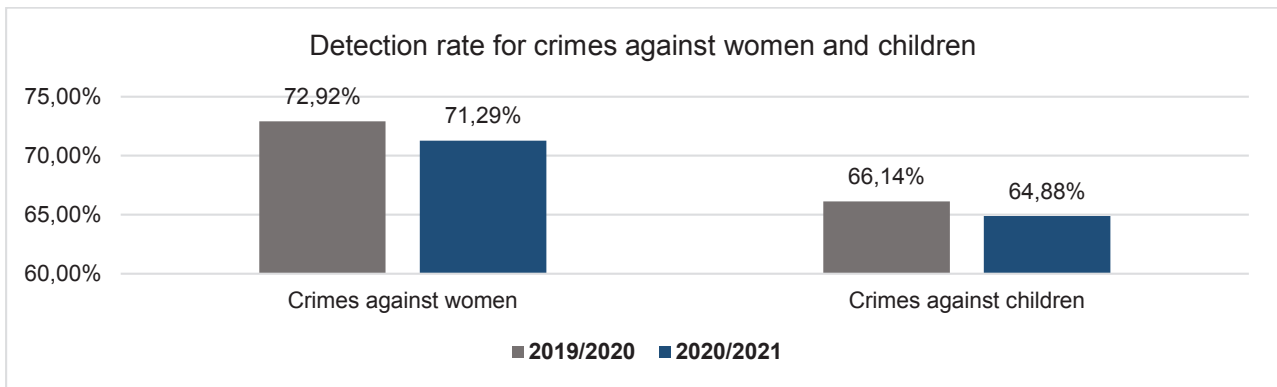
The total number of charges reported for crimes against women (persons older than 18 years), decreased with 13 476 (8,01%), in comparison with the same period, in 2019/2020. Assault GBH decreased with 4 833 (9,40%), assault common with 5 341 (6,36%) and sexual offences with 3 584

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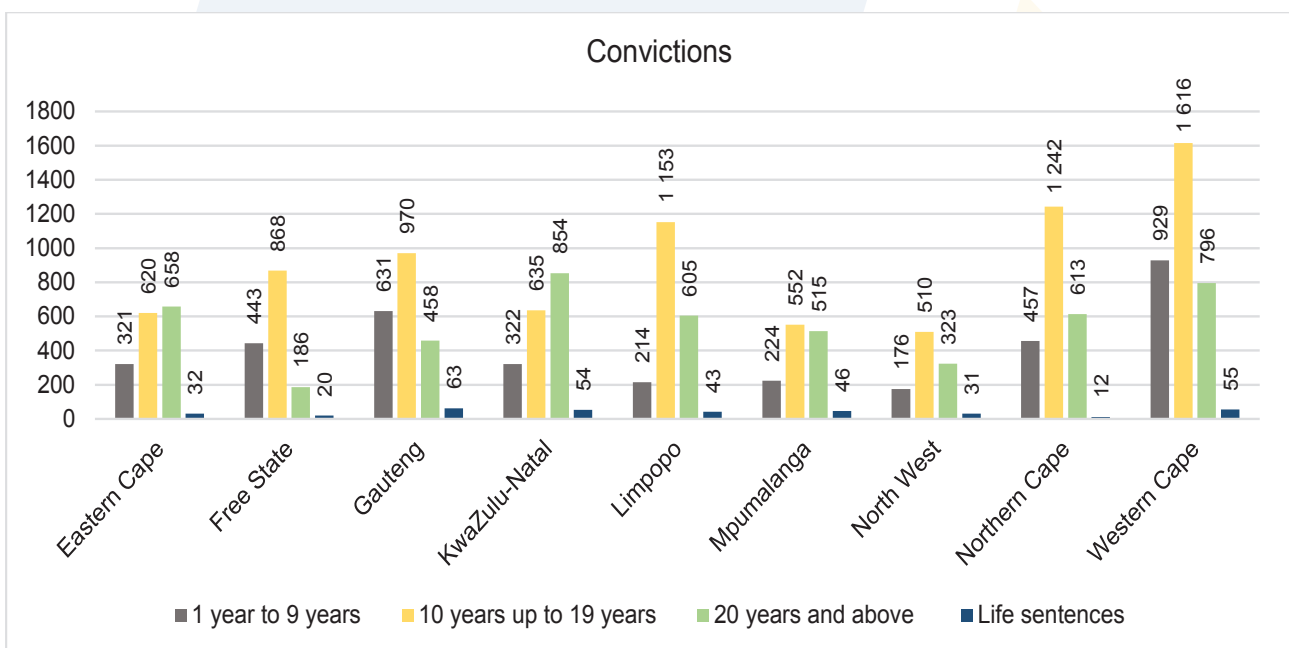
(13,16%). Murder increased, with 22 (0,84%) and attempted murder, with 260 (8,74%). The detection rate decreased, by 1,63% to 71,29%. Murder decreased, by 3,69% to 23,15%, attempted murder, by 1,29% to 37,66% assault GBH, by 1,46% to 80,51%, assault common, by 1,10% to 76,23% and sexual offences, by 1,92% to 58,82%.

The total number of charges reported for crimes against children (persons younger than 18 years), decreased with 5 072 (11,33%), in comparison with the same period, in 2019/2020. Murder decreased with 23 (2,56%), assault GBH with 1 765 (20,25%), assault common with 2 225 (18,44%) and sexual offences with 1 080 (4,88%). Attempted murder increased with 21 (2,24%). The detection rate decreased, by 1,26% to 64,88%. Murder decreased, by 4,96% to 25,35%, attempted murder, by 1,94% to 37,86% assault GBH, by 1,72% to 76,11%, assault common, by 0,32% to 70,13% and sexual offences, by 0,19% to 64,15%.



A total of 823 awareness campaigns were conducted, countrywide, to educate learners at schools, churches and the general community concerning GBVF-related crimes. The aim of the awareness campaigns was to encourage communities to report such crimes to the SAPS. Furthermore, FCS Units, countrywide, conducted a total of 8 459 suspect tracing operations, which resulted in a total of 13 171 arrests.

A total of 266 accused were sentenced to 356 years life sentences, in 312 cases.





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Forensic Social Work, refers to a specialised field of social work practice that is characterised by the social worker's primary functions of obtaining information from child victims of crime and presenting it in court. The Forensic Social Worker (FSW) acts as a neutral independent fact finder, who tests multiple hypotheses, through techniques that are legally defensible in court. The FSW acts as an expert witness, to assist the court in making a just and fair decision. The FSW can explain inconsistencies in the child's disclosure, statement and testimony. In 2020/2021, a total number of 6 090 cases related to children were dealt with. A total of 11 155 assessment sessions were conducted and 5 100 reports were compiled. A total number of 1 744 statements were obtained.



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Crimes against women (18 years and older)												
Crime category	Total number of complaints reported			Total number of complaints incomplete			% Detection rate			% Conviction rate		
	19/20	20/21	Diff	% diff	19/20	20/21	Diff	% diff	19/20	20/21	% diff	% diff
Murder	2 614	2 636	22	0,84%	4 080	4 530	450	11,03%	26,84%	26,84%	89,44%	62,59%
Attempted murder	2 976	3 236	260	8,74%	1 833	2 001	168	9,17%	38,95%	37,66%	86,25%	47,30%
Assault GBH	51 433	46 600	-4 833	-9,40%	4 652	4 957	305	6,56%	81,97%	80,51%	88,95%	6,98%
Assault common	83 931	78 590	-5 341	-6,36%	9 611	4 957	-4 654	-48,42%	77,34%	76,23%	77,78%	0,44%
Sexual offences	27 239	23 655	-3 584	-13,16%	8 238	8 265	27	0,33%	60,73%	58,82%	79,55%	18,81%
Total	168 193	154 717	-13 476	-8,01%	28 414	24 710	-3 704	-13,04%	72,92%	71,29%	85,48%	0,27%
Crimes against children (under the age of 18 years)												
Crime category	Total number of complaints reported			Total number of complaints incomplete			% Detection rate			% Conviction rate		
	19/20	20/21	Diff	% diff	19/20	20/21	Diff	% diff	19/20	20/21	% diff	% diff
Murder	900	877	-23	-2,56%	1 426	1 514	88	6,17%	30,31%	25,35%	79,79%	49,48%
Attempted murder	939	960	21	2,24%	684	733	49	7,16%	39,80%	37,86%	86,05%	46,24%
Assault GBH	8 715	6 950	-1 765	-20,25%	1 221	1 422	201	16,46%	77,83%	76,11%	91,16%	13,33%
Assault common	12 064	9 839	-2 225	-18,44%	2 379	1 422	-957	-40,23%	70,45%	70,13%	85,37%	14,92%
Sexual offences	22 134	21 054	-1 080	-4,88%	6 488	7 464	976	15,04%	64,34%	64,15%	85,33%	20,99%
Total	44 752	39 680	-5 072	-11,33%	12 198	12 555	357	2,93%	66,14%	64,88%	81,94%	1,62%

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REDUCTION OF DRUG SYNDICATES (THROUGH THE IMPLEMENTATION OF THE NARCOTICS INTERVENTION STRATEGY AND NATIONAL DRUG MASTER PLAN)

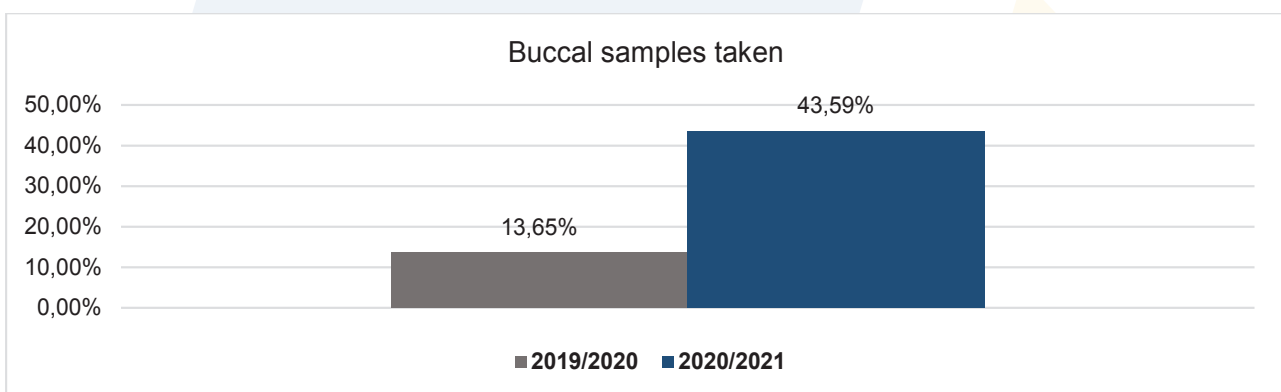
A drug syndicate means a criminal gang, as defined by the POCA, 1998 (Act No 102 of 1998), whose primary focus is the trade in illegal drugs. Arrests for dealing in drugs impact more significantly on the overall disruption of the drug value chain, than arrests for possession, as role players, who transport, import, cultivate, collect, manufacture and supply individuals, including drug-runners, are removed from society and large quantities of illegal drugs are seized. During 2020/2021, a total of 232 identified persons were arrested, including 178 persons for dealing and 54 that were associated to the syndicates, which led to the neutralisation of 70,59% or 12 from a total of 17 identified syndicates.

REDUCTION OF ORGANISED CRIMINAL GROUPS AND GANGS

An organised criminal group is aligned to that of a criminal gang, as defined by the POCA, 1998 (Act No 102 of 1998). During 2020/2021, a total of 74 identified persons were arrested that were associated to an organised criminal group and/or gang, which led to a 50% (14 from a total of 28) neutralisation of identified criminal groupings.

ENHANCED DNA DATABASE

Compliance with the taking of buccal samples from Schedule 8 arrested offenders are prioritised, in support of the implementation of the DNA Act. These offences are: murder, attempted murder, all types of sexual offences (including rape and sexual assault), all types of robbery, all types of burglary, all types of theft (excluding stock theft) and the illegal possession of firearms and ammunition. The DNA Act empowers authorised persons from the SAPS to take buccal samples from persons arrested and charged, in terms of Schedule 8 of the Act. Apart from legislative compliance, the taking of buccal samples increases the size of the National Forensic DNA Database (NFDD), thereby increasing the likelihood of the linking of an arrested suspect to another case. During 2020/2021, a total of 86 969 buccal samples were taken from a total number of 199 507 suspects arrested for Schedule 8 offences.

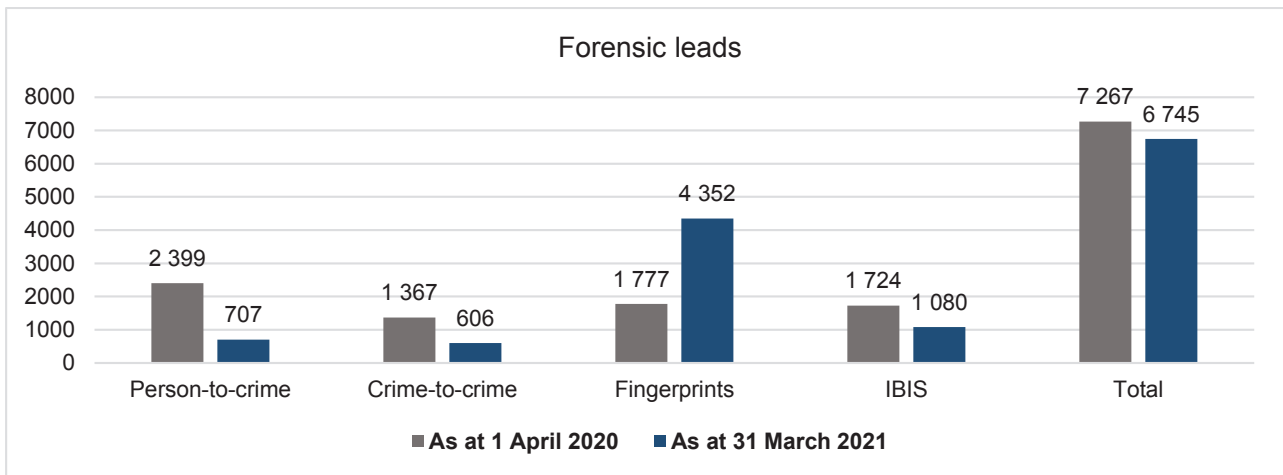
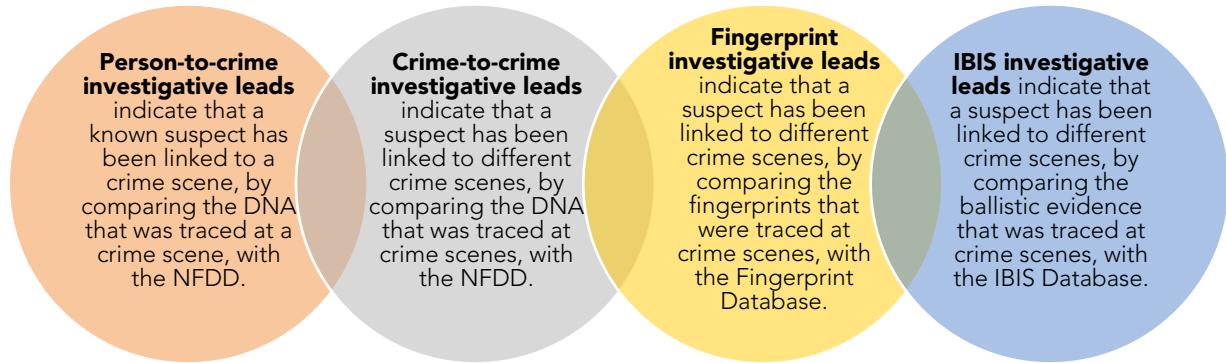


FORENSIC INVESTIGATIVE LEADS COMPREHENSIVELY UTILISED

The effective utilisation of forensic investigative leads, through the reduction of outstanding follow-up investigations, is vital in support of the investigation of crime. A total number of 7 267 outstanding leads were identified, on 1 April 2020 and 522 of these were finalised, by 31 March 2021. All categories of investigative leads reduced, except for fingerprint investigative leads, due to a deficiency in the monitoring of the AFIS list and the purification, thereof. The following forensic investigative leads were monitored by the Department, during 2020/2021.

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FORENSIC SERVICES

Key Focus Areas

- » The conducting of fingerprint searches.
- » Identifying and confirming previous convictions of suspects in crimes being investigated.
- » Crime scene and evidence management.
- » The issuing of police clearance certificates.
- » The rendering of an effective ballistic service, by examining firearm and tool marks.
- » The rendering of an effective forensic analysis service, by applying the principles of physics, in terms of organic and inorganic matter or substances.
- » The rendering of an effective questioned document examination service.
- » The rendering of an effective biology service, by examining evidentiary material of biological origin.
- » The rendering of an effective chemistry service, e.g. DNA.
- » Assistance in the investigation of fire and explosions.
- » The presentation of forensic evidence in court.

Forensic Services deals with the application of the knowledge and methodology of various disciplines of science to legal matters. It involves the use of multiple disciplines, such as physics, chemistry, biology and engineering for evidence analysis. Without the application of forensic science, criminals cannot be convicted, unless an eyewitness is present, thus, forensic services involves the collection, preservation and analysis of evidence, which is suitable for prosecuting an offender in a court of law.

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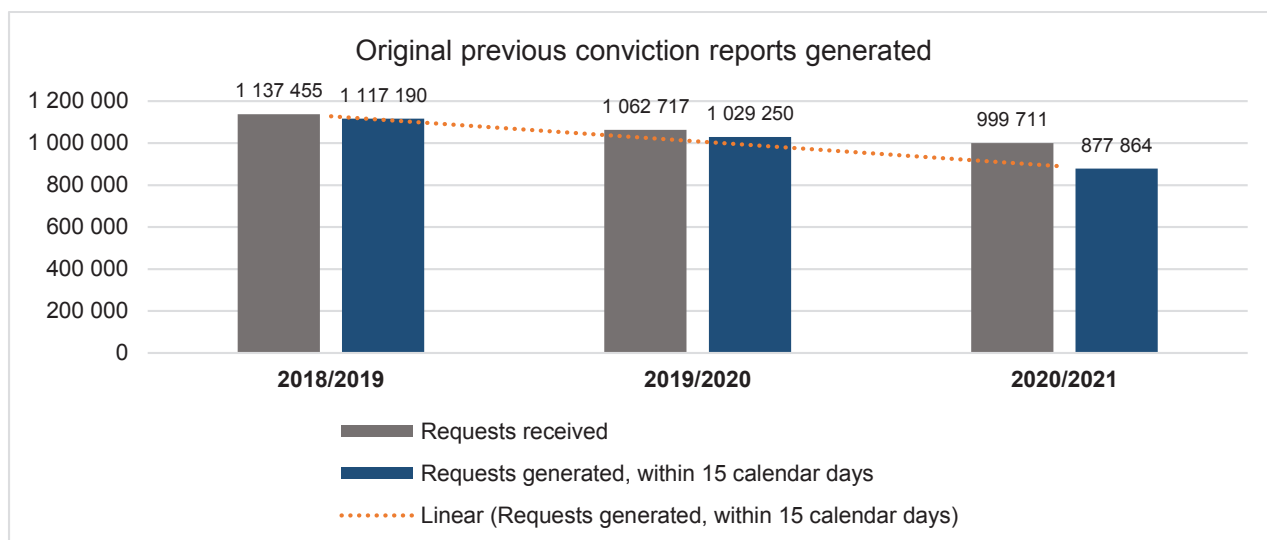
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SUBPROGRAMME – CRIMINAL RECORD CENTRE

The updating of the SAPS' Criminal Record System with the results of trial that have been adjudicated on, in courts of law, is essential to ensure that the adjudication, either guilty or not guilty is properly recorded on the System. This is to ensure that the SAPS' criminal records are up-to-date and do not impact negatively on those who have been acquitted of crimes that they were accused of committing, but support the investigation process, by allowing for an individual's criminal record history to be available to investigating officers and courts.

IMPROVED PROCESSING OF FINGERPRINT SEARCHES AND MAINTENANCE OF CRIMINAL RECORDS

Criminal Record and Crime Scene Management received 999 711 requests for previous conviction reports (SAPS 76's), during 2020/2021, compared to 1 062 717 requests, in 2019/2020. A total of 877 864 or 87,81% were processed, within 15 calendar days, which is a 9,04% decrease, compared to the 2019/2020 achievement of 96,85%.



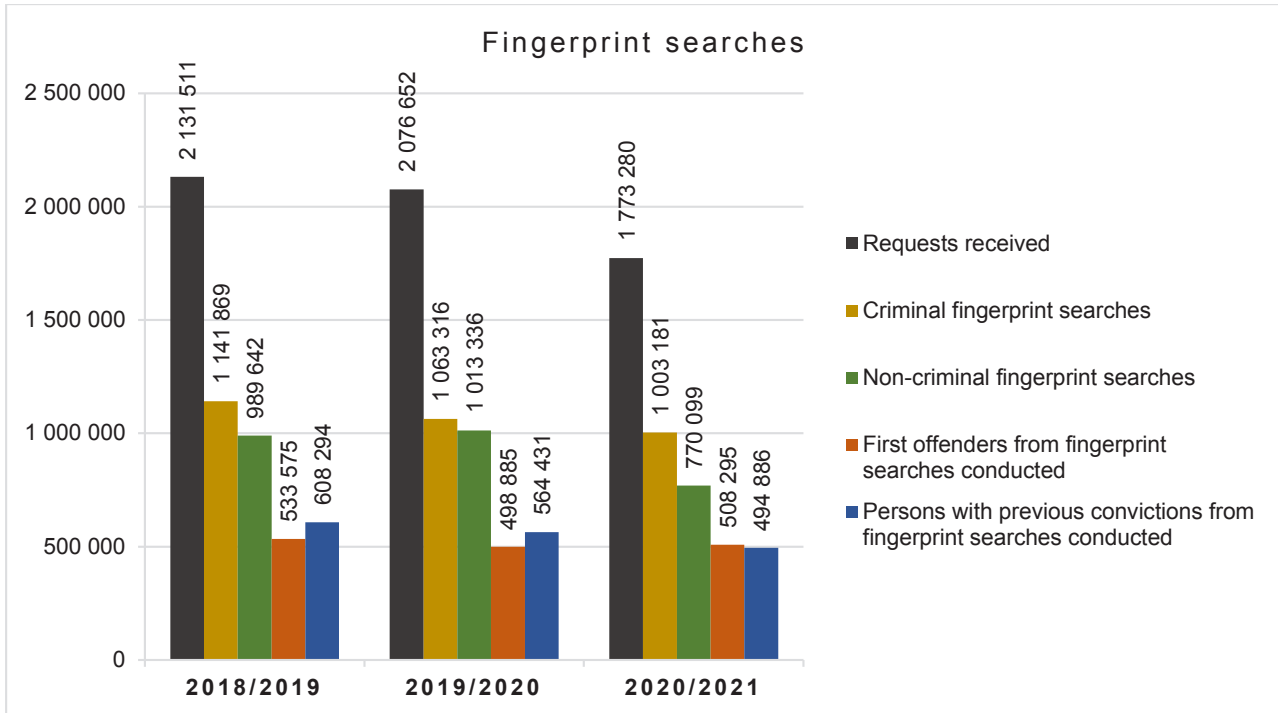
A total of 1 773 280 requests were received for fingerprint searches, in 2020/2021, compared to 2 076 652¹³⁷ requests received, during 2019/2020. A total of 1 003 181 or 56,57% of the total number of requests received were for criminal fingerprint searches, in order to determine whether an individual has a criminal record, whilst the remaining 43,43% or 770 099, were for non-criminal fingerprint searches, such as in the case of applications for firearm licenses, professional driver's permits and pre-employment screening.

From the 1 003 181 criminal fingerprint searches processed, 508 295 or 50,67% were first offenders, who had no previous convictions recorded against them, whilst 494 886 or 49,33%, resulted in previous convictions being identified and verified.

A further 126 095 requests were received for fingerprint searches related to firearm license applications, during 2020/2021. A total of 88,75% or 111 912 were processed, within 15 calendar days.

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SUBPROGRAMME – FORENSIC SCIENCE LABORATORY

The purpose of the FSL is to process evidence gathered at the scene of a crime and provide expert evidence, in this regard, to investigating officers and courts alike. The outputs reflected, in respect of the FSL, include the processing of routine and non-routine forensic exhibits, case exhibits that relate to ballistics or to DNA evidence that is located at crime scenes, within specified time frames.

ENHANCED PROCESSING OF FORENSIC EVIDENCE CASE EXHIBITS (ENTRIES)

The SAPS remains committed towards achieving the targets within the identified targeted time frames, as identified in the Annual Performance Plan, towards the realisation of processing different categories of evidence (routine case exhibits (entries), non-routine case exhibits (entries), priority case exhibits (entries) and intelligence case exhibits (entries)). As at the end of March 2021, the backlog of cases exhibits/entries was at 84,56%, compared to 27,06%, in 2019/2020. A total of 300 722 case exhibits/entries are yet to be attended to, once the following root causes are addressed:-

- > Lower production levels, due to COVID-19, which resulted in the evacuation of buildings, infections/isolation and the rotation of personnel.
- > Critical vacancies in the support and operational environments, negatively affecting performance.
- > Non-operational equipment and machinery, due to outstanding service, maintenance, calibration and validation contract.
- > A lack of electronic track and trace capability, resulting in the manual track and trace of cases and exhibits, negatively affecting the turnaround time.

During the period under review, the SAPS received a total number of 355 648 case exhibits, compared to 362 979, in 2019/2020. A total number of 130 353 or 36,65% case exhibits (entries) were finalised, in 2020/2021, compared to 252 988 or 69,69%, in 2019/2020.



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A total number of 86 824 routine case exhibits (entries) were received, of which 27 983 or 32,23% were finalised, within 35 calendar days, compared to 122 609 or 63,75%, finalised in the previous financial year.

During the reporting period, the FSL achieved a 61,70% or 1 226 from a total of 1 987 completion rate, with regard to non-routine case exhibits (entries), within the planned turnaround time of 113 calendar days, compared to 79,67% or 3 794 from a total of 4 762, during the previous financial year. Non-routine case exhibits (entries) are primarily case exhibits/entries that require research and/or extraordinary timely effort, thus drawing more time and resources to complete.

A total of 90,50% or 33 216 IBIS case exhibits (entries) were finalised, within the planned turnaround time of 35 calendar days, during the reporting period, compared to 84,64% or 6 105 from a total of 7 213, in 2019/2020. Although a 5,86% increase was experienced in performance, the planned target of 95% was not achieved, mainly due to the impact of COVID-19.

A total of 14,59% or 706 Biology Intelligence case exhibits/entries were finalised, within the planned turnaround time of 90 calendar days, during the reporting period, compared to 59,87% or 29 152 from a total of 48 694, in 2019/2020. A 45,28% reduction was experienced in performance, mainly due to the impact of COVID-19.

Discipline	Routine entries finalised for analysis	Routine entries analysed, within 35 calendar days
Ballistics Examination of firearms and tools, as well as the etching process to restore numbers that have been erased on firearms.	28 184	10 596 (37,60%)
Biology Analysis of evidentiary material of biological origin, e.g. body-fluids, hair and human tissue, with the aim of accomplishing the highest possible degree of human identification, through forensic DNA analysis and microscopical comparison.	9 379	3 840 (40,94%)
Chemistry Analysis of substance, e.g. powders, tablets, liquids suspected of containing controlled pharmaceutical and/or illicit drugs.	36 241	2 941 (8,12%)
Questioned documents Analysis of questioned documents, e.g. handwriting, typewriting, forged signatures and counterfeit banknotes.	5 060	4 699 (92,87%)
Scientific analysis Analysis of organic and inorganic matters or substance, e.g. plastics, fuel, vegetable medicines, soil, gold, poison and primer residue.	5 908	3 882 (65,71%)
Victim Identification Centre	2 052	2 025 (98,68%)

As at the end of 2020/2021, the FSL environment had 300 722 cases that are yet to be finalised. The backlog increased from 27,06% to 84,56% in the current reporting period, which surpasses the international norm of 10%, by 74,56%. The backlog had a negative impact on the CJS, particularly with the detection and conviction rates. The increased backlog has unfortunately negated the incremental investment made by the South African Government, during the period 2010/2011 to 2017/2018, to improve the efficiency of the CJS.

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Historical view of the backlog, per year, compared to cases received, in the respective financial year, by Forensic Services

Year	Backlog	Case exhibits received	% backlog
2014/2015	3 304	299 995	1,10%
2015/2016	18 488	356 426	5,19%
2016/2017	9 849	724 854	1,36%
2017/2018	7 164	639 745	1,12%
2018/2019	10 609	426 797	2,40%
2019/2020	98 238	362 979	27,06%
2020/2021	300 722	355 648	84,56%

The DNA Act provides the required legal framework to perform forensic DNA examinations, in support of the resolution of crime. The Act formally establishes the NFDD, which consists of a number of indices containing forensic DNA profiles, which is derived from samples collected from different categories of persons and crime samples.

The number of DNA casework, with a positive inclusion of a suspect(s)

Number of DNA cases, with matches (inclusions¹³⁸) finalised	Total: 2018/2019: 8 993 cases
	Total: 2019/2020: 4 780 cases
	Total: 2020/2021: 1 302 cases
Number of DNA serial case reports finalised	Total: 2018/2019: 2 306 cases
	Total: 2019/2020: 1 763 cases
	Total: 2020/2021: 252 cases

The NFDD was established, in terms of the DNA Act and is managed by the Forensic Services, independently from DNA analysis, as required by the Act. Forensic DNA profiles, derived from crime samples and buccal samples, are loaded onto the various indices of the NFDD. A Quality Management System has been established, which is based on the ISO9001: Standard.

Certification compliance to ISO9001 has been sustained, since 17 February 2017. Regular surveillance assessments/audits are conducted by the certification body, to monitor continuous conformance to the Quality Management System.

Number of profiles loaded and expunged on the NFDD

Period	Number of profiles loaded on the NFDD	Number of profiles expunged on the NFDD
2016/2017	363 686	41 286
2017/2018	315 731	38 771
2018/2019	140 964	57 033
2019/2020	32 342	220 556
2020/2021	4 693	207 840

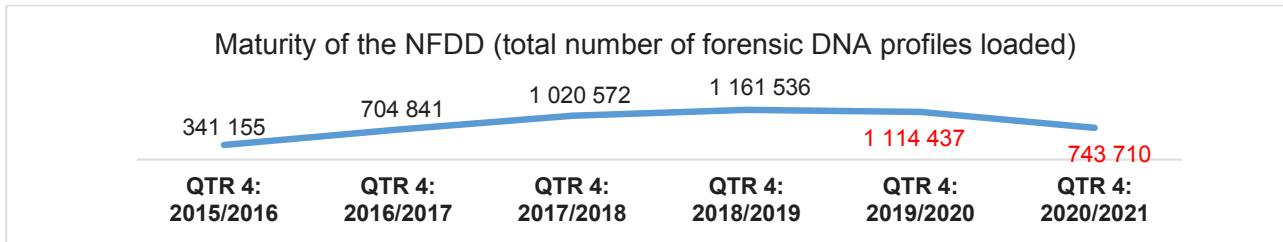
The maturity (size) of the NFDD has decreased from 1 161 535 forensic DNA profiles, at the beginning of 2018/2019 to 743 710, at the end of 2020/2021. This decrease of the NFDD can be attributed to challenges with the poor compliance rates of detectives taking buccal samples from persons arrested and charged for Schedule 8 offences and the significant increasing DNA backlog at the

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FSL. Therefore, the expungement rate is higher than the loading rate of forensic DNA profiles to the NFDD.

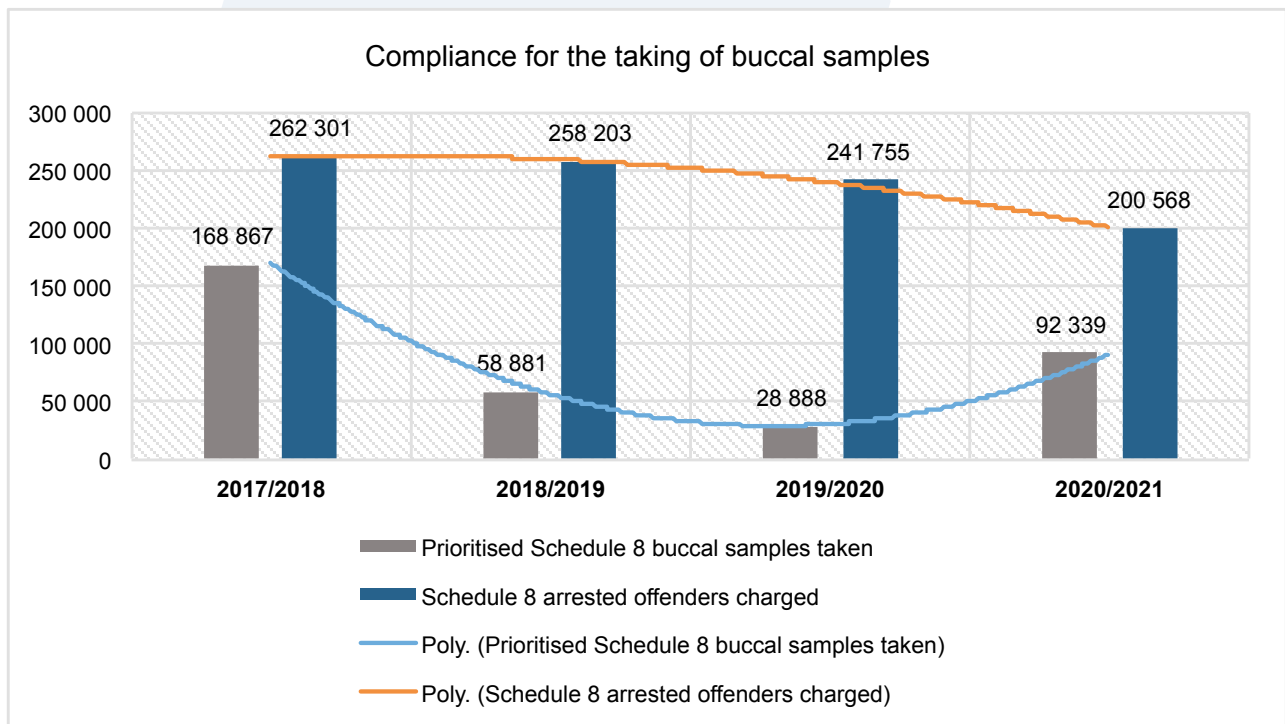
Size of the NFDD of the last quarters of 2015/2016 to 2020/2021



Forensic DNA investigative leads are the outcome of verified candidate DNA leads, identified from the comparison search conducted on the NFDD. Forensic DNA investigative leads provide investigators with information linking serial and multiple offenders, to various crime scenes. In 2020/2021, a total number of verified reported forensic DNA investigative leads (with cases linked), for known persons was 1 098 and 488 for unknown persons.

There was a significant lower number of forensic DNA investigative leads reported, during 2020/2021, compared to any previous years, since the inception of the DNA Act. This can be attributed to the low number of DNA analysis performed at the FSL (increasing backlog experienced, due to mainly procurement challenges) and the low number of buccal samples taken by detectives from persons arrested and charged for Schedule 8 offences.

The taking of buccal samples for prioritised Schedule 8 offences by detectives in the provinces from persons arrested and charged is conducted, in terms of Section 36D(2) of the DNA Act. The compliance for taking buccal samples from arrested and charged persons by the nine provinces, was 46,04% (92 339 from a total of 200 568).





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Highlight

A 66-year-old serial rapist, who lured young girls, aged between 9 and 23, under the pretence that he was looking for someone to walk him halfway to his destination or he would befriend them and give them money. He would threaten them, at times with a weapon (a firearm or a knife) before raping them repeatedly. He lured and raped his youngest victims, aged nine and 13 years, while they were still in full school uniform and on their way home. The accused terrorised his victims, who were spread among Ladysmith, Stellenbosch, Wolseley, Kleinvele and Tulbagh, between October 2017 to June 2018. He was sentenced to 15 life sentences and an additional 30-year jail term, during 2020. The accused was sentenced by the Cape Town High Court, on 15 counts of rape, four counts of abduction and two counts of sexual assault.

**DIRECTORATE FOR
PRIORITY CRIME INVESTIGATION¹³⁹**



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OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 6: Actual performance against targets, for 2020/2021, against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme Specialised Investigations									
Thorough and responsive investigation of crime: » Improved perceptions of fraud and corruption in the private and public sectors ¹⁴⁰	Reduced levels of serious corruption in the public and private sectors ¹⁴¹	Percentage of trial-ready case dockets for serious corruption within the public sector	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	88,89% (56 from a total of 63).	50%	72,34% (68 from a total of 94).	22,34% points	Target achieved. Continuous interaction with the NPA to fast track the investigation and the declaration of the trial-ready status of cases.
		Percentage of trial-ready case dockets for serious corruption within the private sector	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	76,51% (127 from a total of 166).	50%	78,48% (124 from a total of 158).	28,48% points	Target achieved. Continuous interaction with the NPA to fast track the investigation and the declaration of the trial-ready status of cases.
		Percentage of trial-ready case dockets for serious corruption within the JCPS Cluster	74,15% (436 from a total of 588) trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster.	82,37% (416 from a total of 505) trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster.	89,63% (311 from a total of 347).	50%	85,15% (304 from a total of 357).	35,15% points	Target achieved. Continuous interaction with the NPA to fast track the investigation and the declaration of the trial-ready status of cases.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Thorough and responsive investigation of crime: » Reduced organised crime ¹⁴²	Reduction of drug syndicates (through the implementation of the Narcotics Intervention Strategy and National Drug Master Plan) ¹⁴³	Percentage of identified clandestine laboratories dismantled, with arrests ¹⁴⁴	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	100% (24 from a total of 24, with 56 arrests).	90% ¹⁴⁵	90% (27 from a total of 30, with 60 arrests).	0% points	Target achieved.
Thorough and responsive investigation of crime: » Reduced levels of serious commercial crime	Serious commercial crime effectively investigated	Percentage of trial-ready case dockets for serious commercial crime	Trial-ready case docket rate of 70,04% (2 270 from a total of 3 241) for serious commercial crime-related charges.	Trial-ready case docket rate of 74,37% (2 107 from a total of 2 833) for serious commercial crime-related charges.	63,87% (1 619 from a total of 2 535 ¹⁴⁶).	65%	66,09% (1 717 from a total of 2 598).	1,09% points	Target achieved. The focus on long outstanding investigations, as well as the adoption of a multidisciplinary approach to investigations.
Thorough and responsive investigation of crime: » Ensure an effective response to cybercrime	Successfully investigated specialised cybercrime investigative support files ¹⁴⁷	Percentage of specialised cyber-related crime investigative support case files successfully investigated, within 90 calendar days ¹⁴⁸ ¹⁴⁹	Revised strategic indicator, in 2018/2019.	80,00% (104 from a total of 130).	80,22% (73 from a total of 91).	60%	65,05% (67 from a total of 103).	5,05% points	Target achieved. The expeditious nature of the investigation required on the requests received, which in turn allowed focus on the reduction of backlog cases.

SERVICE DELIVERY **ANNEXURE IP18** ACHIEVEMENTS

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The mandate of the DPCI is to prevent, combat and investigate national priority offences, focusing on serious organised crime, serious commercial crime and serious corruption.

In terms of Section 17D of the SAPS Act, 1995 (Act No 68 of 1995), the mandate of the DPCI is as follows:

1. The functions of the Directorate are to prevent, combat and investigate -
 - (a) National Priority Offences, which in the opinion of the National Head of the Directorate, need to be addressed by the Directorate;
 - (Aa) offences referred to in Chapter 2 and Section 34 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004); and
2. If, during the course of an investigation by the Directorate; evidence of any other crime is detected and the National Head of the Directorate considers it in the interests of justice or in the public interest, he or she may extend the investigation, so as to include any offence, which he or she suspects to be connected with the subject of the investigation.

The following outputs were achieved, during the 2020/2021 reporting period:

- > A total of 2 253 arrests were effected, compared to 2 445, in 2019/2020, a decrease of 192 arrests.
- > Convictions amounting to 38 411 were secured in court, compared to 37 728 convictions, in 2019/2020, an increase of 683 convictions.
- > Seizures with an estimated value of R657 million, including R324 million narcotics, counterfeit goods, precious metals and wildlife were realised. A total of 114 firearms and 15 159 rounds of ammunition were seized, as well as 1 862 explosives. A total number of 175 vehicles, valued at R50 755 800.00, were seized and forfeited to the State.
- > A total number of 231 orders, including restraint, preservation, confiscation and forfeiture orders were issued for an amount of R207 million, for a total number of 289 assets.

The DPCI embarked on the capacitation of its specialised units, whilst the process to capacitate the DPCI has been reinitiated and some of the posts are in the process of being finalised, whilst other posts are in the process of being advertised. Protocols, to manage and contain the spread of COVID-19 has been implemented and members were operating on a rotational basis. The DPCI embarked on the use of virtual platforms to engage stakeholders.

The investigative capacity of the DPCI remained fully operational during the national lockdown. However, the lockdown restricted employee movement and calls for social distancing, which resulted in investigating officers not being able to effectively communicate with witnesses/informers or effect arrests.

SUBPROGRAMME: SPECIALISED INVESTIGATIONS

REDUCED LEVELS OF SERIOUS CORRUPTION IN THE PUBLIC AND PRIVATE SECTORS

Serious corruption includes, the misuse of a public or private office or position or resources with corrupt intent and may include an act of bribery, nepotism, extortion, fraud and theft. This includes, but is not limited to, offences under the Prevention and Combating of Corrupt Activities (PRECCA) Act, 2004 (Act No 12 of 2004). The private sector refers to businesses, which are owned, managed and controlled by individuals or an individual that was acting in a private capacity. The public sector



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refers to entities owned or managed by the Government. Corruption includes the misuse of a public or private office or a position held in such an office, as well as the misuse of resources with a corrupt intent. Serious corruption refers to those cases investigated by the DPCI and was determined by the mandate of the DPCI.

Serious Corruption Investigation is guided by the Anti-Corruption Inter-Ministerial Committee, which established a multi-agency Anti-Corruption Task Team, aimed at reducing levels of serious corruption (NDP 2030). The trial-ready rate for serious corruption by individuals within the JCPS Cluster, decreased from 89,63% (311 from a total of 347), in 2019/2020 to 85,15% (304 from a total of 357), in 2020/2021, against the planned target of 50%, a decrease of 4, 48%. The trial ready rate for serious corruption in the public sector was 72,34% (68 from a total of 94) and 78,48% (124 from a total of 158) within the private sector, against a set target of 50%.

Highlights

Duo pleaded guilty for fraud - Northern Cape

Six people were arrested during a joint operation with the Tactical Response Team, in Johannesburg, Bloemfontein and Kimberley. The arrest of the suspects followed allegations of gross irregularities in the awarding of various infrastructure tenders without following due processes, between the years 2013 and 2016, at the Northern Cape Department of Health. At least R11 million was allegedly shared among six companies linked to the six suspects to procure medical equipment. Accused 1 and 2 pleaded guilty to multiple counts of fraud and were handed fines of R30 000 and R40 000, respectively, or jail terms, as well as suspended sentences, in November 2020. Both the accused were declared unfit to possess a firearm.

Police detectives sentenced to eight years direct imprisonment for corruption - Gauteng

In August 2015, three detectives attached to the Elsburg Police Station approached a man and demanded R3 000 cash to make a case against him disappear. The Hawks' Serious Corruption Investigation Unit, during a sting operation, at the Sontonga Shopping Centre, in Katlehong arrested the accused and another officer. The trio were charged for corruption and appeared before the Palm Ridge Magistrates Court. Charges against accused 3 were withdrawn, due to lack of evidence and he was, therefore, released. In December 2020, the court found both the accused guilty and sentenced them to eight years direct imprisonment for corruption, with no suspension or option of a fine. The court also declared them unfit to possess a firearm, in terms of the PRECCA Act, 2004.

Fake advocate convicted for fraud and impersonation - Free State

The accused appeared in the Bloemfontein Regional Court, on 3 February 2021, facing charges of fraud, impersonating and perjury. The case dates back to June 2014, when the accused approached a prosecutor and offered him R500 "as a thank you for not opposing bail" in a robbery case where he was the "defence lawyer". The prosecutor doubted the accused's integrity and work ethic and initiated a background check on him. He found that his offices were at the Free State Bar Council and he reported the matter to the Hawks, for further investigation. A preliminary probe by the Hawks' Serious Corruption Investigation Team revealed that the accused was admitted as an advocate by the bar council. The high court was also approached for documentation and his degree from the University of Free State. The documents were confirmed to be fraudulent following a verification process. The accused was convicted and sentenced to ten years direct imprisonment.

Bogus traffic official convicted for fraud - Free State

The accused appeared before the Bethlehem Magistrates Court, on 9 February 2021 where he was convicted and sentenced for fraud. The accused's sentence emanated from an incident, which took place, in March 2020, where he pretended to be a traffic official and informed a member of the public that he can arrange a driver's license for him at a fee of R4 000. An operation was conducted by the Hawks Serious Corruption Investigation Team, in Bethlehem after a tip-off was received. The suspect was arrested and appeared in court on several occasions until his sentencing. He was sentenced to pay a R40 000 fine or 12 months direct imprisonment.

Former court sheriff sentenced to 38 years imprisonment for fraud - Western Cape

A 42 year-old former Sheriff of the Court was sentenced and convicted, by the Oudtshoorn Regional Court for fraud and money laundering. In 2016, the accused, while he was a Sheriff of the Court, identified three vacant plots for the complainants to purchase. He supplied the contracts and acquired deposits and purchase prices for plots that had been by no means registered within the names of the complainants at the Deeds Office. The accused defrauded three households with an amount of greater than R470 000.00. He was sentenced to 38 years imprisonment for fraud and money laundering, including two years for pretending to be an attorney.

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REDUCTION OF DRUG SYNDICATES (THROUGH THE IMPLEMENTATION OF THE NARCOTICS INTERVENTION STRATEGY AND NATIONAL DRUG MASTER PLAN)

The DPCI, together with Crime Intelligence have developed a comprehensive approach to address the full spectrum of the drug supply chain, ranging from the illicit cultivation, production, trafficking, drug couriers and drug outlets and emerging threats through the NDMP. In line with the mandate of the DPCI, to diminish illegal narcotics in South Africa, a total number of 30 clandestine drug laboratories were identified and dismantled, with 60 arrests, in 2020/2021, compared to 24 with 56 arrests, in 2019/2020.

The SANEB has succeeded in the seizure of drugs, valued at R324 million, ranging from cannabis, cocaine, etc. A total number of 60 persons were arrested, involved in serious organised crime clandestine laboratories.

The National Priority and Violent Crime seized 114 firearms, ranging from pistols, revolvers, rifles and shotguns, as well as 1 862 explosives, to the value of R1 291 800.00 and 15 159 rounds of ammunition.

A total number of 1 369 persons were arrested for organised crime activities and 220 convictions were secured, collectively.

Drug seizures

Drug type	Arrests	Weight	Quantity	Value
Cocaine Rock	9	0,172 kg	3 701	R195 723.19
Cocaine	9	151,202 kg	0	R73 650 398.80
Dagga	51	4 572,574 kg	682	R11 714 999.68
Cannabis oil	0	-	0,96 (litre)	R144 000.00
Medication	16	231,501 kg	22 618	R5 326 140.00
Hydroponic dagga	3	71,02 kg	-	R6 309 225.00
Ecstasy	3	0,3 kg	1 692	R86 598.45
Heroin	53	1 114,538 kg	202 501	R117 366 041.10
Mandrax tablets	60	356,74 kg	684 405	R35 699 807.00
Chemicals	1	1 kg	-	R100 000.00
Magic Mushroom	1	5,76 kg	-	R453 300.00
Nyaope	7	0,43 kg	57	R93 080.00
TIK	42	159,055 kg	426	R32 661 915.33
Ephedrine	0	3 kg	-	R240 000.00
KHAT	4	40,956 kg	-	R928 690.00
CAT	10	3,211 kg	-	R422 791.33
Laboratories	60	42 150,04 kg	3 657 lt	R39 387 000.00
TOTAL				R324 779 709.88

Highlights

Over 100 years imprisonment for a serial burglar/rapist - Free State

A serial rapist has been sentenced to more than 100 years in prison, by the Free State High Court, sitting in Harrismith for a string of house robberies and rapes committed, in the Namahadi, Tseki, Makwane and Phuthaditjhaba areas, between 2007 and 2017. He would break into the victims' houses and steal valuables, before raping them. The Hawks Serious Organised Crime Investigation halted the accused's reign of terror when they arrested him, on 16 October 2019. He was consequently charged on eleven counts, which include; burglary, robbery with aggravating circumstances, rape and the unlawful possession of a firearm and ammunition. The High Court has sentenced the accused to a combined 120 years imprisonment, which has been ordered to run concurrently. The convicted rapist and robber was to serve a total of 75 years direct imprisonment.



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Drug syndicate sentenced for manufacturing and drug dealing - Mpumalanga

Balfour Regional Court sentenced two accused, on 5 February 2021, one of which was a foreign national, after they were arrested by members of the Secunda Hawks Serious Organised Crime Investigation, assisted by members of Crime Intelligence and the bike squad, on 9 February 2015, during a search and seizure operation. On arrival at the house, the team found a fully equipped operational drug laboratory. There were chemicals, ephedrine, weighing scales, fans, big fridges, cash and drugs valued to an estimated R380 000. The total value of the equipment and chemicals was estimated at R1.5 million. Accused 2 and 3 were arrested at the crime scene and accused 1 was arrested later. The three accused remained in custody, from 2015 to 2017, when the court finalised the case. Accused 2 was found not guilty and he was released. In 2019, accused 3 was released on bail pending sentencing, while accused 1 remained in custody. The case was remanded, to 5 February 2021, for sentencing. Accused 1 was sentenced to 27 years direct imprisonment, 10 years for the manufacturing of drugs, 15 years for dealing in and the possession of drugs and 12 months for being an illegal immigrant. The accused was found to be having four passports, two Lesotho passports and two Nigerian passports. Accused 3, a 32-year-old South African citizen was also sentenced to 27 years direct imprisonment, 10 years for the manufacturing of drugs and 15 years for dealing in and the possession of drugs. Both accused were declared unfit to possess firearms. The court forfeited the cash and the equipment to the State.

Klerksdorp drug kingpin sentenced to twelve years imprisonment for R1.5 million drugs - North West

The accused, a Klerksdorp based drug kingpin was convicted for dealing in drugs, on 24 February 2021, at the Stilfontein Regional Court, following his arrest, on 21 May 2018. The accused was arrested by the Hawks' SANEB, after they followed up on information of alleged drug dealing, near the Klerksdorp Primary School. The investigative team followed him from his flat, but he noticed that he was being followed. He allegedly threw a black plastic bag and attempted to flee. He was apprehended and the contents of the plastic bag were established to be drugs. The accused was taken back to his flat, where the police found neatly packed packets of Crystal meth and CAT, worth approximately R1.5 million. He made a brief appearance before the Klerksdorp Magistrate's Court, shortly after his arrest. The State successfully opposed bail and the accused remained in custody, until ultimately being convicted of dealing in drugs. The accused was sentenced to 12 years imprisonment for dealing in drugs and for the contravention of the Immigration Act.

Drug dealers sentenced to thirteen years direct imprisonment - Northern Cape

The accused was part of a syndicate, arrested during a sting operation conducted simultaneously in the Northern Cape and the Western Cape, on 23 March 2018. The operation was in accordance with the Hawks' resolve to stem the proliferation, selling and use of illegal drugs, which was steadily gaining momentum among the youth. It became evident that the threat had evolved as one of the targets relocated and operated from the Western Cape. The accused was sentenced to two years imprisonment for dealing in drugs (count 1), four years imprisonment for dealing in drugs (count 2) and seven years imprisonment for dealing in drugs (count 3). All sentences are to run concurrently.

Six Cape Town abalone syndicate members get sentenced - Western Cape

An investigation by the DPCI exposed a syndicate involved with the poaching, buying and selling of illicit abalone, in the Western Cape, as well as in the Gauteng area, during February 2020. All the suspects were arrested, during February 2020, which include a Chinese buyer and processor. The drivers of the illicit abalone entered into a Section 105A plea, in terms of the Criminal Procedure Act, 1977 (Act No 51 of 1977). All abalone and equipment seized was forfeited to the State. On 9 February 2021, the kingpin of the group, in the Western Cape, pleaded guilty on a charge, in terms of the POCA, 1998 (Act No 121 of 1998) and contravention of the Marine Living Resources Act, 1998 (Act No 18 of 1998), where he had already been sentenced to six years direct imprisonment.

Police killers sentenced to hundred and twenty years direct imprisonment - Gauteng

The Palm Ridge High Court has condemned the accused to a collective 120 years jail time after they stood trial, in connection with two supermarket armed robbery incidents that took place, on 17 January 2018, in Johannesburg. The deceased police official attached to a Rapid Rail Police Unit, who was in the vicinity and a bystander were fatally wounded when the armed men opened fire, as they got away with the loot. A thorough investigation by the Hawks led to the swift arrest of the two accused, in Lawley and Hillbrow, respectively, a week following the incident. Three unlicensed firearms and ammunition were seized during the operation. The investigators opposed the ruthless killers' bail bid successfully, they remained in custody until sentencing. They were convicted, as charged, on two counts of murder, two counts of robbery with aggravating circumstances, attempted murder, possession of unlicensed firearms and unlawful possession of ammunition.

Foreign national sentenced to 9 years - Free State

The accused, a foreign national, appeared before the Welkom Magistrates Court, on 23 March 2021, where he pleaded guilty and was sentenced for illegal possession of firearms and illegal possession of ammunition. The accused was arrested, on 10 March 2021, after the Hawks Serious Organised Crime Investigation, in Welkom, received information about six suspects, who were reported to be in possession of illegal firearms inside their vehicle. The vehicle was searched and two illegal firearms and ammunition was found inside the vehicle. The other five suspects were released, after it was discovered that the firearms belonged to the accused. The court sentenced the accused to six years direct imprisonment for illegal possession of firearms and three years direct imprisonment for illegal possession of ammunition. The accused will serve an effective nine years direct imprisonment.

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Mpumalanga armed robber sentenced to twenty three years imprisonment for armed robbery and attempted murder - Mpumalanga

The Bethal Regional Court, on 17 March 2021, sentenced the accused to 15 years direct imprisonment for armed robbery with aggravating circumstances and eight years for attempted murder, which will run concurrently. The sentence followed the incident, which took place, on 12 October 2018, whereby G4S Security guards were collecting money from an OK Store, in Bethal, Mpumalanga. It was alleged, that on the day in question, the crew went to the shop to collect money. After collection the guard came out with the trolley bag, when he was accosted by the suspect, who shot and wounded him, grabbed the trolley bag and ran away with it. The police and the security apprehended the two suspects, who shot the crew as they stole the money, dropped it in the street and fled. The stolen money was recovered. On 23 November 2018, information was received about the whereabouts of another suspect. An operation was conducted by the Secunda Serious Organised Crime Investigation and Crime Intelligence. The suspect was arrested, at Emzinoni, Bethal and he was detained. The accused pleaded guilty and was sentenced to 10 years direct imprisonment by the same Court, on 6 October 2020.

Abalone dealer sentenced for 21 charges - Western Cape

The accused was sentenced, by the Khayelitsha Regional Court, to five years imprisonment for racketeering, in terms of the POCA, 1998 (Act No 121 of 1998) and three years for each count of 20 charges for the contravention of the Living Marine Resources Act, 1998 (Act No 18 of 1998). The accused was sentenced, on 8 March 2021, after a lengthy trial, which commenced, in 2015. The accused was arrested by the Hawks Serious Organised Crime Investigation Team, during an operation, conducted in 2008, where 13 co-accused were also arrested. They were arrested for dealing in abalone, at a farm, in Riviersterend and were charged, in terms of the POCA, 1998 (Act No 121 of 1998) and the Living Marine Resources Act, 1998, (Act No 18 of 1998). The main accused was sentenced to a five year term suspended sentence, with conditions. Twelve of his co-accused, including the two suspects, was already serving 24 and 18 years jail time, respectively. The main accused in the abalone-dealing syndicate is deceased after he was gunned down in front of his panel beating shop, in 2017.

Ten years direct imprisonment for farm robbers - KwaZulu-Natal

On 5 March 2021, the Pietermaritzburg High Court convicted and sentenced five accused for robbery and kidnapping, which happened at the Bergville Area, in KwaZulu-Natal. On 9 October 2018, at about 11:30, six accused arrived in two vehicles at one of the farms in Bergville. They pretended to be officials from SARS and the SAPS. The accused demanded to see firearms for inspection, ambushed the homeowners and tied them up before ransacking the house. The accused found a safe and managed to break it open. They then stole more than R3 million and fled the scene in their getaway vehicles. The victims managed to untie themselves and reported the matter to the police. A multidisciplinary operation was conducted and the accused's vehicles were spotted on the N3, driving towards Durban. Police intercepted them near the Camperdown area and four accused were arrested on the spot. Two of them managed to escape and were later arrested. Police recovered R3.3 million, which was concealed in a bullet proof vest, police bullet proof vests, blue lights, one licensed firearm, as well as live rounds of ammunition. The five accused were each sentenced to 10 years imprisonment for robbery and five years imprisonment for kidnapping. The sentences will run concurrently.

Man sentenced for fidelity robbery - KwaZulu-Natal

The Madadeni High Court sentenced the accused, on 2 March 2021, to 15 years' imprisonment for robbery with aggravating circumstances. In September 2017, a group of heavily armed men entered the Fidelity Security Service premises, in Vryheid and held the security guards at gunpoint. They made off with more than R12 million. An intensive investigation by the Hawks' Serious Organised Crime Investigation Team, in Richards Bay and Newcastle, resulted in the arrest of the accused, immediately after the incident. It was discovered that the accused, who was a security guard, colluded with his friends to commit the crime. In September 2019, the co-accused was arrested and taken to court for trial. He was in custody throughout the trial. He was convicted and sentenced to 15 years direct imprisonment. He joined the main accused, who was already serving his sentence.

Cash-in-transit robbers sentenced to life imprisonment - Eastern Cape

The four accused appeared at the Butterworth High Court, on 12 February 2021, where they were sentenced to life imprisonment with additional years. In July 2013, security guards from Coin Security were delivering cash at a mall, in Butterworth when six armed men robbed them of R300 000.00 and two service pistols and fired shots towards the security guards. One guard was shot and pronounced dead at the scene. All suspects were traced and arrested. They were remanded in custody throughout their trial until their conviction and sentence, except for one accused, who escaped from court during the trial. They were each sentenced to life imprisonment for the murder of a security guard, twenty years imprisonment for robbery with aggravating circumstances, five years for the possession of unlicensed firearms and another five years imprisonment for the possession of ammunition. They were also declared unfit to possess a firearm. Their co-accused was already serving his 20 year sentence, after he pleaded guilty, in 2016.

SERIOUS COMMERCIAL CRIME EFFECTIVELY INVESTIGATED

Serious Commercial Crime refers to those cases investigated by the DPCI and is determined by the mandate of the DPCI. Commercial crime refers to fraud, forgery, uttering and theft (such as the



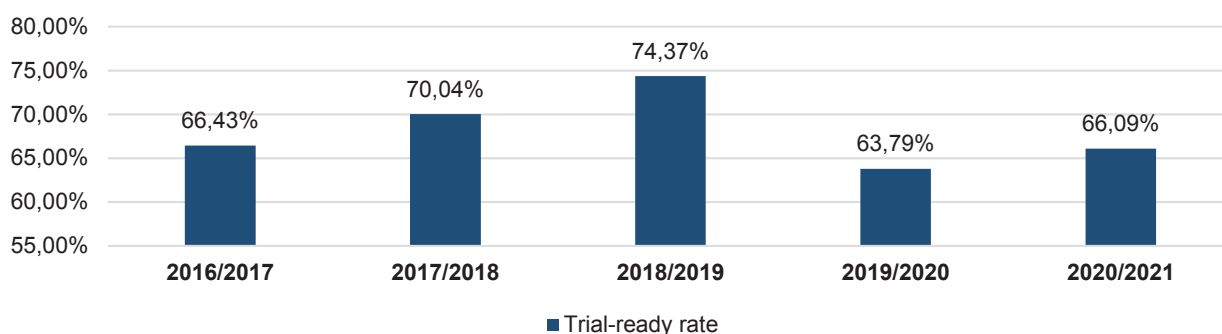
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theft of trust funds). It further includes statutes relating to, *inter alia*, companies, trusts and close corporations, long- and short-term insurance, the counterfeiting of currency, the counterfeiting and illicit trade in counterfeit products and goods, intellectual property rights, banks and the banking industry, exchange control, estate agents and computer-related or cyber-related crime, which include an element of corruption.

During 2020/2021, the percentage of trial-ready case dockets for serious commercial crime investigation-related charges, increased from 63,87% or 1 619 from a total of 2 535, in 2019/2020 to 66,09% or 1 717 from a total 2 598, in 2020/2021, an increase of 2,22%, achieving the annual target of 65%.

Trial-ready case dockets for serious commercial crime-related charges



Highlights

Former hotel bookkeeper sentenced for R12 million fraud - KwaZulu-Natal

The Estcourt Regional Court sentenced the accused to ten years imprisonment on 555 counts of fraud, on 23 February 2021. The Hawks Serious Commercial Crime Investigation Team, in Pietermaritzburg, arrested the suspect, in 2019, after his fraudulent activities at the Champagne Castle Hotel were uncovered, spanning from December 2014 to January 2019. At the time of the incident the accused was employed as a bookkeeper, at the Winterton-based hotel. He made fraudulent transactions of more than R12 million and diverted funds meant for hotel suppliers and creditors to his personal bank accounts. The court found the accused guilty and sentenced him to 10 years' imprisonment for fraud, of which three years were suspended for five years. He will effectively serve a seven year jail term.

Pair arrested for approximately R18 million alleged fraud - Gauteng

The accused, Clover SA's former Invoice Controller allegedly stole over R18 million within two months from Clover SA, in collusion with the co-accused. It was alleged that the accused created false invoices for payment from the Clover SA bank account into the Clover SA Vendor's bank account. The pair handed themselves over after they were summoned to the Serious Commercial Crime Investigation offices, in Johannesburg, accompanied by their legal representatives. The co-accused pleaded guilty on all fraud charges during their first court appearance. He was consequently sentenced to seven years imprisonment, wholly suspended on condition that he does not re-offend on similar charges. The court fined the co-accused with R50 000 and ordered him to pay back the R9 million to Clover SA on a monthly instalment of R70 000. The Hawks Priority Crimes Specialised Investigation initiated procedures, to ensure that assets that were accumulated through the proceeds of crime are forfeited to the State. These assets included, a BMW, AUDI, Mercedes Benz and a townhouse, in Glen Vista, South of Johannesburg.

Five years direct imprisonment for fraud - KwaZulu-Natal

On 29 March 2021, the Durban Magistrate's Court sentenced the accused, a former employee in the Department of Public Works, in Ladysmith, to five years imprisonment. The accused colluded with the co-accused, who owned a company, known as Sihlose Okuhle Trading 28 CC, to defraud the Department of Public Works. Both the accused defrauded the Department of an amount of R620 000, by awarding three contracts to the accused's company. They further claimed that the company did some repairs in schools. The Department of Treasury conducted an investigation and discovered that no work was done by the said company. A case of fraud was reported at the Ladysmith Police Station and the case docket was allocated to the Pietermaritzburg Serious Commercial Crime Investigation for further investigation. After an intensive investigation, the two were charged for fraud and appeared in court several times, until the accused pleaded guilty. She was sentenced to five years direct imprisonment.

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Former premier personal security officer sentenced to 16 years imprisonment - Free State

The 43 year-old former personal security officer attached to the Office of the Free State Premier, appeared before the Bloemfontein Magistrate Court, on the 10 March 2021, where he was convicted and sentenced for theft, fraud and contravention of the justices of peace and commissioners of oath. The accused's conviction was in connection with an incident, which took place, during March 2018, where he stole a Pierneef Painting from the Premier's Office at the OR Tambo Building, in Bloemfontein. The estimated value of the painting was approximately R8 million. The matter was reported to the police and the case was handed over to Serious Commercial Crime Investigation, in Bloemfontein. The painting was seized by the Hawks at an auctioneer, in Gauteng. On 29 January 2020, the accused was served with summonses to appear in court. He then made several follow-up appearances until his conviction. The court has sentenced the accused to 15 years imprisonment for theft and fraud. He was also sentenced to 12 month imprisonment for contravention of justices of peace and commissioners of oath (making false statement in an affidavit). The accused will serve 16 years direct imprisonment.

Company director sentenced to 12 years direct imprisonment - Western Cape

A 63 year-old accountant and financial advisor pleaded guilty on 51 charges of fraud and was convicted and sentenced to 12 years direct imprisonment, by the Bellville Specialised Commercial Crimes Court, on 4 March 2021. A director of Louw & Cronje Inc. Chartered Accountants and Auditors Trading, based in Porterville, acted as an accountant and financial advisor for several investors, between July 2017 to March 2018. The suspect convinced the investors to entrust him with their funds and deposit these funds into a First National Bank account, from where funds would be invested, in bulk, for a better return. The suspect forged the FNB statements and provided the investors with false bank statements purporting to be held by his company with deposits held, on behalf of the investors. A case was opened and the matter was referred to Serious Commercial Crime for further investigation, when investors did not receive their returns. The suspect was arrested for 51 counts of fraud, forgery, uttering and money laundering, on 27 November 2020. The Hawks diligent investigation revealed that the investment funds were transferred into his personal account and were never utilised, as per agreement with the investors. The accused embezzled over R60 million from his clients' funds. The accused was found guilty on 51 counts of fraud, forgery, uttering and contravention of the POCA, 1998 (Act No 121 of 1998) on 4 March 2021. He was subsequently sentenced to 12 years direct imprisonment and declared unfit to possess a firearm.

Fraud - North West

The accused, an accountant at "KOOPGROEP" Pty Ltd, was convicted on 608 counts of fraud. On 8 February 2021, the accused was sentenced, in terms of Section 276(1) (b) of Criminal Procedure Act, 1977 (Act No 51 of 1977) to 12 years imprisonment, of which four years was suspended for a period of five years, on condition that the accused was not found guilty of the same offence of theft and fraud during the time of suspension. The accused was responsible for the financial administration of this company. In this regard, the shareholders and directors trusted the suspect with the financial affairs of the company. The accused fraudulently created beneficiaries on the company's bank account and transferred the company's funds to these fraudulent beneficiaries. According to the complainant, the company has three farmers, whom were in partnership with each other. The company suffered an actual loss of R14 000 000, between December 2014 and October 2017.

Fraud and theft of trust funds - Western Cape

The suspect was an attorney, practising as such under the name BA Baumann Attorneys with offices situated, at the Tygerberg Centre, in Bellville. The suspect was involved in various claims on the behalf of victims against the Road Accident Fund (RAF). Subsequent to agreements having been concluded, action was instituted against the RAF. The RAF, in accordance with settlement agreements of R15 289 081.58, made payments into a FNB Trust Account, from 26 January 2018 to 15 December 2018. Further payments were made by the RAF, of R11 891 884.70, between 11 January 2019 and 27 December 2019. Of these payments, only two of his clients received payments of R500 000.00 and R1 million, respectively. For the period December 2017 to December 2018 and January 2019 to October 2019, the suspect spent approximately R7 583 000.00 at various casinos. On 13 February 2020, a warrant of arrest was obtained and the suspect was arrested at the Grand West Casino. On 30 November 2020, after entering into 105A plea and sentence agreement, the suspect was found guilty on 16 counts of fraud relating to RAF/trust funds amounting to R24 million. The suspect was sentenced to 12 years imprisonment, in terms of Section 276(1)(b) of Criminal Procedure Act, 1977. Furthermore, the court made an order to conduct an enquiry under Sec 18(1) of the POCA, 1998 (Act No 121 of 1998), to determine the amount of the confiscation order. The actual value was R24 000 000.

Fraud: Investment scam - KwaZulu-Natal

The accused appeared in the Durban Specialised Commercial Crimes Court for various cases of fraud committed, in KwaZulu-Natal, between 2009 and 2014. The accused persuaded people to invest money in foreign exchange (Forex) trading, through his company, with the promise of a 5% return, per month. The accused owns a company called QPT Trading, which is based, in Newcastle, with branches, in Amanzimtoti and Ballito. The matter was reported to the police and the case docket was allocated to Durban's Serious Commercial Crime Unit. An amount of R4.5m was recovered and paid back to the investors. The accused was sentenced to 10 years' imprisonment, wholly suspended for five years, on condition that he is not found guilty of the same offence during the period of suspension. He was further sentenced to perform community services. The accused told the court that he would pay back the outstanding amount of R2.4m, in monthly instalments of R40,000, through the clerk of the court.



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Fraud: Theft and contravention of Municipal Finance Management Act - Western Cape

Accused 1 was the Acting Municipal Manager and accused 2, the Chief Financial Officer, at the Eden District Municipality, in George, where they committed crime, between November 2010 and 31 August 2011. It was alleged that they did not act in the best interest of both municipalities, when they took various senior Eden District Municipality personnel away from their daily duties to work at Kannaland Municipality, as part of a "shared services" agreement and compensated them. They orchestrated a scheme where they misled and convinced the Kannaland Council that some of the chosen Eden District Municipality personnel, including themselves, must be compensated by the Kannaland Municipality. The accused signed full term employment contracts with the Kannaland Municipality, while employed, at Eden District Municipality, which allowed them to be remunerated by two municipalities at the same time, as well as receiving benefits, such as leave, cell phone allowance, etc.

They acted inconsistently with the duties assigned to them and failed to take all reasonable steps, to ensure that the resources of the Eden District Municipality and the Kannaland Municipality were used effectively, efficiently and economically. They did not act honestly, with integrity, transparency and in the best interests of the municipality, in managing both the municipalities financial affairs and caused irregular/unauthorised expenditure to the value of R1 623 121.32 to the Eden District Municipality and R1 200 000.00 to the struggling Kannaland Municipality. The actual value suffered was to the amount of R2 823 121 million.

Fraud, alternatively contravention of Section 235 (1) (A) of the Tax Administration Act, 2011 (Act No 28 of 2011) - False company income tax returns submitted to SARS - Free State

The complainant was employed at SARS as an investigator and was assigned to investigate the accused for possible tax offences. The outcome of the investigation revealed that the accused committed offences for the tax period, from 2017 to 2018, by submitting false company income tax returns to SARS. As a result, SARS was prejudiced and suffered a total loss to the amount of R5 715 000. A case docket was registered, which was handed over to the Serious Commercial Crime Unit, in Bloemfontein for further investigation. On 13 July 2020, the accused was served with a J175 subpoena to appear in court, on 31 July 2020, on a charge of fraud.

SUCCESSFULLY INVESTIGATED SPECIALISED CYBERCRIME INVESTIGATIVE SUPPORT FILES

The Priority Crime Specialised Investigation Cybercrime Investigation Unit continuously provides cyber-related crime investigative support to DPCI operational components.

The 4IR implies significant technological advancements for the country and the continent, but also involves significant risk. The threat to the South African economy and population posed by the malicious and criminal targeting of cyberspace is significant and must be countered and acted upon, through the appropriate development and implementation of legislation, policy, as well as strategic and operational responses. These responses require a collaborative, preventive effort from all sectors, supported by the JCPS Cluster. Cybercrime has been described as being indiscriminate to the targets and having a catastrophic impact on individuals, economic growth, jobs and investment.

The content of the investigative report, upon the finalisation of the specialised cyber-related crime investigative support, enables the detection, prevention, combating and/or investigation of cyber-related crime by investigative components. The request for specialised investigative support is finalised (successfully completed) when an investigative report has been finalised and the case file has been closed. Successfully finalised does not imply that a positive link to a crime was detected.

In 2020/2021, a total of 103 from a total of 120 or 85,83% cyber-related crime investigative support case files were investigated, of which 65,05% or 67 from a total of 103 were successfully investigated, within 90 calendar days.



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OTHER SIGNIFICANT ACHIEVEMENTS

Repositioning South Africa's fight against corruption, South Africa's obligations, in terms of the global continental and regional conventions, as well as domestic legislation, required that (more effective) action be taken to stem corruption. In strengthening the fight against corruption, the multiagency, the Anti-Corruption Task Team continues as mandated, as the central body to give operational effect to government's anti-corruption agenda.

Capacitation of the DPCI was already underway and the restoration of trust and faith in the corruption fighting capacity has been prioritised. The DPCI has established task teams to fast track investigations relating to corruption, focusing on municipalities and public and private sectors. The results have been positive and the public, at large, has felt the impact, thereof. The Directorate, together with the NPA, had prioritised the top ten corruption-related cases to fast track the investigation and the prosecution, thereof, from short-, medium- to long-term, with long-term translating to twelve months.

The table below provides an overview of performance by Serious Commercial Crime, in respect to different crime categories, including a total number of 748 arrests effected and 38 411 convictions secured through investigation.





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Commercial crime: Number of cases received, arrests, convictions and values

Crime description	Cases received			Arrests/first appearances				Convictions			
	Number	Value (R)	Value (R)	Cases to court for the first time	Number		Value (R)	Number		Value (R)	
		Actual	Potential		SA Citizen	Non-citizen		Cases	Counts	Accused	Potential
Internet-related fraud	39	133 764 034	178 848	3	6	0	2 157 990	0	0	0	0
Fraud with counterfeit credit cards	5	166 200	14 198	1	1	0	0	0	0	0	0
Fraud with stolen credit cards	0	0	0	0	0	0	0	0	0	0	0
Fraud with counterfeit debit cards	2	104 000	10 000	2	2	0	0	0	0	0	0
Fraud with stolen debit cards	3	8 800	0	2	6	0	2 000	0	0	0	0
Fraud with counterfeit petrol cards	3	588 640	246 812	0	0	0	0	0	0	0	0
Fraud with stolen petrol cards	1	357 456	0	0	0	0	0	0	0	0	0
Counterfeiting of foreign currency (Prevention of Counterfeiting of Currency Act, 1965)	7	1 823 012	0	2	3	0	473 972	3	4	2	236 992
Counterfeiting of local currency (SA Reserve Bank Act, 1989)	0	0	0	0	0	0	0	1	1	1	109 500
Fraud with forged cheques	1	4 687 000	0	0	0	0	0	0	0	0	0
Advance Fee Fraud (419 fraud)	14	31 086 028	1 272 015	5	4	3	243 000	0	0	0	0
Black dollar fraud scams	2	2 940 000	0	0	0	0	0	0	0	0	0
Kite flying	16	5 995 000	0	2	3	0	1 185 000	1	1	1	95 000
Other fraud	1 665	69 098 042 307	1 797 174 043	372	433	49	2 477 936 988	151	7 984	141	334 590 848
Theft	128	911 919 601	114 241 793	27	29	2	102 129 680	21	331	19	25 757 267
											26 000
											0

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Crime description	Cases received			Arrests/first appearances				Convictions			
	Number	Value (R)		Cases to court for the first time	Number		Value (R)	Cases	Number		Value (R)
		Actual	Potential		SA Citizen	Non-citizen			Counts	Accused	
Forgery and uttering	13	108 164 313	0	2	2	0	74 027	2	4	2	1 281 897
PRECCA Act, 2004 (Act No 12 of 2004) (Specify Section of PRECCA (3 to 21))	25	165 3671 825	0	4	11	0	148 029 210	1	3	1	1 980 800
Section 2 of the POCA, 1998 (Act No 121 of 1998)	1	150 000	0	0	0	0	0	1	1	2	1 700 000
Section 4 of the POCA, 1998 (Act No 121 of 1998)	0	0	0	3	2	0	7 255 071	0	0	0	0
Section 5 of the POCA, 1998 (Act No 121 of 1998)	0	0	0	0	0	0	0	1	1	1	980 000
Section 6 of the POCA, 1998 (Act No 121 of 1998)	0	0	0	0	0	0	0	2	8	3	223 000
Currency and Exchanges Act, 1933 (Act No 9 of 1933) (Exchange Control Regulations, 1961)	0	0	0	0	0	0	0	2	9	9	5 500 000
Insolvency Act, 1936 (Act No 24 of 1936)	7	0	0	0	0	0	0	0	0	0	1 589 371
Companies Act, 2008 (Act No 71 of 2008)	16	505 523 374	1 000 000	0	0	0	0	0	0	0	0
National Credit Act, 2005 (Act No 34 of 2005)	5	12 880	0	6	6	0	0	7	161	7	0



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Crime description	Cases received			Arrests/first appearances				Convictions				
	Number	Value (R)	Value (R)	Number		Value (R)	Number			Value (R)		
		Actual	Potential	Cases to court for the first time	SA Citizen	Non-citizen	Actual	Cases	Counts	Accused	Actual	Potential
Counterfeit Goods Act, 1997 (Act No 37 of 1997)	48	93 598 380	499 788 902	25	17	10	1 489 500	10	29 169	13	123 000	9 512 979
Banks Act, 1990 (Act No 94 of 1990)	20	1 1097 914	0	4	4	0	1 215 950	0	0	0	0	
Copyright Act, 1978 (Act No 98 of 1978)	0	0	0	1	1	0	0	1	2	1	5 000	
Customs and Excise Act, 1964 (Act No 91 of 1964)	12	65 169 997	1 500 000	14	12	5	1 482 873	6	8	6	15 513 721	
Electronic Communications and Transactions Act, 2002 (Act No 25 of 2002)	29	8 980 783	10 000	12	11	2	1 355 375	7	29	6	692 365	
Estate Agency Affairs Act, 1976 (Act No 112 of 1976)	4	2 138 530	0	0	0	0	0	0	0	0	0	
Films and Publications Act, 1996 (Act No 65 of 1996)	0	0	0	0	0	0	0	0	0	0	0	
Identification Act, 1997 (Act No 68 of 1997)	0	0	0	0	0	0	0	0	0	0	0	
Tobacco Products Control Amendment Act, 2008 (Act No 63 of 2008)	6	7 984 000	0	2	2	0	700 000	0	0	0	0	
Tobacco Products Control Act, 1993 (Act No 83 of 1993)	3	0	0	0	0	0	0	0	0	0	0	
Legal Practice Act, 2014 (Act No 28 of 2014)	0	0	0	0	0	0	0	0	0	0	0	

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Crime description	Cases received			Arrests/first appearances				Convictions			
	Number	Value (R)		Number		Value (R)		Number		Value (R)	
		Actual	Potential	Cases to court for the first time	SA Citizen	Non-citizen	Actual	Cases	Counts	Accused	Potential
Financial Sector Conduct Authority Act, 2017 (Act No 9 of 2017)	0	0	0	0	0	0	0	0	0	0	0
PFMA, 1999 (Act No 1 of 1999)	3	2 451 429 719	0	0	0	0	0	0	0	0	0
Municipal Finance Management Act, 2003 (Act No 56 of 2003)	8	148 361 596	62 480 666	3	7	0	0	0	0	0	0
Municipal Systems Act, 2000 (Act No 32 of 2000)	2	215 000	0	0	0	0	0	0	0	0	0
Auditing Profession Act, 2005 (Act No 26 of 2005)	0	0	0	0	0	0	0	0	0	0	0
Financial Institutions (Protection of Funds) Act, 2001 (Act No 28 of 2001)	0	0	0	0	0	0	0	0	0	0	0
Administration of Estates Act, 1964 (Act No 66 of 1965)	2	8 000 000	0	1	1	0	0	3	60	3	0
Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002)	1	0	0	2	2	0	2 354 685	0	0	0	0
Short-term Insurance Act, 1998 (Act 53 of 1998)	2	1 514 001	0	1	1	0	348 122	0	0	0	0
Tax Administration Act, 2011 (Act No 28 of 2011)	241	54 071 584 515	205 402 854	64	90	6	221 834 432	24	500	25	10 489 637



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Crime description	Cases received			Arrests/first appearances				Convictions			
	Number	Value (R)		Cases to court for the first time	Number		Value (R)	Cases	Number		Value (R)
		Actual	Potential		SA Citizen	Non-citizen			Counts	Accused	
Financial Markets Act, 2012 (Act No 19 of 2012)	0	0	0	0	0	0	0	0	0	0	0
Competition Act, 1998 (Act No 89 of 1998)	0	0	0	0	0	0	0	0	0	0	0
Public Audit Amendment Act, 2018 (Act No 5 of 2018)	0	0	0	0	0	0	0	0	0	0	0
Regulation of Interception of Communication and Provision of Communication-related Information Act, 2002 (Act No 70 of 2002)	0	0	0	0	0	0	0	0	0	0	0
Disaster Management Act, 2002 (Act No 57 of 2002)	17	1 522 000	0	3	2	0	0	2	2	2	806 123
Other serious commercial crimes not mentioned above	39	208 314 074	455 000	7	4	9	7 193 686	6	133	5	7 253 317
Total	2 390	129 538 914 976	2 683 775 131	570	662	86	2 977 461 561	252	38 411	250	408 927 838
											9 829 211

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PRIORITISING WOMEN, YOUTH AND PERSONS WITH DISABILITIES IN ITS SERVICE DELIVERY ENVIRONMENT

The SAPS included performance indicators in the MTSF (2019 to 2024), that are focused specifically on women and the youth, namely: the percentage reduction in the number of contact crimes against women (18 years and above) and the percentage reduction in the number of contact crimes against children (below 18 years). In addition, the SAPS' Strategic Plan 2020 to 2025 and Annual Performance Plan contains the following gender-responsive performance indicator, within the Detective Services Programme: conviction and detection rates for crimes against women; conviction and detection rates for crimes against children and levels of satisfaction with the SAPS' investigation of crime.

The measurement of the abovementioned perception-based performance indicator will be gender responsive (women will form part of the stratified sampling that will be undertaken) and will, therefore, support the empowerment of women as they will be measured in a gender-responsive manner.

PLANS/INTERVENTIONS/STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Detective Service Programme underperformed in the following areas:

- > Percentage increase in the detection rate for contact crimes
- > Percentage increase in the detection rate for contact crimes at the 30 High Contact Crime Weight Stations
- > Percentage increase in the detection rate for crimes against women (18 years and above)
- > Percentage increase in the detection rate for crimes against children (below 18 years)
- > Percentage increase in compliance with the taking of buccal samples from Schedule 8 arrested offenders
- > Percentage reduction in outstanding fingerprint investigative leads
- > Percentage of results of trial updated in respect of the following: Guilty verdict
- > Percentage of routine case exhibits (entries) finalised
- > Percentage of non-routine case exhibits (entries) finalised
- > Percentage of case exhibits (entries) not yet finalised, exceeding the prescribed time frames
- > Percentage of IBIS case exhibits (entries) finalised
- > Percentage of Biology DNA Intelligence case exhibits (entries) finalised

PLANS/INTERVENTIONS/STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

The following actions are in place by the Detective Service to address the underperformance on all underperforming performance indicators:

- > Utilising DNA products, to link suspects and cases.
- > Conducting weekly suspect raids, e.g. Operation Thatha Zonke and weekly wanted suspect tracing operations.
- > Conducting performance interventions at national and provincial levels, taking into consideration the COVID-19 Regulations.
- > Enhancing measures to continuously monitor and update the CAS/ICDMS, in terms of CAS audits, as well as 1st and 2nd level inspections.



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- > Conducting ongoing awareness campaigns, to educate the community on early reporting, basic safety and strict enforcement of liquor-related regulations, in collaboration with respective business units.
- > Embarking on continuous engagement with the Department of Justice, during monthly National Technical Interim Steering Committee – Sexual Offences meetings.
- > Enhancing and promoting effective cooperation with Thuthuzela Care Centres, the GBV Command Centre and One Stop Centres for victims.
- > Utilising and enhancing partnerships with external role players, e.g. the South African Banking Risk Information Centre and the Insurance Crime Bureau.
- > Ensuring a renewed focus on the implementation of the Cold Case and Bail Defence Strategies.
- > Conducting modus operandi analysis on violent crimes.
- > Appointing designated officers at Provincial level, to monitor the taking of buccal samples and outstanding fingerprint leads (weekly reports to be provided).

Furthermore, the Detective Service Division has embarked on a recruitment drive at SAPS Training Centres for recruits, to undergo a series of detective training, in conjunction with in-service training.

The following actions are in place by the Forensic Services to address the underperformance on all underperforming performance indicators:

A National Forensic Services Corporate Renewal Strategy was developed, to improve and strengthen the functioning and contribution of forensic services in the CJS. The Strategy is aimed at improving the use, coordination, monitoring and impact of forensic products in criminal investigations and criminal court processes. Matters addressed in the Strategy are: to capacitate forensic services, including an adequate baseline (operational) budget and the appointment of sufficient forensic staff; optimal crime scene investigation and exhibit collection; subsequent forensic analysis of exhibit material; storing and comparative searching related to fingerprints and forensic DNA profiles; and the provisioning of forensic products to detectives and courts to be used in the resolution of crime, including the quality of the process of exhibit preservation and collection on crime scenes that would substantially improve investigations and stand up to scrutiny in courts. The Strategy incorporates key findings made in the report on the Economic Evaluation of the Incremental Investigation in Forensic Services that was released by the DPME.

PERFORMANCE, IN RELATION TO STANDARDISED OUTPUTS AND OUTPUT INDICATORS FOR SECTORS WITH CONCURRENT FUNCTIONS

The South African system of government is designed so that certain functions are exclusive (performed by one sphere only), while others are concurrent (shared between different spheres). The Constitution divides functions among the three spheres of government and clearly distinguishes between exclusive and concurrent responsibilities. Concurrent functions, include policy-making, legislation, implementation and monitoring and performance assessment. Functions, such as school education, health services, social welfare services, housing and agriculture are shared between national and provincial governments. The SAPS, therefore, does not have specified concurrent functions that should be reported on.



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INSTITUTIONAL RESPONSE TO COVID-19

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Persons who contravened the regulations relating to COVID-19, throughout the various alert levels, were arrested and have either been issued with fines or released with a warning. Others were released on bail. The following table provides a provincial overview of contraventions of Regulations, published under the Disaster Management Act, 2002, from 27 March 2020 to 31 March 2021. From the table it is evident that a total number of 399 381 charges were brought against 426 048 persons, for contravening the Regulations of the said Act. Most offences occurred, in the Western Cape, the Free State, Gauteng, KwaZulu-Natal, the Eastern Cape and Limpopo Provinces.

Province	Total case dockets/first information of crime reported	Total charges	Total persons charged
Eastern Cape	37 892	38 057	39 546
Free State	62 417	62 552	65 313
Gauteng	56 999	57 146	70 016
KwaZulu-Natal	52 375	52 692	56 208
Limpopo	34 669	34 774	35 490
Mpumalanga	15 622	15 690	17 916
North West	24 228	24 300	24 612
Northern Cape	11 360	11 412	12 701
Western Cape	102 544	102 758	104 246
Total	398 106	399 381	426 048

CHANGES TO PLANNED TARGETS

No changes were made to planned targets, in 2020/2021.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme Name	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Investigations	13 620 580	13 313 257	307 323	13 279 284	13 279 284	-
Criminal Record Centre	2 550 010	2 402 810	147 200	2 596 245	2 446 261	149 984
Forensic Science Laboratory	1 388 246	1 124 814	263 432	1 694 453	1 364 747	329 706
Specialised Investigations	2 143 450	1 850 896	292 554	1 777 127	1 777 127	-
Total	19 702 286	18 691 777	1 010 509	19 347 109	18 867 419	479 690

4.4 PROGRAMME 4: CRIME INTELLIGENCE

PROGRAMME OVERVIEW

The purpose of the Crime Intelligence Programme is to manage crime intelligence and analyse crime information and provide technical support for investigations and crime prevention operations. The Programme objectives are to gather crime intelligence, in support of the prevention, combating and investigation of crime; to collate, evaluate, analyse, coordinate and disseminate intelligence for the purpose of tactical, operational and strategic utilisation; to institute counter-intelligence measures within the SAPS; and to prevent and fight crime, through enhanced international cooperation and innovation on police and security matters.

The Crime Intelligence Programme comprises the following two subprogrammes:

Crime Intelligence Operations provides for intelligence-based criminal investigations.

Intelligence and Information Management provides for the analysis of crime intelligence patterns that will facilitate crime detection, in support of crime prevention and crime investigation.

There is one outcome that relates directly to Programme 4, namely - intelligence-led policing. This outcome is supplemented by the following suboutcomes - crime intelligence gathered, collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime; counter-intelligence measures instituted in the SAPS and enhanced external cooperation and innovation on police reform and security matters to prevent and fight crime. The following outputs relate to the outcome - intelligence-led policing:

Network operations conducted to infiltrate/penetrate criminal groupings/syndicates and collect intelligence on priority threats

Intelligence reports generated operationalised

Security risk and vetting assessments, conducted within the SAPS

Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies, to address transnational crime

OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 7: Actual performance against targets for quarter 1, 2020/2021 against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Subprogramme: Crime Intelligence Operations											
Intelligence-led policing: » Crime intelligence gathered, collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Network operations conducted to infiltrate/penetrate criminal groupings/syndicates and collect intelligence on priority threats	Percentage of network operations successfully terminated	New performance indicator, in 2018/2019.	35,38% (311 from a total of 879).	140,18% (799 from a total of 570).	65,07% (570 from a total of 876 network operations planned)	0	11,58% (66 from a total of 570).	No target was set for the 1 st quarter. Some of the network operations, which was carried over from the previous financial year, have been successfully terminated, during the 1 st quarter. A network operation can take three to six months to be finalised.	-11,581 points	The targeted percentage remained, but the actual number was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/output indicator/annual target
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of security clearances finalised in the SAPS, in relation to the total planned, annually	1 356 vetting investigations finalised.	1 215 vetting investigations finalised.	111,53% (1 287, in relation to 1 154 planned).	100% (1 154)	24,96% (288)	12,39% (143, in relation to 1 154 planned).	-18,57% points	During lockdown Levels 5 and 4, there was a significant decrease in applications for security clearances on the e-Vetting System, coupled with restrictions on travel and social distancing. The vetting capacity at national and provincial levels was redeployed to form part of the National Security Threat capability.	The targeted percentage remained, but the actual number was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting access to members.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/indicator/annual target
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of ICT security assessments finalised in the SAPS, in relation to the total planned, annually	103,99% (2 996 from a total of 2 881).	239,86% (3 310, in relation to 1 380 planned).	140,51% (4 440, in relation to 3 160 planned).	100% (3 160)	25% (790)	13,67% (432, in relation to 3 160 planned).	-11,33% points	Less members were available to conduct ICT assessments, during lockdown Levels 5 and 4, coupled with restrictions on travel and social distancing. The Security Standards capacity at national and provincial level were redeployed to form part of the National Security Threat capability.	The targeted percentage remained, but the actual number was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting access to members and premises.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/indicator/annual target
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of mandatory physical security assessments finalised in the SAPS, in relation to the total planned, annually	99,52% (830 from a total of 834).	113,59% (727, in relation to 640 planned).	124,38% (796, in relation to 640 planned).	100% (640)	25% (160)	14,84% (95, in relation to 640 planned).	-10,16% points	Less members were available to conduct physical security assessments, during lockdown Levels 5 and 4, coupled with restrictions on travel and social distancing. The Security Standards capacity at national and provincial level were redeployed to form part of the National Security Threat capability.	The targeted percentage remained, but the actual number was adjusted, due to the impact of the COVID-19 lockdown, which restricted the movement of goods and people, thereby inhibiting access to members and premises.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Planned target for quarter 1, 2020/2021	Actual achievement for quarter 1, 2020/2021	Deviation from planned target, in quarter 1, to actual achievement in quarter 1, 2020/2021	Reason for deviation	Reason for revisions to the output/indicator/annual target
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of security awareness programmes conducted in the SAPS, in relation to the total planned annually	New performance indicator, in 2018/2019.	214,55% (354, in relation to 165 planned).	175,16% (536, in relation to 306 planned).	100% (306)	24,84% (76)	-	-	-	The output indicator was removed, due to the manner in which awareness programmes are conducted which was in contravention of the COVID-19 lockdown restrictions.

Table 8: Actual performance against targets, for 2020/2021, against the re-tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Crime Intelligence Operations									
Intelligence-led policing: » Crime intelligence gathered collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Network operations conducted to infiltrate/penetrate criminal groupings/syndicates and collect intelligence on priority threats	Percentage of network operations successfully terminated	New performance indicator, in 2018/2019.	35,38% (311 from a total of 879).	140,18% (799 from a total of 570).	65,07% (475 from a total of 730 network operations planned)	70,82% (517 from a total of 730).	5,75% points	Target achieved. Line management provided guidance and capacity, in terms of human and financial resources to cluster/districts. Ensured that the Intelligence Analysis Centre and Collections at cluster level are operating in a symbiotic manner, to ensure maximum results.
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of security clearances finalised in the SAPS, in relation to the total planned, annually	1 356 vetting investigations finalised.	1 215 vetting investigations finalised.	111,53% (1 287, in relation to 1 154 planned).	100% (865)	125,43% (1 085, in relation to 865 planned).	25,43% points	Target achieved. The relaxation of COVID-19 travel restrictions in Alert Level 3 allowed for more personnel to return to the workplace, allowing for more security clearances to be finalised, than planned for.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Intelligence-led policing: » Counter-intelligence measures instituted in the SAPS	Security risk and vetting assessments, conducted within the SAPS	Percentage of ICT security assessments finalised in the SAPS, in relation to the total planned, annually	103,99% (2 996 from a total of 2 881).	239,86% (3 310, in relation to 1 380 planned).	140,51% (4 440, in relation to 3 160 planned).	100% (2 370)	111,01% (2 631, in relation to 2 370 planned).	11,01% points	Target achieved. The relaxation of COVID-19 travel restrictions in Alert Level 3 allowed for more personnel to return to the workplace, allowing for more ICT security assessments to be finalised, than planned for.
		Percentage of mandatory physical security assessments finalised in the SAPS, in relation to the total planned, annually	99,52% (830 from a total of 834).	113,59% (727, in relation to 640 planned).	124,38% (796, in relation to 640 planned).	100% (480)	148,54% (713 in relation to 480 planned).	48,54% points	Target achieved. The relaxation of COVID-19 travel restrictions in Alert Level 3 allowed for more personnel to return to the workplace, allowing for more mandatory physical security assessments to be finalised, than planned for.
Subprogramme: Intelligence and Information Management									
Intelligence-led policing: » Crime intelligence gathered, collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Intelligence reports generated operationalised	Percentage of proactive intelligence reports that were operationalised at cluster/district level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	88,93% (39 554 from a total of 44 476).	70%	82,30% (40 683 from a total of 49 431).	12,30% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Intelligence and Information Management									
Intelligence-led policing: » Crime intelligence gathered, collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Intelligence reports generated operationalised	Percentage of proactive intelligence reports that were operationalised at provincial level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	78,69% (11 094 from total of 14 099).	80%	94,66% (13 120 from a total of 13 860).	14,66% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.
		Percentage of proactive intelligence reports that were operationalised at national level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	99,38% (4 460 from a total of 4 488).	90%	97,97% (1 493 from a total of 1 524).	7,97% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Intelligence-led policing: » Crime intelligence gathered, collated, evaluated, analysed and disseminated, in respect of the prevention, combating and investigation of crime	Intelligence reports generated operationalised	Percentage of reactive intelligence reports that were operationalised at cluster/district level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	80,38% (160 529 from total of 199 725).	70%	79,71% (162 655 from a total of 204 064).	9,71% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.
		Percentage of reactive intelligence reports that were operationalised at provincial level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	61,47% (27 796 from a total of 45 219).	80%	92,84% (55 988 from a total of 60 306).	12,84% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.
		Percentage of reactive intelligence reports that were operationalised at national level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	86,13% (7 402 from a total of 8 594).	90%	96,73% (11 220 from a total of 11 599).	6,73% points	Target achieved. Reports provided to clients were threat based and applicable to the crime situation of the operating environment, which promoted the operationalisation of intelligence reports generated.



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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Intelligence-led policing: » Enhanced external cooperation and innovation on police reform and security matters to prevent and fight crime	Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies to address transnational crime	Percentage of cross-border operations facilitated, in relation to requests received from INTERPOL member countries	88,88% (8 from a total of 9).	100% (3 from a total of 3).	100% (10 from a total of 10).	100%	80% (4 from a total of 5).	-20% points	Target not achieved. The implementation of the Disaster Management Act Regulations to curb the spread of the COVID-19 Pandemic, prohibited travel, resulting into the cancellation of cross-border operations.
		Percentage of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries	100% (18 from a total of 18).	100% (4 from a total of 4).	54,05% (20 from a total of 37).	100%	62,50% (25 from a total of 40).	-37,50% points	Target not achieved. Arrests are dependent on a number of factors that require the involvement and endorsement by other government departments and non-compliance to the requirements has legal implications.

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SERVICE DELIVERY ACHIEVEMENTS

CRIME INTELLIGENCE

Key Focus Areas

- » Managing, coordinating, analysing and operationalising all relevant crime information, through intelligence analysis centres and nodal points on national, provincial and district/cluster level, in support of identified clients.
- » Promote mutual assistance and cooperation between the SAPS (INTERPOL) and other National and International Law Enforcement Agencies, to reduce transnational crime, including the placement of SAPS Liaison Officers, in SADC and prioritised RSA Trade Agreement countries.
- » Instituting counter-intelligence measures within the SAPS, in order to ensure that information and personnel are secured, as prescribed in the Minimum Information Security Standards, other laws and regulations.
- » Contributing towards the neutralisation of crime, by gathering (covert and overt) and supplying accurate and court-directed intelligence on national, provincial and district/cluster level, for the purpose of strategic and tactical usage.
- » Providing an effective and efficient general administration service (funded through the account for secret services), undercover operation coordination service and source and agent networks to the covert-related functions of SAPS Crime Intelligence.
- » Providing an effective and efficient cybercrime, surveillance and technical support service, in support of the gathering and supplying of accurate and court directed intelligence for the purposes of strategic and tactical usage.
- » Providing an effective and efficient generic support service, with regard to all resources available (funded through the open account of the SAPS).

SUBPROGRAMME – CRIME INTELLIGENCE OPERATIONS

NETWORK OPERATIONS CONDUCTED TO INFILTRATE/PENETRATE CRIMINAL GROUPINGS/SYNDICATES AND COLLECT INTELLIGENCE ON PRIORITY THREATS

Network operations are undertaken, on provincial and district/cluster levels, to gather intelligence/information so that a situation can be better understood or to generate intelligence/information on a criminal organisation, groups or individuals, which could be turned into evidence for use in a court of law. During the reporting period, a total number of 948 network operations were registered. The planned target, was to successfully terminate 65,07% or 475 from a total of 730. The actual achievement was 517 or 70,82% from a total of 730, overachieving the planned target, by 5,75%. The top three contributing provinces, in terms of total number of network operations registered and terminated, were the Gauteng, the KwaZulu-Natal and the Western Cape Provinces.

SECURITY RISK AND VETTING ASSESSMENTS, CONDUCTED WITHIN THE SAPS

Security risk and vetting assessments are a counter intelligence measure instituted in the SAPS, to address matters pertaining to fraud and corruption, at all levels of the organisation. The purpose is to assist the protection of organisational and national security. In 2020/2021, a total of 1 085 from a total of 865 or 125,43% security clearances were finalised, against a target of 100% or 865, overachieving the target, by 25,43%. A total of 1 006 security clearances were issued, 70 were denied and nine were not issued, due to service terminations.



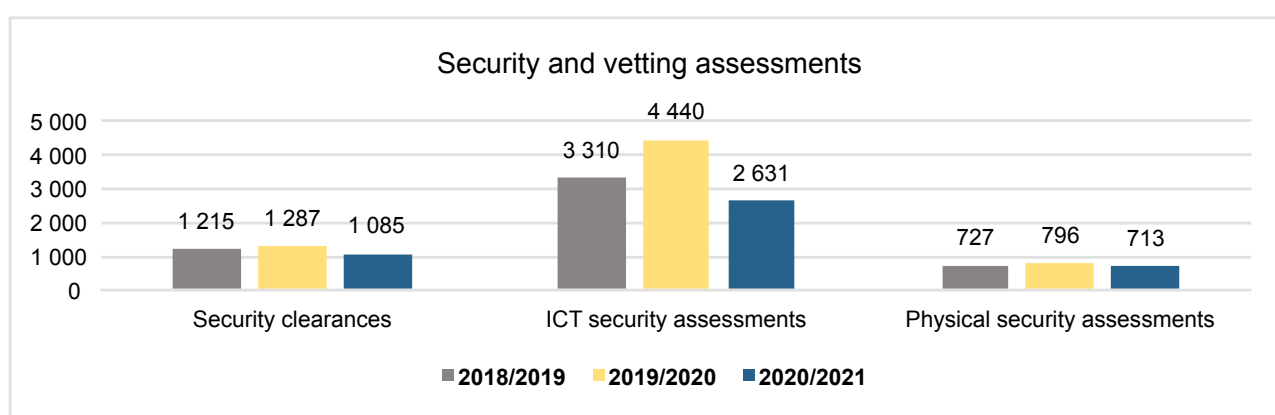
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ICT security assessments are performed, to identify the current security posture of relevant information, technology and operating sites of the SAPS, in terms of security standards. These assessments provide recommendations for improvement, which allows the SAPS to reach a security goal that mitigates risks and minimises security breaches. A total of 2 631 ICT assessments, including soft and hardware technology, were conducted from a total of 2 370, planned for the financial year, an achievement of 111,01%.

Mandatory physical security assessments are conducted, in accordance with the Minimum Information Security Standards, to identify the current security posture of SAPS facilities. In 2020/2021, a total of 713 or 148,54% assessments were finalised, against a target of 480, an overachievement of 48,54%.

The overachievement, in terms of ICT security assessments and mandatory physical security assessments, was due to the relaxation of COVID-19 travel restrictions, which allowed for a greater number of personnel to return to the workplace to finalise these assessments.



SUBPROGRAMME – INTELLIGENCE AND INFORMATION MANAGEMENT

INTELLIGENCE REPORTS GENERATED OPERATIONALISED

Proactive intelligence products that are generated, include threat and risk assessments and early warning reports, to provide intelligence/information to operational units for the prevention of the perpetration of certain criminal acts. Proactive reports enable operational units to efficiently, economically and timeously respond to any identified threats/risks. A total of 55 296 proactive intelligence reports were operationalised, at cluster/district, provincial and national levels, in 2020/2021, from a total of 64 815 that were generated.

Reactive intelligence products include profiles and intelligence analysis reports, such as communication analysis reports, association/network analysis reports, etc., in order to determine the quality and impact of reactive intelligence reports supplied to operational units. In 2020/2021, a total of 229 863 reactive intelligence reports were operationalised, from a total of 275 969 that were operationalised.

PROMOTE MUTUAL ASSISTANCE AND COOPERATION BETWEEN THE SAPS AND OTHER NATIONAL AND INTERNATIONAL LAW ENFORCEMENT AGENCIES TO ADDRESS TRANSNATIONAL CRIME

The SAPS and its law-enforcement counterparts (local law enforcement agencies, SARPCCO member countries and INTERPOL), collaborate in the facilitation of requests, with regard to the

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participation in crime operations, between the SAPS and other national and international law enforcement agencies and the arrest of transnational crime suspects. During the reporting period, a total of five requests were received from INTERPOL member countries, of which four cross-border operations were facilitated. In relation to the arrests of transnational crime suspects, 25 from a total of 40 requests were facilitated of suspects that were taking refuge in South Africa, for which a lawful warrant of arrest has been issued.

PRIORITISING WOMEN, YOUTH AND PERSONS WITH DISABILITIES IN ITS SERVICE DELIVERY ENVIRONMENT

Not applicable.

PLANS/INTERVENTIONS/STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Crime Intelligence Programme underperformed in the following areas:

- > Percentage of cross-border operations facilitated, in relation to requests received from INTERPOL member countries
- > Percentage of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries

PLANS/INTERVENTIONS/STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Percentage of cross-border operations facilitated, in relation to requests received from INTERPOL member countries

Noting the effect of COVID-19 on the execution of cross-border operations by the SAPS and its law enforcement counterparts (local law enforcement agencies, SARPCCO member countries and INTERPOL), SARPCCO approved a SOP, to ensure that cross-border operations are executed, within the regulations on COVID-19.

Percentage of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries

The Crime Intelligence Corporate Renewal Strategy, aimed to enhance service delivery and addressing the areas of underperformance is in its third year of implementation. The Strategy focuses on the optimisation of intelligence collection; the enhancing of intelligence analysis and coordination; ensuring effective counter-intelligence; the establishing of security intelligence, to uphold the authority of the State; the managing of INTERPOL obligations and cooperation; the developing of the skills of members in the crime intelligence environment; and establishing a culture of performance management.

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PERFORMANCE, IN RELATION TO STANDARDISED OUTPUTS AND OUTPUT INDICATORS FOR SECTORS WITH CONCURRENT FUNCTIONS

The South African system of government is designed so that certain functions are exclusive (performed by one sphere only), while others are concurrent (shared between different spheres). The Constitution divides functions among the three spheres of government and clearly distinguishes between exclusive and concurrent responsibilities. Concurrent functions, include policy-making, legislation, implementation and monitoring and performance assessment. Functions, such as school education, health services, social welfare services, housing and agriculture are shared between national and provincial governments. The SAPS, therefore, does not have specified concurrent functions that should be reported on.

INSTITUTIONAL RESPONSE TO COVID-19

Not applicable.

CHANGES TO PLANNED TARGETS

No changes were made to planned targets, in 2020/2021.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme Name	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Intelligence Operations	1 734 273	1 691 500	42 773	1 668 996	1 668 996	-
Intelligence and Information Management	2 465 837	2 438 273	27 564	2 486 778	2 486 778	-
Total	4 200 110	4 129 773	70 337	4 155 774	4 155 774	-

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4.5 PROGRAMME 5: PROTECTION AND SECURITY SERVICES

PROGRAMME OVERVIEW

The purpose of the Protection and Security Services Programme is to provide protection and security services to all identified dignitaries and government interests. The programme objective is to minimise security violations by protecting all identified local and foreign dignitaries while in transit and by protecting the location in which dignitaries, including persons related to the president and deputy president, are present, without any security breaches.

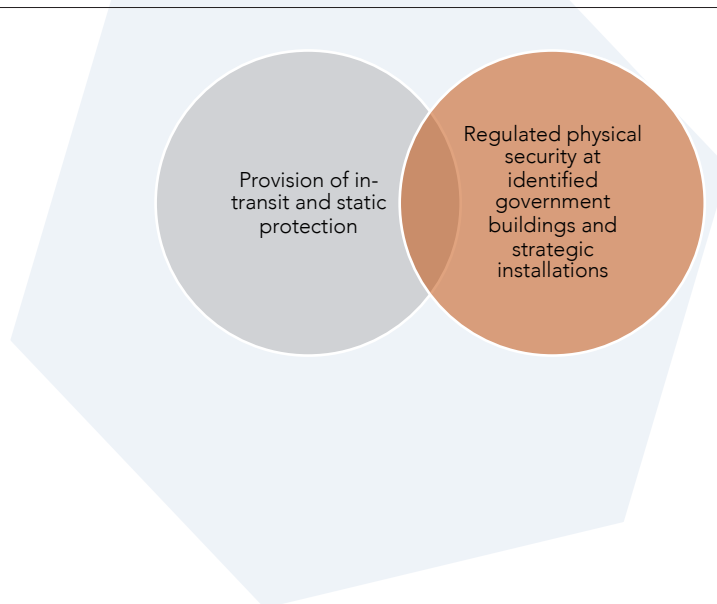
The Protection and Security Services Programme comprises the following three subprogrammes:

VIP Protection Services provides for the protection of the president, deputy president, former presidents, their spouses and other identified dignitaries while in transit.

Static Protection provides for the protection of other local and foreign dignitaries and the places in which all dignitaries, including persons related to the president and deputy president, are present.

Government Security Regulator provides for security regulations and evaluations, the administration of NKPs and strategic installations.

The outcome: the law upheld and enforced, to support the stamping (asserting) of the authority of the State is linked to Programme 5, supported by the suboutcome - Identified dignitaries and government interests, protected and secured. The following outputs that have been identified for the outcome and suboutcome:



OUTCOMES AND SUBOUTCOMES, OUTPUTS, PLANNED OUTPUT INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

PROTECTION AND SECURITY SERVICES

Table 9: Actual performance against targets, for 2020/2021, against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: VIP Protection Services									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Provision of in-transit and static protection	Number of security breaches during in-transit protection	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	Zero security breaches	100% in-transit protection provided, without security breaches.	0% points	Target achieved.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Static Protection									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Provision of in-transit and static protection	Number of security breaches at identified government installations and identified VIP residences	100% static protection provided, without security breaches.	99,97%, static protection provided, with three security breaches.	100% static protection provided, without security breaches.	Zero security breaches	100% static protection provided, without security breaches.	0% points	Target achieved.
Subprogramme: Government Security Regulator									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Regulated physical security at identified government buildings and strategic installations	Percentage of strategic installations audited	49% strategic installations audited (125 from a total of 255).	51,36% strategic installations audited (132 from a total of 257).	49,61% strategic installations audited (128 from a total of 258).	51,20% (128 from a total of 250)	51,60% strategic installations audited (129 from a total of 250).	0,40% points	Target achieved. One additional Department of Mineral Resources in the Mpumalanga Province, was audited.
		Percentage of NKPs evaluated	100% NKPs evaluated (196 from a total of 196).	100% NKPs evaluated (200 from a total of 200).	100% NKPs evaluated (206 from a total of 206).	100% (209)	100% NKPs evaluated (209 from a total of 209).	0% points	Target achieved.



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PRESIDENTIAL PROTECTION SERVICE

Table 10: Actual performance against targets, for 2020/2021, against the tabled Annual Performance Plan

Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: VIP Protection Services									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Provision of in-transit and static protection	Number of security breaches during in-transit protection	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	Zero security breaches	100% in-transit protection provided, without security breaches.	0% points	Target achieved.
Subprogramme: Static Protection									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Provision of in-transit and static protection	Number of security breaches at identified government installations and identified VIP residences	100% static protection provided, without security breaches.	100% static protection provided, without security breaches.	100% static protection provided, without security breaches.	Zero security breaches	100% static protection provided, without security breaches.	0% points	Target achieved.

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Outcomes and Suboutcomes	Outputs	Output indicators	Actual achievement 2017/2018	Actual achievement 2018/2019	Actual achievement 2019/2020	Planned annual target 2020/2021	Actual achievement 2020/2021	Deviation from planned target to actual achievement 2020/2021	Reason for deviation
Subprogramme: Government Security Regulator									
The law upheld and enforced, to support the stamping (asserting) of the authority of the State: » Identified dignitaries and government interests, protected and secured	Regulated physical security at identified government buildings and strategic installations	Percentage of NKPs evaluated	90,91% NKPs evaluated (10 from a total of 11).	81,82% NKPs evaluated (9 from a total of 11).	100% NKPs evaluated (11 from a total of 11).	100% (11)	100% NKPs evaluated (11 from a total of 11).	0% points	Target achieved.



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SERVICE DELIVERY ACHIEVEMENTS

PROTECTION AND SECURITY SERVICES

Key Focus Areas

- » Provides in-transit and static protection to all identified VIPs, including the Speaker and Deputy Speaker of the National Assembly, ministers/deputy ministers, premiers, Members of the Executive Council, the Chief Justice, judge presidents and ad hoc VIPs, in terms of the Risk Information Management Support System (RIMAS).
- » Provides protection to identified foreign dignitaries, who are visiting South Africa.
- » Provides static protection at identified VIP residences and strategic government installations.
- » Evaluates NKPs for physical security compliance, in compliance with the NKP Act, 1980 (Act No 102 of 1980) (The NKP Act, 1998 (Act No 102 of 1980) was replaced by the Critical Infrastructure Protection Act 2019 (Act No 8 of 2019).
- » Audits identified strategic installations, to ensure compliance, in terms of the minimum standard, as derived from the Minimum Physical Security Standard.
- » Evaluates security services and security training providers.
- » Process applications for security guards at NKPs.

SUBPROGRAMME – VIP PROTECTION SERVICES AND STATIC PROTECTION

PROVISION OF IN-TRANSIT AND STATIC PROTECTION

During the period under review, in-transit protection was provided to 64 national and 131 provincial dignitaries, as well as 11 ad hoc and nine foreign dignitaries, that visited South Africa. There was a total of 6 634 South African VIP movements within South Africa and abroad. No security breaches occurred during the protection of South African VIPs, within South Africa, during major/special, national or provincial events or during visits by foreign VIPs to the country, as well as on visits abroad, by South African VIPs.

Operational protection was also provided at one special event and a number of provincial events were protected, including the SONA, State of the Province Addresses, the African National Congress January 8 Statement and Manifesto Launch, National Executive Committees and Cabinet Lekgotlas.

A total number of 84 745 protection services were provided by 14 Static Units, which covered 77 identified VIP residences and 28 strategic installations, which are located throughout South Africa, as well as at nine buildings occupied by the SAPS. No security breaches occurred during protection duties.

SUBPROGRAMME – GOVERNMENT SECURITY REGULATOR

REGULATED PHYSICAL SECURITY AT IDENTIFIED GOVERNMENT BUILDINGS AND STRATEGIC INSTALLATIONS

A total of 1 400 applications for security guards for NKPs were processed. During this process, it was determined that no applicants had criminal records and no applicants were found not capable, in terms of Regulation 4(a) to (g) of the NKP Act, 1980 (Act No 102 of 1980). A total of 132 security service and security training providers were evaluated, of which 37 were deregistered and eight were suspended. Eight new security service providers and four new security training providers were registered. The target of 128 from a total of 250 strategic installations planned to be audited, in 2020/2021, was exceeded with one, as one additional Department, the Department of Mineral Resources, in the Mpumalanga Province, was audited. All 209 NKPs were evaluated as planned, during the reporting period.

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1153**Key Focus Areas****PRESIDENTIAL PROTECTION SERVICE**

- » Provides a comprehensive protection service to its client base, as per Cabinet Memorandum 1A of 2004, the RIMAS, the Presidential Handbook and Presidential Protection Service Policy 3 of 2018.
- » Provides static protection at strategic sites and residences of VIPs.
- » Evaluates NKPs for physical security compliance, in compliance with the NKP Act, 1980 (Act No 102 of 1980) (The NKP Act, 1980 (Act No 102 of 1980) was replaced by the Critical Infrastructure Protection Act, 2019 (Act No 8 of 2019).

The RSA has to serve and protect its own interests, just like every other sovereign state in the modern world. Presidential Protection Service has a mandatory responsibility to protect the interests of the State through comprehensive protection measures and services to the Presidency, their immediate families, former Presidents, former Deputy Presidents and their spouses, foreign and former heads of state and their spouses. Comprehensive protection embodies three distinctive dimensions, namely; asset protection (venue security), personal protection (physical protection, including counter assault, planning and food security that incorporates toxicology) and information security (secured communications). Various support functions of the protective mandate are provided, to establish a comprehensive protection service (specialised uniform protection, technical support, operational coordination and operational support).

SUBPROGRAMME – VIP PROTECTION SERVICES AND STATIC PROTECTION

PROVISION OF IN-TRANSIT AND STATIC PROTECTION

In-transit protection aims to protect the lives and assets of protected VIPs, while in-transit and to mitigate risks to the safety and dignity of protected VIPs, as the safety of these individuals is of strategic importance for the safety and security of the country. During the period under review, in-transit protection was provided to 21 presidential VIPs, who participated in 57 visits abroad. Some of these visits, depending on the length of the flight, had to make refuelling stops. A total of 25 foreign heads of state/government were protected. No security breaches occurred during protection duties, in South Africa or abroad and while foreign heads of state visited the country.

Static protection aims to create a safe and secure environment of the Presidency and identified VIPs, their dignity and its resources are protected with diligence, implement security measures to counter threats and risks that can cause harm to the Presidency, dignity of such Presidency, employees, assets, critical information and operations of the Presidency and identified VIPs. A 24-hour static protection service was provided to 21 identified VIP residences and three offices, without security breaches.

SUBPROGRAMME – GOVERNMENT SECURITY REGULATOR

REGULATED PHYSICAL SECURITY AT IDENTIFIED GOVERNMENT BUILDINGS AND STRATEGIC INSTALLATIONS

All 11 NKPs were evaluated, as planned, to ensure the regulation of physical security compliance.

PLANS/INTERVENTIONS/STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

All targets under the Protection and Security Services Programme were achieved.

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PLANS/INTERVENTIONS/STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Not applicable.

PERFORMANCE, IN RELATION TO STANDARDISED OUTPUTS AND OUTPUT INDICATORS FOR SECTORS WITH CONCURRENT FUNCTIONS

The South African system of government is designed so that certain functions are exclusive (performed by one sphere only), while others are concurrent (shared between different spheres). The Constitution divides functions among the three spheres of government and clearly distinguishes between exclusive and concurrent responsibilities. Concurrent functions, include policy-making, legislation, implementation and monitoring, as well as performance assessment. Functions, such as school education, health services, social welfare services, housing and agriculture, are shared between national and provincial governments. The SAPS, therefore, does not have specified concurrent functions that should be reported on.

INSTITUTIONAL RESPONSE TO COVID-19

Not applicable.

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2020/2021.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme Name	2020/2021			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
VIP Protection Services	1 689 085	1 662 864	26 221	1 847 358	1 847 358	-
Static Protection	1 225 177	1 225 177	-	1 185 628	1 185 628	-
Government Security Regulator	76 465	70 310	6 155	75 324	75 324	-
Operational Support	273 001	264 497	8 504	270 790	270 790	-
Total	3 263 728	3 222 848	40 880	3 379 100	3 379 100	-

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5. TRANSFER PAYMENTS

5.1 TRANSFER PAYMENTS TO PUBLIC ENTITIES AND ORGANISATIONS, OTHER THAN PUBLIC ENTITIES

The SAPS does not make any transfer payment to a public entity for the purpose of that public entity to deliver a service, on behalf of the Department.

Payments to the SASSETA are being made, in terms of the skills levy, of which the SAPS is also a department to benefit, from such.

6. CONDITIONAL GRANTS

6.1 CONDITIONAL GRANTS AND EARMARKED FUNDS PAID AND RECEIVED

Not applicable to the Vote: Police.

7. DONOR FUNDS

7.1 DONOR FUNDS RECEIVED

Name of the donor	EU Dialogue Facility
Full amount of the funding	25 000 Euro approved for the project
Period of the commitment	The commitment was for one year, from May 2019 to May 2020 (the project was adapted, due to the limitation placed on large gatherings, as well as local and international travel, due to the COVID-19 Pandemic. As a result, the starting date was amended).
Purpose of the funding	The development of a SAPS Cybercrime Policing Model: Operationalisation and Implementation Framework.
Expected outputs	» A master Implementation Plan of the Cybercrime Legislative Framework (Cybercrimes Bill). » The development of a legal Framework Manual (Regulations/SOP/Prescribing Category and Class of Offences, as well as a form and manner of reporting). » The development of an Annual Internet (Cybercrime) Organised Crime Threat Assessment. » The development of protocols on International Law Enforcement Cooperation and Prosecutorial Authority Requests (mutual assistance and cooperation). » The development of a Cybercrime Awareness Programme.
Actual output achieved	» Completion of an Implementation Plan of the Cybercrime Legislative Framework. » Improved dialogue between the SAPS and other law enforcement agencies (the project is still in progress, with the assistance of a consultant).
Amount received in the current reporting period	25 000 Euro was approved for the project. All funding is managed by the European Project Management Unit (donation in kind ¹⁵⁰).
Amount spent by the Department	None

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Reasons for the funds unspent	» The project plan had to be amended, due to the COVID-19 Pandemic. » The project is in its totality based on dialogue. The planned workshops and conferences could not take place, due to restrictions implemented, as a result of the COVID-19 Pandemic, including the ban on local and international travel and the limitations placed on large gatherings. » The slow start-off, of the project. » All meetings were virtual. » One workshop took place, in 2020. However, it was paid from residual deposit funds the EU had with the hotel, from before the COVID-19 Pandemic. » One workshop was cancelled, due to national instructions on COVID-19. » A consultant was contracted by the EU, to support the SAPS. The consultant is not paid from project funds.
Monitoring mechanism by the donor	» Project Steering Committee meetings (all meetings were virtual). » Technical Committee meetings. » Regular meetings and planning with the donor Project Management Unit. » Feedback is provided to the donor, through reports. » The budget is managed by the EU.

Name of the donor	France
Full amount of the funding	R42 300.00
Period of the commitment	November to December 2020.
Purpose of the funding	To train investigators from Crime Intelligence, the Detective Service and the DPCI, in cybercrime, in Paarl and in Pretoria.
Expected outputs	The presentation of two courses, by French experts, during which 24 members will be trained.
Actual output achieved	A total of 12 members were trained, from 16 November 2020 to 20 November 2020 and 12 members were trained, from 30 November 2020 to 4 December 2020.
Amount received in the current reporting period	R42 300.00
Amount spent by the Department	R42 300.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	Spending and feedback were monitored by the French attaché, at the French Embassy.

Name of the donor	INTERPOL
Full amount of the funding	R64 042.50
Period of the commitment	October 2020
Purpose of the funding	A pilot training course, on Strengthening Counter Terrorism Skills for Law Enforcement Agencies, in Eastern and Southern Africa.
Expected outputs	A virtual training intervention for 15 members, by the INTERPOL Regional Bureau Harare/SARPPCO Coordinating Office, to capacitate investigators from Crime Intelligence, the Detective Service, as well as the DPCI on counter terrorism skills.
Actual output achieved	A total of 15 members received virtual training from the Institute for Security Studies.
Amount received in the current reporting period	R64 042.50
Amount spent by the Department	R64 042.50
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	Spending and feedback were monitored by the INTERPOL Regional Bureau.

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Name of the donor	INTERPOL
Full amount of the funding	R128 085.00
Period of the commitment	November to December 2020
Purpose of the funding	A virtual training course, on Investigation Terrorism and Transnational Organised Crime.
Expected outputs	A virtual training intervention for 11 members, by the INTERPOL Regional Bureau Harare/SARPCCO Coordinating Office, to strengthen the technical capacity of commanders to manage complex terrorism and organised crime-related investigations by Crime Intelligence and the DPCI.
Actual output achieved	A total of 11 members received virtual training from the Institute for Security Studies.
Amount received in the current reporting period	R128 085.00
Amount spent by the Department	R128 085.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	Spending and feedback were monitored by the INTERPOL Regional Bureau.

8. CAPITAL INVESTMENT

8.1 CAPITAL INVESTMENT, MAINTENANCE AND ASSET MANAGEMENT PLAN

PROGRESS MADE ON IMPLEMENTING THE CAPITAL, INVESTMENT AND ASSET MANAGEMENT PLAN

	Projects	Total infrastructure development 2020/2021	2020/2021 target	Actual completion	Percentage completed	Deviation from the planned target (80%) versus the actual achievement, 2020/2021 ¹⁵¹
CAPITAL WORKS	Site clearance	32	06	04	66,67%	-13,33%
	Planning and design	38	09	-	0%	-80%
	Execution	20	02	-	0%	-80%
	Repair and upgrading	19	01	13	1300%	1220%
	Accessibility for persons with disabilities	62	15	14	93,33%	13,33%
	Generators	57	32	01	3,13%	76,87% ¹⁵²
	Air conditioners	137	26	17	65,39%	-14,61% ¹⁵³
Total capital works		365	91	49	53,84%	-26,16%
PLANNED MAINTENANCE	Planning and design	60	09	03	33,33%	-46,67% ¹⁵⁴
	Total planned maintenance	60	09	03	33,33%	-46,67%
Total infrastructure projects		425	100	52	52%	-28%

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SAPS CAPITAL WORKS

INFRASTRUCTURE PROJECTS WHICH HAVE BEEN COMPLETED IN THE CURRENT YEAR AND THE PROGRESS, IN COMPARISON TO WHAT WAS PLANNED AT THE BEGINNING OF THE YEAR

CATEGORY TYPE

New police facility (N)	A police facility constructed on a new site, where no police facility existed previously, or an additional facility is built, but the existing one is not closed.
Newly re-established police facility (NRE)	An existing police facility that is replaced by new structures on a new site and where the existing police facility is closed.
Re-established police facility (RE)	An existing police facility that is upgraded with major works and/or extensive additional new structures on the existing site.
Repaired and upgraded (R&U)	Existing police facilities that are repaired and upgraded to modern standards, with only minor additions.

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: SITE CLEARANCE

A total number of six projects were planned for completion, and a total number of four projects were completed.

Province	Name	Completion date	Province	Name	Completion date
Free State	Fauresmith	2021-03-30	KwaZulu-Natal	Sokhulu	2021-03-30
Western Cape	Porterville	2020-05-14	KwaZulu-Natal	Mkuze	2020-05-19

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: PLANNING AND DESIGN

A total number of nine projects were planned for completion and no projects were completed, in 2020/2021.

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: EXECUTION

A total number of two projects were planned for completion and no projects were completed, in 2020/2021.

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FOCUS AREA 2: REPAIR AND UPGRADE: POLICE STATIONS

One project was planned for completion, during 2020/2021 and a total number of 13 projects were completed, aligned to the SAPS Infrastructure Development Programme.

Province	Name	Completion date
Eastern Cape	Chatty (steel works)	2021-03-29
Eastern Cape	Mzamba (paving)	2020-08-26
Head Office	Division Supply Chain Management: Perseus Park (carpentry)	2020-11-16
Head Office	Division Supply Chain Management: Stationery Store (carpentry)	2020-11-26
KwaZulu-Natal	Provincial Commissioner's House	2020-11-05
Mpumalanga	Sundra (septic tank)	2020-09-22
North West	Mmakau (water leakage)	2020-07-10

Province	Name	Completion date
Eastern Cape	Mqanduli (borehole)	2020-12-18
Head Office	Division: Forensic Services (steel works)	2020-12-15
Head Office	Division: Supply Chain Management: Registry (steel works)	2020-10-09
KwaZulu-Natal	Harburg (steel works)	2020-12-11
Mpumalanga	Greylingstad (steel works)	2021-03-18
Mpumalanga	Vaalbank (steel works)	2020-10-23

FOCUS AREA 3: ACCESSIBILITY FOR PERSONS WITH DISABILITIES

A total number of 15 projects were planned for completion, during 2020/2021 and a total number of 14 projects were completed.

Province	Name	Completion date
KwaZulu-Natal	Harburg	2020-10-14
Limpopo	Saamboubrug	2021-03-31
Limpopo	Zebediela	2021-03-24
Mpumalanga	Lydenburg	2020-11-20
Mpumalanga	Volksrust	2021-03-29
Northern Cape	Pofadder	2021-03-30
Western Cape	Langebaan	2021-03-29

Province	Name	Completion date
Limpopo	Rooiberg	2021-01-28
Limpopo	Thabazimbi	2021-03-26
Mpumalanga	Greylingstad	2021-03-25
Mpumalanga	Val	2021-03-25
Northern Cape	Onseepkans	2020-10-14
Western Cape	Ladysmith	2021-03-29
Western Cape	Wellington	2021-03-30

FOCUS AREA 4: INSTALLATION OF GENERATORS

A total number of 32 projects were planned for completion, and one project was completed, in 2020/2021.

Province	Name	Completion date
Northern Cape	Onseepkans	2020-12-15

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FOCUS AREA 5: INSTALLATION OF AIR CONDITIONERS

A total number of 26 projects were planned for completion, during 2020/2021 and a total number of 17 projects were completed.

Province	Name	Completion date
Gauteng	New Alexandra	2020-08-27
Gauteng	Boschkop	2020-05-26
Gauteng	Douglasdale	2020-11-06
Gauteng	Edenvale	2020-12-14
Gauteng	Ekangala	2020-05-26
Gauteng	Ennerdale	2021-02-19
Eastern Cape	Sterkstroom	2020-08-20
Eastern Cape	Steynsburg	2020-10-19
Eastern Cape	Willowvale	2020-08-18

Province	Name	Completion date
Gauteng	Ga-Rankuwa	2020-05-28
Gauteng	Hammanskraal	2020-05-26
Gauteng	Kliprivier	2021-02-12
Gauteng	Sandton	2020-10-14
Gauteng	Norkem Park	2020-05-26
Eastern Cape	Lady Grey	2020-08-21
Eastern Cape	Molteno	2020-12-17
Western Cape	Murraysburg	2020-10-12

SAPS PLANNED MAINTENANCE PROGRAMME

CATEGORY TYPE

Repairs and renovations (R&R)	Existing police facilities that are repaired and renovated to modern standards. Renovations can either be minor or major.
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FOCUS AREA 1: REPAIR AND RENOVATIONS AT DEVOLVED POLICE STATIONS: PLANNING AND DESIGN

A total number of nine projects were planned for completion, in 2020/2021 and a total number of three projects were completed.

Province	Name	Completion date
Free State	Brandfort	2020-11-17
Northern Cape	Victoria West	2020-12-23

Province	Name	Completion date
Limpopo	Roosenekal	2020-10-29

INFRASTRUCTURE PROJECTS THAT ARE IN PROGRESS AND THE DATE THEY ARE EXPECTED TO BE COMPLETED

Type of project	Province	Name of station	Expected date of completion
Capital Works			
Site clearance	Eastern Cape	Gambleville	2021-11-30
	Mpumalanga	Mayflower	2021-11-30
	Western Cape	Ronderbosch	2021-11-30
Planning & Design	Eastern Cape	Majola	2022-03-31
	KwaZulu-Natal	Mfekayi	2022-03-31
	Limpopo	Ga-Kgatla	2022-03-31
	Limpopo	The Oaks	2022-03-31
	Limpopo	Khubvi	2022-03-31
	Limpopo	Moletane	2022-03-31
	Mpumalanga	Mariti	2022-03-31
	Mpumalanga	Driefontein	2022-03-31
	Mpumalanga	Dun Donald	2022-03-31

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Execution	North West	Mabieskraal	2022-03-31
	North West	Moeka-Vuma	2022-03-31
Repair & Upgrade	Mpumalanga	Vaalbank	2021-07-30
Accessibility for persons with disabilities	Free State	Arlington	2021-10-30
	Free State	Glen	2021-10-30
	Northern Cape	Niekerkshoop	2021-07-30
	Northern Cape	Strydenburg	2021-07-30
Generators	Eastern Cape	Mbizeni	2021-11-30
	Eastern Cape	Punzana	2021-11-30
	Eastern Cape	Berlin	2021-11-30
	Eastern Cape	Hogsback	2021-11-30
	Eastern Cape	Pearston	2021-11-30
	Eastern Cape	Tarkastad	2021-11-30
	Eastern Cape	Mqanduli	2021-11-30
	Eastern Cape	Balfour	2021-11-30
	Eastern Cape	Gambleville (Kamesh)	2021-11-30
	Eastern Cape	Mooiplaas	2021-11-30
	Eastern Cape	Riebeeck East	2021-11-30
	KwaZulu-Natal	Mehlomnyama	2021-11-30
	KwaZulu-Natal	Ingogo	2021-11-30
	Mpumalanga	Amersfoort	2021-11-30
	Mpumalanga	Mahamba	2021-11-30
	Mpumalanga	Davel	2021-11-30
	Limpopo	Makuya	2021-11-30
	North West	Lomanyaneng	2021-11-30
	Northern Cape	Kuyasa	2021-11-30
	Western Cape	Franschoek	2021-11-30
	Western Cape	Herold	2021-11-30
	Western Cape	Uniondale	2021-11-30
	Western Cape	Ladysmith	2021-11-30
	Western Cape	Prince Albert	2021-11-30
	Western Cape	Murraysburg	2021-11-30
	Western Cape	Calitzdorp	2021-11-30
	Western Cape	Gans Bay	2021-11-30
	Western Cape	Suurbraak	2021-11-30
	Western Cape	Macassar	2021-11-30
	Western Cape	Villiersdorp	2021-11-30
	Western Cape	Wynburg	2021-11-30
	Western Cape	Nuwerus	2021-11-30

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Air conditioners	Eastern Cape	Afzondering	2022-03-31
	Eastern Cape	Katkop	2022-03-31
	Eastern Cape	Lukholweni	2022-03-31
	Eastern Cape	Maclear	2022-03-31
	Eastern Cape	Mqanduli	2022-03-31
	Eastern Cape	Rossouw	2022-03-31
	Eastern Cape	Tylden	2022-03-31
	Eastern Cape	Dukathole (Maletswai)	2022-03-31
	Eastern Cape	Keiskammahoek	2022-03-31
	Eastern Cape	Maclean town	2022-03-31
	Eastern Cape	Mbizeni	2022-03-31
	Eastern Cape	Rhodes	2022-03-31
	Eastern Cape	Tina Falls	2022-03-31
	Eastern Cape	Zamuxolo	2022-03-31
Planned Maintenance			
Planning & Design	Limpopo	Saamboubrug	2021-06-30
	Mpumalanga	Skukuza	2021-06-30
	KwaZulu-Natal	Elands laagte	2021-06-30
	Mpumalanga	Val	2021-06-30
	Western Cape	Sea Point	2021-06-30
	Western Cape	Philippi	2021-06-30

PLANS TO CLOSE DOWN OR DOWN-GRADE ANY CURRENT FACILITIES

There are no plans to close down or to down-grade any current facilities.

PROGRESS MADE ON THE MAINTENANCE OF INFRASTRUCTURE

Five bids were advertised for the appointment of consultants to prepare the tender documentation and the execution of planned maintenance projects (Kathu, Mooiplaas, Theunissen, Sandton and Zebediela). The bids for the appointment of contractors for the eleven planned maintenance projects will be advertised, in 2021/2022.

DEVELOPMENTS RELATING TO THE ABOVE THAT ARE EXPECTED TO IMPACT ON THE DEPARTMENT'S CURRENT EXPENDITURE

The Department is in the process of conducting a work study investigation for the establishment of Provincial Planned Maintenance Units in all the Provinces, to enhance the uplifting of the condition of state buildings. Intervention projects are implemented at worst police stations, including the placement of additional office accommodation and living accommodation.

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DETAILS AS TO HOW ASSET HOLDINGS HAVE CHANGED OVER THE PERIOD UNDER REVIEW, INCLUDING INFORMATION ON DISPOSALS, SCRAPPING AND LOSS, DUE TO THEFT

None

MEASURES TAKEN, TO ENSURE THAT THE DEPARTMENT'S ASSET REGISTER REMAINED UP-TO-DATE, DURING THE PERIOD UNDER REVIEW

The asset register was analysed and reviewed, to ensure that all assets are accounted for on the asset register and captured on the Provisioning Administration System. The assets that were ready for transfer to the Department of Public Works and Infrastructure were identified and transferred and the asset register was updated. The process, to ensure that assets are marked accordingly with asset and serial numbers, was facilitated and verified.

THE CURRENT STATE OF THE DEPARTMENT'S CAPITAL ASSETS

Total percentage of capital assets	
Good	24%
Fair	46%
Bad	30%

MAJOR MAINTENANCE PROJECTS THAT HAVE BEEN UNDERTAKEN DURING THE PERIOD UNDER REVIEW

None

PROGRESS MADE IN ADDRESSING THE MAINTENANCE BACKLOG, DURING THE PERIOD UNDER REVIEW

The progress made, in addressing the backlog, has been at a very slow pace, due to a lack of capacity within the Facility Management Office. The backlog has grown, as projects were not finalised or completed during the previous financial years, thereby, creating a backlog on the execution phase.



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THE RATE OF PROGRESS OF THE PLAN AND REMEDIAL MEASURES TAKEN

Appropriation and expenditure relating to infrastructure projects

Infrastructure projects	2019/2020			2020/2021		
	Final appropriation	Actual expenditure	Over/under expenditure	Final appropriation	Actual expenditure	Over/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
New and replacement assets	436 263	385 664	50 601	281 115	281 115	-
Existing infrastructure assets	127 111	127 111	-	38 552	14 009	24 543
Upgrading and additions	125 368	125 368	-	38 552	14 009	24 543
Rehabilitation, renovations and refurbishments	1 743	1 743	-	-	-	-
Maintenance and repairs	-	-	-	-	-	-
Infrastructure transfers	-	-	-	-	-	-
Current	-	-	-	-	-	-
Capital	-	-	-	-	-	-
Total	563 374	512 775	50 601	319 667	295 124	24 543

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PART C

GOVERNANCE



ANNEXURE IP18

1. INTRODUCTION

Good corporate governance requires an acknowledgement that any organisation, including the SAPS, does not operate in isolation. The SAPS is an integral part of society and therefore, maintains accountability as South Africa's principal law enforcement body.

The development and implementation of a government framework within an organisation, such as the SAPS, is a mammoth task, however, the benefits are far reaching and will position the organisation, to ensure that efficient processes are followed; errors are identified and made visible; smoother running of operations; ethical culture; good performance; effective control and legitimacy; and compliance is assured, amongst others.

The Corporate Governance Framework was developed and approved by the Accounting Officer, on 30 March 2021.

2. RISK MANAGEMENT

The SAPS has adopted a risk management approach. This approach is implemented by employees at every level of the organisation and applied in strategic settings. It is also designed to identify potential events that may affect the organisation.

The process of identifying, reviewing and managing and the monitoring of risks are facilitated. This involves performing risk identifications and assessment at strategic, operational, functional and at project levels. Through these processes, the SAPS' top risk profile is developed. Divisional and operational risk registers are compiled and risk mitigation strategies that are monitored, on a quarterly basis, by top management and Risk Management Committee quarterly, are implemented.

RISK MANAGEMENT POLICY AND STRATEGY

The Department has developed the Enterprise Risk Management Policy, in 2016/2017 and the Risk Management Strategy, in 2018/2019, which guided the process of identifying and managing risks within SAPS. These documents were reviewed, during 2020/2021, to ensure that they remain current and relevant. The Enterprise Risk Management Policy, was approved by the Accounting Officer, during January 2021, subsequent to the recommendation for approval by the Risk Management Committee and the reviewed Risk Management Strategy is still pending approval, for implementation, in 2021/2022.

Every employee of the SAPS has a role to play, in ensuring effective implementation of the Enterprise Risk Management Policy and the management of risks. The roles and responsibilities of each category of employees are outlined in the approved Enterprise Risk Management Policy.

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RISK ASSESSMENTS, TO DETERMINE THE EFFECTIVENESS OF ITS RISK MANAGEMENT STRATEGY AND TO IDENTIFY NEW AND EMERGING RISKS

The Department has adopted a formal approach of identifying and managing risks. Risk identification is detailed in the risk identification and assessment methodology. Risks are identified at strategic, operational and project levels. To this end, risks, at strategic level, are linked to the outcomes, outputs and output indicators for each programme, while operational risks are linked to the operational objectives of the business units.

The risk assessment process is a systematic process that is used to quantify and qualify the level of risk exposure, associated with a specific threat of event that the SAPS is facing and decide on risk treatment strategies available to the Department. Risks are assessed on the basis of the likelihood of such risks occurring and the impact of its occurrence on the particular outputs. The assessment is performed at inherent level, in the absence of controls and at residual risk level, in cases where there are internal controls.

During 2020/2021, the Department conducted strategic, operational and identified project risk assessments, including the COVID-19 Pandemic. The results of the risk assessments are formally documented in the risk register and captured on the Risk Management System (Barnowl). The Department further initiated a process of conducting ethics and fraud risk assessments, which are due for completion, in the 2021/2022 financial year.

The table below outlines the top 10 Strategic risks facing the SAPS:

No	Risks	Inherent risk rating	Residual risk rating	Risk exposure
1	Lack of strategic continuity	High	Medium	↔
2	Health and pandemic risk	Medium	Low	↔
3	High level of corruption	High	Medium	↔
4	Cybercrime	High	Medium	↔
5	Digital disruptions	High	Medium	↔
6	Ineffective CJS	High	Medium	↔
7	Insufficient intelligence coordination and system integration	High	Medium	↔
8	Compromised personnel security	High	Medium	↔
9	Gender-based violence	High	Medium	↔
10	Lack of access to policing services	High	Medium	↔

↔	Risk exposure unchanged/mitigations not yet implemented.
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ADVISE BY THE RISK MANAGEMENT COMMITTEE ON THE OVERALL SYSTEM OF RISK MANAGEMENT, ESPECIALLY THE MITIGATION OF UNACCEPTABLE LEVELS OF RISK

The Department appointed a Risk Management Committee, which is formally constituted, in accordance with the prescripts applicable to the Public Sector Risk Management Framework. The committee comprises four external independent members and four SAPS non-independent executive members. One external member resigned from the committee, in 2020/2021. The Chairperson of the Risk Management Committee is an independent member external to the public service.

The table below discloses relevant information on the Risk Management Committee members:

Name	Internal/external	If internal, position in the Department	Date appointed	Date resigned	Number of meetings attended
Ms N Lubanga (Chairperson)	External	Independent	20 March 2020	N/A	4
Ms R Maiwashe	External	Independent	20 March 2020	N/A	4
Mr K Mfabana	External	Independent	20 March 2020	N/A	4
Mr H Maritz	External	Independent	20 March 2020	N/A	4
Mr T Boltman	External	Independent	20 March 2020	27 July 2020	0
Lt Gen Lebeya	Internal	National Head: DPCI	23 July 2020	N/A	2
Lt Gen Vuma	Internal	Deputy National Commissioner: Support Services	23 July 2020	N/A	2
Lt Gen Masemola	Internal	Deputy National Commissioner: Policing	23 July 2020	N/A	2
Lt Gen Mfazi	Internal	Deputy National Commissioner: Crime Detection	23 July 2020	N/A	1

The Risk Management Committee reviews and monitors the significant risks facing the Department, on a quarterly basis. Where risks are found on an unacceptable level, the committee ensures that management puts in place appropriate risk treatment plans, to mitigate those risks to an acceptable level. The committee further advises management in areas where risks are not appropriately assessed, at an inherent and at residual level and on the reassessment of risk ratings, to an appropriate risk rating that the risks deserve. The committee recommends the approval of all risk management governance documents, by the Accounting Officer. The committee reports to the Accounting Officer and the Audit Committee, on progress made by management, in the mitigation of the risks and on its oversight responsibility for risk management activities of the Department. It further reports on the progress made by the Risk Management Unit, in execution of the approved Annual Risk Management Implementation Plan.

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THE AUDIT COMMITTEE ADVISES THE DEPARTMENT ON RISK MANAGEMENT AND INDEPENDENTLY MONITORS THE EFFECTIVENESS OF THE SYSTEM OF RISK MANAGEMENT

The SAPS has appointed an independent Risk Management Committee and the risk management oversight of the SAPS is delegated to this committee by the Audit Committee. The Chairperson of the Risk Management Committee reports to the Audit Committee on the risk management activities of the Department, to enable the Audit Committee to advise the Department further, on the adequacy and effectiveness of the systems of risk management within the SAPS.

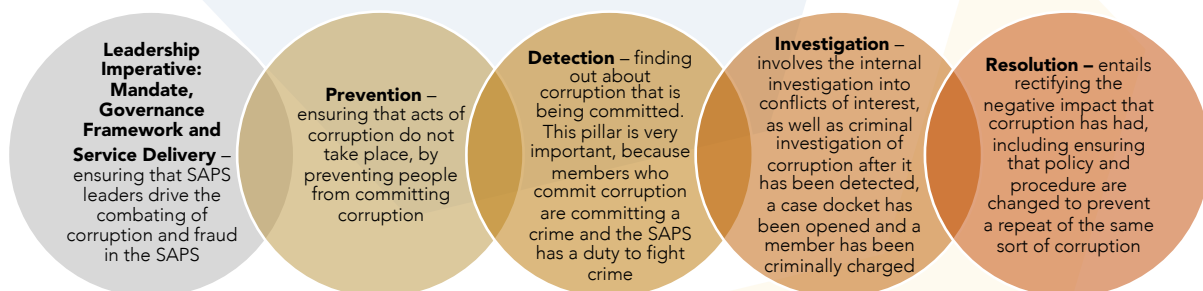
PROGRESS IN THE MANAGEMENT OF RISKS

The risk maturity level of the Department is gradually improving, which is evident through the appointment of the Chief Risk Officer, the facilitation of the strategic risk assessment with senior management of the Department and the appointment of members of the Risk Management Committee, external to the public service. Management utilises the skills and expertise of the risk management function, prior to making decisions, to ensure that there is value and return on investment on the priorities to be realised.

3. FRAUD AND CORRUPTION

PROGRESS MADE IN IMPLEMENTING THE FRAUD PREVENTION PLAN

The SAPS Ethics Committee has a mandate to monitor the implementation of the Fraud Prevention and Ethics Management Strategy. The key pillars of the Strategy focus on prevention, response and detection. The SAPS implemented an Ethics and Anti-Corruption Strategy, during 2018, which contributed to the enhancement of initiatives to prevent and detect, investigate and resolute unethical conduct, fraud and corruption. The Strategy consists of five pillars, namely; Leadership Imperative, Prevention, Detection, Investigation and Resolution of unethical conduct and corruption.



The SAPS has designated ethics officers, as required by Chapter 2 of the Public Service Regulations, 2016. The SAPS reconstituted the Ethics Committee, chaired by a Lieutenant General, to oversee the institutionalising of ethics and integrity within the Department. The reconstitution of the Ethics Committee was due to service terminations and transfers of the existing committee members. The SAPS Ethics Committee was not able to fully discharge its responsibilities, due to reconstitution of the committee. As a result, only one meeting was held, during the period under review. The Audit Committee was responsible for providing oversight on ethics and anti-corruption-related matters.

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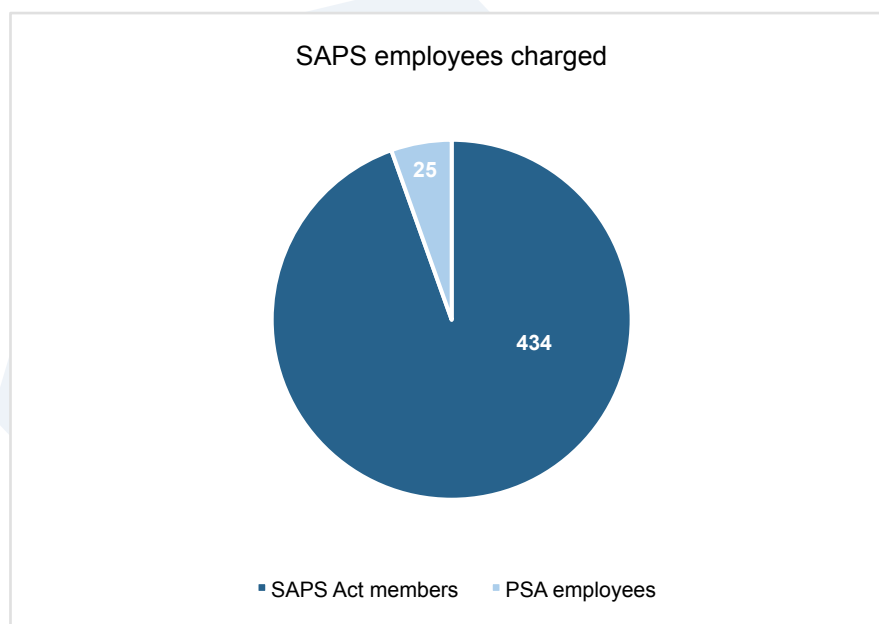
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SAPS Management issued and implemented the SAPS Employment Regulations, 2018, the Public Service Regulations, 2016, DPSA Guidelines on Ethics and Conducting of Remunerative Work Outside Employment, the Ethics and Anti-Corruption Strategy and SAPS National Instruction 18 of 2019, regulating ethics and anti-corruption-related matters within the SAPS.

The SAPS has various programmes, to encourage whistle-blowers to report unethical behaviour, fraud and corruption. Unethical behaviour, fraud and corruption were reported through the complaints hotline, the Public Service Commission hotline, Crime Stop and through the MySAPS App.

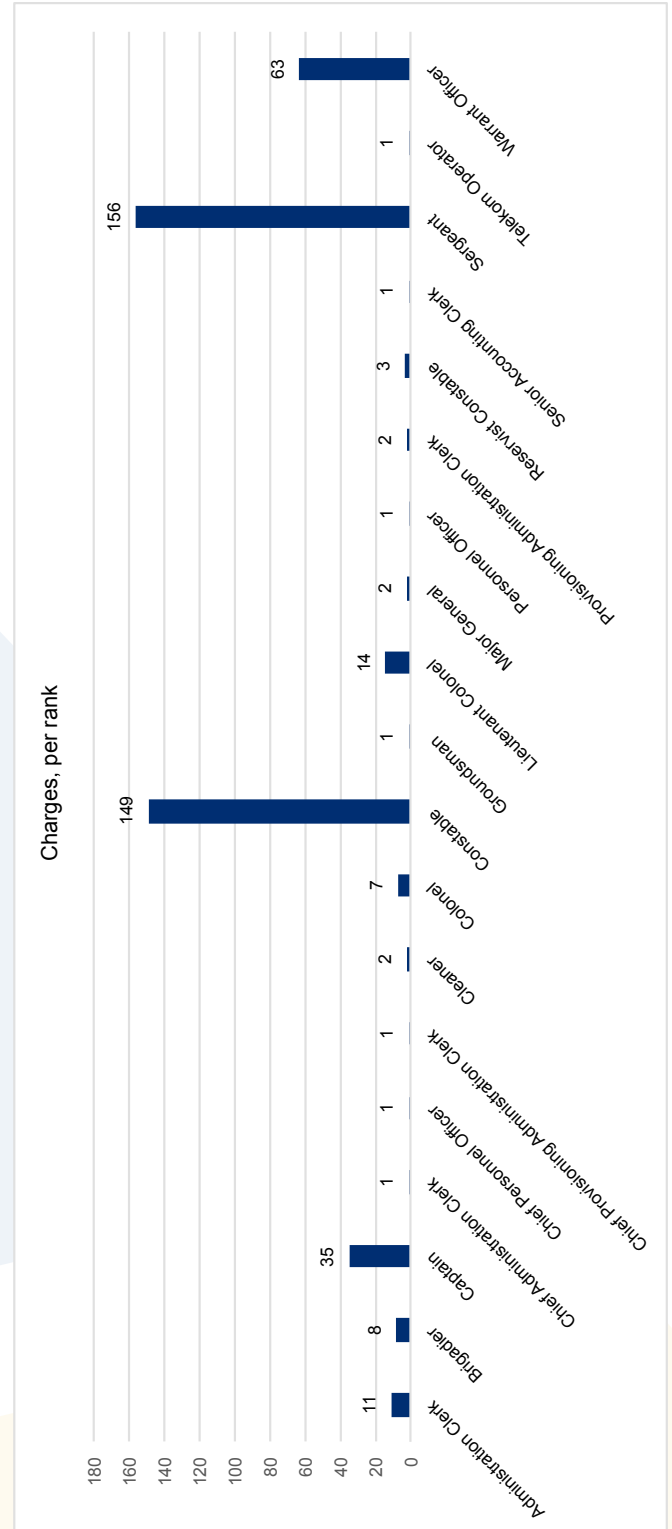
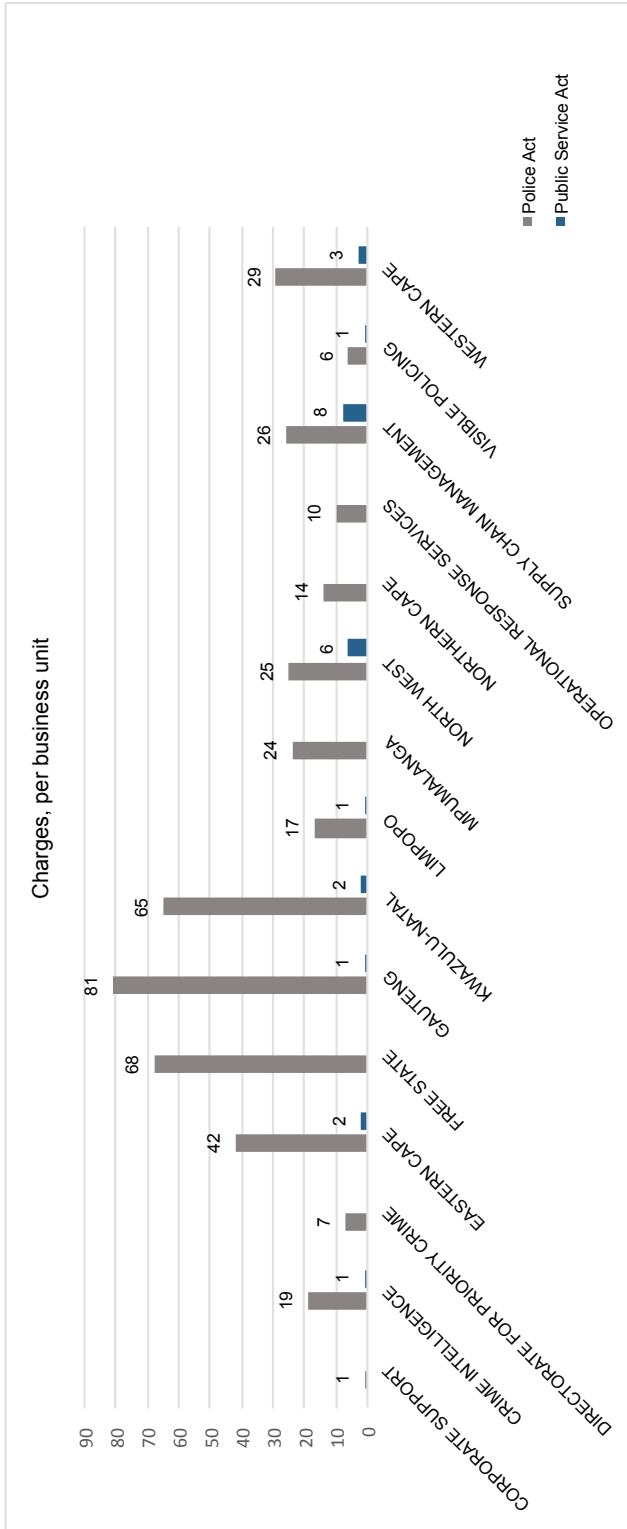
The facilitation of ethics and fraud risk assessments were initiated, to determine the relevant risks within the organisation, so that the Ethics and Anti-Corruption Strategy and Fraud Prevention Plan can be reviewed and amended, to enhance the mitigation of these risks.

Ethics advocacy programmes were rolled out, to address high-risk environments, such as during COVID-19 Operations, at ports of entry, the recruitment environment and priority police stations. Numerous video conferences, virtual meetings and face-to-face workshops were conducted, throughout the country. The Programme, Integrity at Work, is aimed at institutionalising the values of the organisation, which are contained in the Code of Ethics for the SAPS. Other advocacy programmes include, Anti-Corruption Awareness and Leadership Ethics and Work Ethics. Internal communication networks are also used to communicate issues related to ethics and anti-corruption. Specific articles, such as those pertaining to conflict of interest, were also published.



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Fraud and corruption: Breakdown of charges: 1 April 2020 to 31 March 2021

Charges	SAPS Act members	PSA employees	Total
Acquittal	2	-	2
Counselling	2	-	2
Declined to prosecute	8	-	8
Discharge	1	-	1
Disciplinary proceedings in progress	161	8	169
Dishonourable discharge	-	1	1
Dismissal	91	9	100
Dismissed on another case	1	-	1
Final written warning	5	-	5
Final written warning on charge 1 and a written warning on charge 4	1	-	1
Finalised: counselling	3	-	3
Member dismissed on another case	1	-	1
Member issued with a final written warning	2	-	2
Member resigned	12	-	12
Member went on early retirement	1	-	1
No departmental steps	4	-	4
No disciplinary steps recommended against the member	2	-	2
No steps	2	-	2
No steps by the Deputy Provincial Commissioner	4	-	4
No steps recommended	4	1	5
No steps taken	1	-	1
Not guilty	44	-	44
One month suspension without salary	7	1	8
Provisionally withdrawn	9	1	10
Resigned	1	2	3
Service termination	1	-	1
Suspension without salary, for a period of one month	15	2	17
Suspension without salary, for a period of two months and counselling	1	-	1
Two months suspension without salary	4	-	4
Verbal warning	1	-	1
Withdrawn	33	-	33
Withdrawn by complainant	1	-	1
Withdrawn member resigned	1	-	1
Written warning	8	-	8
Grand Total	434	25	459

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4. MINIMISING CONFLICT OF INTEREST

The Public Administration Management Act, 2014 (Act No 11 of 2014), read together with the Public Service Regulations, 2016 prohibits public service employees, including SAPS employees, to conduct business with any government department.

The latest Declaration of Interest (SBD 4), issued through National Treasury Instruction Note, dated 31 May 2011, requires bidders to declare, amongst others, whether they are employed by the State. Therefore, supply chain practitioners are now required to utilise the SBD 4 with all written price quotations or bids, in excess of R2 000.00 (VAT included). During the evaluation of written price quotations or bids, supply chain practitioners are required to verify the identity numbers, as provided in the SBD 4, against National Treasury's Central Supplier Database, as well as the Public Servant Verification System, which resides on the website of the DPSA. Subsequently, where it is found that any of the directors/trustees/members/shareholders are employed by the State, such written price quotations or bids will be disqualified. Documentary proof of the verification must be kept on file for record and audit purposes.

The departmental price quotation forms were revised and circulated, nationally. The revised price quotation forms now include a section on compliance verification, which must be completed by the relevant procurement practitioner, prior to the awarding of the contract.

Furthermore, when it is found that a bidder has made a false declaration, such a bidder's written price quotation or bid will be disqualified, in terms of the Treasury Regulations, which prescribe that the accounting officer may disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management.

All members that participate in bid committees are required to sign confidentiality certificates, as well as conflict of interest declarations.

A comprehensive register of employees involved in remunerative work outside the NPA is kept. All employees on the register were inspected. All the financial disclosures of SMS members were verified, in 2020/2021. The Integrity Management Service Section is working with employees, to ensure that the details on the submissions are correct and correspond with the details contained in various official databases, such as the Companies and Intellectual Property Commission. All SAPS employees which fall within the categories required to disclose, are subjected to an integrity assessment, within a four year cycle.

On detection, the focus is on financial disclosures, whistle-blowing activities, administering and monitoring of the Outside Remunerative Work for employees who seek to conduct remunerative work outside the public service. A Comprehensive Remunerative Work Outside the SAPS Register is maintained and inspected.

Financial disclosures, in relation to the period 1 April 2020 to 31 March 2021, were completed successfully, during the financial disclosure period. The Department obtained 100% compliance for SMS members (830), 99,70% compliance for MMS members (2 328) and 95,93% compliance for specific occupational categories (10 625 employees within the financial and supply chain management environments) and the reports were submitted to Office of the Public Service Commission. All the financial disclosures were verified. All SAPS employees were encouraged to deregister their companies from the Central Supplier Database, to minimise the risk of employees conducting business with the State.



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In terms of SAPS National Instruction 18 of 2019, employees are required to declare the receipt of gifts, on a regular basis. This is done to ensure that gifts, donations and sponsorships occur in a controlled environment and to minimise risks and conflict of interest. A Gift Register was maintained, to record the voluntary declaration of gifts, donations and sponsorships received by officials and those received or offered on behalf of the SAPS, be these in cash, or in kind. Donations made or received by the SAPS are recorded in the Annual Financial Statements, in compliance to National Treasury Regulations.

5. CODE OF CONDUCT

In 2020/2021, SAPS Management issued circulars on the application for remunerative work outside the SAPS and adherence to the SAPS Code of Conduct. SAPS employees are compelled, by Section 205 (3) of the Constitution of the Republic of South Africa, 1996, to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property and to uphold and enforce the law. SAPS employees are also compelled to uphold and abide by the SAPS Act, 1995 (Act No 68 of 1995), the SAPS Employment Regulations, 2018, as well as SAPS National Instruction 18 of 2019, to adhere to the SAPS Code of Conduct.

Assessments conducted during the financial year, revealed that officials are generally non-compliant with the prescripts related to remunerative work and the SAPS Code of Conduct. This non-compliance prompted SAPS Management to implement a certificate to be signed by all SAPS employees. Code of Conduct and ethical behaviour posters are distributed to employees and are displayed at all police stations and units.

6. SAFETY, HEALTH AND ENVIRONMENTAL ISSUES

SAPS personnel, including communities, are our valued asset and clients. We consult with our clients, in order to meet the legal requirements of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and Section 24 of the Constitution of South African, 1996, which proclaims that everyone has the right to an environment that is not harmful to their health and well-being. However, the following issues are encountered at SAPS workplaces, which have to be compliant with the Occupational Health and Safety Act, 1993:

- > Safety, Health and Environmental (SHE) Management not implemented, due to a lack of training of personnel.
- > Some buildings are dilapidated and unsafe for occupancy by SAPS personnel.
- > A lack of water reservoirs or purified water, especially in rural areas.
- > A lack of generators, fencing and security lights.
- > Insufficient work space, in order to adhere to COVID-19 protocols.

SHE Management aims to promote a safe and healthy working environment, by implementing a framework that allows the SAPS, to consistently identify and mitigate its health and safety risks, reduce incidents, enforce legislative compliance and improve overall performance.





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Compliance in the SAPS is enforced through the following:

MEDICAL SURVEILLANCE

A total number of 9 675 authorisations were processed and a total number 2 989 were certified, during 2020/2021.

INCIDENT INVESTIGATION

No Section 24 incidents were reported and investigated, during 2020/2021.

SPECIFICATIONS/SPECIAL PROJECTS

No specifications were drafted, for the 2020/2021 financial year.

INFORMAL TRAINING

A total number 583 members were trained on the sanitation of premises and the utilisation of thermometers, in line with COVID-19 prescripts.





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OCCUPATIONAL HEALTH AND SAFETY INSPECTIONS/AUDITS CONDUCTED

A total of 75 premises were inspected at the following business units, during 2020/2021:

No	Province	Name	Date inspected
1.	Eastern Cape	Barkley East Police Station	2021/02/11
3.	Eastern Cape	Cweraland Police Station	2021/03/31
5.	Eastern Cape	Kei Road Police Station	2021/03/08
7.	Eastern Cape	Lukholweni Police Station	2021/03/29
9.	Eastern Cape	Palmietfontein Police Station	2021/03/12
11.	Eastern Cape	Zamuxolo Police Station	2021/03/29
13.	Free State	Edenville Police Station	2021/03/30
15.	Free State	Kagisanong Police Station	2021/02/10
17.	Free State	Namahadi Police Station	2021/03/31
19.	Free State	Sasolburg Police Station	2020/10/29
21.	Free State	Vierfontein Police Station	2021/03/29
23.	Gauteng	Bedfordview Police Station	2021/03/18
25.	Gauteng	Elsburg Police Station	2020/12/03
27.	Gauteng	Putfontein Police Station	2020/11/12
29.	KwaZulu-Natal	Ingogo Police Station	2021/03/16
31.	KwaZulu-Natal	Magudu Police Station	2021/03/18
33.	KwaZulu-Natal	Nondweni Police Station	2021/03/15
35.	KwaZulu-Natal	Umbumbulu Police Station	2020/12/03
37.	KwaZulu-Natal	Wembezi Police Station	2020/11/30
39.	Limpopo	Levubu Police Station	2020/10/13
41.	Limpopo	Magatle Police Station	2021/02/16

No	Province	Name	Date inspected
2.	Eastern Cape	Burgersdorp Police Station	2021/02/11
4.	Eastern Cape	Elandsheight Police Station	2021/03/30
6.	Eastern Cape	Kubusiedrift Police Station	2021/03/08
8.	Eastern Cape	Maletswai Police Station	2021/03/29
10.	Eastern Cape	Tabase Police Station	2021/03/09
12.	Free State	Bronville Police Station	2021/02/11
14.	Free State	Goedemoed Police Station	2021/02/11
16.	Free State	Ladybrandt Police Station	2021/02/08
18.	Free State	Roadside Police Station	2021/03/18
20.	Free State	Van Stadensrus Police Station	2021/02/08
22.	Gauteng	Bedfordview Police Station	2020/08/19
24.	Gauteng	Boksburg North Police Station	2020/12/03
26.	Gauteng	Kliprivier Police Station	2021/03/18
28.	Gauteng	Sandringham Police Station	2020/08/19
30.	KwaZulu-Natal	Ixopo Police Station	2020/12/03
32.	KwaZulu-Natal	Mphophomeni Police Station	2020/12/01
34.	KwaZulu-Natal	Paddock Police Station	2020/12/04
36.	KwaZulu-Natal	Umzinto Police Station	2020/12/02
38.	Limpopo	Alldays Police Station	2020/10/15
40.	Limpopo	Lulekani Police Station	2021/02/19
42.	Limpopo	Matlala Police Station	2020/10/12

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No	Province	Name	Date inspected
43.	Limpopo	Mogwadi Police Station	2020/10/16
45.	Limpopo	Phalaborwa Police Station	2021/03/18
47.	Limpopo	Tubatse Police Station	2021/02/17
49.	Mpumalanga	Delmas Police Station	2020/09/29
51.	Mpumalanga	Secunda FCS	2021/03/24
53.	Mpumalanga	The Oaks Police Station	2021/03/25
55.	North West	Cyferskuil Police Station	2020/09/11
57.	Northern Cape	Calvinia Police Station	2021/03/09
59.	Northern Cape	Jan Kempdorp Police Station	2020/12/09
61.	Northern Cape	Nababeep Police Station	2021/03/29
63.	Northern Cape	Pampierstad Police Station	2020/12/09
65.	Northern Cape	Sutherland Police Station	2021/03/09
67.	Western Cape	Franschhoek Police Station	2020/10/26
69.	Western Cape	Genadendal Police Station	2020/10/27
71.	Western Cape	Murraysburg Police Station	2020/10/30
73.	Western Cape	Nuwerus Police Station	2020/10/10
75.	Western Cape	Philippi Police Station	2020/11/09

No	Province	Name	Date inspected
44.	Limpopo	Motetema Police Station	2021/02/15
46.	Limpopo	Siloam Police Station	2020/10/14
48.	Mpumalanga	Delmas Detectives	2020/09/29
50.	Mpumalanga	Laersdrift Police Station	2021/03/25
52.	Mpumalanga	Sundra Police Station	2021/03/24
54.	North West	Buffelshoek Police Station	2020/09/09
56.	North West	Mothutlung Police Station	2020/09/10
58.	Northern Cape	Griekwastad Police Station	2020/12/08
60.	Northern Cape	Mothibistad Police Station	2020/12/07
62.	Northern Cape	Noupoort Police Station	2021/03/11
64.	Northern Cape	Rietfontein Police Station	2021/03/30
66.	Northern Cape	Warrenton Police Station	2020/12/10
68.	Western Cape	Gansbay Police Station	2020/11/11
70.	Western Cape	Mosselbay Police Station	2020/10/29
72.	Western Cape	Napier Police Station	2020/11/11
74.	Western Cape	Philippi East Police Station	2020/11/09

7. ANNEXURE IP18 PARLIAMENTARY COMMITTEES

BRIEFINGS BY THE SAPS TO PARLIAMENTARY COMMITTEES

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
29 April 2020	Joint meeting: PCoP and the Select Committee on Security and Justice	SAPS Management of the National State of Disaster COVID-19 lockdown	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
8 May 2020	Joint meeting: PCoP and the Select Committee on Security and Justice	Continuation meeting: SAPS Management of the National State of Disaster COVID-19 lockdown	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
8 May 2020	Joint meeting: PCoP and the Select Committee on Security and Justice	SAPS 2020-2021 Budget, 2020-2025 Strategic Plan and 2020/2021 Annual Performance Plan	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP issued the Report on the 2020/2021 Budget Vote and the Annual Performance Plan of the SAPS, dated 15 May 2020.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting. Written responses were provided on the recommendations, as reflected in the Budget Report, dated 15 May 2020.
27 May 2020	PCoP	2020 Firearm Amnesty	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
3 June 2020	PCoP	2020 Firearm Amnesty	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.

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Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
3 June 2020	Select Committee on Security and Justice	2020 Firearm Amnesty	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
11 June 2020	PCoP	2020 Firearm Amnesty - deliberations	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
10 July 2020	PCoP	Adjustment budget allocations and impact on delivery programmes	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP issued the Report on the Adjusted Budget Vote 28, SAPS, dated 15 July 2020.	Responses were provided, during the briefing. Written responses were provided on the recommendations, as reflected in the Budget Report, dated 15 May 2020.
31 July 2020	PCoP	2019/2020 Crime Statistics	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
26 August 2020	PCoP	GBVF and the release of the Crime Statistics, 1 April 2020 to 30 June 2020	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
4 September 2020	PCoP	Provincial Commissioner: Western Cape on the relationship between the SAPS and the Cape Town Metro Police, as well as operations, in relation to land invasion	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
6 October 2020	PCoP	Quarterly Performance Reports – 4 th quarter (2019/2020) and the 1 st quarter (2020/2021)	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.



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Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
3 November 2020	Standing Committee on Public Accounts (SCOPA)	Update on corruption cases, pertaining to SAPS officials that the SAPS is currently handling	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
3 November 2020	Portfolio Committee on Public Works and Infrastructure	Safety and security at the Parliamentary Villages, Cape Town	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
4 November 2020	Portfolio Committee on Public Works and Infrastructure	Oversight visit to the Parliamentary Villages, Cape Town	Clarity seeking questions and additional information were requested by the committee members, during the visit. The Portfolio Committee on Public Works and Infrastructure, issued a report on the oversight visit to the Parliamentary Villages (Acacia and Pelican Parks), dated 17 February 2021.	Responses were provided, during the briefing.
6 November 2020	Portfolio Committee on Justice and Correctional Services	Briefing by the SAPS on their state of readiness to implement the following three bills, dealing with GBV: Domestic Violence Amendment Bill Criminal Law (Sexual Offences and Related Matters Amendment Act Amendment Bill) Criminal and Related Matters Bill	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.

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Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
11 November 2020	PCoP	Briefing by the SAPS Forensic Services Division on leadership, systems and turnaround strategy	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP requested for monthly reports to be submitted.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting. Monthly progress reports to be submitted to the PCoP.
24 November 2020	PCoP	Consideration of the 2019/2020 Annual Report of the South African Police Service: » Programme 1: Administration » Programme 2: Visible Policing » Programme 3: Detective Services and the DPCI » Programme 4: Crime Intelligence » Programme 5: Protection and Security Services	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP issued a Budget Review and Recommendation Report (BRRR), dated 25 November 2020.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting. The PCoP was briefed by the SAPS, on 24 February 2021, on the responses to the recommendations of the BRRR.
25 November 2020	Standing Committee on Appropriations	2020 Second Adjustments Appropriation Bill	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
26 November 2020	Multi-Party Women's Caucus	The National Strategic Plan on GBVF: The role of the SAPS, in implementing Pillar 3 (Justice, Safety and Protection)	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
11 December 2020	PCoP	Oversight visit, by the Chairperson of the PCoP, to Prieska, in the Northern Cape	Clarity seeking questions and additional information were requested by the committee members, during the visit.	Responses were provided, during the briefing.



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Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
16 February 2021	PCoP	Firearm Amnesty Report	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
23 February 2021	PCoP	The petition by Mrs Kinnear	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP issued a report on the petition of Mrs Nicky Kinnear, on the death of her husband, Lt Col Charl Kinnear, dated 17 March 2021. The PCoP requested for monthly reports to be submitted.	Responses were provided, during the briefing. Monthly progress reports to be submitted to the PCoP.
24 February 2021	PCoP	SAPS responses to the PCoP BRRR, dated 25 November 2020	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.
2 March 2021	PCoP	» Appointment of the National Forensic Oversight Ethics Board » Follow-up meeting with the DNA Board on the progress report	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP issued a report on the appointment and introduction of the National Forensics Oversight and Ethics Board (DNA Board), dated 17 March 2021.	Responses were provided, during the briefing.
3 March 2021	PCoP	» Crime Statistics, 3rd quarter of 2020/2021 » The South African Human Rights Commission, on Western Cape Police brutality, deaths in detention and the National Peer Review Mechanism	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.

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Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
10 March 2021	PCoP	Follow-up meeting with SAPS Division: Forensic Services progress report. The National Treasury on the matter between the SAPS and Forensic Data Analysts	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing. Written responses to additional information and recommendations were submitted to the Committee.
17 March 2021	PCoP	The SAPS Forensic Services Division on the implementation of the Action Plan. » Consideration of the CGE Report and Human Rights Commission Reports: Investigative Report on the State of Shelters, in South Africa » Report of the National Investigative Hearing into the Status of Mental Health Care in South Africa » Lack of Safety and Security Measures, in Schools for Children with Disabilities The matter between the SAPS and Forensic Data Analysts	Clarity seeking questions and additional information were requested by the committee members, during the briefing. The PCoP requested for monthly reports to be submitted.	Responses were provided, during the briefing. Written responses to additional information and recommendations were submitted to the Committee. Monthly progress reports to be submitted to the PCoP.
17 March 2021	Portfolio Committee on Justice and Correctional Services	Briefing by the SAPS on the Criminal Record System	Clarity seeking questions and additional information were requested by the committee members, during the briefing.	Responses were provided, during the briefing.

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8. STANDING COMMITTEE ON PUBLIC ACCOUNTS RESOLUTIONS

There were no SCOPA Resolutions for the reporting period.

9. PRIOR MODIFICATIONS TO AUDIT REPORTS

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance	Financial year in which it first arose	Progress made in clearing/resolving the matter										
"The achievement in the annual performance report did not agree to the supporting evidence provided for the indicators listed below. The supporting evidence provided indicated that the achievement of these indicators were as follows": <table><tr><th>Performance indicator description</th><th>Reported achievement</th></tr><tr><td>Number of reported contact crime</td><td>622 206</td></tr><tr><td>Number of reported contact crimes at the identified 30 High Crime Weight Stations</td><td>94 230</td></tr><tr><td>Number of stolen or lost and illegal firearms recovered</td><td>4 204</td></tr><tr><td>Number of identifiable stolen or lost SAPS firearms recovered</td><td>459</td></tr></table>	Performance indicator description	Reported achievement	Number of reported contact crime	622 206	Number of reported contact crimes at the identified 30 High Crime Weight Stations	94 230	Number of stolen or lost and illegal firearms recovered	4 204	Number of identifiable stolen or lost SAPS firearms recovered	459	2019/2020	A schedule, reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results, is provided to the AGSA. In addition, the Department developed an Audit Response Plan, in order to assess the progress made towards the implementation of recommendations made on the findings, which is provided to the Audit Committee and the PCoP, on a monthly basis. The Strategic Management (Monitoring and Evaluation Section) maintains reported performance and evidence documents for reference and audit purposes.
Performance indicator description	Reported achievement											
Number of reported contact crime	622 206											
Number of reported contact crimes at the identified 30 High Crime Weight Stations	94 230											
Number of stolen or lost and illegal firearms recovered	4 204											
Number of identifiable stolen or lost SAPS firearms recovered	459											
"I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the indicators below. This was due to the reported performance not being supported by accurate underlying records that could be provided for audit purposes. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievements". <table><tr><th>Performance indicator description</th><th>Reported achievement</th></tr><tr><td>Average national reaction time to Alpha complaints</td><td>17:24 minutes</td></tr><tr><td>Average national reaction time to Bravo complaints</td><td>21:13 minutes</td></tr><tr><td>Average national reaction time to Charlie complaints</td><td>19:22 minutes</td></tr></table>	Performance indicator description	Reported achievement	Average national reaction time to Alpha complaints	17:24 minutes	Average national reaction time to Bravo complaints	21:13 minutes	Average national reaction time to Charlie complaints	19:22 minutes	2016/2017			
Performance indicator description	Reported achievement											
Average national reaction time to Alpha complaints	17:24 minutes											
Average national reaction time to Bravo complaints	21:13 minutes											
Average national reaction time to Charlie complaints	19:22 minutes											

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10. INTERNAL CONTROL UNIT

In the absence of a dedicated Internal Control Unit, the SAPS has established a combined assurance approach, which is intended to incorporate and optimise all assurance services and functions, to ensure an effective control environment and to support the integrity of information used in decision making, as espoused in the King Code on Corporate Governance, under the stewardship of a Combined Assurance Committee, that reported to the SAPS Audit Committee. The SAPS developed a new Combined Assurance Framework and Methodology (Risk-Based Approach) to be in line with National Treasury and best practices, such as King IV. Provision is made on the organisational structure for an Internal Control Unit.

The office of the Chief Financial Officer is required to promote reliability of reporting, the effectiveness and efficiency of operations and compliance with applicable financial laws and regulations.

11. INTERNAL AUDIT AND AUDIT COMMITTEE

11.1 INTERNAL AUDIT ACTIVITY

The objective of the Internal Audit Activity is to provide independent and objective assurance and insight to management on the effectiveness of governance, risk management and internal control systems, in order to assist the SAPS in achieving its objectives. Internal Audit Activity projects are conducted, as per the approved plan, being the Risk-Based and Compliance Reviews, performance audits, performance information audits, information technology audits and forensic audits/investigations at police stations, provincial offices, divisions, components, training academies, quality assurance and improvement programmes and units.

QUALITY ASSURANCE AND IMPROVEMENT PROGRAMMES

The Quality Assurance and Improvement Programme engaged National Treasury to perform a state of readiness exercise for the Internal Audit Activity, in preparation for its five-year external quality assurance review. The Quality Assurance and Improvement Programme team also conducted an internal evaluation assessment, involving four provinces and one section.

Internal Audit projects were undertaken, during 2020/2021 and reports were presented to the Audit Committee and SAPS Management. Where control weaknesses have been identified, management has/or is in the process of addressing such weaknesses.

The following internal audit work was completed, during 2020/2021:

- > Nine risk-based and compliance reviews, at Head Office
- > 73 risk-based and compliance reviews at provincial offices, police stations and specialised units
- > Nine performance information audits
- > Five information technology audits
- > 36 follow-up audits
- > Eight forensic investigations

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The Internal Audit Activity was requested by the Audit Committee, to reduce its planned audits, for 2020/2021, due to the COVID-19 Pandemic, as most clients were not available, buildings were frequently closed for decontamination and minimum protective gear was supplied to the Department. Internal Audit was further requested to revise its plans, in order to address the qualification by the AGSA on Network Assets Audit and Performance Information.

Audit reviews were conducted at various police stations and divisions, across the country.

11.2 AUDIT COMMITTEE REPORT

The objective of the Audit Committee is to monitor the SAPS's compliance with applicable laws and regulations, governance processes and continuously assess the performance of the Internal Audit Activity to determine the level of its effectiveness. The Audit Committee operates within the approved Audit Committee Charter, in accordance with the requirements of the PFMA and Treasury Regulations.

The table below discloses relevant information on the previous Audit Committee members and the number of meetings attended, during April 2020 to October 2020.

Name	Qualifications	Internal or external	If internal, position in the department	Date appointed	Date resigned	Number of meetings attended
Ms B Ngunjiri	BCompt (Hons) ; CTA; CCSA; CIA	External	N/A	1 November 2010*	N/A	3
Mr T Boltman	BTech; CFE; CCSA; CGAP; CIA	External	N/A	1 November 2010*	N/A	4
Mr JE Van Heerden	National Diploma: State Finance and Accounting; Registered Government Auditor	External	N/A	1 November 2010*	N/A	5
Mr M Karedi	BCompt (Hons)	External	N/A	1 November 2010	N/A	2
Mr M Mokwele (Ex-officio)#	BCom (Hons); CCSA; CIA; CFE	External	N/A	1 November 2010	N/A	1

* Term of office came to an end, on 30 October 2020. Four new external members were appointed.

#Mr Mokwele was the Chairman of the Enterprise Risk Management Committee and attended the Audit Committee meeting in that capacity. His term ended, on 21 October 2020.

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The table below discloses relevant information of the newly appointed Audit Committee members, as of October 2020 to March 2021:

Name	Qualifications	Internal or external	If internal, position in the department	Date appointed	Date resigned	Number of meetings attended
Mr LM Mangquku	Chartered Accountant (SA); Masters in Business Leadership; Advance Company Law I and II; Honours Bachelor in Accounting Science; Honours Bachelor in Commerce	External	N/A	2 October 2020	N/A	4
Dr C Motau	Doctor Technologiae; Masters Degree (IT); Master in Business Leadership; BComm	External	N/A	2 October 2020	N/A	3
Mr AP Wakaba	MBA; Honours BCommpt; BComm	External	N/A	2 October 2020	N/A	4
Mr R Tshimomola	B Comm (Accounting)	External	N/A	2 October 2020	N/A	4

We are pleased to present our report for the financial year ended 31 March 2021.

AUDIT COMMITTEE RESPONSIBILITY

The Audit Committee reports that it has complied with its responsibilities arising from Section 38 (1) (a) (ii) of the PFMA and Treasury Regulation 3.1.13. The Audit Committee also reports that it has adopted appropriate formal Terms of Reference as its Audit Committee Charter, has regulated its affairs in compliance with this Charter and has discharged all its responsibilities as contained therein.

THE EFFECTIVENESS OF INTERNAL CONTROL

Our review of the findings of the Internal Audit Activity, which was based on the risk assessments conducted in the Department revealed certain weaknesses, which were then raised with the Department.

The Internal Audit Activity operated objectively and independently in the year under review.

The following were areas of major concern from which high rated internal audit findings were reported to management, for the 2020/2021 financial year:

> Procurement of Goods and Services

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- > Performance Information
- > Contract and Procurement Management
- > Police Safety and Infrastructure
- > Firearms Earmarked for Destruction
- > Fleet Management
- > Asset Management
- > COVID-19 Procurement of Goods and Services
- > Second-Hand Goods
- > Maintenance and Infrastructure of SAPS Buildings
- > Management of Official Funerals
- > Writs of Execution
- > Ethical Culture
- > Strategies Adopted to Reduce Serious Crime and Custody Management
- > Collection, Safeguarding and Destruction of Firearms and Ammunition
- > Policing Gender-Based Violence
- > SAPS 13, Disposal of Firearms
- > Case Docket Management

The Audit Committee, however, based on the reports of internal and external auditors, is of the opinion that the internal control environment continues to improve, albeit slowly.

IN-YEAR MANAGEMENT AND MONTHLY/QUARTERLY REPORT

The Department has been reporting monthly and quarterly to the Treasury, as is required by the PFMA.

EVALUATION OF FINANCIAL STATEMENTS

We reviewed the Annual Financial Statements prepared by the Department and recommended the statements for the AGSA audit.

AUDITOR GENERAL'S REPORT

We have reviewed the Department's implementation plan for audit issues raised in the previous year and we are satisfied that significant progress has been made in resolving matters, but more effort is needed in the area of:

- > Performance information.
- > Compliance with legislation.

The Audit Committee wishes to congratulate management and all assurance providers for the efforts, dedication and cooperation over the period, which resulted in the Department achieving an improved overall unqualified opinion.



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The Audit Committee concurs and accepts the conclusions of the Auditor-General on the Annual Financial Statements and is of the opinion that the audited Annual Financial Statements be accepted and read together with the Report of the Auditor-General.

LM Mangquku

Chairperson of the Audit Committee
South African Police Service

31 August 2021



**ANNEXURE IP18****1190****12. BROAD-BASED BLACK ECONOMIC COMPLIANCE PERFORMANCE INFORMATION**

The SAPS is complying to Broad-Based Black Economic Empowerment (BBBEE) requirements, by utilising the Preferential Procurement Policy Framework Act (PPPFA) Regulations of 2017, in all procurement actions conducted.

BBBEE status levels of suppliers are utilised in the awarding of all procurement transactions above the R30 000.00 threshold, as prescribed in the PPPFA Regulations.

The SAPS is also applying PPPFA Regulation 9, whereby subcontracting (if feasible) are enforced, whereby 30% of the contract value must be subcontracted to advance designated groups, as prescribed by the Regulations.



PART D

HUMAN RESOURCE MANAGEMENT





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1. INTRODUCTION

The information contained in this part of the Annual Report has been prescribed by the Minister of Public Service and Administration for all departments in the public service.

2. OVERVIEW OF HUMAN RESOURCES

THE STATUS OF HUMAN RESOURCES IN THE DEPARTMENT

The initial establishment target of SAPS, for the 2020/2021 financial year, was 191 763. National Treasury communicated substantial in-year reductions to the Department's budget for the compensation of employees and an amount of R4,907 billion was reduced. This resulted in the Department to reconsider all human resource priorities, as well as a revision of the establishment target. Some priorities were deferred and others were implemented on a reduced scale. The revised establishment target, in terms of the 2021/2022 Estimates of National Expenditure, for the 2020/2021 financial year, was 181 344.

The target for the maintenance of the SAPS workforce is 98%. In view of the in-year reduction, the Department managed to maintain a staff compliment of 100,43% or 182 126, in relation to the revised target of 181 344.

Due to major in-year cuts in the compensation budget of the SAPS by National Treasury, as well as the COVID-19 Pandemic, the filling of posts were placed in abeyance. Only limited interventions could be executed, in an attempt to supplement the workforce, especially in terms of frontline operational environments. The early retirement initiative of Government contributed to the 7 572 personnel, who exited the Service.

The SAPS allocation for entry level appointments, in 2020/2021, was 3 600. A total of 3 000 posts were earmarked for the recruitment of SAPS Act police trainees, of which 2 511 or 83,70% posts were filled and 600 posts were earmarked for the recruitment of PSA personnel, of which 395 were filled (65,83%).

A total of 4 201 vacant posts were advertised, in 2020/2021. Following major in-year cuts in the compensation budget of the SAPS by National Treasury, funding to fill such posts had to be reprioritised and the filling of the posts were placed on hold. A total of 976 posts were filled within the prescribed time frame, after funding to the effect, were re-appropriated. A total number of 3 225 posts were still pending within the prescribed time frame.

A total of 349 PSA employees received grade progression. The grade progression for SAPS Act members, for 2020/2021, has been deferred, due to major budget cuts in the compensation budget of the SAPS by National Treasury. The implementation of the relevant grade progressions will again be considered, during 2021/2022, subject to the availability of funds.

Retirements contributed significantly towards the number of exits recorded, in 2020/2021, followed by resignations and deaths. Retirements increased from 1 256, in 2019/2020 to 2 538, in 2020/2021, due to the early retirement without penalisation of pension benefits initiative. Resignations decreased from 2 257, in 2019/2020 to 1 540, in 2020/2021. Deaths increased significantly from 897, in 2019/2020 to 1 435, in 2020/2021, due to the COVID-19 Pandemic. The most prominent reasons for employees resigning from the Service, was due to more lucrative work prospects, including better compensation opportunities.

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During January to December 2020, sick and incapacity leave days taken by employees, decreased with 347 539 days (22,54%), from 1 889 279 days, during January to December 2019, to 1 541 740 days, during January to December 2020. The decrease is due to the implementation of a 50/50 rotation for support service employees during the COVID-19 Pandemic.

HUMAN RESOURCE PRIORITIES FOR THE YEAR UNDER REVIEW

Human resource priorities for the year under review were as follow:

- > Permanent enlistment of current serving reservists as constables
- > Re-enlistments (constable/sergeant/warrant officer – production core)
- > General workers
- > Enlistment of forensic analysts (external advertisement)
- > Post promotions (3 phases):
 - » Phase 1(± 2 000)
 - » Phase 2(± 2 000)
 - » Phase 3(± 2 000)
- > Grade progression
- > Monetary awards
- > Recognition for improved qualifications
- > Filling of SMS posts (Levels 13-15)
- > Filling of posts for appointment (Levels 1-12)
- > Long service recognition
- > Verification of qualifications

WORKFORCE PLANNING AND KEY STRATEGIES TO ATTRACT AND RECRUIT A SKILLED AND CAPABLE WORKFORCE

The SAPS has a draft Recruitment, Selection and Promotion Strategy, where, amongst others, the main strategic objectives are, to improve the Department's ability to attract and select quality applicants; to attain integrated employment equity targets in recruitment processes; to establish a representative workforce, based on the demographics of the RSA; and a systematic distribution of personnel, in terms of the strategic priorities of the Department and human resource planning guidelines. In 2020/2021, the Recruitment, Selection and Promotion Strategy focused on capacitating frontline services and newly established specialised units, such as the Anti-Gang Units and Taxi Violence Units.

The SAPS Retention Policy was approved, in 2017 and its implementation guidelines were approved, in 2020. The policy is in the process of being rolled out to the various business units, to ensure its thorough understanding for implementation. The policy is aimed at establishing a consistent and fair retention methodology across the SAPS, to ensure that suitably qualified, high performing and professionally competent employees or those who possess scarce skills are retained.



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EMPLOYEE PERFORMANCE MANAGEMENT

The Department has implemented approved Performance Management and Development Systems for all employees. A total of 98,6% employees on salary levels 1 to 12 concluded their performance plans, by the targeted date of 30 September 2020 (the date was amended from June 2020, due to the COVID-19 Pandemic) and such implementation was registered on the PERSAP System. The concluding of performance agreements by the required due date, by SMS functionaries is reflected in the Human Resource Tables.

EMPLOYEE WELLNESS PROGRAMMES

The SAPS EHW offers a variety of awareness and capacity building programmes to employees. These programmes are guided by the needs of employees, management and the organisation. Different professions within EHW; namely, psychological professionals, social workers, quality of work life professionals and chaplains facilitate the programmes, based on their areas of expertise. During 2020/2021, the following programmes were prioritised: Mental Health; Dignity Diversity and Policing; Domestic Violence; Substance Dependency; and Religious Tolerance and Ethical Awareness. A COVID-19 Awareness Programme, presented by the various professions, has also been rolled out to employees.

TRAINING AND DEVELOPMENT

Learnership Programmes were not provided by SASSETA, for the period 1 April 2020 to 31 March 2021. A total of 289 employees were offered bursaries for their qualifications and 54 completed the training.

ACHIEVEMENTS AND CHALLENGES FACED BY THE DEPARTMENT

ACHIEVEMENTS

Achievements by the Department are as follow:

- > The Department managed to maintain a staff compliment of 100,43% or 182 126, in relation to the revised establishment target of 181 344.
- > A total of 3 000 posts were earmarked for the recruitment of SAPS Act trainees, of which 2 511 (83,70%) posts were filled and 600 posts were earmarked for the recruitment of PSA personnel, of which 395 (65,83%) were filled.
- > A total of 976 posts were filled within the prescribed time frame, from a total of 4 201 posts that were advertised.
- > A total of 349 PSA employees received grade progression.
- > The organisation managed to enlist/appoint a total of 2 539 SAPS Act employees (permanent enlistment of current serving reservists as constables and re-enlistments) and 395 PSA employees (cleaners), to provide for capacity in environments where critical vacant posts were identified, i.e., frontline services and other operational environments.



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CHALLENGES

Recruitment processes were placed on hold, due to the impact of the COVID-19 Pandemic. The filling of posts was placed in abeyance, due to major in-year cuts in the compensation budget of the SAPS by National Treasury. An abnormal high number of 7 572 personnel exited the Service, from 1 April 2020 to 31 March 2021, which was contributed to by the early retirement initiative by Government.

The Estimates for National Expenditure, for 2021/2022, indicated a significant reduction in the establishment target, for the 2020/2021 financial year (reduced from 191 763 to 181 344), due to substantial reductions made to the compensation budget. The actual personnel compliment, as at 31 March 2021, was 182 126, which is 782 (0,43%) more employees than what the Estimates of National Expenditure provided for. The reduction in the compensation budget resulted in most of the human resource priorities, planned for in 2020/2021, i.e., to replace losses and to maintain the workforce, to be deferred. Only limited interventions were implemented, i.e. the permanent enlistment of reservists, re-enlistments and the appointment of a limited number of cleaners.

The SAPS, as one of the most critical organs of the State in the CJS, which is human capital reliant, has been negatively affected by the outbreak of the COVID-19 Pandemic. Most of the activities that involve person-to-person contact had to be suspended, in an effort to prevent the spread of the virus. All contact training and development programmes were suspended, indefinitely. This resulted in a big blow to the capacitation at grassroots level (police stations and service points) with new recruits, who would be eager to discharge their duties diligently and professionally, thus bolstering the existing capacity.

FUTURE HUMAN RESOURCES PLANS/GOALS

Future human resources plans/goals are as follow:

- > Re-enlistments (constable/sergeant/warrant officer - production core)
- > Enlistment of forensic analysts (external advertisement)
- > Post promotions:
 - » Phase 2
 - » Phase 3
- > Grade progression (backlog)

SAPS MEDIUM-TERM EXPENDITURE FRAMEWORK HUMAN RESOURCE PLAN (2020-2025)

The approved SAPS Medium-Term Expenditure Framework Human Resource Plan (2020-2025), was submitted to the DPSA, on 31 August 2020, in accordance with the DPSA directives and prescripts. The SAPS Medium-Term Expenditure Framework Human Resource Plan (2020-2025) was developed, as part of the strategic alignment of the human resource practices, in order to contribute to the achievement of the broader strategic objectives of the organisation, as captured in the SAPS Strategic Plan (2020-2025). The implementation of the Medium-Term Expenditure Framework Human Resource Plan (2020-2025) will be monitored, annually and reported on, by means of the Human Resource Planning Implementation Report, to be submitted to the DPSA, by 31 May, each year, over the Medium-Term Expenditure Framework cycle.

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3. HUMAN RESOURCES OVERSIGHT STATISTICS

3.1 EXPENDITURE

The following tables summarise the final, audited personnel-related expenditure, by programme (table 3.1.1) and by salary band (table 3.1.2). In particular, it provides an indication of the amount spent on personnel costs, in terms of each of the programmes or salary bands within the Department.

Table 3.1.1 - Personnel costs by programme, for the period, 1 April 2020 to 31 March 2021

Programme	Total expenditure (R'000)	Compensation of employees (R'000)	Training expenditure (R'000)	Compensation of employees as percentage of total expenditure	Average compensation of employees cost, per employee (R'000)	Number of employees
Administration	18,702,270	13,287,614	2,123,645	71,0	390	34 066
Visible Policing	50,736,475	39,306,439	-	77,5	414	94 993
Detective Services	18,691,777	16,304,669	-	87,2	427	38 218
Crime Intelligence	4,129,773	3,812,615	-	92,3	446	8 543
Protection and Security Services	3,222,848	2,985,871	-	92,6	473	6 306
Total	95,483,143	75,697,208	2,123,645	79,3	416	182 126

Table 3.1.2 - Personnel costs by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	Compensation of employees cost (R'000)	Percentage of total compensation of employees	Average compensation of employees, per employee (R'000)	Number of employees
Lower skilled (Levels 1-2)	1,059,354	1,4	206	5 152
Skilled (Levels 3-5)	20,987,513	27,7	300	69 861
Highly skilled production (Levels 6-8)	45,526,031	60,1	463	98 303
Highly skilled supervision (Levels 9-12)	6,982,351	9,2	871	8 014
Senior management and Executive Authority (Levels 13-16)	1,141,959	1,5	1,435	796
Total	75,697,208	100	416	182 126

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The following tables provide a summary, per programme (table 3.1.3) and salary band (3.1.4), of expenditure incurred, as a result of salaries, overtime, home owners allowance and medical assistance. In each case, the table provides an indication of the percentage of the personnel budget that was used for these items.

Table 3.1.3 - Salaries, overtime, home owners allowance and medical assistance by programme, for the period, 1 April 2020 to 31 March 2021

Programme	Salaries (R'000)	Salaries as percentage of compensation of employees	Overtime (R'000)	Overtime as percentage of compensation of employees	Home owners allowance (R'000)	Home owners allowance as percentage of compensation of employees	Medical assistance (R'000)	Medical assistance as percentage of compensation of employees	Total compensation of employees, per programme (R'000)
Administration	9,040,146	68,0	31,033	0,2	554,978	4,2	1,299,417	9,8	13,287,614
Visible Policing	24,557,502	62,5	318,981	0,8	1,471,324	3,7	5,254,247	13,4	39,306,439
Detective Services	10,765,246	66,0	74,956	0,5	592,628	3,6	1,850,888	11,4	16,304,669
Crime Intelligence	2,550,665	66,9	10,470	0,3	138,092	3,6	407,379	10,7	3,812,615
Protection and Security Services	1,794,944	60,1	259,831	8,7	100,518	3,4	306,698	10,3	2,985,871
Total	48,708,503	64,3	695,271	0,9	2,857,540	3,8	9,118,629	12,0	75,697,208



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Table 3.1.4 - Salaries, overtime, home owners allowance and medical assistance by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	Salaries (R'000)	Salaries as percentage of compensation of employees	Overtime (R'000)	Overtime as percentage of compensation of employees	Home owners allowance (R'000)	Home owners allowance as percentage of compensation of employees	Medical assistance (R'000)	Medical assistance as percentage of compensation of employees	Total compensation of employees, per salary band (R'000)
Lower skilled (Levels 1-2)	585,624	55,3	5,419	0,5	82,150	7,8	350,490	33,1	1,059,354
Skilled (Levels 3-5)	13,155,510	62,7	102,030	0,5	1,027,041	4,9	3,903,980	18,6	20,987,513
Highly skilled production (Levels 6-8)	29,547,820	64,9	548,102	1,2	1,648,725	3,6	4,478,127	9,8	45,526,031
Highly skilled supervision (Levels 9-12)	4,628,747	66,3	39,720	0,6	97,887	1,4	351,082	5,0	6,982,351
Senior management and Executive Authority (Levels 13-16)	790,802	69,2	0	0,0	1,737	0,2	34,950	3,1	1,141,959
Total	48,708,503	64,3	695,271	0,9	2,857,540	3,8	9,118,629	12,0	75,697,208

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3.2 EMPLOYMENT

The following tables summarise the year-end establishment, the number of employees, the vacancy rate and whether there are any employees who are additional to the establishment. This information is presented, in terms of three key variables – programme (table 3.2.1), salary band (table 3.2.2) and critical occupations (table 3.2.3).

Table 3.2.1 - Employment and vacancies by programme, at the end of the period, 31 March 2021

Programme	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Administration	33 987	34 066	-0,2	0
Visible Policing	93 253	94 993	-1,9	0
Detective Services	39 285	38 218	2,7	0
Crime Intelligence	8 373	8 543	-2,0	0
Protection and Security Services	6 446	6 306	2,2	0
Total	181 344	182 126	-0,4	0

* Note: The initial establishment target of SAPS, for the 2020/2021 financial year, was 191 763, but National Treasury communicated substantial in-year reductions to the Department and an amount of R4,907 billion was removed from the budget for compensation of employees. This resulted in the Department to reconsider all human resource priorities in process, at the time, including the revision of the establishment target, during compilation of the 2021 Estimates of National Expenditure, to 181 344.

Table 3.2.2 - Employment and vacancies by salary band, at the end of the period, 31 March 2021

Salary band	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Lower skilled (Levels 1-2)	5 117	5 152	-0,7	0
Skilled (Levels 3-5)	69 587	69 861	-0,4	0
Highly skilled production (Levels 6-8)	97 821	98 303	-0,5	0
Highly skilled supervision (Levels 9-12)	8 009	8 014	-0,1	0
Senior management (Levels 13-16)	808	794	1,7	0
Minister and Deputy Minister	2	2	0,0	0
Total	181 344	182 126	-0,4	0

*Note: As at 31 March 2021, a total of 692 positions have been advertised and are in the process of being considered and/or reviewed.

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Table 3.2.3 - Employment and vacancies by critical occupations, at the end of the period, 31 March 2021

Critical occupations	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Aircraft pilots and related associate professionals	49	49	0,0	0
Architects, town and traffic planners	4	4	0,0	0
Chemists	1 821	1 821	0,0	0
Engineers and related professionals	224	82	63,4	0
General legal administration and related professionals	254	248	2,4	0
Natural sciences-related	150	0	100	0
Police	132 413	132 317	0,1	0
Psychologists and vocational counsellors	125	109	12,8	0
Total	135 040	134 630	0,3	0

*Note: The Head of the Department/Chief Executive Officer and senior managers are, by their very nature, critical occupations, but have not been separately listed. Therefore, critical occupations have been addressed in occupational classes of aircraft pilots and related associate professionals, architects, town and traffic planners, chemists (physical science, chemical science, pharmacists and health science-related), engineers and related professionals (electronic and engineering science), general legal administration and related professionals (attorneys), natural sciences-related, police (functional personnel) and psychologists and vocational counsellors. The critical occupations (occupational classes) do not reflect all the positions filled in the SAPS, but only those that are considered as a priority for the optimal functioning of the SAPS' core functions. As at 31 March 2021, a total of 410 positions have been advertised and are in the process of being considered and/or reviewed.

3.3 FILLING OF SENIOR MANAGEMENT SERVICE POSTS

The tables in this section provide information on employment and vacancies, as it relates to SMS members, by SMS band. It also provides information on the advertising and the filling of SMS posts, reasons for not complying with prescribed time frames and disciplinary steps taken.

Table 3.3.1 - SMS post information, as at 31 March 2021

SMS band	Year-end establishment	Total number of SMS employees, per band	Percentage of SMS positions filled, per band	Total number of SMS positions vacant, per band	Percentage of SMS positions vacant, per band
Band A (Level 13)	630	617	98	13	2,1
Band B (Level 14)	152	152	100	0	0,0
Band C (Level 15)	25	24	96	1	4,0
Band D (Level 16)	1	1	100	0	0,0
Total	808	794	98	14	1,7

*Note: Compared to Table 3.2.2

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Table 3.3.2 - SMS post information, as at 30 September 2020

SMS band	Mid-year establishment	Total number of SMS employees, per band	Percentage of SMS positions filled, per band	Total number of SMS positions vacant, per band	Percentage of SMS positions vacant, per band
Band A (Level 13)	630	618	98	12	1,9
Band B (Level 14)	152	156	103	-4	-2,6
Band C (Level 15)	25	29	116	-4	-16,0
Band D (Level 16)	1	1	100	0	0,0
Total	808	804	100	4	0,5

Table 3.3.3 - Advertising and filling of SMS posts, for the period, 1 April 2020 to 31 March 2021

SMS band	Advertising	Filling of positions	
	Number of vacancies, per band advertised, within six months of becoming vacant	Number of vacancies, per band filled, within six months of becoming vacant	Number of vacancies, per band not filled, within six months, but filled within 12 months
Band A (Level 13)	20	37	2
Band B (Level 14)	3	0	0
Band C (Level 15)	3	2	0
Band D (Level 16)	0	0	0
Total	26	39	2

Table 3.3.4 - Reasons for not having complied with the filling of funded, vacant SMS posts - advertised within six months and filled within 12 months, after becoming vacant, for the period, 1 April 2020 to 31 March 2021

Reasons for vacancies not advertised within six months
Candidate(s) under consideration tested positive for COVID-19, which delayed the filling of the post.
Candidature (qualifications) disputed, which delayed the filling of the post.

Reasons for vacancies not filled within six months
In compliance

Table 3.3.5 - Disciplinary steps taken for not complying with the prescribed time frames for filling SMS posts, within 12 months, for the period, 1 April 2020 to 31 March 2021

Reasons for vacancies not advertised within six months
Not applicable

*Note: Positions are filled over a multi-year period, according to predetermined targets of the total establishment, taking personnel losses into account. Vacant positions at a certain level or in terms of a specific business unit are, therefore, planned and regarded as funded, only upon the date of advertisement.

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3.4 JOB EVALUATION

The Public Service Regulations, 2016, as amended, introduced job evaluation as a way of ensuring that work of equal value is remunerated, equally. In terms of the Regulations, all vacancies on salary levels 9 and higher must be evaluated before they are filled. The following table summarises the number of jobs that were evaluated, during the year under review. The table also provides statistics on the number of posts that were upgraded or downgraded.

Table 3.4.1 - Job evaluation by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	Number of employees	Number of jobs evaluated	Percentage of jobs evaluated by salary band	Number of positions upgraded	Percentage of upgraded positions evaluated	Number of positions downgraded	Percentage of downgraded positions evaluated
Lower skilled (Levels 1-2)	5 152	0	0,0	0	0,0	0	0,0
Skilled (Levels 3-5)	69 861	0	0,0	0	0,0	0	0,0
Highly skilled production (Levels 6-8)	98 303	0	0,0	0	0,0	0	0,0
Highly skilled supervision (Levels 9-12)	8 014	807	10,1	0	0,0	0	0,0
Senior management and Executive Authority (Levels 13-16)	796	51	6,4	2	0,3	0	0,0
Total	182 126	858	0,5	2	0,0	0	0,0

Table 3.4.2 - Profile of employees whose positions were upgraded, due to their posts being upgraded, for the period, 1 April 2020 to 31 March 2021

None

Table 3.4.3 - Employees on salary levels higher than those determined by job evaluation, for the period, 1 April 2020 to 31 March 2021

None

Table 3.4.4 - Profile of employees who have salary levels higher than those determined by job evaluation, for the period, 1 April 2020 to 31 March 2021

None

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3.5 EMPLOYMENT CHANGES

This section provides information on changes in employment over the financial year. Turnover rates provide an indication of trends in the employment profile of the Department. The following tables provide a summary of turnover rates, by salary band (table 3.5.1) and by critical occupations (table 3.5.2).

Table 3.5.1 - Annual turnover rate by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	*Employment at the beginning of the period (1 April 2020)	Recruitments	Terminations	Turnover rate (%)
Lower skilled (Levels 1-2)	4 982	290	120	2,4
Skilled (Levels 3-5)	69 190	1 795	1 124	1,6
Highly skilled production (Levels 6-8)	102 387	44	4 128	4,0
Highly skilled supervision (Levels 9-12)	8 688	6	680	7,8
Senior management (Levels 13-16)	871	2	77	8,8
Total	186 118	2 137	6 129	3,3

*Note: Employment at the end of the previous period, as reported in the Department's Annual Report, for 2019/2020, will differ from employment at the beginning of this period, due to service terminations and appointments recorded, in 2020/2021, with a salary effective date, prior to 31 March 2020.

Table 3.5.2 - Annual turnover rate by critical occupation, for the period, 1 April 2020 to 31 March 2021

Critical occupations	*Employment at the beginning of the period (1 April 2020)	Recruitments	Terminations	Turnover rate (%)
Aircraft pilots and related associate professionals	51	11	13	25,5
Architects, town and traffic planners	4	0	0	0,0
Chemists	1 839	4	22	1,2
Engineers and related professionals	79	3	0	0,0
General legal administration and related professionals	258	0	10	3,9
Natural sciences-related	2	0	2	100
Police	134 945	1 711	4 339	3,2
Psychologists and vocational counsellors	113	0	4	3,5
Total	137 291	1 729	4 390	3,2

*Note: Employment at the end of the previous period, as reported in the Department's Annual Report, for 2019/2020, will differ from employment at the beginning of this period, due to service terminations and appointments recorded, in 2020/2021, with a salary effective date, prior to 31 March 2020.

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Table 3.5.3 - Reasons why employees left the Department, for the period, 1 April 2020 to 31 March 2021

Termination type	Number	Percentage of total resignations	Percentage of total employment	Total	Total employment
Death	1 435	23,4	0,8	6129	182 126
Resignation	1 540	25,1	0,8	6129	182 126
Expiry of contract	16	0,3	0,0	6129	182 126
Discharged, due to ill-health	176	2,9	0,1	6129	182 126
Dismissal – misconduct	423	6,9	0,2	6129	182 126
Retirement	2 538	41,4	1,4	6129	182 126
Other	1	0,0	0,0	6129	182 126
Total	6 129	100	3,4	6129	182 126

Table 3.5.4 – Section 35 terminations, for the period, 1 April 2020 to 31 March 2021

Rank	Number of Section 35 terminations awarded
Lieutenant General	2
Total	2

*Note: The amount paid by the SAPS to the employees amounted to R6 676 649,81. The payment was in respect of leave gratuity, pro-rata service bonus, severance package and notice period.

Table 3.5.5 - Promotions by critical occupation, for the period, 1 April 2020 to 31 March 2021

Critical occupation	Employment at the end of the period	Promotions to another salary level	Salary level promotions, as a percentage of employment
Aircraft pilots and related associate professionals	49	0	0,0
Architects, town and traffic planners	4	0	0,0
Chemists	1 821	24	1,3
Engineers and related professionals	82	0	0,0
General legal administration and related professionals	248	1	0,4
Natural sciences-related	0	0	0,0
Police	132 317	726	0,5
Psychologists and vocational counsellors	109	1	0,9
Total	134 630	752	0,6

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Table 3.5.6 - Promotions by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	Employment at the end of the period	Promotions to another salary level	Salary level promotions, as a percentage of employment
Lower skilled (Levels 1-2)	5 152	0	0,0
Skilled (Levels 3-5)	69 861	170	0,2
Highly skilled production (Levels 6-8)	98 303	775	0,8
Highly skilled supervision (Levels 9-12)	8 014	264	3,3
Senior management and Executive Authority (Levels 13-16)	796	36	4,5
Total	182 126	1 245	0,7

Table 3.5.7 - Regulation 47 appointments, for the period, 1 April 2020 to 31 March 2021

Rank	Number of promotions, in terms of Regulation 47
Major General	2
Sergeant	1
Total	3

Major General: 2

Designation	Rank from	Number of appointments
Head: Government Security Regulator	Brigadier	1
District Commissioner	Brigadier	1
Total		2

Sergeant: 1

Designation	Rank from	Number of appointments
Sergeant	Constable	1
Total		1

3.6 EMPLOYMENT EQUITY

The tables in this section are based on the formats prescribed by the Employment Equity Act, 1998 (Act No 55 of 1998).

Table 3.6.1 - Total number of employees (including employees with disabilities) in each of the following occupational categories, as at 31 March 2021

Occupational categories	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	322	49	40	83	223	26	13	40	796
Professionals	3 233	410	228	1 122	3 432	502	265	1 316	10 508
Clerks	6 102	720	227	361	14 671	2 563	626	2 845	28 115
Service and sales workers	73 950	10 854	2 518	7 719	33 139	3 858	470	2 208	134 716
Craft and related trades workers	736	138	43	197	87	1	0	4	1 206
Plant and machine operators and assemblers	158	6	3	1	8	0	0	0	176
Elementary occupations	2 824	415	18	27	2 970	332	9	14	6 609
Total	87 325	12 592	3 077	9 510	54 530	7 282	1 383	6 427	182 126

	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Employees with disabilities	828	227	80	731	554	141	46	469	3 076

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Table 3.6.2 - Total number of employees (including employees with disabilities) in each of the following occupational bands, as at 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	16	2	0	0	8	0	1	0	27
Senior management	306	47	40	83	215	26	12	40	769
Professionally qualified and experienced	3 174	471	313	1 091	1 850	280	150	685	8 014
Skilled technical and academically qualified	51 631	7 575	1 993	7 653	21 112	2 975	740	4 624	98 303
Semi-skilled and discretionary decision making	30 267	4 247	726	665	28 693	3 725	472	1 066	69 861
Unskilled and defined decision making	1 931	250	5	18	2 652	276	8	12	5 152
Total	87 325	12 592	3 077	9 510	54 530	7 282	1 383	6 427	182 126

Table 3.6.3 - Recruitment, for the period, 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	0	0	0	0	0	0	0	0	0
Senior management	1	0	0	0	0	1	0	0	2
Professionally qualified and experienced	0	0	1	1	3	1	0	0	6
Skilled technical and academically qualified	14	1	1	4	22	0	0	2	44
Semi-skilled and discretionary decision making	813	47	26	11	871	23	2	2	1 795
Unskilled and defined decision making	124	22	0	1	129	13	0	1	290
Total	952	70	28	17	1 025	38	2	5	2 137



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Table 3.6.4 - Progression to another salary notch, for the period, 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	6	1	0	0	4	0	0	0	11
Senior management	219	32	30	52	163	16	7	28	547
Professionally qualified and experienced	2 931	414	241	728	1 691	257	126	499	6 887
Skilled technical and academically qualified	40 218	6 288	1 644	6 627	14 657	2 303	575	3 136	75 448
Semi-skilled and discretionary decision making	23 765	3 104	523	507	24 494	3 095	425	946	56 859
Unskilled and defined decision making	1 610	189	3	10	2 334	231	7	6	4 390
Total	68 749	10 028	2 441	7 924	43 343	5 902	1 140	4 615	144 142

Table 3.6.5 - Terminations, for the period, 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	3	0	0	0	3	0	0	0	6
Senior management	28	4	5	6	17	2	1	8	71
Professionally qualified and experienced	326	49	27	116	98	18	6	40	680
Skilled technical and academically qualified	2 566	318	108	395	410	49	26	256	4 128
Semi-skilled and discretionary decision making	530	89	21	9	350	79	6	40	1 124
Unskilled and defined decision making	50	11	0	1	51	5	1	1	120
Total	3 503	471	161	527	929	153	40	345	6 129

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Table 3.6.6 - Disciplinary steps, for the period, 1 April 2020 to 31 March 2021

Disciplinary steps	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Correctional counselling	20	7	0	4	4	5	0	2	42
Demotion	0	0	0	0	0	0	0	0	0
Dismissal	144	33	18	5	12	9	0	4	225
Final written warning	147	34	2	8	13	10	1	2	217
Fine	0	0	0	0	0	0	0	0	0
Suspended dismissal	0	0	0	0	0	0	0	0	0
Case withdrawn	151	36	31	10	19	13	1	2	263
Not guilty	337	67	13	13	42	5	2	1	480
Suspended without payment	117	34	3	9	22	4	6	1	196
Verbal warning	8	4	0	0	1	1	0	0	14
Written warning	93	37	5	2	15	2	0	1	155
Postponement of sanction	0	0	0	0	0	0	0	0	0
Total	1 017	252	72	51	128	49	10	13	1 592

Table 3.6.7 - Skills development, for the period, 1 April 2020 to 31 March 2021

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	4	0	0	0	0	0	0	0	4
Senior management	43	12	2	20	17	7	0	7	108
Professionally qualified and experienced	539	76	57	178	244	33	21	69	1 217
Skilled technical and academically qualified	13 551	1 218	497	1 443	3 673	460	76	353	21 271
Semi-skilled and discretionary decision making	8 734	1 218	274	175	5 051	650	27	46	16 175
Unskilled and defined decision making	834	75	13	75	797	65	1	12	1 872
Non-SAPS members	0	0	0	4	2	0	0	0	6
Total	23 705	2 599	843	1 895	9 784	1 215	125	487	40 653

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3.7 PERFORMANCE

All SMS employees must conclude and sign performance agreements within specific time frames. Information regarding the signing of performance agreements by SMS employees, the reasons for not complying within the prescribed time frames and disciplinary steps taken is presented here.

Table 3.7.1 - Conclusion of performance agreements by SMS employees, as at 31 October 2020

SMS band	Total number of SMS employees, per band	Total number of concluded performance agreements	Concluded performance agreements, as a percentage of the total number of SMS employees
Band A (Level 13)	555	508	91,5
Band B (Level 14)	112	102	91,1
Band C (Level 15)	20	18	90,0
Band D (Level 16)	1	1	100
Total	688	629	91,4

Table 3.7.2 - Reasons for not having concluded performance agreements for all SMS employees, as at 31 October 2020

Reasons
Due to the COVID-19 Pandemic, the due date for the signing of performance agreements within Government was amended, to 31 October 2020. A further extension was granted to employees, who had to conclude performance agreements, in accordance with specific performance management frameworks within the SAPS. Extension was granted, until 25 November 2020.
The total number of SAPS SMS employees according to the PERSAP System, at the end of October 2020, was 799, of which 111 SMS employees were not in a position to conclude performance agreements, due to restructuring, lengthy illness, suspension, pending early retirement, etc. The total number of SMS employees calculated for compliance for concluding performance agreements, was 688 (as reflected in the table above). A total number of 59 SMS employees had, therefore, not complied with the concluding of performance agreements.
COVID-19 played a role in the delay of signing performance agreements. Many SMS employees were deployed, to assist in the enforcement of the COVID-19 lockdown regulations.

Table 3.7.3 - Disciplinary steps taken against SMS employees for not having concluded performance agreements, by 31 October 2020

Reasons
The taking of disciplinary action against 11 SMS employees has been confirmed by the respective supervisors.
Based on representations provided by the majority of the remaining senior managers, supervisors have indicated that good cause was shown for the non-compliance and therefore, the taking of disciplinary action was not warranted.

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3.8 PERFORMANCE REWARDS

To encourage good performance, the Department has granted the following performance rewards, during the year under review. The information is presented, in terms of race, gender, disability, salary bands and critical occupations.

Table 3.8.1 - Performance rewards by race, gender and disability, for the period, 1 April 2020 to 31 March 2021

None

Table 3.8.2 - Performance rewards by salary band for employees below senior management service, for the period, 1 April 2020 to 31 March 2021

None

Table 3.8.3 - Performance rewards by critical occupation, for the period, 1 April 2020 to 31 March 2021

None

Table 3.8.4 - Performance-related rewards (cash bonus), by salary band for senior management service, for the period, 1 April 2020 to 31 March 2021

None





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3.9 FOREIGN WORKERS

The tables below summarise the employment of foreign workers in the Department, in terms of salary band and major occupation.

Table 3.9.1 - Foreign workers, by salary band, for the period, 1 April 2020 to 31 March 2021

Salary band	01 April 2020		31 March 2021		Change	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage change
Lower skilled (Levels 1-2)	1	10,0	1	11,1	0	0,0
Skilled (Levels 3-5)	2	20,0	2	22,2	0	0,0
Highly skilled production (Levels 6-8)	6	60,0	5	55,6	-1	100
Highly skilled supervision (Levels 9-12)	1	10,0	1	11,1	0	0,0
Total	10	100	9	100	-1	100

Table 3.9.2 - Foreign workers, by major occupation, for the period, 1 April 2020 to 31 March 2021

Major occupation	01 April 2020		31 March 2021		Change	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage change
Administrative office workers	2	20,0	2	22,2	0	0,0
Craft and related trade workers	1	10,0	1	11,1	0	0,0
Drivers, operations and ship's crew	0	0,0	0	0,0	0	0,0
Elementary occupations	1	10,0	1	11,1	0	0,0
National security and custodian personnel	4	40,0	3	33,3	-1	100
Professionals and managers	2	20,0	2	22,2	0	0,0
Service workers	0	0,0	0	0,0	0	0,0
Technical associated professionals	0	0,0	0	0,0	0	0,0
Total	10	100	9	100	-1	100

3.10 LEAVE UTILISATION

The Public Service Commission identified the need for careful monitoring of sick leave in the public service. The following tables provide an indication of the use of sick leave (table 3.10.1) and incapacity leave (table 3.10.2). In both cases, the estimated cost of the leave is also indicated.

Table 3.10.1 - Sick leave, for the period, 1 January 2020 to 31 December 2020

Salary band	Total days	Percentage days with medical certification	Number of employees using sick leave	Percentage of total employees using sick leave	Average days, per employee	Estimated cost (R'000)	Total number of employees using sick leave	Total number of days with medical certification
Lower skilled (Levels 1-2)	31 098	94,4	3 955	2,6	8	17,898	150 600	29 352
Skilled (Levels 3-5)	502 439	93,7	65 051	43,2	8	500,039	150 600	470 691
Highly skilled production (Levels 6-8)	615 727	93,8	75 381	50,1	8	956,675	150 600	577 562
Highly skilled supervision (Levels 9-12)	47 373	94,1	5 736	3,8	8	135,169	150 600	44 591
Senior management (Levels 13-16)	4 312	96,2	477	0,3	9	19,884	150 600	4 148
Total	1 200 949	93,8	150 600	100	8	1,629,665	150 600	1 126 344

Table 3.10.2 - Incapacity leave (temporary and permanent), for the period, 1 January 2020 to 31 December 2020

Salary band	Total days	Percentage days with medical certification	Number of employees using incapacity leave	Percentage of total employees using incapacity leave	Average days, per employee	Estimated cost (R'000)	Total number of days with medical certification	Total number of employees using incapacity leave
Lower skilled (Levels 1-2)	8 748	99,7	208	3,1	42	5,069	8 725	6 654
Skilled (Levels 3-5)	83 018	99,9	2 048	30,8	41	81,690	82 960	6 654
Highly skilled production (Levels 6-8)	223 438	99,9	3 937	59,2	57	387,758	223 172	6 654
Highly skilled supervision (Levels 9-12)	23 314	100	418	6,3	56	66,544	23 313	6 654
Top and senior management (Levels 13-16)	2 273	100	43	0,6	53	10,438	2 273	6 654
Total	340 791	99,9	6 654	100	51	551,499	340 443	6 654

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Table 3.10.3 - Temporary incapacity leave, for the period, 1 January 2020 to 31 December 2020

Type of incapacity leave considered	Health Risk Manager		Number of disputes	How disputes were resolved
	Acceptance of advice	Deviation from advice		
Short-term incapacity	246	0	0	Not applicable
Long-term incapacity	213	0	0	Not applicable

Table 3.10.4 - Ill-health retirement, for the period, 1 January 2020 to 31 December 2020

Incapacity leave approved	Health Risk Manager		Number of disputes	How disputes were resolved
	Acceptance of advice	Deviation from advice		
Number of cases referred	194	783	64	Through representations by affected employees.

Types of illness
Medical and psychological

Table 3.10.5 - Expenditure incurred for temporary and ill-health retirement (Health Risk Manager), for the period, 1 January 2020 to 31 December 2020

Total expenditure incurred (R'000)	Average time frame for payments made to service provider
758	157

Table 3.10.6 - Annual leave, for the period, 1 January 2020 to 31 December 2020

Salary band	Total days taken	Average days, per employee	Number of employees who took leave
Lower skilled (Levels 1-2)	101 823	20	5 198
Skilled (Levels 3-5)	1 569 656	19	82 460
Highly skilled production (Levels 6-8)	2 522 542	25	101 071
Highly skilled supervision (Levels 9-12)	220 003	25	8 634
Senior management (Levels 13-16)	20 292	24	838
Total	4 434 315	22	198 201

Table 3.10.7 - Capped leave, for the period, 1 January 2020 to 31 December 2020

Salary band	Total days of capped leave taken	Average number of days taken, per employee	Number of employees who took capped leave	Total number of capped leave (June 2000) available at 31 December 2020
Lower skilled (Levels 1-2)	3	3	1	1 120
Skilled (Levels 3-5)	367	6	63	67 746
Highly skilled production (Levels 6-8)	14 008	8	1 733	1 868 713
Highly skilled supervision (Levels 9-12)	5 007	13	382	485 344
Senior management (Levels 13-16)	154	7	22	57 649
Total	19 539	9	2 201	2 480 573

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3.11 COMMUNICABLE AND NON-COMMUNICABLE DISEASES AND HEALTH PROMOTION PROGRAMMES

Table 3.11.1 - Steps taken to reduce the risk of occupational exposure

Categories of employees identified as being at high risk of contracting HIV/AIDS and related diseases	Key steps taken to reduce the risk
Employees who come into contact with body fluids (biology labs and animals)	PPE, hand washing, vaccination, and screening for Human Immunodeficiency Virus (HIV), Health Risk Assessments (HRA), HIV/Acquired Immunodeficiency Syndrome (AIDS) and Tuberculosis (TB) awareness programmes.
Employees working closely with the community (crime prevention and POP)	PPE, hand washing, vaccination, testing for TB and screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Employees working closely with the community (Visible Policing and Community Service Centres)	PPE, hand washing, vaccination, testing for TB and screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
K9 Units	Vaccination programme: Rabies, Hepatitis A and B, Tetanus, hygiene, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Mounted Units	Vaccination programme: Rabies, Hepatitis A and B, Tetanus, hygiene, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Honey suckers	Vaccination programme: Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Divers	Vaccination programme: Typhus, Tetanus, Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Forensic laboratories	Vaccination programme: Typhus, Tetanus, Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.



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Table 3.11.2 - Details of health promotion and HIV/AIDS programmes

Question	Yes	No	Details, if yes
Has the Department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide his/her name and position.	X		Divisional Commissioner: Human Resource Management, Lieutenant General L Ntshiea SAPS Private Bag X94, Pretoria, 0001, Tel no: 012 393 1504
Does the Department have a dedicated unit or has it designated specific staff members to promote the health and well-being of the 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 SAPS's EHW Component is made up of four Sections, namely: Social Work Services, Psychological Services, Spiritual Services and Quality of Work Life. These Sections employ a range of professionals, namely; social workers, psychologists, psychometrics, chaplains and other related specialists. These professionals are mainly responsible for providing holistic interventions that are psychological, social, physical and spiritual in nature, to all SAPS employees, as well as their immediate family members. At present, just under 600 professionals are nationally employed at EHW and they render care and support services to SAPS employees. The services offered are proactive and reactive in nature. The Quality of Work Life Section comprises HIV/AIDS and Disability Management, which are budgeted programmes. At present, an annual budget allocation of R2 million is allocated to HIV/AIDS management programmes and R2 million to the Disability Management Programme.
Has the Department introduced an Employee Assistance or Health Promotion Programme for the employees? If so, indicate the key elements/services of the programme.	X		The EHW Component delivers services, of which the key elements are wellness support programmes, such as stress and trauma management, suicide prevention, spiritually-based programmes, life skills, money wise, colleagues' sensitivity, HIV/AIDS awareness programmes, disability sensitisation programmes, substance dependency, relationship-marriage, children and colleagues, sexual harassment and domestic violence. The wellness support programmes are currently being expanded, to include health promotion programmes, through which employees are voluntarily tested for HIV, TB and other chronic conditions, such as high blood pressure, diabetes and cholesterol, as well as body mass index.

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Question	Yes	No	Details, if yes
Has the Department established (a) committee(s), as contemplated in Part VI E.5 (e) of Chapter 1 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		The Human Resource Management Division of the SAPS is the custodian of the National Wellness Strategic Forum, which is monitoring all aspects related to the health and wellness of SAPS employees, including their immediate family members. The forum consists of representatives from various divisions within the SAPS, such as the Divisional Commissioners of Human Resource Development, Legal Services, Supply Chain Management, as well as organised labour unions (Police and Prisons Civil Rights Union and South African Police Union). The Deputy National Commissioner: Corporate Services is the Chairperson of the wellness forum. There are also key external role players, such as the Department of Public Works, the DPSA, the Department of Health, POLMED and GEMS. The SAPS is in the process of appointing the Health Risk Manager to oversee occupational incidents. A similar structure has been implemented, in all provinces. Both the national and provincial wellness forums are convened quarterly and strategic reports are shared amongst all role players, regarding the health and wellness of employees.
Has the Department reviewed the employment policies and practices of the Department, to ensure that these do not unfairly discriminate against employees based on their HIV status? If so, list the employment policies/practices so reviewed.	X		The SAPS's EHW policies and practices have been aligned with the Government's plan, under the auspices of the DPSA. The DPSA's EHW Strategic Framework provides for the development of four policies, as well as related operational plans, namely; HIV/AIDS and TB management, Health and Productivity Management, SHE Management, Quality and Risk Management and Wellness Management. These policies are measured by the Presidency, through the DPME. This exercise is aimed at ensuring that EHW complies with the Management Performance Assessment Tool requirements pertaining to the above four policies.
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		The revised HIV/AIDS, Sexually Transmitted Infection and TB Policy was approved, in August 2017. Since HIV/AIDS is a non-notifiable disease, the SAPS structures follow applicable acts, such as the Employment Equity Act, the Basic Conditions of Employment Act and the Labour Relations Act, which prohibit discrimination against employees, based on their HIV/TB status.



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Question	Yes	No	Details, if yes
Does the Department encourage its employees to undergo voluntary counselling and testing? If so, list the results that you have achieved.	X		An increased number of SAPS employees partake throughout the HCT Programme (HIV counselling and testing). Mobile Wellness on Wheels services is available, in all the provinces. The EHW Component and other service providers, such as POLMED, GEMS and related healthcare providers forged partnership in marketing health week campaigns in the SAPS. Furthermore, the Health Risk Manager also ensures that rigorous HIV counselling and testing sessions are conducted continuously, covering more testing sites. Employees are encouraged to optimally use the testing services, which have been made available for them, to know their general health status, manage it accordingly and to register on the relevant Disease Management Programmes of the medical aid schemes, when necessary. Furthermore, the SAPS provides care and support to all employees in need, through various wellness support groups. The Department is also embarking on a continuous drive of providing advocacy workshops to senior managers, through the Peer Education Programme, with the purpose of setting positive examples and pledging care and support to those infected and affected by various health problems, including HIV/AIDS and TB.
Has the Department developed measures/indicators to monitor and evaluate the impact of its health promotion programme? If so, list these measures/indicators.	X		The Department has since been establishing a health profile, which determines the state of wellness of its employees. This is derived from all the data generated, through the health and wellness assessments, conducted in partnership with the EHW Component, POLMED, GEMS and the contracted Health Risk Manager. Various stakeholder committees are responsible for the collection and analysis of data, to establish trends and an organisational profile. Furthermore, there are also organisational indicators, e.g. suicide rates and health trends, regarding referrals and medical boards, which are monitored constantly.

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3.12 LABOUR RELATIONS

Table 3.12.1 - Collective agreements, for the period, 1 April 2020 to 31 March 2021

Subject matter	Date
Safety and Security Sectoral Bargaining Council Agreement 1/2020, Agreement on Restructuring	30 November 2020

The following table summarises the outcome of disciplinary hearings conducted within the Department, during the year under review.

Table 3.12.2 - Misconduct and disciplinary hearings concluded, for the period, 1 April 2020 to 31 March 2021

Outcome of disciplinary hearings	Number	Percentage of total
Correctional counselling	42	2,6
Demotion	0	0,0
Dismissal	227	14,3
Final written warning	217	13,6
Fine	0	0,0
Suspended acting	0	0,0
Suspended dismissal	0	0,0
Case withdrawn	263	16,5
Not guilty	479	30,1
Suspended without payment	195	12,2
Verbal warning	14	0,9
Written warning	155	9,7
Total	1 592	100

Table 3.12.3 - Types of misconduct addressed at disciplinary hearings, for the period, 1 April 2020 to 31 March 2021

Regulation 5(3) of 2016	Nature	Number of employees found guilty	Percentage of total
Regulation 5(3)(a)	Failed to comply with or contravened an act, regulation or legal obligation.	705	30,1
Regulation 5(3)(b)	Performed any act or failed to perform any act with the intention to cause harm to or prejudice the interest of the Service.	88	3,8
Regulation 5(3)(c)	Wilfully or negligently mismanaged the finances of the State.	3	0,1
Regulation 5(3)(d)	Without permission possessed, used or appropriated property of the State or property under the control of the State.	30	1,3
Regulation 5(3)(e)	Intentionally or negligently damaged and or caused loss of State property.	37	1,6
Regulation 5(3)(f)	Endangered the lives of self or others by disregarding safety rules or regulations.	31	1,3
Regulation 5(3)(g)	Prejudiced the administration of a department.	18	0,8
Regulation 5(3)(h)	Misused his or her position in the Service to promote the interest of a political party.	4	0,2
Regulation 5(3)(i)	Accepted any compensation, in cash or otherwise, from a member of the public or another employee for performing his or her duties without written approval from the employer.	3	0,1



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Regulation 5(3)(j)	Failed to carry out a lawful order or routine instruction.	52	2,2
Regulation 5(3)(k)	Absent from work without reason or permission.	81	3,5
Regulation 5(3)(l)	Failed without sufficient cause, to report for duty at the stipulated time at his or her station, place of work or any other place stipulated by a commander or his or her superior.	12	0,5
Regulation 5(3)(m)	Committed an act of sexual harassment.	3	0,1
Regulation 5(3)(n)	Unfairly discriminated against others on the basis of race, gender, disability, sexuality or other grounds prohibited by the Constitution.	7	0,3
Regulation 5(3)(o)	Without written approval of the employer, performed work for compensation in a private capacity.	13	0,6
Regulation 5(3)(p)	Without authorisation, slept on duty.	2	0,1
Regulation 5(3)(q)	Accepted or demanded, in respect of the discharge, or the failure to discharge a function, any commission, fee rewards or favour.	0	0,0
Regulation 5(3)(r)	Reported on duty, whilst under the influence of liquor.	10	0,4
Regulation 5(3)(s)	Pretended to be ill, infirmed, indisposed, injured or suffering from pain or obtained or attempted to obtain exemption from duty, by advancing a false or exaggerated excuse on the grounds of illness, infirmity, indisposition, injury or pain.	6	0,3
Regulation 5(3)(t)	Conducted himself or herself in an improper, disgraceful and unacceptable manner.	279	11,9
Regulation 5(3)(u)	Contravened the prescribed Code of Conduct of the Service.	380	16,2
Regulation 5(3)(v)	Incited other employees too unlawfully or conducted in conflict with accepted procedure.	0	0,0
Regulation 5(3)(w)	Intimidated or victimised other employees.	8	0,3
Regulation 5(3)(x)	Assaulted or threatened to assault any other employee.	25	1,1
Regulation 5(3)(y)	Prevented another employee from belonging to any trade union.	1	0,0
Regulation 5(3)(z)	Operated any money lending scheme for employees during working hours or from premises of the Service.	1	0,0
Regulation 5(3)(aa)	Gave a false statement or evidence in the execution of his or her duties.	0	0,0
Regulation 5(3)(bb)	Falsified records or any other documentation.	5	0,2
Regulation 5(3)(cc)	Participated in any unlawful labour or industrial action.	0	0,0
Regulation 5(3)(dd)	Convicted of any common law statutory offence.	7	0,3
Regulation 5(3)(ee)	Without proper authority, released a prisoner.	47	2,0
Regulation 5(3)(ff)	Used unlawful force against a prisoner or other person in custody or otherwise ill-treats such a person.	0	0,0
Regulation 5(3)(gg)	Neglected his or her duty or performance.	38	1,6
Regulation 5(3)(hh)	Left his or her post without permission or reason.	6	0,3
Regulation 5(3)(ii)	Failed to submit his or her financial disclosure, as may be required by the relevant prescripts and/or failed to disclose the required financial interests or provided false information in such disclosure.	0	0,0
Regulation 5(3)(jj)	Failed to report an act of misconduct committed in his or her presence by his or her commander or fellow employee.	0	0,0

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Regulation 5(4)	Nature	Number of employees found guilty	Percentage of total
Regulation 5(4)(a)	Aiding an escapee	7	0,3
Regulation 5(4)(b)	Arson	1	0,0
Regulation 5(4)(c)	Robbery	25	1,1
Regulation 5(4)(d)	Assault GBH	16	0,7
Regulation 5(4)(e)	Bribery	2	0,1
Regulation 5(4)(f)	Corruption	78	3,3
Regulation 5(4)(g)	Dealing in drugs	4	0,2
Regulation 5(4)(h)	Defeating the course of justice	52	2,2
Regulation 5(4)(i)	Extortion	6	0,3
Regulation 5(4)(j)	Forgery and uttering	2	0,1
Regulation 5(4)(k)	Fraud	12	0,5
Regulation 5(4)(l)	Hijacking	0	0,0
Regulation 5(4)(m)	Housebreaking and theft	0	0,0
Regulation 5(4)(n)	Kidnapping	5	0,2
Regulation 5(4)(o)	Malicious damage to property of a serious nature	4	0,2
Regulation 5(4)(p)	Murder	12	0,5
Regulation 5(4)(q)	Rape	13	0,6
Regulation 5(4)(r)	Terrorism	0	0,0
Regulation 5(4)(s)	Theft	94	4,0
Regulation 5(4)(t)	Treason	0	0,0
Regulation 5(4)(u)	Any attempt, conspiracy or incitement to commit any of the aforementioned offences.	16	0,7
Regulation 5(4)(v)	Sexual harassment	2	0,1
Regulation 5(4)(w)	Unlawful possession of the employer's property.	2	0,1
Regulation 5(4)(x)	Any act of misconduct, which detrimentally affected the image of the Service or brought the Service into disrepute or which involved an element of dishonesty.	71	3,0
Regulation 5(4)(y)	Any contravention of the Firearms Control Act, 2000.	15	0,6
Total		2 341	100

Table 3.12.4 - Grievances logged, for the period, 1 April 2020 to 31 March 2021

Number of grievances addressed	Number	Percentage of total
Not resolved	93	15,4
Resolved	510	84,6
Total	603	100

Table 3.12.5 - Disputes logged with Councils, for the period, 1 April 2020 to 31 March 2021

Number of disputes lodged	Number	Percentage of total
Safety and Security Sectoral Bargaining Council	579	92,8
Public Service Coordinating Bargaining Council	13	2,1
Commissioner for Conciliation, Mediation and Arbitration	30	4,8
Private arbitrations	2	0,3
Total	624	100



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Table 3.12.6 - Strike actions, for the period, 1 April 2020 to 31 March 2021

Strike actions	Total
Total number of persons working days lost	0
Total cost (R'000) of working days lost	0
Amount (R'000) recovered as a result of no work no pay	0

Table 3.12.7 - Precautionary suspensions, for the period, 1 April 2020 to 31 March 2021

Precautionary suspensions	Totals/amount
Number of employees suspended	270
Number of employees whose suspension exceeded 60 days	76
Average number of days suspended	53,12
Cost (R'000) of suspensions	R10 807 799.89

*Note: Precautionary suspensions are Regulation 10 suspensions and exclude the following suspensions:
Section 43 - Imprisonments/detention

Regulation 15 (5) - Fail to appear at disciplinary hearing

In terms of Regulation 10 of the SAPS Discipline Regulations 2016, suspensions are regarded to have exceeded the prescribed time frame only when they are beyond 90 calendar days. In terms of these provisions, suspensions are automatically terminated, on the 90th calendar day. This implies that after 90 calendar days, employees will automatically resume their duties. If an employee is not at work, on the 1st day succeeding the 90 calendar days, the absence is no more as a result of a suspension.

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3.13 SKILLS DEVELOPMENT

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

Table 3.13.1 - Employees attending training, for the period, 1 April 2020 to 31 March 2021

Occupational group	Gender	Course	Learnership	Learning programme	Qualification	Refresher course	Skills programme	Workshop	Total
Top management	Female	0	0	0	0	0	0	0	0
	Male	4	0	0	0	0	0	0	4
Senior management	Female	29	0	1	0	0	0	1	31
	Male	73	0	2	0	2	0	0	77
Professionally qualified and experienced	Female	343	0	13	0	3	0	8	367
	Male	788	0	11	0	22	0	29	850
Skilled technical and academically qualified	Female	4 312	0	34	0	28	43	145	4 562
	Male	14 140	0	66	0	467	46	1 990	16 709
Semi-skilled and discretionary decision making	Female	4 132	0	32	0	4	82	1 524	5 774
	Male	7 395	0	51	0	18	103	2 834	10 401
Unskilled and defined decision making	Female	812	0	0	0	0	2	61	875
	Male	930	0	0	0	0	0	67	997
Non-SAPS members	Female	1	0	0	0	0	0	1	2
	Male	4	0	0	0	0	0	0	4
Total		32 963	0	210	0	544	276	6 660	40 653



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Table 3.13.2 - Employees found competent in training, for the period, 1 April 2020 to 31 March 2021

Occupational group	Gender	Course	Learnership	Learning programme	Qualification	Refreshers course	Skills programme	Workshop	Total
Top management	Female	0	0	0	0	0	0	0	0
	Male	4	0	0	0	0	0	0	4
Senior management	Female	27	0	1	0	0	0	1	29
	Male	70	0	2	0	2	0	0	74
Professionally qualified and experienced	Female	301	0	13	0	3	0	8	325
	Male	729	0	10	0	22	0	29	790
Skilled technical and academically qualified	Female	3 874	0	32	0	28	43	145	4 122
	Male	13 273	0	61	0	467	44	1 970	15 815
Semi-skilled and discretionary decision making	Female	3 573	0	31	0	4	80	1 506	5 194
	Male	6 211	0	48	0	18	101	2 783	9 161
Unskilled and defined decision making	Female	777	0	0	0	0	2	58	837
	Male	903	0	0	0	0	0	62	965
Non-SAPS members	Female	1	0	0	0	0	0	1	2
	Male	2	0	0	0	0	0	0	2
Total		29 745	0	198	0	544	270	6 563	37 320

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3.14 INJURY ON DUTY

The following table provides basic information on injury on duty.

Table 3.14.1 - Injury on duty, for the period, 1 April 2020 to 31 March 2021

Nature of injury on duty	Number	Percentage of total
Required medical attention with no temporary disablement	345	10,3
Required medical attention with temporary disablement	2 762	82,6
Permanent disablement	123	3,7
Fatal	115	3,4
Total	3 345	100

3.15 UTILISATION OF CONSULTANTS

See page 378 which refers to goods and services, of which “consultants, contractors and special services” is a sub-classification.



PART E

FINANCIAL INFORMATION



ANNEXURE IP18**1227****REPORT OF THE AUDITOR-GENERAL TO
PARLIAMENT ON VOTE NO 28: DEPARTMENT
OF POLICE****REPORT ON THE AUDIT OF THE FINANCIAL STATEMENTS****OPINION**

1. I have audited the financial statements of the Department of Police, set out on pages 337 to 409, which comprise the appropriation statement, statement of financial position as at 31 March 2021, the statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Department of Police as at 31 March 2021, and its financial performance and cash flows for the year then ended in accordance with the Modified Cash Standard (MCS) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

BASIS FOR OPINION

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of my report.
4. I am independent of the department in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

EMPHASIS OF MATTERS

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

AN UNCERTAINTY RELATING TO THE FUTURE OUTCOME OF EXCEPTIONAL LITIGATIONS

7. As disclosed in note 18 to the financial statements, the department is a defendant in a number of lawsuits. The department is opposing the claims, as it believes they are not valid. The ultimate outcome of these matters cannot be determined and no provision for any liability that may result was made in the financial statements.

UNDERSPENDING OF THE BUDGET

8. As disclosed in the appropriation statement, the department materially underspent the budget by R2.665 billion on programme 2 – visible policing and R997 million on programme 3 – detective services, respectively.



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IRREGULAR EXPENDITURE

9. As disclosed in note 24 to the financial statements, irregular expenditure of R3,475 billion was still under assessment.

OTHER MATTER

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

UNAUDITED SUPPLEMENTARY SCHEDULES

11. The supplementary information set out on pages 410 to 421 does not form part of the financial statements and is presented as additional information. I have not audited these schedules and, accordingly, I do not express an opinion on them.

RESPONSIBILITIES OF THE ACCOUNTING OFFICER FOR THE FINANCIAL STATEMENTS

12. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the MCS and the requirements of the 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.
13. In preparing the financial statements, the accounting officer is responsible for assessing the department's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the department or to cease operations, or has no realistic alternative but to do so.

AUDITOR-GENERAL'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS

14. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
15. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

REPORT ON THE AUDIT OF THE ANNUAL PERFORMANCE REPORT

INTRODUCTION AND SCOPE

16. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported

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performance information against predetermined objectives for selected programmes presented in the annual performance report. I performed procedures to identify material findings but not to gather evidence to express assurance.

17. My procedures address the usefulness and reliability of the reported performance information, which must be based on the department's approved performance planning documents. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the department enabled service delivery. My procedures do not extend to any disclosures or assertions relating to the extent of achievements in the current year or planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
18. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected programmes presented in the department's annual performance report for the year ended 31 March 2021:

Programmes	Pages in the annual performance report
Programme 2 – Visible Policing	127-137

19. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
20. The material findings on the usefulness and reliability of the performance information of the selected programmes are as follows:

PROGRAMME 2 – VISIBLE POLICING

VARIOUS INDICATORS

21. The achievements reported in the annual performance report materially differed from the supporting evidence provided for the indicators listed below:

Indicator description	Reported achievement
Percentage reduction in the number of contact crimes	13,90%
Percentage reduction in the number of contact crimes at the top 30 high crime weight stations	18,90%
Percentage reduction in the number of contact crimes against women (18 years and above)	9,40%
Percentage reduction in the number of contact crimes against children (18 years and below)	5,80%
Number of stolen, lost and illegal firearms recovered	2 035



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VARIOUS INDICATORS

22. The achievements below were reported in the annual performance report for the listed indicators. However, some supporting evidence provided materially differed from the reported achievement, while in other instances I was unable to obtain sufficient appropriate audit evidence. This was due to the lack of accurate and complete records. I was unable to confirm the reported achievements by alternative means. Consequently, I was unable to determine whether any further adjustments were required to these reported achievements.

Indicator description	Reported achievement
Number of identifiable stolen/lost SAPS firearms recovered	376
Number of stolen/robbed vehicles recovered	29 422

PERCENTAGE OF IDENTIFIED ILLEGAL LIQUOR OUTLETS CLOSED

23. The method of calculation for measuring the planned indicator was not clearly defined, and related systems and processes were not adequate to enable consistent measurement and reliable reporting of performance against the predetermined indicator definitions. As a result, limitations were placed on the scope of my work and I was unable to audit the reliability of the achievement of 100% of identified illegal liquor outlets closed reported against the target of 90% of identified illegal liquor outlets closed in the annual performance report.

OTHER MATTERS

24. I draw attention to the matters below.

ACHIEVEMENT OF PLANNED TARGETS

25. Refer to the annual performance report on pages 127 to 137 for information on the achievement of planned targets for the year and management's explanations provided for the underachievement of targets. This information should be considered in the context of the material findings on the usefulness and reliability of the reported performance information in paragraphs 21 to 23 of this report.

ADJUSTMENT OF MATERIAL MISSTATEMENTS

26. I identified material misstatements in the annual performance report submitted for auditing. This material misstatements were in the reported performance information of programme 2 – visible policing. As management subsequently corrected only some of the misstatements, I raised material findings on the usefulness and reliability of the reported performance information. Those that were not corrected are reported above.

REPORT ON THE AUDIT OF COMPLIANCE WITH LEGISLATION

INTRODUCTION AND SCOPE

27. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the department's compliance with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.



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28. The material findings on compliance with specific matters in key legislation are as follows:

PROCUREMENT AND CONTRACT MANAGEMENT

29. Some of the bid documentation for procurement of commodities designated for local content and production, did not stipulate the minimum threshold for local production and content as required by the 2017 Preferential Procurement Regulation 8(2).
30. Tender requirements for some of the contracts above R30 million did not include a condition for mandatory subcontracting to advance designated groups, as required by the 2017 Preferential Procurement Regulation 9(1).
31. In some instances, persons in service of the department who had a private or business interest in contracts awarded by the department failed to disclose such interest, as required by treasury regulation 16A8.4 and public service regulation 18.

OTHER INFORMATION

32. The accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and those selected programmes presented in the annual performance report that have been specifically reported in this auditor's report.
33. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion thereon.
34. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
35. I did not receive the other information prior to the date of this auditor's report. When I do receive and read this information, if I conclude that there is a material misstatement therein, I am required to communicate the matter to those charged with governance and request that the other information be corrected. If the other information is not corrected, I may have to retract this auditor's report and re-issue an amended report as appropriate. However, if it is corrected this will not be necessary.

INTERNAL CONTROL DEFICIENCIES

36. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. The matters reported below are limited to the significant internal control deficiencies that resulted in the findings on the annual performance report and the findings on compliance with legislation included in this report.
37. The department did not have sufficient monitoring controls to ensure adherence to the internal policies and procedures at a programme level and for purposes of taking corrective action.



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38. The department developed an action plan to address internal and external audit findings. Audit action plans on pre-determined objectives did not have the desired impact as repeat findings were identified. This was due to the appropriate level of management not monitoring adherence to the plan in a timely manner.
39. The department did not maintain proper record keeping to safeguard records and facilitate timely retrieval. Supporting documentation relating to performance information was not always provided or was not provided within the agreed timelines.
40. Non-compliance with legislation could have been prevented had compliance been properly reviewed and monitored. Despite management having included applicable checklists, these did not contain some bidding requirements.

OTHER REPORTS

41. I draw attention to the following engagements conducted by various parties which had, or could have, an impact on the matters reported in the department's financial statements, reported performance information, compliance with applicable legislation and other related matters. These reports did not form part of my opinion on the financial statements or my findings on the reported performance information or compliance with legislation.
42. In previous years, the department had instituted a number of investigations relating to various instances of transgressions of supply chain management legislation. Some of these investigations were still ongoing at the date of this auditor's report and many had been under investigation for a number of years with no indicated completion date or recommendations for implementation for disciplinary and/or criminal proceedings against transgressors. Some investigations from prior years were concluded in the current year and responsible officials were identified.

Auditor-General

Pretoria

31 August 2021



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

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ANNEXURE – AUDITOR-GENERAL'S RESPONSIBILITY FOR THE AUDIT

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programmes and on the department's compliance with respect to the selected subject matters.

FINANCIAL STATEMENTS

2. In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:
 - » identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control
 - » obtain an understanding of internal control relevant to the audit 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 department's internal control
 - » evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer
 - » conclude on the appropriateness of the accounting officer's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the Department of Police to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a department to cease operating as a going concern
 - » evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.
4. I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence, and communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.



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DEPARTMENT OF POLICE

VOTE 28

APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Appropriation per Programme										
Programme	2020/21					2019/20				
	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	19,007,044	0	0	19,007,044	18,702,270	304,774	98.4%	20,151,549	19,922,542	
2. Visible Policing	53,401,526	0	0	53,401,526	50,736,475	2,665,051	95.0%	49,793,729	49,748,312	
3. Detective Services	19,688,486	0	0	19,688,486	18,691,777	996,709	94.9%	19,347,109	18,867,410	
4. Crime Intelligence	4,200,110	0	0	4,200,110	4,129,773	70,337	98.3%	4,155,774	4,155,774	
5. Protection and Security Services	3,263,728	0	0	3,263,728	3,222,848	40,880	98.7%	3,379,100	3,379,100	
Total	99,560,894	0	0	99,560,894	95,483,143	4,077,751	95.9%	96,827,261	96,073,217	
Reconciliation with Statement of Financial Performance										
Add:										
Departmental receipts				672,450				601,703		
Aid assistance				0				0		
Actual amounts per Statement of Financial Performance (Total Revenue)				100,233,344				97,428,964		
Add:										
Aid assistance					0				0	
Actual amounts per Statement of Financial Performance (Total Expenditure)					95,483,143				96,073,217	

DEPARTMENT OF POLICE

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APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

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	Appropriation per Economic classification							2019/20	
	2020/21							Final Appropriation	Actual Expenditure
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation		
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Economic classification									
Current payments									
Compensation of employees	95,366,408	(477,355)	0	94,889,053	91,171,195	3,717,858	96.1%	92,498,616	92,232,150
Salaries and wages	76,147,007	0	0	76,147,007	75,697,208	449,799	99.4%	76,357,717	76,357,610
Social contributions	59,301,154	0	0	59,301,154	58,935,159	365,995	99.4%	59,988,792	59,988,792
	16,845,853	0	0	16,845,853	16,762,049	83,804	99.5%	16,368,925	16,368,925
Goods and services	19,219,401	(477,355)	0	18,742,046	15,473,987	3,268,059	82.6%	16,140,899	15,874,411
Administrative fees	91,201	9,467	0	100,668	100,603	65	99.9%	78,622	78,622
Advertising	25,961	(5,384)	0	20,577	17,119	3,458	83.2%	16,220	16,220
Minor assets	191,792	(55,984)	0	135,808	123,269	12,539	90.8%	163,924	159,711
Audit costs: External	39,813	(10,569)	0	29,244	29,244	0	100.0%	45,117	45,117
Bursaries: Employees	10,063	(2,002)	0	8,061	8,061	0	100.0%	9,493	9,493
Catering: Departmental activities	30,477	(9,777)	0	20,700	4,307	16,393	20.8%	24,322	24,322
Communication (G&S)	478,941	(31,562)	0	447,379	411,401	35,978	92.0%	444,486	444,486
Computer services	2,152,388	431,853	0	2,584,241	2,550,889	33,352	98.7%	2,824,601	2,782,611
Consultants: Business and advisory services	22,247	(5,047)	0	17,200	14,303	2,897	83.2%	14,617	14,617
Laboratory services	4,562	29	0	4,591	335	4,256	7.3%	4,231	327
Legal services	367,351	(66,270)	0	301,081	301,081	0	100.0%	383,122	383,122
Contractors	434,600	(129,634)	0	304,966	187,838	117,128	61.6%	308,882	308,882
Agency and support/ outsourced services	455,911	(149,502)	0	306,409	283,778	22,631	92.6%	464,636	464,636
Entertainment	1,410	(208)	0	1,202	521	681	43.3%	626	626
Fleet services (including government motor transport)	4,207,884	(300,224)	0	3,907,660	3,606,372	301,288	92.3%	4,225,122	4,225,122



DEPARTMENT OF POLICE

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APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Appropriation per Economic classification									
	2020/21						2019/20		
	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
Inventory: Clothing material and accessories	237,300	34,222	0	271,522	271,522	0	100.0%	163,807	163,807
Inventory: Other supplies	92,830	(32,607)	0	60,223	54,511	5,712	90.5%	68,186	68,186
Consumable supplies	4,178,700	29,559	0	4,208,259	1,894,337	2,313,922	45.0%	631,810	454,337
Consumable: Stationery, printing and office supplies	362,411	(56,114)	0	306,297	215,453	90,844	70.3%	342,870	315,114
Operating leases	3,245,917	7,960	0	3,253,877	3,186,026	67,851	97.9%	3,092,874	3,092,874
Property payments	1,401,622	(4,150)	0	1,397,472	1,326,369	71,103	94.9%	1,367,141	1,367,141
Transport provided: Departmental activity	2,179	(17)	0	2,162	316	1,846	14.6%	1,148	1,148
Travel and subsistence	968,589	(96,042)	0	872,547	774,510	98,037	88.8%	1,292,259	1,292,259
Training and development	48,933	(21,161)	0	27,772	2,472	25,300	8.9%	29,931	18,820
Operating payments	142,721	(4,760)	0	137,961	106,423	31,538	77.1%	125,929	125,929
Venues and facilities	23,598	(9,431)	0	14,167	2,927	11,240	20.7%	16,923	16,923
Transfers and subsidies	1,613,719	9,859	0	1,623,578	1,595,948	27,630	98.3%	1,368,195	1,368,195
Provinces and municipalities	53,205	1,619	0	54,824	53,853	971	98.2%	52,777	52,777
Municipalities	53,205	1,619	0	54,824	53,853	971	98.2%	52,777	52,777
Departmental agencies and accounts	50,975	0	0	50,975	48,939	2,036	96.0%	195,902	195,902
Departmental agencies (non-business entities)	50,975	0	0	50,975	48,939	2,036	96.0%	195,902	195,902
Non-profit institutions	1,000	0	0	1,000	0	1,000	0.0%	0	0
Households	1,508,539	8,240	0	1,516,779	1,493,156	23,623	98.4%	1,119,516	1,119,516
Social benefits	1,029,642	59,068	0	1,088,710	1,084,534	4,176	99.6%	484,142	484,142

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DEPARTMENT OF POLICE

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APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

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	Appropriation per Economic classification									
	2020/21					2019/20				
	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	
Other transfers to households	478,897	(50,828)	0	428,069	408,622	19,447	95.5%	635,374	635,374	
Payment for capital assets	2,580,767	420,779	0	3,001,546	2,669,283	332,263	88.9%	2,928,144	2,440,560	
Buildings and other fixed structures	497,667	14,257	0	511,924	327,827	184,097	64.0%	549,874	513,293	
Buildings	497,667	(17,526)	0	480,141	296,044	184,097	61.7%	549,874	513,293	
Other fixed structures	0	31,783	0	31,783	31,783	0	100.0%	0	0	
Machinery and equipment	2,078,671	325,651	0	2,404,322	2,256,156	148,166	93.8%	2,378,270	1,927,267	
Transport equipment	1,618,089	208,760	0	1,826,849	1,767,158	59,691	96.7%	1,596,357	1,596,357	
Other machinery and equipment	460,582	116,891	0	577,473	488,998	88,475	84.7%	781,913	330,994	
Biological assets	4,429	(4,429)	0	0	0	0	0.0%	0	0	
Software and other intangible assets	0	85,300	0	85,300	85,300	0	100.0%	0	0	
Payment for financial assets	0	46,717	0	46,717	46,717	0	100.0%	32,306	32,306	
Total	99,560,894	0	0	99,560,894	95,483,143	4,077,751	95.9%	96,827,261	96,073,217	



DEPARTMENT OF POLICE

VOTE 28

APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE IP18

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Detail per programme 1 - Administration										
Sub Programme		2020/21					2019/20			
		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
1.1	MINISTRY	64,073	0	0	64,073	37,062	27,011	57.8%	53,061	53,061
1.2	MANAGEMENT	86,371	213	0	86,584	86,584	0	100.0%	67,795	67,795
1.3	CORPORATE SERVICES	18,856,600	(213)	0	18,856,387	18,578,624	277,763	98.5%	20,030,693	19,801,644
Total for sub programmes		19,007,044	0	0	19,007,044	18,702,270	304,774	98.4%	20,151,549	19,922,549

Economic classification										
		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		17,565,456	(269,755)	0	17,295,701	17,196,447	99,254	99.4%	18,252,951	18,252,892
Compensation of employees		13,381,707	(12,536)	0	13,369,171	13,287,614	81,557	99.4%	13,590,897	13,590,858
Salaries and wages		10,734,508	(5,091)	0	10,729,417	10,655,066	74,351	99.3%	11,006,755	11,006,708
Social contributions		2,647,199	(7,445)	0	2,639,754	2,632,548	7,206	99.7%	2,584,142	2,584,142
Goods and services		4,183,749	(257,219)	0	3,926,530	3,908,833	17,697	99.5%	4,662,054	4,662,042
Administrative fees		19,160	1,423	0	20,583	20,583	0	100.0%	19,642	19,642
Advertising		16,354	(3,435)	0	12,919	12,697	222	98.3%	13,090	13,090
Minor assets		39,418	(49,949)	0	(10,531)	(10,585)	54	100.5%	40,476	40,476
Audit costs: External		39,813	(10,569)	0	29,244	29,244	0	100.0%	45,117	45,117
Bursaries: Employees		10,063	(2,004)	0	8,059	8,059	0	100.0%	9,493	9,493
Catering: Departmental activities		9,723	(8,879)	0	844	583	261	69.1%	5,718	5,718
Communication (G&S)		99,181	(18,684)	0	80,497	80,497	0	100.0%	94,408	94,408

DEPARTMENT OF POLICE

VOTE 28

APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Economic classification	2020/21						2019/20	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000
Computer services	2,105,984	435,554	0	2,541,538	2,541,538	0	100.0%	2,569,761
Consultants: Business and advisory services	14,094	(2,605)	0	11,489	11,489	0	100.0%	11,393
Legal services	366,176	(65,095)	0	301,081	301,081	0	100.0%	383,122
Contractors	173,632	(136,655)	0	36,977	36,938	39	99.9%	142,656
Agency and support / outsourced services	163,657	(150,087)	0	13,570	13,570	0	100.0%	211,221
Entertainment	498	(148)	0	350	203	147	58.0%	274
Fleet services (including government motor transport)	299,102	(37,271)	0	261,831	259,695	2,136	99.2%	323,373
Inventory: Clothing material and accessories	237,300	34,222	0	271,522	271,522	0	100.0%	163,807
Inventory: Other supplies	87,018	(32,532)	0	54,486	54,486	0	100.0%	67,120
Consumable supplies	72,405	7,948	0	80,353	80,321	32	100.0%	136,039
Consumable: Stationery, printing and office supplies	75,765	(54,419)	0	21,346	21,201	145	99.3%	75,683
Operating leases	50,324	(3,653)	0	46,671	46,473	198	99.6%	54,449
Property payments	10,895	(4,668)	0	6,227	6,227	0	100.0%	8,264
Transport provided: Departmental activity	24	(23)	0	1	1	0	100.0%	2
Travel and subsistence	232,290	(135,005)	0	97,285	82,879	14,406	85.2%	231,289
Training and development	14,090	(12,397)	0	1,693	1,693	0	100.0%	14,024
Operating payments	36,904	198	0	37,102	37,045	57	99.8%	34,153
Venues and facilities	9,879	(8,486)	0	1,393	1,393	0	100.0%	7,480
Transfers and subsidies	755,753	(34,016)	0	721,737	702,765	18,972	97.4%	966,277
Provinces and municipalities	8,663	(304)	0	8,359	7,832	527	93.7%	7,608
Municipalities	8,663	(304)	0	8,359	7,832	527	93.7%	7,608

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ANNEXURE IP18

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DEPARTMENT OF POLICE

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APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE IP-18

Economic classification	2020/21							2019/20	
	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
Departmental agencies and accounts	50,975	0	0	50,975	48,939	2,036	96.0%	195,902	195,902
Departmental agencies (non-business entities)	50,975	0	0	50,975	48,939	2,036	96.0%	195,902	195,902
Households	696,115	(33,712)	0	662,403	645,994	16,409	97.5%	762,767	762,767
Social benefits	280,715	1,275	0	281,990	278,117	3,873	98.6%	182,158	182,158
Other transfers to households	415,400	(34,987)	0	380,413	367,877	12,536	96.7%	580,609	580,609
Payment for capital assets	685,835	257,054	0	942,889	756,341	186,548	80.2%	900,015	671,067
Buildings and other fixed structures	497,667	0	0	497,667	313,570	184,097	63.0%	549,354	512,773
Buildings	497,667	(17,947)	0	479,720	295,623	184,097	61.6%	549,354	512,773
Other fixed structures	0	17,947	0	17,947	17,947	0	100.0%	0	0
Machinery and equipment	183,739	176,183	0	359,922	357,471	2,451	99.3%	350,661	158,294
Transport equipment	90,248	51,239	0	141,487	139,073	2,414	98.3%	85,678	85,678
Other machinery and equipment	93,491	124,944	0	218,435	218,398	37	100.0%	264,983	72,616
Biological assets	4,429	(4,429)	0	0	0	0	0%	0	0
Software and other intangible assets	0	85,300	0	85,300	85,300	0	100.0%	0	0
Payment for financial assets	0	46,717	0	46,717	46,717	0	100.0%	32,306	32,306
Total	19,007,044	0	0	19,007,044	18,702,270	304,774	98.4%	20,151,549	19,922,542

DEPARTMENT OF POLICE

VOTE 28

APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE IP18

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1.1 Ministry	2020/21						2019/20		
	Economic classification						Economic classification		
	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	59,983	0	0	59,983	35,438	24,545	59.1%	50,510	50,510
Compensation of employees	30,091	0	0	30,091	23,243	6,848	77.2%	26,505	26,505
Goods and services	29,892	0	0	29,892	12,195	17,697	40.8%	24,005	24,005
Transfers and subsidies	17	0	0	17	2	15	11.8%	1,157	1,157
Provinces and municipalities	17	0	0	17	2	15	11.8%	4	4
Households	0	0	0	0	0	0	0%	1,153	1,153
Payment for capital assets	4,073	0	0	4,073	1,622	2,451	39.8%	1,394	1,394
Machinery and equipment	4,073	0	0	4,073	1,622	2,451	39.8%	1,394	1,394
Total	64,073	0	0	64,073	37,062	27,011	57.8%	53,061	53,061
1.2 Management	2020/21						2019/20		
	Economic classification						Economic classification		
	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	80,823	311	0	81,134	81,134	0	100.0%	65,882	65,882
Compensation of employees	52,189	18,409	0	70,598	70,598	0	100.0%	46,876	46,876
Goods and services	28,634	(18,098)	0	10,536	10,536	0	100.0%	19,006	19,006
Transfers and subsidies	2,578	1,281	0	3,859	3,859	0	100.0%	99	99
Provinces and municipalities	31	6	0	37	37	0	100.0%	28	28
Households	2,547	1,275	0	3,822	3,822	0	100.0%	71	71
Payment for capital assets	2,970	(1,379)	0	1,591	1,591	0	100.0%	1,814	1,814
Machinery and equipment	2,970	(1,379)	0	1,591	1,591	0	100.0%	1,814	1,814
Total	86,371	213	0	86,584	86,584	0	100.0%	67,795	67,795



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DEPARTMENT OF POLICE

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APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

1.3 Corporate Services									
Economic classification	2020/21						2019/20		
	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	17,424,650	(270,066)	0	17,154,584	17,079,875	74,709	99.6%	18,136,559	18,136,559
Compensation of employees	13,299,427	(30,945)	0	13,268,482	13,193,773	74,709	99.4%	13,517,516	13,517,467
Goods and services	4,125,223	(239,121)	0	3,886,102	3,886,102	0	100.0%	4,619,043	4,619,041
Transfers and subsidies	753,158	(35,297)	0	717,861	698,904	18,957	97.4%	965,021	965,021
Provinces and municipalities	8,615	(310)	0	8,305	7,793	512	93.8%	7,576	7,576
Departmental agencies and accounts	50,975	0	0	50,975	48,939	2,036	96.0%	195,902	195,902
Households	693,568	(34,987)	0	658,581	642,172	16,409	97.5%	761,543	761,543
Payment for capital assets	678,792	258,433	0	937,225	753,128	184,097	80.4%	896,807	667,859
Buildings and other fixed structures	497,667	0	0	497,667	313,570	184,097	63.0%	549,354	512,773
Machinery and equipment	176,696	177,562	0	354,258	354,258	0	100.0%	347,453	155,089
Biological assets	4,429	(4,429)	0	0	0	0	0%	0	0
Software and other intangible assets	0	85,300	0	85,300	85,300	0	100.0%	0	0
Payment for financial assets	0	46,717	0	46,717	46,717	0	100.0%	32,306	32,306
Total	18,856,600	(213)	0	18,856,387	18,578,624	277,763	98.5%	20,030,693	19,801,686

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Detail per programme 2 - Visible Policing										
Sub programme	2020/21						2019/20			
	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 CRIME PREVENTION	42,165,208	0	0	42,165,208	39,722,291	2,442,917	94.2%	38,834,120	38,788,751	
2.2 BORDER SECURITY	2,204,551	0	0	2,204,551	2,163,448	41,103	98.1%	2,155,632	2,155,632	
2.3 SPECIALISED INTERVENTIONS	4,555,793	0	0	4,555,793	4,538,584	17,209	99.6%	4,542,265	4,542,265	
2.4 FACILITIES	4,475,974	0	0	4,475,974	4,312,152	163,822	96.3%	4,261,712	4,261,712	
Total for sub programmes	53,401,526	0	0	53,401,526	50,736,475	2,665,051	95.0%	49,793,729	49,748,351	

Economic classification										
Economic classification	2020/21						2019/20			
	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	51,595,598	(62,707)	0	51,532,891	48,879,840	2,653,051	94.9%	48,199,058	48,199,058	
Compensation of employees	39,324,778	0	0	39,324,778	39,306,439	18,339	100.0%	39,719,920	39,719,920	
Salaries and wages	30,114,948	19,667	0	30,134,615	30,123,010	11,605	100.0%	30,618,737	30,618,737	
Social contributions	9,209,830	(19,667)	0	9,190,163	9,183,429	6,734	99.9%	9,101,183	9,101,183	
Goods and services	12,270,820	(62,707)	0	12,208,113	9,573,401	2,634,712	78.4%	8,479,138	8,479,138	
Administrative fees	40,226	3,897	0	44,123	44,123	0	100.0%	32,527	32,527	
Advertising	3,429	0	0	3,429	2,916	513	85.0%	870	870	
Minor assets	128,360	(11,382)	0	116,978	114,481	2,497	97.9%	100,630	100,630	
Bursaries: Employees	0	2	0	2	2	0	100.0%	0	0	
Catering: Departmental activities	15,123	0	0	15,123	3,054	12,069	20.2%	14,243	14,243	
Communication (G&S)	257,002	65	0	257,067	231,122	25,945	89.9%	242,262	242,262	
Computer services	2,929	6	0	2,935	1,423	1,512	48.5%	1,792	1,792	
Consultants: Business and advisory services	1,735	382	0	2,117	491	1,626	23.2%	380	380	



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Economic classification	2020/21						2019/20		
	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
Laboratory services	0	29	0	29	29	0	100.0%	28	28
Contractors	225,627	0	0	225,627	114,762	110,865	50.9%	131,840	131,840
Agency and support / outsourced services	279,734	0	0	279,734	267,501	12,233	95.6%	232,312	232,312
Entertainment	386	3	0	389	199	190	51.2%	161	161
Fleet services (including government motor transport)	2,333,288	(146,072)	0	2,187,216	2,097,960	89,256	95.9%	2,386,024	2,386,024
Inventory: Other supplies	5,079	0	0	5,079	25	5,054	0.5%	1,054	1,054
Consumable supplies	3,867,108	5,967	0	3,873,075	1,697,688	2,175,387	43.8%	156,794	156,794
Consumable: Stationery, printing and office supplies	186,053	0	0	186,053	129,274	56,779	69.5%	160,191	160,191
Operating leases	3,132,361	5,344	0	3,137,705	3,088,825	48,880	98.4%	2,977,074	2,977,074
Property payments	1,381,527	0	0	1,381,527	1,316,100	65,427	95.3%	1,354,312	1,354,312
Transport provided: Departmental activity	1,613	0	0	1,613	195	1,418	12.1%	989	989
Travel and subsistence	365,206	84,312	0	449,518	446,468	3,050	99.3%	652,757	652,757
Training and development	1,754	0	0	1,754	9	1,745	0.5%	102	102
Operating payments	32,282	(5,260)	0	27,022	15,224	11,798	56.3%	25,351	25,351
Venues and facilities	9,998	0	0	9,998	1,530	8,468	15.3%	7,445	7,445
Transfers and subsidies	529,741	8,372	0	538,113	530,007	8,106	98.5%	253,454	253,454
Provinces and municipalities	30,335	1,467	0	31,802	31,607	195	99.4%	31,922	31,922
Municipalities	30,335	1,467	0	31,802	31,607	195	99.4%	31,922	31,922
Non-profit institutions	1,000	0	0	1,000	0	1000	0%	0	0
Households	498,406	6,905	0	505,311	498,400	6,911	98.6%	221,532	221,532
Social benefits	434,909	23,313	0	458,222	458,222	0	100.0%	168,192	168,192

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Economic classification	2020/21						2019/20	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000
Other transfers to households	63,497	(16,408)	0	47,089	40,178	6,911	85.3%	53,340
Payment for capital assets	1,276,187	54,335	0	1,330,522	1,326,628	3,894	99.7%	1,341,217
Buildings and other fixed structures	0	421	0	421	421	0	100.0%	237
Buildings	0	421	0	421	421	0	100.0%	237
Machinery and equipment	1,276,187	53,914	0	1,330,101	1,326,207	3,894	99.7%	1,340,980
Transport equipment	1,117,136	48,136	0	1,165,272	1,165,272	0	100.0%	1,138,950
Other machinery and equipment	159,051	5,778	0	164,829	160,935	3,894	97.6%	202,030
Total	53,401,526	0	0	53,401,526	50,736,475	2,665,051	95.0%	49,793,729
2.1 Crime Prevention								
Economic classification	2020/21						2019/20	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000
Current payments	40,504,323	(45,178)	0	40,459,145	38,024,139	2,435,006	94.0%	37,334,457
Compensation of employees	33,404,668	7,103	0	33,411,771	33,411,771	0	100.0%	33,867,569
Goods and services	7,099,655	(52,281)	0	7,047,374	4,612,368	2,435,006	65.4%	3,466,888
Transfers and subsidies	479,606	0	0	479,606	471,695	7,911	98.4%	221,646
Provinces and municipalities	21,537	552	0	22,089	22,089	0	100.0%	20,879
Non profit institutions	1,000	0	0	1,000	0	1,000	0%	0
Households	457,069	(552)	0	456,517	449,606	6,911	98.5%	200,767
Payment for capital assets	1,181,279	45,178	0	1,226,457	1,226,457	0	100.0%	1,278,017
Buildings and other fixed structures	0	287	0	287	287	0	100.0%	237
Machinery and equipment	1,181,279	44,891	0	1,226,170	1,226,170	0	100.0%	1,232,433
Total	42,165,208	0	0	42,165,208	39,722,291	2,442,917	94.2%	38,834,120
Total	95,566,734	0	0	95,566,734	89,958,766	5,607,968	94.2%	88,627,849

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2.2 Border Security									
Economic classification	2020/21					2019/20			
	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	2,166,319	(2,637)	0	2,163,682	2,126,668	37,014	98.3%	2,138,948	2,138,948
Compensation of employees	2,058,147	0	0	2,058,147	2,044,185	13,962	99.3%	2,046,878	2,046,878
Goods and services	108,172	(2,637)	0	105,535	82,483	23,052	78.2%	92,070	92,070
Transfers and subsidies	10,418	2,637	0	13,055	12,860	195	98.5%	5,579	5,519
Provinces and municipalities	912	0	0	912	717	195	78.6%	752	717
Households	9,506	2,637	0	12,143	12,143	0	100.0%	4,827	4,827
Payment for capital assets	27,814	0	0	27,814	23,920	3,894	86.0%	11,105	11,105
Machinery and equipment	27,814	0	0	27,814	23,920	3,894	86.0%	11,105	11,105
Total	2,204,551	0	0	2,204,551	2,163,448	41,103	98.1%	2,155,632	2,155,611
2.3 Specialised Interventions									
Economic classification	2020/21					2019/20			
	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	4,448,982	(14,892)	0	4,434,090	4,416,881	17,209	99.6%	4,463,941	4,463,941
Compensation of employees	3,861,963	(7,103)	0	3,854,860	3,850,483	4,377	99.9%	3,805,473	3,805,473
Goods and services	587,019	(7,789)	0	579,230	566,398	12,832	97.8%	658,468	658,468
Transfers and subsidies	39,717	5,735	0	45,452	45,452	0	100.0%	26,229	26,229
Provinces and municipalities	7,886	915	0	8,801	8,801	0	100.0%	10,291	10,291
Households	31,831	4,820	0	36,651	36,651	0	100.0%	15,938	15,938
Payment for capital assets	67,094	9,157	0	76,251	76,251	0	100.0%	52,095	52,095
Building and other fixed structures	0	134	0	134	134	0	100.0%	0	0
Machinery and equipment	67,094	9,023	0	76,117	76,117	0	100.0%	52,095	52,095
Total	4,555,793	0	0	4,555,793	4,538,584	17,209	99.6%	4,542,265	4,542,265

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2.4 Facilities										
Economic classification		2020/21					2019/20			
		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		4,475,974	0	0	4,475,974	4,312,152	163,822	96.3%	4,261,712	4,261,712
Goods and services		4,475,974	0	0	4,475,974	4,312,152	163,822	96.3%	4,261,712	4,261,712
Total		4,475,974	0	0	4,475,974	4,312,152	163,822	96.3%	4,261,712	4,261,712

Detail per programme 3 - Detective Services										
Sub programme		2020/21					2019/20			
		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	CRIME INVESTIGATIONS	13,620,580	(18,451)	0	13,602,129	13,313,256	288,873	97.9%	13,279,284	13,279,284
3.2	CRIMINAL RECORD CENTRE	2,550,010	0	0	2,550,010	2,402,811	147,199	94.2%	2,549,932	2,446,241
3.3	FORENSIC SCIENCE LABORATORY	1,388,246	0	0	1,388,246	1,124,814	263,432	81.0%	1,740,766	1,364,747
3.4	SPECIALISED INVESTIGATIONS	2,129,650	18,451	0	2,148,101	1,850,896	297,205	86.2%	1,777,127	1,777,127
Total for sub programmes		19,688,486	0	0	19,688,486	18,691,777	996,709	94.9%	19,347,109	18,867,419



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Economic classification	2020/21							2019/20	
	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	18,934,832	(110,729)	0	18,824,103	17,942,891	881,212	95.3%	18,687,995	18,421,569
Compensation of employees	16,654,571	0	0	16,654,571	16,304,669	349,902	97.9%	16,207,184	16,207,184
Salaries and wages	13,036,477	0	0	13,036,477	12,756,438	280,039	97.9%	12,784,986	12,784,986
Social contributions	3,618,094	0	0	3,618,094	3,548,231	69,863	98.1%	3,422,198	3,422,198
Goods and services	2,280,261	(110,729)	0	2,169,532	1,638,222	531,310	75.5%	2,480,811	2,214,311
Administrative fees	26,806	3,589	0	30,395	30,330	65	99.8%	22,388	22,388
Advertising	5,376	(1,949)	0	3,427	1,505	1,922	43.9%	1,842	1,842
Minor assets	16,456	3,153	0	19,609	11,141	8,468	56.8%	16,672	12,456
Catering: Departmental activities	4,381	(903)	0	3,478	574	2,904	16.5%	2,908	2,908
Communication (G&S)	103,723	(12,957)	0	90,766	83,251	7,515	91.7%	89,627	89,627
Computer services	41,832	(3,717)	0	38,115	7,732	30,383	20.3%	252,839	210,800
Consultants: Business and advisory services	6,326	(2,824)	0	3,502	2,323	1,179	66.3%	2,844	2,844
Laboratory services	4,562	0	0	4,562	306	4,256	6.7%	4,203	203
Legal services	1,175	(1,175)	0	0	0	0	0%	0	0
Contractors	28,835	6,286	0	35,121	31,371	3,750	89.3%	29,792	29,792
Agency and support / outsourced services	11,397	232	0	11,629	1,572	10,057	13.5%	19,264	19,264
Entertainment	297	(38)	0	259	60	199	23.2%	78	78
Fleet services (including government motor transport)	1,372,347	(86,903)	0	1,285,444	1,099,201	186,243	85.5%	1,320,548	1,320,548
Inventory: Other supplies	632	0	0	632	0	632	0.0%	12	12
Consumable supplies	225,200	14,162	0	239,362	100,859	138,503	42.1%	321,298	143,800
Consumable: Stationery, printing and office supplies	76,946	(1,626)	0	75,320	47,352	27,968	62.9%	84,689	56,900
Operating leases	41,826	6,435	0	48,261	37,386	10,875	77.5%	41,972	41,972
Property payments	5,822	615	0	6,437	2,285	4,152	35.5%	2,441	2,441

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Economic classification	2020/21						2019/20		
	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
Transport provided: Departmental activity	384	6	0	390	19	371	4.9%	66	66
Travel and subsistence	213,405	(22,125)	0	191,280	138,443	52,837	72.4%	202,213	202,213
Training and development	32,996	(8,764)	0	24,232	770	23,462	3.2%	15,634	4,523
Operating payments	56,204	(1,281)	0	54,923	41,738	13,185	76.0%	47,810	47,810
Venues and facilities	3,333	(945)	0	2,388	4	2,384	0.2%	1,671	1,671
Transfers and subsidies	253,753	22,664	0	276,417	276,411	6	100.0%	117,754	117,754
Provinces and municipalities	11,641	191	0	11,832	11,826	6	99.9%	10,788	10,788
Municipalities	11,641	191	0	11,832	11,826	6	99.9%	10,788	10,788
Households	242,112	22,473	0	264,585	264,585	0	100.0%	106,966	106,966
Social benefits	242,112	21,956	0	264,068	264,068	0	100.0%	105,739	105,739
Other transfers to households	0	517	0	517	517	0	100.0%	1,227	1,227
Payment for capital assets	499,901	88,065	0	587,966	472,475	115,491	80.4%	541,360	328,097
Buildings and other fixed structures	0	13,836	0	13,836	13,836	0	100.0%	283	283
Buildings	0	0	0	0	0	0	0%	283	283
Other fixed structures	0	13,836	0	13,836	13,836	0	100.0%	0	0
Machinery and equipment	499,901	74,229	0	574,130	458,639	115,491	79.9%	541,077	327,814
Transport equipment	319,906	81,214	0	401,120	367,673	33,447	91.7%	247,370	247,370
Other machinery and equipment	179,995	(6,985)	0	173,010	90,966	82,044	52.6%	293,707	80,444
Total	19,688,486	0	0	19,688,486	18,691,777	996,709	94.9%	19,347,109	18,867,419

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3.1 Crime Investigations									
Economic classification	2020/21					2019/20			
	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	13,080,829	(20,932)	0	13,059,897	12,800,787	259,110	98.0%	12,931,806	12,931,806
Compensation of employees	11,634,088	22,001	0	11,656,089	11,604,044	52,045	99.6%	11,511,369	11,511,369
Goods and services	1,446,741	(42,933)	0	1,403,808	1,196,743	207,065	85.2%	1,420,437	1,420,437
Transfers and subsidies	223,908	2,481	0	226,389	226,383	6	100.0%	93,316	93,316
Provinces and municipalities	8,954	0	0	8,954	8,948	6	99.9%	8,392	8,392
Households	214,954	2,481	0	217,435	217,435	0	100.0%	84,924	84,924
Payment for capital assets	315,843	0	0	315,843	286,086	29,757	90.6%	254,162	254,162
Machinery and equipment	315,843	0	0	315,843	286,086	29,757	90.6%	254,162	254,162
Total	13,620,580	(18,451)	0	13,602,129	13,313,256	288,873	97.9%	13,279,284	13,279,284

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APPROPRIATION STATEMENT

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3.2 Criminal Record Centre									
Economic classification	2020/21					2019/20			
	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	2,501,925	(3,240)	0	2,498,685	2,351,486	147,199	94.1%	2,454,438	2,406,117
Compensation of employees	2,199,094	0	0	2,199,094	2,198,442	652	100.0%	2,209,965	2,209,965
Goods and services	302,831	(3,240)	0	299,591	153,044	146,547	51.1%	244,473	196,117
Transfers and subsidies	13,500	19	0	13,519	13,519	0	100.0%	7,628	7,628
Provinces and municipalities	1,261	(102)	0	1,159	1,159	0	100.0%	1,200	1,200
Households	12,239	121	0	12,360	12,360	0	100.0%	6,428	6,428
Payment for capital assets	34,585	3,221	0	37,806	37,806	0	100.0%	87,866	32,513
Machinery and equipment	34,585	3,221	0	37,806	37,806	0	100.0%	87,866	32,513
Total	2,550,010	0	0	2,550,010	2,402,811	147,199	94.2%	2,549,932	2,446,261

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3.3 Forensic Science Laboratory									
Economic classification	2020/21					2019/20			
	Adjusted Appropriation R'000	Shifting of Funds R'000	Virement R'000	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Expenditure as % of final appropriation %	Final Appropriation R'000	Actual Expenditure R'000
Current payments	1,282,474	(303)	0	1,282,171	1,104,473	177,698	86.1%	1,580,361	1,362,255
Compensation of employees	1,020,055	4,018	0	1,024,073	1,024,073	0	100.0%	1,027,209	1,027,209
Goods and services	262,419	(4,321)	0	258,098	80,400	177,698	31.2%	553,152	335,046
Transfers and subsidies	2,236	303	0	2,539	2,539	0	100.0%	287	287
Provinces and municipalities	258	36	0	294	294	0	100.0%	254	254
Households	1,978	267	0	2,245	2,245	0	100.0%	33	33
Payment for capital assets	103,536	0	0	103,536	17,802	85,734	17.2%	160,118	2,218
Building and other fixed structures	0	13,836	0	13,836	13,836	0	100.0%	0	0
Machinery and equipment	103,536	(13,836)	0	89,700	3,966	85,734	4.4%	160,118	2,205
Total	1,388,246	0	0	1,388,246	1,124,814	263,432	81.0%	1,740,766	1,364,747

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3.4 Specialised Investigations									
Economic classification	2020/21						2019/20		
	Adjusted Appropriation R'000	Shifting of Funds R'000	Virement R'000	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Expenditure as % of final appropriation %	Final Appropriation R'000	Actual Expenditure R'000
Current payments	2,069,604	(86,254)	0	1,983,350	1,686,145	297,205	85.0%	1,721,390	1,721,390
Compensation of employees	1,801,334	(26,019)	0	1,775,315	1,478,110	297,205	83.3%	1,458,641	1,458,641
Goods and services	268,270	(60,235)	0	208,035	208,035	0	100.0%	262,749	262,749
Transfers and subsidies	14,109	19,861	0	33,970	33,970	0	100.0%	16,523	16,523
Provinces and municipalities	1,168	257	0	1,425	1,425	0	100.0%	942	942
Households	12,941	19,604	0	32,545	32,545	0	100.0%	15,581	15,581
Payment for capital assets	45,937	84,844	0	130,781	130,781	0	100.0%	39,214	39,214
Buildings and other fixed structures	0	0	0	0	0	0	0.0%	283	283
Machinery and equipment	45,937	84,844	0	130,781	130,781	0	100.0%	38,931	38,931
Total	2,129,650	18,451	0	2,148,101	1,850,896	297,205	86.2%	1,777,127	1,777,127

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Detail per programme 4 - Crime Intelligence									
Sub programme	2020/21						2019/20		
	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
4.1 CRIME INTELLIGENCE OPERATIONS	1,734,273	0	0	1,734,273	1,691,500	42,773	97.5%	1,668,996	1,668,996
4.2 INTELLIGENCE AND INFORMATION MANAGEMENT	2,465,837	0	0	2,465,837	2,438,273	27,564	98.9%	2,486,778	2,486,778
Total for sub programmes	4,200,110	0	0	4,200,110	4,129,773	70,337	98.3%	4,155,774	4,155,774

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Economic classification	2020/21						2019/20		
	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	4,083,026	(30,077)	0	4,052,949	4,004,646	48,303	98.8%	4,075,135	4,075,135
Compensation of employees	3,812,616	0	0	3,812,616	3,812,615	1	100.0%	3,817,530	3,817,530
Salaries and wages	3,020,240	(14,603)	0	3,005,637	3,005,637	0	100.0%	3,060,641	3,060,641
Social contributions	792,376	14,603	0	806,979	806,978	1	100.0%	756,889	756,889
Goods and services	270,410	(30,077)	0	240,333	192,031	48,302	79.9%	257,605	257,605
Administrative fees	3,184	356	0	3,540	3,540	0	100.0%	2,585	2,585
Advertising	264	0	0	264	0	264	0.0%	330	330
Minor assets	2,588	441	0	3,029	2,418	611	79.8%	3,780	3,780
Catering: Departmental activities	566	0	0	566	27	539	4.8%	340	340
Communication (G&S)	14,241	0	0	14,241	12,693	1,548	89.1%	13,752	13,752
Computer services	1,633	0	0	1,633	176	1,457	10.8%	194	194
Consultants: Business and advisory services	69	0	0	69	0	69	0.0%	0	0
Contractors	3,005	0	0	3,005	1,121	1,884	37.3%	1,192	1,192

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FOR THE YEAR ENDED 31 MARCH 2021

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Economic classification	2020/21							2019/20	
	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
Agency and support / outsourced services Entertainment Fleet services (including government motor transport) Consumable supplies Consumable: Stationery, printing and office supplies Operating leases Property payments Transport provided: Departmental activity Travel and subsistence Training and development Operating payments Venues and facilities Transfers and subsidies Provinces and municipalities Municipalities Households Social benefits Other transfers to households Payment for capital assets Machinery and equipment Transport equipment Other machinery and equipment	5	30	0	35	30	5	85.7%	167	167
	141	0	0	141	41	100	29.1%	90	90
	123,123	(24,136)	0	98,987	90,244	8,743	91.2%	112,633	112,633
	9,722	1,009	0	10,731	10,731	0	100.0%	11,078	11,078
	16,145	0	0	16,145	11,961	4,184	74.1%	14,607	14,607
	18,488	0	0	18,488	10,677	7,811	57.8%	16,363	16,363
	2,719	0	0	2,719	1,278	1,441	47.0%	1,806	1,806
	157	0	0	157	101	56	64.3%	91	91
	61,057	(9,802)	0	51,255	35,042	16,213	68.4%	60,541	60,541
	0	0	0	0	0	0	0.0%	27	27
	13,120	2,025	0	15,145	11,951	3,194	78.9%	18,029	18,029
	183	0	0	183	0	183	0.0%	0	0
	60,302	8,752	0	69,054	68,835	219	99.7%	25,005	25,005
1,360	225	0	1,585	1,366	219	86.2%	1,254	1,254	
1,360	225	0	1,585	1,366	219	86.2%	1,254	1,254	
58,942	8,527	0	67,469	67,469	0	100.0%	23,751	23,751	
58,942	8,477	0	67,419	67,419	0	100.0%	23,666	23,666	
0	50	0	50	50	0	100.0%	85	85	
56,782	21,325	0	78,107	56,292	21,815	72.1%	55,634	55,634	
56,782	21,325	0	78,107	56,292	21,815	72.1%	55,634	55,634	
44,495	19,033	0	63,528	41,713	21,815	65.7%	39,920	39,920	
12,287	2,292	0	14,579	14,579	0	100.0%	15,714	15,714	
Total	4,200,110	0	0	4,200,110	4,129,773	70,337	98.3%	4,155,774	4,155,774

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4.1 Crime Intelligence Operations									
Economic classification	2020/21					2019/20			
	Adjusted Appropriation R'000	Shifting of Funds R'000	Virement R'000	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Expenditure as % of final appropriation %	Final Appropriation R'000	Actual Expenditure R'000
Current payments	1,678,545	(4,769)	0	1,673,776	1,653,037	20,739	98.8%	1,628,701	1,628,701
Compensation of employees	1,573,750	4,533	0	1,578,283	1,578,282	1	100.0%	1,531,053	1,531,053
Goods and services	104,795	(9,302)	0	95,493	74,755	20,738	78.3%	97,648	97,648
Transfers and subsidies	25,652	4,769	0	30,421	30,202	219	99.3%	8,408	8,408
Provinces and municipalities	868	0	0	868	649	219	74.8%	712	712
Households	24,784	4,769	0	29,553	29,553	0	100.0%	7,696	7,696
Payment for capital assets	30,076	0	0	30,076	8,261	21,815	27.5%	31,887	31,887
Machinery and equipment	30,076	0	0	30,076	8,261	21,815	27.5%	31,887	31,887
Total	1,734,273	0	0	1,734,273	1,691,500	42,773	97.5%	1,668,996	1,668,996

4.2 Intelligence and Information Management									
Economic classification	2020/21					2019/20			
	Adjusted Appropriation R'000	Shifting of Funds R'000	Virement R'000	Final Appropriation R'000	Actual Expenditure R'000	Variance R'000	Expenditure as % of final appropriation %	Final Appropriation R'000	Actual Expenditure R'000
Current payments	2,404,481	(25,308)	0	2,379,173	2,351,609	27,564	98.8%	2,446,434	2,446,434
Compensation of employees	2,238,866	(4,533)	0	2,234,333	2,234,333	0	100.0%	2,286,477	2,286,477
Goods and services	165,615	(20,775)	0	144,840	117,276	27,564	81.0%	159,957	159,957
Transfers and subsidies	34,650	3,983	0	38,633	38,633	0	100.0%	16,597	16,597
Provinces and municipalities	492	225	0	717	717	0	100.0%	542	542
Households	34,158	3,758	0	37,916	37,916	0	100.0%	16,055	16,055
Payment for capital assets	26,706	21,325	0	48,031	48,031	0	100.0%	23,747	23,747
Machinery and equipment	26,706	21,325	0	48,031	48,031	0	100.0%	23,747	23,747
Total	2,465,837	0	0	2,465,837	2,438,273	27,564	98.9%	2,486,778	2,486,778

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Detail per programme 5 - Protection and Security Services									
Sub programme	2020/21						2019/20		
	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
5.1 VIP PROTECTION SERVICES	1,689,745	(660)	0	1,689,085	1,662,864	26,221	98.4%	1,847,358	1,847,358
5.2 STATIC PROTECTION	1,224,517	660	0	1,225,177	1,225,177	0	100.0%	1,185,628	1,185,628
5.3 GOVERNMENT SECURITY REGULATOR	76,465	0	0	76,465	70,310	6,155	92.0%	75,324	75,324
5.4 OPERATIONAL SUPPORT	273,001	0	0	273,001	264,497	8,504	96.9%	270,790	270,790
Total for sub programmes	3,263,728	0	0	3,263,728	3,222,848	40,880	98.7%	3,379,100	3,379,100

Economic classification									
	2020/21						2019/20		
	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	3,187,496	(4,087)	0	3,183,409	3,147,371	36,038	98.9%	3,283,477	3,283,477
Compensation of employees	2,973,335	12,536	0	2,985,871	2,985,871	0	100.0%	3,022,186	3,022,186
Salaries and wages	2,394,981	27	0	2,395,008	2,395,008	0	100.0%	2,517,673	2,517,673
Social contributions	578,354	12,509	0	590,863	590,863	0	100.0%	504,513	504,513
Goods and services	214,161	(16,623)	0	197,538	161,500	36,038	81.8%	261,291	261,291
Administrative fees	1,825	202	0	2,027	2,027	0	100.0%	1,480	1,480
Advertising	538	0	0	538	1	537	0.2%	88	88
Minor assets	4,970	1,753	0	6,723	5,814	909	86.5%	2,366	2,366
Catering: Departmental activities	684	5	0	689	69	620	10.0%	1,113	1,113
Communication (G&S)	4,794	14	0	4,808	3,838	970	79.8%	4,437	4,437
Computer services	10	10	0	20	20	0	100.0%	15	15
Consultants: Business and advisory services	23	0	0	23	0	23	0.0%	0	0
Contractors	3,501	735	0	4,236	3,646	590	86.1%	3,402	3,402



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Economic classification	2020/21						2019/20		
	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
Agency and support / outsourced services	1,118	323	0	1,441	1,105	336	76.7%	1,672	1,672
Entertainment	88	(25)	0	63	18	45	28.6%	23	23
Fleet services (including government motor transport)	80,024	(5,842)	0	74,182	59,272	14,910	79.9%	82,544	82,544
Inventory: Other supplies	101	(75)	0	26	0	26	0.0%	0	0
Consumable supplies	4,265	473	0	4,738	4,738	0	100.0%	6,601	6,601
Consumable: Stationery, printing and office supplies	7,502	(69)	0	7,433	5,665	1,768	76.2%	7,700	7,700
Operating leases	2,918	(166)	0	2,752	2,665	87	96.8%	3,016	3,016
Property payments	659	(97)	0	562	479	83	85.2%	318	318
Transport provided: Departmental activity	1	0	0	1	0	1	0.0%	0	0
Travel and subsistence	96,631	(13,422)	0	83,209	71,678	11,531	86.1%	145,459	145,459
Training and development	93	0	0	93	0	93	0.0%	144	144
Operating payments	4,211	(442)	0	3,769	465	3,304	12.3%	586	586
Venues and facilities	205	0	0	205	0	205	0.0%	327	327
Transfers and subsidies	14,170	4,087	0	18,257	17,930	327	98.2%	5,705	5,705
Provinces and municipalities	1,206	40	0	1,246	1,222	24	98.1%	1,205	1,205
Municipalities	1,206	40	0	1,246	1,222	24	98.1%	1,205	1,205
Households	12,964	4,047	0	17,011	16,708	303	98.2%	4,500	4,500
Social benefits	12,964	4,047	0	17,011	16,708	303	98.2%	4,387	4,387
Other transfers to households	0	0	0	0	0	0	0.0%	113	113
Payment for capital assets	62,062	0	0	62,062	57,547	4,515	92.7%	89,918	89,918
Machinery and equipment	62,062	0	0	62,062	57,547	4,515	92.7%	89,918	89,918
Transport equipment	46,304	9,138	0	55,442	53,427	2,015	96.4%	84,439	84,439
Other machinery and equipment	15,758	(9,138)	0	6,620	4,120	2,500	62.2%	5,479	5,479
Total	3,263,728	0	0	3,263,728	3,222,848	40,880	98.7%	3,379,100	3,379,100

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5.1 VIP Protection Services										
Economic classification	2020/21						2019/20			
	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	1,637,199	2,508	0	1,639,707	1,615,375	24,332	98.5%	1,771,444	1,771,444	
Compensation of employees	1,489,555	10,173	0	1,499,728	1,499,728	0	100.0%	1,572,490	1,572,490	
Goods and services	147,644	(7,665)	0	139,979	115,647	24,332	82.6%	198,954	198,954	
Transfers and subsidies	6,229	1,809	0	8,038	8,020	18	99.8%	1,839	1,839	
Provinces and municipalities	755	0	0	755	737	18	97.6%	747	747	
Households	5,474	1,809	0	7,283	7,283	0	100.0%	1,092	1,092	
Payment for capital assets	46,317	(4,977)	0	41,340	39,469	1,871	95.5%	74,075	74,075	
Machinery and equipment	46,317	(4,977)	0	41,340	39,469	1,871	95.5%	74,075	74,075	
Total	1,689,745	(660)	0	1,689,085	1,662,864	26,221	98.4%	1,847,358	1,847,358	

5.2 Static Protection										
Economic classification	2020/21						2019/20			
	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	1,210,542	(5,996)	0	1,204,546	1,204,546	0	100.0%	1,171,029	1,171,029	
Compensation of employees	1,172,221	2,822	0	1,175,043	1,175,043	0	100.0%	1,135,040	1,135,040	
Goods and services	38,321	(8,818)	0	29,503	29,503	0	100.0%	35,989	35,989	
Transfers and subsidies	4,610	1,679	0	6,289	6,289	0	100.0%	3,431	3,431	
Provinces and municipalities	267	22	0	289	289	0	100.0%	265	265	
Households	4,343	1,657	0	6,000	6,000	0	100.0%	3,166	3,166	
Payment for capital assets	9,365	4,977	0	14,342	14,342	0	100.0%	11,168	11,168	
Machinery and equipment	9,365	4,977	0	14,342	14,342	0	100.0%	11,168	11,168	
Total	1,224,517	660	0	1,225,177	1,225,177	0	100.0%	1,185,628	1,185,628	



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5.3 Government Security Regulator									
Economic classification	2020/21						2019/20		
	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	73,310	(599)	0	72,711	67,972	4,739	93.5%	73,550	73,550
Compensation of employees	66,154	(451)	0	65,703	65,703	0	100.0%	67,148	67,148
Goods and services	7,156	(148)	0	7,008	2,269	4,739	32.4%	6,402	6,402
Transfers and subsidies	451	599	0	1,050	1,044	6	99.4%	35	35
Provinces and municipalities	43	0	0	43	37	6	86.0%	35	35
Households	408	599	0	1,007	1,007	0	100.0%	0	0
Payment for capital assets	2,704	0	0	2,704	1,294	1,410	47.9%	1,739	1,739
Machinery and equipment	2,704	0	0	2,704	1,294	1,410	47.9%	1,739	1,739
Total	76,465	0	0	76,465	70,310	6,155	92.0%	75,324	75,324

5.4 Operational Support									
Economic classification	2020/21						2019/20		
	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	266,445	0	0	266,445	259,478	6,967	97.4%	267,454	267,454
Compensation of employees	245,405	(8)	0	245,397	245,397	0	100.0%	247,508	247,508
Goods and services	21,040	8	0	21,048	14,081	6,967	66.9%	19,946	19,946
Transfers and subsidies	2,880	0	0	2,880	2,577	303	89.5%	400	400
Provinces and municipalities	141	18	0	159	159	0	100.0%	158	158
Households	2,739	(18)	0	2,721	2,418	303	88.9%	242	242
Payment for capital assets	3,676	0	0	3,676	2,442	1,234	66.4%	2,936	2,936
Machinery and equipment	3,676	0	0	3,676	2,442	1,234	66.4%	2,936	2,936
Total	273,001	0	0	273,001	264,497	8,504	96.9%	270,790	270,790

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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

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

Detail of these transactions can be viewed in note 7 to the Annual Financial Statements.

2. Detail of payments for financial assets

Detail of these transactions can be viewed in note 6 to the Annual Financial Statements.

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

3.1 Per programme:

	Final Appropriation	Actual Expenditure	Variance R'000	Variance as a % of Final Appropriation.
	R'000	R'000	R'000	R'000
Programme name				
Administration	19,007,044	18,702,270	304,774	1.60%
Visible Policing	53,401,526	50,736,475	2,665,051	4.99%
Detective Services	19,688,486	18,691,777	996,709	5.06%
Crime Intelligence	4,200,110	4,129,773	70,337	1.67%
Protection and Security Services	3,263,728	3,222,848	40,880	1.25%
Total	99,560,894	95,483,143	4,077,751	4.10%

The total expenditure for the 2020/2021 financial year amounted to R95 483 142 734, which represents a spending rate of 95.9%. An amount of R4 077,751 billion remained from the voted allocation for the financial year of which 79,3% comprised of funding earmarked and specifically allocated which implied that the Department could not use these funds for any other purpose than those appropriated. In addition, spending performance on goods and services comprised 96,9% of the allocated budget for this category of expenditure should the earmarked and specifically appropriated funding be excluded. In general terms, overall spending performance was materially affected by COVID-19 lockdown regulations and the unforeseen and unavoidable nature of the pandemic that essentially impacted on the extent to which personnel movement were restricted, especially big cost centres such as provinces & training interventions that had to be reconsidered or terminated. In addition, procurement processes and spending on buildings and infrastructure could not realise as anticipated due to the challenges the Department had to manage during the financial year, mainly as a result of the state of emergency proclaimed. In respect of programme 2 Visible Policing the variance essentially comprises underspending on the Covid-19 related specifically allocated amount in respect of consumables supplies, and in addition to this certain items in the goods and services expenditure classification. With regards to programme 3 Detective Services the variance is mainly in respect of earmarked funding and certain items in the goods and services environment of the programme.



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NOTES TO THE APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

3.2 Per economic classification:

	Final Appropriation	Actual Expenditure	Variance	Variance as a % of Final Appropriation.
	R'000	R'000	R'000	R'000
Current expenditure				
Compensation of employees	76,147,007	75,697,208	449,799	0.59%
Goods and services	18,742,046	15,473,987	3,268,059	17.44%
Transfers and subsidies				
Provinces and municipalities	54,824	53,853	971	1.77%
Departmental agencies and accounts	50,975	48,939	2,036	3.99%
Non-profit institutions	1,000	0	1,000	100.0%
Households	1,516,779	1,493,156	23,623	1.56%
Payments for capital assets				
Buildings and other fixed structures	511,924	327,827	184,097	35.96%
Machinery and equipment	2,404,322	2,256,156	148,166	6.16%
Software and other intangible assets	85,300	85,300	0	0.00%
Payments for financial assets	46,717	46,717	0	0.00%
Total	99,560,894	95,483,143	4,077,751	4.10%

National Treasury provided approval for the Department to utilise earmarked funding for other purposes that those intended as well as approval for reduced capital spending. Due to the spending performance realising surpluses towards year-end in each one of the programmes, no virement approvals were required from the Accounting Officer for the 2020/2021 financial year. Subsequent to an evaluation of the balances on the Vote at year-end, a submission to National Treasury was made to request for funds to be rolled-over, essentially to provide for costs associated with COVID-19 since no additional funding was appropriated for this purpose in the 2021/2022 financial year.

**ANNEXURE IP18****1263****VOTE 28
STATEMENT OF FINANCIAL PERFORMANCE**

FOR THE YEAR ENDED 31 MARCH 2021

	Note	2020/21 R'000	2019/20 R'000
REVENUE			
Annual appropriation	1	99,560,894	96,827,261
Departmental revenue	2	672,450	601,703
TOTAL REVENUE		<u>100,233,344</u>	<u>97,428,964</u>
EXPENDITURE			
Current expenditure			
Compensation of employees	4	75,697,208	76,357,670
Goods and services	5	15,473,987	15,874,460
Total current expenditure		<u>91,171,195</u>	<u>92,232,130</u>
Transfers and subsidies			
Transfers and subsidies	7	1,595,948	1,368,195
Total transfers and subsidies		<u>1,595,948</u>	<u>1,368,195</u>
Expenditure for capital assets			
Tangible assets	8	2,583,983	2,440,586
Intangible assets	8	85,300	0
Total expenditure for capital assets		<u>2,669,283</u>	<u>2,440,586</u>
Payments for financial assets	6	46,717	32,306
TOTAL EXPENDITURE		<u>95,483,143</u>	<u>96,073,217</u>
SURPLUS/(DEFICIT) FOR THE YEAR		<u>4,750,201</u>	<u>1,355,747</u>
Reconciliation of Net Surplus/(Deficit) for the year			
Voted funds		4,077,751	754,044
Annual appropriation		4,077,751	754,044
Departmental revenue	13	672,450	601,703
SURPLUS/(DEFICIT) FOR THE YEAR		<u>4,750,201</u>	<u>1,355,747</u>



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VOTE 28 STATEMENT OF FINANCIAL POSITION

AS AT 31 MARCH 2021

	Note	2020/21 R'000	2019/20 R'000
ASSETS			
Current assets		4,183,167	850,832
Cash and cash equivalents	9	3,944,247	587,555
Prepayments and advances	10	51,171	48,268
Receivables	11	187,749	215,009
Non-current assets		212,054	226,459
Receivables	11	212,054	226,459
TOTAL ASSETS		<u>4,395,221</u>	<u>1,077,291</u>
LIABILITIES			
Current liabilities		4,133,803	806,766
Voted funds to be surrendered to the Revenue Fund	12	4,077,751	754,044
Departmental revenue to be surrendered to the Revenue Fund	13	0	0
Bank overdraft	14	0	0
Payables	15	56,052	52,722
TOTAL LIABILITIES		<u>4,133,803</u>	<u>806,766</u>
NET ASSETS		<u>261,418</u>	<u>270,525</u>
Represented by:			
Recoverable revenue		261,418	270,525
TOTAL		<u>261,418</u>	<u>270,525</u>

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DEPARTMENT OF POLICE

VOTE 28**STATEMENT OF CHANGES IN NET ASSETS**

FOR THE YEAR ENDED 31 MARCH 2021

	Note	2020/21 R'000	2019/20 R'000
Recoverable revenue			
Opening balance		270,525	274,941
Transfers:		(9,107)	(4,416)
Irrecoverable amounts written off	6.3	(31,565)	(21,063)
Debts revised	11.5	(16,591)	(20,093)
Debts recovered (included in departmental receipts)		(88,208)	(121,658)
Debts raised		127,257	158,398
Closing balance		<u>261,418</u>	<u>270,525</u>



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DEPARTMENT OF POLICE

VOTE 28

CASHFLOW STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

	Note	2020/21 R'000	2019/20 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		100,124,811	97,343,428
Annual appropriated funds received	1.1	99,560,894	96,827,261
Departmental revenue received	2	560,859	514,412
Interest received	2.3	3,058	1,755
Net (increase)/decrease in working capital		27,687	(10,672)
Surrendered to Revenue Fund	12&13	(1,426,494)	(1,857,202)
Current payments		(91,171,195)	(92,232,130)
Payments for financial assets		(46,717)	(32,306)
Transfers and subsidies paid		(1,595,948)	(1,368,195)
Net cash flow available from operating activities	16	<u>5,912,144</u>	<u>1,842,923</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	8	(2,669,283)	(2,440,586)
Proceeds from sale of capital assets	2.4	108,533	85,536
(Increase)/decrease in non-current receivables		14,405	(3,300)
Net cash flows from investing activities		<u>(2,546,345)</u>	<u>(2,358,350)</u>
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(9,107)	(4,416)
Net cash flows from financing activities		<u>(9,107)</u>	<u>(4,416)</u>
Net increase/(decrease) in cash and cash equivalents		3,356,692	(519,843)
Cash and cash equivalents at beginning of period		587,555	1,107,398
Cash and cash equivalents at end of period	17	<u>3,944,247</u>	<u>587,555</u>

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DEPARTMENT OF POLICE

VOTE 28**ACCOUNTING POLICIES**

FOR THE YEAR ENDED 31 MARCH 2021

PART A: ACCOUNTING POLICIES

The financial statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. Management has concluded that the financial statements present fairly the department's primary and secondary information. The historical cost convention has been used, except where otherwise indicated. Management has used assessments and estimates in preparing the annual financial statements. These are based on the best information available at the time of preparation. 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 (PFMA), Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the PFMA and the annual Division of Revenue Act.

1. Basis of preparation

The financial statements have been prepared in accordance with the Modified Cash Standard.

2. Going concern

The financial statements have been prepared on a going concern basis.

3. Presentation currency

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

4. Rounding

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

5. Foreign currency translation

Cash flow arising from foreign currency transactions are translated into South African Rands using the spot exchange rates prevailing at the date of payment/receipt.

6. Comparative information**6.1 Prior period comparative information**

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.

6.2 Current year comparison with budget

A comparison between the approved, final budget and actual amounts for each programme and economic classification is included in the appropriation statement.

7. Revenue**7.1 Appropriated funds**

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

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





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DEPARTMENT OF POLICE

VOTE 28

ACCOUNTING POLICIES

FOR THE YEAR ENDED 31 MARCH 2021

The net amount of any appropriated funds due to / from the relevant revenue fund at the reporting date is recognised as a payable / receivable in the statement of financial position.

7.2 Departmental revenue

Departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the relevant revenue fund, unless stated otherwise.

Any amount owing to the relevant revenue fund at the reporting date is recognised as a payable in the statement of financial position.

7.3 Accrued departmental revenue

Accruals in respect of departmental revenue (excluding tax revenue) are recorded in the notes to the financial statements when:

- it is probable that the economic benefits or service potential associated with the transaction will flow to the department; and
- the amount of revenue can be measured reliably.

The accrued revenue is measured at the fair value of the consideration receivable.

Accrued tax revenue (and related interest and / penalties) is measured at amounts receivable from collecting agents.

Write-offs are made according to the department's debt write-off policy.

8. Expenditure

8.1 Compensation of employees

8.1.1 Salaries and wages

Salaries and wages are recognised in the statement of financial performance on the date of payment.

8.1.2 Social contributions

Social contributions made by the department in respect of current employees are recognised in the statement of financial performance on the date of payment.

Social contributions made by the department in respect of ex-employees are classified as transfers to households in the statement of financial performance on the date of payment.

8.2 Other expenditure

Other expenditure (such as goods and services, transfers and subsidies and payments for capital assets) is recognised in the statement of financial performance on the date of payment. The expense is classified as a capital expense if the total consideration paid is more than the capitalisation threshold.

8.3 Accruals and payables not recognised

Accruals and payables not recognised are recorded in the notes to the financial statements at cost at the reporting date.

8.4 Leases

8.4.1 Operating leases

Operating lease payments made during the reporting period are recognised as current expenditure in the statement of financial performance on the date of payment. The operating lease commitments are recorded in the notes to the financial statements.

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DEPARTMENT OF POLICE

VOTE 28**ACCOUNTING POLICIES**

FOR THE YEAR ENDED 31 MARCH 2021

8.4.2 Finance leases

Finance lease payments made during the reporting period are recognised as capital expenditure in the statement of financial performance on the date of payment.

The finance lease commitments are recorded in the notes to the financial statements and are not apportioned between the capital and interest portions.

Finance lease assets acquired at the end of the lease term are recorded and measured at the lower of:

- cost, being the fair value of the asset; or
- the sum of the minimum lease payments made, including any payments made to acquire ownership at the end of the lease term, excluding interest.

9. Aid assistance**9.1 Aid assistance received**

Aid assistance received in cash is recognised in the statement of financial performance when received. In-kind aid assistance is recorded in the notes to the financial statements on the date of receipt and is measured at fair value.

Aid assistance not spent for the intended purpose and any unutilised funds from aid assistance that are required to be refunded to the donor are recognised as a payable in the statement of financial position.

10. Cash and cash equivalents

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

Bank overdrafts are shown separately on the face of the statement of financial position as a current liability.

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.

11. Prepayments and advances

Prepayments and advances are recognised in the statement of financial position when the department receives or disburses the cash.

Prepayments and advances are initially and subsequently measured at cost.

12. Receivables

Receivables are recognised in the statement of financial position at cost plus accrued interest, where interest is charged, less amounts already settled or written-off.

Write-offs are made according to the department's write-off policy.

13. Impairment of financial assets.

Where there is an indication of impairment of a financial asset, an estimation of the reduction in the recorded carrying value, to reflect the best estimate of the amount of the future economic benefits expected to be received from that asset, is recorded in the notes to the financial statements.

14. Payables

Payables recognised in the statement of financial position are recognised at cost.



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DEPARTMENT OF POLICE

VOTE 28

ACCOUNTING POLICIES

FOR THE YEAR ENDED 31 MARCH 2021

15. Capital assets

15.1 Immovable capital assets

Immovable assets reflected in the asset register of the department are recorded in the notes to the financial statements at cost or fair value where the cost cannot be determined reliably. Immovable assets acquired in a non-exchange transaction are recorded at fair value at the date of acquisition. Immovable assets are subsequently carried in the asset register at cost and are not currently subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.

Additional information on immovable assets not reflected in the assets register is provided in the notes to financial statements.

15.2 Movable capital assets

Movable capital assets are initially recorded in the notes to the financial statements at cost. Movable capital assets acquired through a non-exchange transaction is measured at fair value as at the date of acquisition.

Where the cost of movable capital assets cannot be determined reliably, the movable capital assets are measured at fair value and where fair value cannot be determined; the movable assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Movable capital assets are subsequently carried at cost and are not subject to depreciation or impairment.

Subsequent expenditure that is of a capital nature forms part of the cost of the existing asset when ready for use.

15.3 Intangible assets

Intangible assets are initially recorded in the notes to the financial statements at cost. Intangible assets acquired through a non-exchange transaction are measured at fair value as at the date of acquisition.

Internally generated intangible assets are recorded in the notes to the financial statements when the department commences the development phase of the project.

Where the cost of intangible assets cannot be determined reliably, the intangible capital assets are measured at fair value and where fair value cannot be determined; the intangible assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Intangible assets are subsequently carried at cost and are not subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.

15.4 Project Costs: Work-in-progress

Expenditure of a capital nature is initially recognised in the statement of financial performance at cost when paid.

Amounts paid towards capital projects are separated from the amounts recognised and accumulated in work-in-progress until the underlying asset is ready for use. Once ready for use, the total accumulated payments are recorded in an asset register. Subsequent payments to complete the project are added to the capital asset in the asset register.

Where the department is not the custodian of the completed project asset, the asset is transferred to the custodian subsequent to completion.

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DEPARTMENT OF POLICE

VOTE 28**ACCOUNTING POLICIES**

FOR THE YEAR ENDED 31 MARCH 2021

16. Provisions and Contingents**16.1 Provisions**

Provisions are recorded in the notes to the financial statements 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 or service potential will be required to settle the obligation and a reliable estimate of the obligation can be made. The provision is measured as the best estimate of the funds required to settle the present obligation at the reporting date.

16.2 Contingent liabilities

Contingent liabilities are recorded in the notes to the financial statements when there is a possible obligation that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department or when there is a present obligation that is not recognised because it is not probable that an outflow of resources will be required to settle the obligation or the amount of the obligation cannot be measured reliably.

16.3 Contingent assets

Contingent assets are recorded in the notes to the financial statements when a possible asset arises from past events, and whose existence will be confirmed by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department.

16.4 Capital Commitments

Capital commitments are recorded at cost in the notes to the financial statements.

17. Unauthorised expenditure

Unauthorised expenditure is recognised in the statement of financial position until such time as the expenditure is either:

- approved by Parliament or the Provincial Legislature with funding and the related funds are received; or
- approved by Parliament or the Provincial Legislature without funding and is written off against the appropriation in the statement of financial performance; or
- transferred to receivables for recovery.

Unauthorised expenditure is measured at the amount of the confirmed unauthorised expenditure.

18. Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the total value of the fruitless and or wasteful expenditure incurred.

Fruitless and wasteful expenditure is removed from the notes to the financial statements when it is resolved or transferred to receivables or written off.

Fruitless and wasteful expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.

19. Irregular expenditure

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impracticable to determine, in which case reasons therefor are provided in the note.

Irregular expenditure is removed from the note when it is either condoned by the relevant authority, transferred to receivables for recovery, not condoned and removed or written-off.

Irregular expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.



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DEPARTMENT OF POLICE

VOTE 28

ACCOUNTING POLICIES

FOR THE YEAR ENDED 31 MARCH 2021

20. Changes in accounting policies, accounting estimates and errors

Changes in accounting estimates are applied prospectively in accordance with MCS requirements.

Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with MCS requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the department shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

21. Events after the reporting date

Events after the reporting date that are classified as adjusting events have been accounted for in the financial statements. The events after the reporting date that are classified as non-adjusting events after the reporting date have been disclosed in the notes to the financial statements.

22. Recoverable revenue

Amounts are recognised as recoverable revenue when a payment made in a previous financial year becomes recoverable from a debtor in the current financial year. Amounts are either transferred to the National/Provincial Revenue Fund when recovered or are transferred to the statement of financial performance when written-off.

23. Related party transactions

Related party transactions within the Minister/MEC's portfolio are recorded in the notes to the financial statements when the transaction is not at arm's length.

The number of individuals and the full compensation of key management personnel is recorded in the notes to the financial statements.

24. Inventories (Effective from date determined in a Treasury Instruction)

At the date of acquisition, inventories are recognised at cost in the statement of financial performance.

Where inventories are acquired as part of a non-exchange transaction, the inventories are measured at fair value as at the date of acquisition.

Inventories are subsequently measured at the lower of cost and net realisable value or where intended for distribution (or consumed in the production of goods for distribution) at no or a nominal charge, the lower of cost and current replacement value.

The cost of inventories is assigned by using the weighted average cost basis.

25. Employee benefits

The value of each major class of employee benefit obligation (accruals, payables not recognised and provisions) is disclosed in the Employee benefits note.

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DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

1. Annual Appropriation**1.1 Annual Appropriation**

	2020/21			2019/20	
	Final Appropriation	Actual Funds Received	Funds not requested/not received	Final Appropriation	Appropriation Received
	R'000	R'000	R'000	R'000	R'000
Programmes					
Administration	19,007,044	19,007,044	0	20,151,549	20,151,549
Visible Policing	53,401,526	53,401,526	0	49,793,729	49,793,729
Detective Services	19,688,486	19,688,486	0	19,347,109	19,347,109
Crime Intelligence	4,200,110	4,200,110	0	4,155,774	4,155,774
Protection and Security Services	3,263,728	3,263,728	0	3,379,100	3,379,100
Total	99,560,894	99,560,894	0	96,827,261	96,827,261

2. Departmental revenue

	Note	2020/21 R'000	2019/20 R'000
Sales of goods and services other than capital assets	2.1	344,376	331,208
Fines, penalties and forfeits	2.2	86,282	43,394
Interest, dividends and rent on land	2.3	3,058	1,755
Sales of capital assets	2.4	108,533	85,536
Transactions in financial assets and liabilities	2.5	130,201	139,810
Departmental revenue collected		672,450	601,703

2.1 Sales of goods and services other than capital assets**2**

Sales of goods and services produced by the department	340,211	325,990
Administrative fees	59,807	33,906
Other sales	280,404	292,084
Sales of scrap, waste and other used current goods	4,165	5,218
Total	344,376	331,208

2.2 Fines, penalties and forfeits**2**

Fines	448	216
Forfeits	85,834	43,178
Total	86,282	43,394

2.3 Interest, dividends and rent on land**2**

Interest	3,058	1,755
Total	3,058	1,755

2.4 Sale of capital assets**2**

Tangible assets	108,533	85,536
Machinery and equipment	108,523	85,530
Biological assets	10	6
Total	108,533	85,536



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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 2 continued

	Note	2020/21 R'000	2019/20 R'000
2.5 Transactions in financial assets and liabilities	2		
Stale cheques written back		10,213	4,244
Other Receipts including Recoverable Revenue		119,988	135,566
Total		130,201	139,810
3. Aid Assistance			
3.1 Donations received in kind			
(Treasury Regulations 21.2.4)			
List in kind donations received			
Cleaning		0	30
Consumables, Inventory, Clothing and Protective gear (PPE)		2,424	387
Computer Equipment		113	113
Dogs		54	81
Excellence Awards Detective Service and National excellence awards (Golf day)		0	2,681
Furniture & Equipment		0	92
Machinery and Equipment		830	3
Medical Equipment		0	22
National Police day		0	6,169
Photographic Services and catering		20	30
Transport asset/Service and Equipment		33,261	0
Stationery and Publications and Sim cards		10	462
Travel & Accommodation and Training		128	4,789
Trophies and Vouchers		54	72
Weapons and Ammunition		0	18
Total		36,894	14,949
4. Compensation of employees			
4.1 Salaries and wages			
Basic salary		48,708,503	49,415,546
Performance award		37,873	28,134
Service Based		167,200	207,561
Compensative/circumstantial		1,628,924	1,970,766
Other non-pensionable allowances		8,392,659	8,366,738
Total		58,935,159	59,988,745

**ANNEXURE IP18****1275**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 4 continued

	Note	2020/21 R'000	2019/20 R'000
4.2 Social contributions			
Employer contributions			
Pension		7,626,457	7,696,978
Medical		9,118,629	8,658,407
Official unions and associations		16,963	13,540
Total		16,762,049	16,368,925
Total compensation of employees		75,697,208	76,357,670
 Average number of employees		 183,369	 189,518
 5. Goods and services			
Administrative fees		100,603	78,622
Advertising		17,119	16,220
Minor assets	5.1	123,269	159,703
Bursaries (employees)		8,061	9,493
Catering		4,307	24,322
Communication		411,401	444,486
Computer services	5.2	2,550,889	2,782,611
Consultants: Business and advisory services		14,303	14,617
Infrastructure and planning services		0	0
Laboratory services		335	327
Legal services		301,081	383,122
Contractors		187,838	308,882
Agency and support/outsourced services		283,778	464,636
Entertainment		521	626
Audit cost - external	5.3	29,244	45,117
Fleet services		3,606,372	4,225,122
Inventory	5.4	326,033	231,993
Consumables	5.5	2,109,790	769,479
Operating leases		3,186,026	3,092,874
Property payments	5.6	1,326,369	1,367,141
Transport provided as part of the departmental activities		316	1,148
Travel and subsistence	5.7	774,510	1,292,247
Venues and facilities		2,927	16,923
Training and development		2,472	18,820
Other operating expenditure	5.8	106,423	125,929
Total		15,473,987	15,874,460

The year on year increase on consumables are as a result of the Covid-19 pandemic where additional funding was provided for this purpose.



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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 5 continued

	Note	2020/21 R'000	2019/20 R'000
5.1 Minor Assets	5		
Tangible assets		123,269	159,703
Machinery and equipment		123,269	159,703
5.2 Computer services	5		
SITA computer services		1,612,298	1,807,213
External computer service providers		938,591	975,398
Total		2,550,889	2,782,611
5.3 Audit cost - External	5		
Regularity audits		29,054	43,255
Investigations		190	1,862
Total		29,244	45,117
5.4 Inventory	5		
Clothing material and accessories		271,522	163,807
Other supplies	5.4.1	54,511	68,186
Total		326,033	231,993
5.4.1 Other Supplies			
Ammunition and security supplies		54,511	68,186
Total		54,511	68,186
5.5 Consumables	5		
Consumable supplies		1,894,337	454,316
Uniform and clothing		73,198	85,677
Household supplies		677,607	79,275
Building material and supplies		15,489	22,540
Communication accessories		50	58
Other consumables		1,127,993	266,766
Stationery, printing and office supplies		215,453	315,163
Total		2,109,790	769,479
5.6 Property payments	5		
Municipal services		1,232,428	1,271,181
Property management fees		61,721	63,545
Other		32,220	32,415
Total		1,326,369	1,367,141

**ANNEXURE IP18****1277**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 5 continued

	Note	2020/21 R'000	2019/20 R'000
5.7 Travel and subsistence	5		
Local		758,535	1,201,858
Foreign		15,975	90,389
Total		774,510	1,292,247
5.8 Other operating expenditure	5		
Professional bodies, membership and subscription fees		12,840	12,288
Resettlement costs		28,069	55,530
Other		65,514	58,111
Total		106,423	125,929
6. Payments for financial assets			
Material losses through criminal conduct		0	0
Theft		0	0
Other material losses	6.1	0	0
Other material losses written off	6.2	130	634
Debts written off	6.3	46,587	31,672
Total		46,717	32,306
6.1 Other material losses			
Nature of other material losses	6		
Incident	Disciplinary Steps taken/ Criminal proceedings		
Total		0	0
6.2 Other material losses written off	6		
Nature of losses			
Advances		1	34
Cash : Cashier		22	0
Erroneous payments		107	541
Fraud		0	59
Total		130	634



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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 6 continued

	Note	2020/21 R'000	2019/20 R'000
6.3 Debts written off			
Nature of debts written off			
Recoverable revenue written off			
Salary related debt	6	23,626	17,839
Property related debt		7,689	3,135
Admin related debt		247	45
Fruitless and Wasteful		3	44
Total		<u>31,565</u>	<u>21,063</u>
Other debt written off			
Salary related debt		14,858	10,560
Property related debt		62	(81)
Admin related debt		77	65
Fruitless and Wasteful		25	65
Total		<u>15,022</u>	<u>10,609</u>
Total debt written off		<u>46,587</u>	<u>31,672</u>
7. Transfers and subsidies			
Provinces and municipalities		53,853	52,777
Departmental agencies and accounts		48,939	195,902
Non-profit institutions		0	0
Households		1,493,156	1,119,516
Total		<u>1,595,948</u>	<u>1,368,195</u>
7.1 Provinces and municipalities	7		
Fines and penalties		464	45
Vehicle licences		53,389	52,732
Total		<u>53,853</u>	<u>52,777</u>
7.2 Departmental agencies and accounts	7		
Safety and Security Sector Education & Training Authority		48,939	52,851
Civilian Secretariat		0	143,051
Total		<u>48,939</u>	<u>195,902</u>
7.3 Non - Profit Institutions	7		
Donations and Gifts NPI		0	0
Total		<u>0</u>	<u>0</u>

**ANNEXURE IP18****1279**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 7 continued

	Note	2020/21 R'000	2019/20 R'000
7.4 Households	7		
Employee social benefit		1,084,534	484,142
Claims against the State (Households)		368,873	582,903
Payment as an act of grace		7	0
Medical expenses detainees		39,742	52,471
Total		1,493,156	1,119,516
8. Expenditure for capital assets			
Tangible assets		2,583,983	2,440,586
Buildings and other fixed structures	33.1	327,827	513,293
Machinery and equipment	31.1	2,256,156	1,927,293
Biological assets	31.1	0	0
Total			
Intangible assets		85,300	0
Software	32.1	85,300	0
Total		2,669,283	2,440,586
8.1 Analysis of funds utilised to acquire capital assets - 2020/21			
	Voted Funds R'000	Aid assistance R'000	Total R'000
Tangible assets	2,583,983	0	2,583,983
Buildings and other fixed structures	327,827	0	327,827
Machinery and equipment	2,256,156	0	2,256,156
Biological assets	0	0	0
Intangible assets	85,300	0	85,300
Software	85,300	0	85,300
Total	2,669,283	0	2,669,283



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VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 8 continued

8.2 Analysis of funds utilised to acquire capital assets - 2019/20

	Voted Funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	2,440,586	0	2,440,586
Buildings and other fixed structures	513,293	0	513,293
Machinery and equipment	1,927,293	0	1,927,293
Biological assets	0	0	0
Intangible assets	0	0	0
Software	0	0	0
Total	2,440,586	0	2,440,586

8.3 Finance lease expenditure included in Expenditure for capital assets

	Note	2020/21	2019/20
		R'000	R'000
Tangible assets			
Machinery and equipment		200,325	186,610
Total		200,325	186,610

9. Cash and cash equivalents

	Note	2020/21	2019/20
		R'000	R'000
Consolidated Paymaster General Account		3,927,454	572,133
Cash on hand		15,914	15,032
Cash with commercial banks (Local)		879	390
Total		3,944,247	587,555

10. Prepayments and advances

	Note	2020/21	2019/20
		R'000	R'000
Staff advances		249	38
Travel and subsistence		44,600	37,462
Advances paid (Not expensed)	10.1	6,322	10,768
Total		51,171	48,268

ANNEXURE IP18

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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 10 continued

	Note	Balance as at 1 April 2020	Less: Amount expensed in current year	Add/Less: Other	Add: Current Year advances	Balance as at 31 March 2021
	10	R'000	R'000	R'000	R'000	R'000
10.1 Advances paid (Not expensed)						
National departments		5,591	11,333	101	10,415	4,572
Provincial departments		0	0	0	0	0
Public entities		0	0	0	0	0
Other institutions		5,177	46,941	13,797	57,311	1,750
Total		10,768	58,274	13,898	67,726	6,322

The total amount of R13,898 million under Add/Less:Other represent advances returned, advances not used, advances written off and advances recovered.

	Note	Balance as at 1 April 2019	Less: Amount expensed in current year	Add/Less: Other	Add: Current Year advances	Balance as at 31 March 2020
	10	R'000	R'000	R'000	R'000	R'000
Advances paid (Not expensed)						
National departments		2,488	9,823	1,135	14,061	5,591
Provincial departments		0	0	0	0	0
Public entities		0	0	0	0	0
Other institutions		2,211	48,318	13,667	64,951	5,177
Total		4,699	58,141	14,802	79,012	10,768

11. Receivables	Note	2020/21			2019/20		
		Current	Non-current	Total	Current	Non-current	Total
		R'000	R'000	R'000	R'000	R'000	R'000
Claims recoverable	11.1	75,956	0	75,956	107,108	0	107,108
ANNEXURE 2							
Staff debt	11.2	86,560	207,708	294,268	91,829	222,073	313,902
Fruitless and wasteful expenditure	11.3	421	254	675	423	20	443
Other debtors	11.4	24,812	4,092	28,904	15,649	4,366	20,015
Total		187,749	212,054	399,803	215,009	226,459	441,468

	Note	2020/21	2019/20
	11	R'000	R'000
11.1 Claims recoverable			
National departments		63,990	97,066
Provincial departments		11,522	9,412
Public entities		444	630
Total		75,956	107,108



ANNEXURE IP18

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VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 11 continued

	Note	2020/21	2019/20
	11	R'000	R'000
11.2 Staff debt			
Salary related debt		264,291	282,335
Administration related debt		11,620	13,225
Inventory/property related debt		18,357	18,342
Total		<u>294,268</u>	<u>313,902</u>
11.3 Fruitless and wasteful expenditure	11		
Opening balance		443	153
Less amounts recovered		(115)	(106)
Less amounts written off		(28)	(109)
Transfers from note 24 Fruitless and Wasteful expenditure		375	505
Total		<u>675</u>	<u>443</u>
11.4 Other receivables	11		
Administration related debt		15,354	1,185
Salary related debt		2,492	5,292
Inventory/property related debt		11,058	13,538
Total		<u>28,904</u>	<u>20,015</u>
11.5 Debts revised			
Capital increase		(1,633)	3,442
Capital decrease		18,182	(23,489)
Interest correction		42	(46)
Total		<u>16,591</u>	<u>(20,093)</u>
12. Voted funds to be surrendered to the Revenue Fund			
Opening balance		754,044	1,255,419
Transfer from statement of financial performance		4,077,751	754,044
Paid during the year		(754,044)	(1,255,419)
Closing balance		<u>4,077,751</u>	<u>754,044</u>
13. Departmental revenue to be surrendered to the Revenue Fund			
Opening balance		0	80
Transfer from statement of financial performance		672,450	601,703
Paid during the year		(672,450)	(601,783)
Closing balance		<u>0</u>	<u>0</u>
14. Bank Overdraft			
Consolidated Paymaster General Account		0	0
Total		<u>0</u>	<u>0</u>

**ANNEXURE IP18****1283**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

	Note	2020/21 R'000	2019/20 R'000
15. Payables – current			
Clearing accounts	15.1	2,402	1,042
Other payables	15.2	53,650	51,680
Total		56,052	52,722
15.1 Clearing accounts	15		
Description			
Salary deductions to be paid over to institutions		2,402	1,042
Total		2,402	1,042
15.2 Other payables	15		
External receivables		4,525	7,122
Debt related payables		2,451	2,346
Government Employees Housing Scheme (GEHS)		43,047	41,181
Service Terminations		3,627	1,031
Total		53,650	51,680
Included in the amount reflected in the GEHS are amounts claimed from the savings facility. The amounts are already paid to employees and must be cleared with journals.			
16. Net cash flow available from operating activities			
Net surplus/(deficit) as per Statement of Financial Performance		4,750,201	1,355,747
Add back non cash/cash movements not deemed operating activities		1,161,943	487,176
(Increase)/decrease in receivables – current		27,260	(16,898)
(Increase)/decrease in prepayments and advances		(2,903)	(129)
Increase/(decrease) in payables – current		3,330	6,355
Proceeds from sale of capital assets		(108,533)	(85,536)
Expenditure on capital assets		2,669,283	2,440,586
Surrenders to Revenue Fund		(1,426,494)	(1,857,202)
Surrenders to RDP Fund/Donor		0	0
Net cash flow generated by operating activities		5,912,144	1,842,923
17. Reconciliation of cash and cash equivalents for cash flow purposes			
Consolidated Paymaster General account		3,927,454	572,133
Cash on hand		15,914	15,032
Cash with commercial banks		879	390
Total		3,944,247	587,555



ANNEXURE IP18

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VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

		Note	2020/21 R'000	2019/20 R'000
18. Contingent liabilities				
Liable to	Nature			
Housing loan guarantees	Employees	ANNEXURE 1	390	546
Claims against the department	Private parties	ANNEXURE 5	7,714,497	6,437,240
Other departments (unconfirmed balances)		ANNEXURE 3	525,968	1,002,735
Total			8,240,855	7,440,521

The amount disclosed as Claims against the department was based on a best estimate of possible outflow of funds at a future point in time as performed by a statistician appointed by the department. The Labour Appeal Court (LAC) declared the salary increases for the 2020/2021 financial year unlawful and invalid. The LAC ruling has been appealed and referred to the Constitutional Court. The ruling by the Constitutional Court will confirm if the department will be obligated to pay the salary increases in dispute, and therefore no liability is raised at the reporting date.

19. Capital Commitments				
Transport assets			12,490	10,368
Computer equipment			715	828
Furniture and office equipment			2,432	1,487
Other machinery and equipment			27,255	31,841
Non-residential buildings			66,430	84,548
Other fixed structures			293,107	0
Total Commitments			402,429	129,072

20. Accruals and payables not recognised

		2020/21		2019/20
		R'000		R'000
20.1 Accruals				
Listed by economic classification	30 Days	30+ Days	Total	Total
Goods and services	126,450	329,874	456,324	437,822
Transfers and subsidies	10,615	44,165	54,780	62,069
Capital assets	6,913	2,081	8,994	16,029
Other	0	16,518	16,518	3,813
Total	143,978	392,638	536,616	519,733

Listed by programme level

	2020/21 R'000	2019/20 R'000
Administration	213,910	190,046
Visible Policing	233,455	271,222
Detective Services	49,429	40,532
Crime Intelligence	33,566	10,113
Protection and Security Services	6,256	7,820
Total	536,616	519,733

**ANNEXURE IP18****1285**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

20.2 Payables not recognised**Listed by economic classification**

	30 Days	30+ Days	2020/21 R'000	2019/20 R'000
Goods and services	18,909	7,292	26,201	378,819
Transfers and subsidies	341	327	668	4,631
Capital assets	911	1,599	2,510	4,402
Other	0	0	0	50
Total	20,161	9,218	29,379	387,902

Listed by programme level

	2020/21 R'000	2019/20 R'000
Administration	12,175	343,473
Visible Policing	13,042	30,918
Detective Services	2,499	11,271
Crime Intelligence	547	1,163
Protection and Security Services	1,116	1,077
Total	29,379	387,902

Included in the above totals are the following:

	2020/21 R'000	2019/20 R'000
Confirmed balances with departments	200,005	316,028
Confirmed balances with other government entities	66,233	240,658
Total	266,238	556,686

ANNEXURE 3

21. Employee benefits

	2020/21 R'000	2019/20 R'000
Leave entitlement	3,822,995	3,113,567
Service bonus (Thirteenth cheque)	2,115,361	2,159,365
Capped leave commitments	3,696,002	4,364,409
Long Service Awards	125,224	205,263
Total	9,759,582	9,842,604

Negative Leave totals amounting to R73 million represents the current leave cycle pro-rata leave credits.



ANNEXURE IP18

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DEPARTMENT OF POLICE

VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

22. Lease Commitments

22.1 Operating leases expenditure

2020/21

Not later than 1 year

Later than 1 year and not later than 5 years

Later than five years

Total lease commitments

Machinery and equipment	Total
R'000	R'000
88,678	88,678
77,106	77,106
0	0
<u>165,784</u>	<u>165,784</u>

Amounts disclosed as operating leases relate to photocopy machines.

2019/20

Not later than 1 year

Later than 1 year and not later than 5 years

Later than five years

Total lease commitments

Machinery and equipment	Total
R'000	R'000
105,381	105,381
84,295	84,295
0	0
<u>189,676</u>	<u>189,676</u>

22.2 Finance leases expenditure

2020/21

Not later than 1 year

Later than 1 year and not later than 5 years

Later than five years

Total lease commitments

Machinery and equipment	Total
R'000	R'000
66,292	66,292
35,849	35,849
0	0
<u>102,141</u>	<u>102,141</u>

Amounts disclosed as finance leases relate to cell phones.

2019/20

Not later than 1 year

Later than 1 year and not later than 5 years

Later than five years

Total lease commitments

Machinery and equipment	Total
R'000	R'000
64,538	64,538
2,189	2,189
0	0
<u>66,727</u>	<u>66,727</u>

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DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

	2020/21	2019/20
	R'000	R'000
23. Accrued departmental revenue		
Sales of goods and services other than capital assets	344	126
Fines, penalties and forfeits	13	20
Interest, dividends and rent on land	0	0
Sale of capital assets	1	3
Transactions in financial assets and liabilities	99	4
Total	457	153
 23.1 Analysis of accrued departmental revenue		
Opening balance	153	737
Less: amounts received	153	737
Add: amounts recognised	457	153
Closing balance	457	153
 24. Irregular expenditure		
24.1 Reconciliation of irregular expenditure		
Opening Balance	1,580,296	1,272,489
Prior period error	0	78,034
As restated	1,580,296	1,350,523
Add: Irregular expenditure - relating to prior year	475	68,172
Add: Irregular expenditure - relating to current year	532	161,601
Less: Prior year amounts condoned	(28)	0
Less: Current year amounts condoned	0	0
Closing balance	1,581,275	1,580,296
The reduced incidents reported and investigated during the 2020/21 financial year are due to improved control measures introduced and proper assessment of transactions during the procurement process.		
The cases involved amounting to R1, 581 billion have been assessed and confirmed and the process of condonation by National Treasury is currently underway.		
 Analysis of closing balance		
Current year	532	736,902
Prior years	1,580,743	843,394
Total	1,581,275	1,580,296



ANNEXURE IP18

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VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 24 continued

24.2 Details of current and prior year irregular expenditure – added current year (under determination and investigation)

Incident	Disciplinary steps taken/ criminal proceedings	2020/21 R'000
Reason for transgression: Non compliance: PFMA / National Treasury prescript		
Approval not in accordance with the delegations	1	525
Contractual requirements not met	1	291
Tax requirements not complied with	1	7
Three quotations not obtained	3	182
Treasury Regulation not met (cost containment)	1	2
Total	7	1,007

The outcome/progress on disciplinary steps instituted for these cases are summarised below:

	Number of Cases	2020/21 R'000
No steps taken	1	2
Under investigation	2	292
Steps taken	4	713
	7	1,007

24.3 Details of irregular expenditure condoned

Incident	Number of cases investigated and condoned	2020/21 R'000
Contractual requirements not met	1	7
Three quotations not obtained	1	21
	2	28

24.4 Details of irregular expenditure recoverable (not condoned)

Incident	Number of cases investigated and not condoned	2020/21 R'000
	0	0
	0	0
	0	0

**ANNEXURE IP18****1289**

DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

Detail note 24 continued

24.5 Details of irregular expenditure removed - (not condoned)

Incident	Not condoned by (relevant authority)	2020/21
		R'000
	0	0
	0	0
	0	0

24.6 Details of irregular expenditure written off (irrecoverable)

Incident	2020/21
	R'000
	0
	0
	0

24.7 Details of irregular expenditure under assessment (not included in the main note)**Incident****Non-compliance:**

Approval for contractual extension not obtained	1	1,651
Approval not in accordance with the delegations	38	15,225
BBBEE requirements not met	1	95,000
Bid specification requirements not met	19	654,190
Bidding processes not followed	5	55,557
Cases under investigation and to be confirmed	133	30,093
Contractual requirements not met	90	226,710
Deviation requirements not met	9	56,468
No financial and/or procurement authority	61	6,729
PPPFA requirements not complied with	46	276,954
Remunerative work not disclosed	1	341
Splitting of orders	5	1,474
Tax requirements not complied with	144	36,922
Three quotations not obtained	214	13,316
Local contents requirements not complied with	38	934,553
SBD 4 not obtained	6	60,284
Sub-contracting requirements not adhered to	12	1,009,746
	823	3,475,213

The incidents reflecting under this note represent all incidents under assessment to determine whether it meets the definition of Irregular Expenditure as per S1 of the PFMA.



ANNEXURE IP18

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VOTE 28

NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

24.8 Prior period error

Nature of prior period error

Relating to prior 2019/20 (affecting opening balance)

	Number of cases	Note	2020/21 R'000
	204	24	78,034
Approval not in accordance with the delegations	15		(1,519)
Bid specification requirements not met	10		56,977
Bidding processes not followed	2		33
Contractual requirements not met	24		872
No financial and/or procurement authority	27		(2,061)
Not Irregular expenditure	6		(18,867)
PPPFA requirements not complied with	14		44,111
Splitting of orders	2		(582)
Tax requirements not complied with	6		(456)
Three quotations not obtained	98		(474)

Relating to 2019/20

	29		(155,308)
Contractual requirements not met	3		(149,550)
No financial and/or procurement authority	2		(172)
PPPFA requirements not complied with	2		(1,079)
Splitting of orders	11		(3,903)
Tax requirements not complied with	1		18
Three quotations not obtained	10		(622)
	233		(77,274)

25. Fruitless and wasteful expenditure

25.1 Reconciliation of fruitless and wasteful expenditure

		2020/21 R'000	2019/20 R'000
Opening balance		16,250	8,666
Prior period error		0	516
As restated		16,250	9,182
Fruitless and wasteful expenditure – relating to prior year	25.2	397	768
Fruitless and wasteful expenditure – relating to current year	25.2	129	7,854
Less: Amounts recoverable	11.3	(375)	(1,049)
Less: Amounts written off	25.4	(4,483)	(505)
Closing balance		11,918	16,250

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25.2 Details of current and prior fruitless and wasteful expenditure- added current year (under determination and investigation)

Incident	Disciplinary steps / Liability investigations instituted	2020/21 R'000
Accommodation	5	283
Air/Bus Tickets	12	35
Incorrect Payments	5	62
Interest-Claims against the State	2	51
Penalties:Licence Fees	25	45
Service Vehicles	2	14
Towing cost	2	2
Vehicle Registration	12	14
Wrong Fuel	11	20
	76	526

The outcome/ progress on the liability investigations to determine liability and disciplinary steps instituted is summarised below:

	Number of Incidents	R'000
No steps taken	36	164
No Discipline	36	164
Recover and disciplined	4	7
Awaiting outcome	1	3
Verbal Warning	2	3
Written warning	1	1
Recovered not disciplined	12	21
Recovered not disciplined	12	21
Under investigation	9	260
Under investigation	9	260
Steps taken	15	74
Awaiting outcome	3	6
Not guilty	1	1
Verbal Warning	1	1
Written warning	10	66
Grand Total	76	526



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25.3 Details of fruitless and wasteful expenditure recoverable		Note	2020/21
	Number of incidents		R'000
		25	
Accommodation	2		1
Air Ticket	10		45
Incorrect Payment	5		285
Penalties:Licence Fees	5		7
Service Vehicles	4		6
Towing cost	2		2
Training	2		1
Vehicle Registration	3		2
Wrong Fuel	13		26
	46		375

25.4 Details of fruitless and wasteful expenditure written off		2020/21
Incident		R'000
Accommodation	3	67
Air/Bus Tickets	14	49
Funeral Cost	1	2
Incorrect Payment	4	49
Interest-Claims against the State	91	4,129
Penalties:Licence Fees	21	55
Service Vehicles	1	4
Storage Fees	1	47
Towing Cost	1	14
Training	1	49
Vehicle Registration	9	11
Wrong Fuel	2	7
	149	4,483

25.5 Prior Period Error		2020/21
Nature of prior period error		R'000
Relating to Prior 2019/20 (affecting opening balance)		
Accommodation	2	3
Air/Bus Tickets	7	29
Funeral Cost	1	2
Incorrect Payment	3	244
Interest-Claims against the State	6	104
Penalties:Licence Fees	3	12
Service Vehicles	3	7
Storage Fees	1	46
Towing cost	1	14
Training	1	49

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Vehicle Registration	1	1
Wrong Fuel	2	5
	<u>31</u>	<u>516</u>
Relating to 2019/20		
Accommodation	1	7
Air/Bus Tickets	2	11
Incorrect Payment	3	61
Interest-Claims against the State	354	7,620
Penalties:Licence Fees	1	0
Wrong Fuel	1	2
	<u>362</u>	<u>7,701</u>
Total		<u>8,217</u>

25.6 Details of fruitless and wasteful expenditure under investigation (not in the main note)

Incident

		2020/21 R'000
Accommodation	8	277
Air/Bus Tickets	50	180
Building project	4	3,661
Cell Phone and Internet Cost	2	3
Funeral Cost	1	5
Goods not received	1	9
Incorrect Payment	17	658
Interest-Claims against the State	443	10,712
Non Attendance: Course	2	29
Penalties:Licence Fees	196	784
Rent	1	2
Service Vehicles	3	19
Supplier overpaid	3	24
Training	12	317
Vehicle registration	20	41
Wrong Fuel	3	3
	<u>766</u>	<u>16,724</u>

The incidents reflecting under this note represent all incidents under assessment to determine whether it meets the definition of Fruitless and Wasteful Expenditure as per S1 of the PFMA.

26. Related party transactions

List related party relationships

Private Security Industry Regulator Authority

Civilian Secretariat for Police

Independent Police Investigative Directorate

Expenditures were incurred by the Executive Authority on the Vote of SAPS.

The amounts incurred cannot be determined due to the indirect nature thereof.



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FOR THE YEAR ENDED 31 MARCH 2021

27. Key management personnel

Description	No of Individuals	2020/21	2019/20
		R'000	R'000
Political Office Bearers	2	4,379	5,681
Officials:			
Board of Commissioners	71	80,525	85,743
Family members of key management personnel	19	7,032	12,471
Total		<u>91,936</u>	<u>103,895</u>

28. Impairment

	2020/21	2019/20
	R'000	R'000
Staff debtors	22,262	15,318
Other debtors	2,187	977
Fruitless and Wasteful	51	22
Total	<u>24,500</u>	<u>16,317</u>

29. Provisions

	2020/21	2019/20
	R'000	R'000
Civil claims	220,087	279,689
	<u>220,087</u>	<u>279,689</u>

Provisions are in respect of not defendable pending claims raised against the department.

29.1 Reconciliation of movement in provisions 2020/21

	Civil Claims	Total provisions
	R'000	R'000
Opening balance	279,689	279,689
Increase in provision	34,066	34,066
Settlement of provision	(112,944)	(112,944)
Change in provision due to change in estimation of inputs	19,276	19,276
Closing balance	<u>220,087</u>	<u>220,087</u>

Reconciliation of movement in provisions 2019/20

	Civil Claims	Total provisions
	R'000	R'000
Opening balance	247,679	247,679
Increase in provision	97,932	97,932
Settlement of provision	(268,407)	(268,407)
Change in provision due to change in estimation of inputs	202,485	202,485
Closing balance	<u>279,689</u>	<u>279,689</u>

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30. Non-adjusting events after reporting date

None

31. Movable Tangible Capital Assets**MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021**

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
HERITAGE ASSETS	1,052	0	0	0	1,052
Heritage assets	1,052	0	0	0	1,052
MACHINERY AND EQUIPMENT	22,662,233	0	2,089,947	901,246	23,850,934
Transport assets	14,752,299	0	1,803,295	703,184	15,852,410
Computer equipment	2,401,321	0	5,143	37,790	2,368,674
Furniture and Office equipment	319,992	0	19,713	1,414	338,291
Other machinery and equipment	5,188,621	0	261,796	158,858	5,291,559
BIOLOGICAL ASSETS	53,767	0	416	6,758	47,425
Biological assets	53,767	0	416	6,758	47,425
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	22,717,052	0	2,090,363	908,004	23,899,411

Included in the Heritage assets are assets accounted for as part of the project awaiting valuation through the tender process. The amount of R1,052 million consists of Heritage Firearms and Vehicles.

Aircraft (Helicopters) included in the closing balance have been identified for the purpose of disposal and will follow the process that will allow for this.



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NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

31.1 ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSET PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

Cash	Non-Cash	(Capital Work in Progress - current costs and finance lease payments)	Received current year, not paid (Paid current year, received prior year)	Total
R'000	R'000	R'000	R'000	R'000

HERITAGE ASSETS

Heritage assets

0	0	0	0	0
0	0	0	0	0

MACHINERY AND EQUIPMENT

Transport assets

Computer equipment

Furniture and office equipment

Other machinery and equipment

2,256,155	40,413	(201,271)	(5,350)	2,089,947
1,767,158	38,409	(614)	(1,658)	1,803,295
5,143	0	0	0	5,143
19,627	115	(45)	16	19,713
464,227	1,889	(200,612)	(3,708)	261,796

BIOLOGICAL ASSETS

Biological assets

0	416	0	0	416
0	416	0	0	416

TOTAL ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS

2,256,155	40,829	(201,271)	(5,350)	2,090,363
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DEPARTMENT OF POLICE

VOTE 28**NOTES TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

31.2 DISPOSALS OF MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Sold for (cash)	Non-cash disposal	Total	Cash Received
	R'000	R'000	R'000	R'000
HERITAGE ASSETS	0	0	0	0
Heritage assets	0	0	0	0
MACHINERY AND EQUIPMENT	486,490	414,756	901,246	108,523
Transport assets	469,100	234,084	703,184	107,450
Computer equipment	10,475	27,315	37,790	0
Furniture and office equipment	503	911	1,414	0
Other machinery and equipment	6,412	152,446	158,858	1,073
BIOLOGICAL ASSETS	866	5,892	6,758	10
Biological assets	866	5,892	6,758	10
TOTAL DISPOSAL OF MOVABLE TANGIBLE CAPITAL ASSETS	487,356	420,648	908,004	108,533

Movement for 2019/20**31.3 MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020**

	Opening balance	Prior Period Error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
HERITAGE ASSETS	1,052		0	0	1,052
Heritage assets	1,052		0	0	1,052
MACHINERY AND EQUIPMENT	21,585,937	27,459	1,977,734	928,897	22,662,233
Transport assets	13,837,638	4,892	1,593,835	684,066	14,752,299
Computer equipment	2,397,429	8,618	125,912	130,638	2,401,321
Furniture and office equipment	298,597	348	25,414	4,367	319,992
Other machinery and equipment	5,052,273	13,601	232,573	109,826	5,188,621
BIOLOGICAL ASSETS	51,211	0	8,886	6,330	53,767
Biological assets	51,211	0	8,886	6,330	53,767
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	21,638,200	27,459	1,986,620	935,227	22,717,052



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FOR THE YEAR ENDED 31 MARCH 2021

31.3.1 Prior period error

Note

2019/20

R'000

Nature of prior period error

Relating to 2019/20 (affecting the opening balance)

27,459

Transport assets

4,892

Computer equipment

8,618

Furniture and office equipment

348

Other machinery and equipment

13,601

Relating to 2019/20

(53,711)

Transport assets

205

Computer equipment

88,363

Furniture and Office equipment

44

Other Machinery and equipment

(142,323)

Total

(26,252)

31.4 Minor Assets

MOVEMENT IN MINOR ASSETS PER THE ASSETS REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Opening balance	0	0	1,706,883	0	1,706,883
Additions	0	0	16,659	0	16,659
Disposals	0	0	12,323	0	12,323
TOTAL MINOR ASSETS	0	0	1,711,219	0	1,711,219

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Number of minor assets	0	0	543,893	0	543,893
TOTAL	0	0	543,893	0	543,893

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FOR THE YEAR ENDED 31 MARCH 2021

Minor Assets**MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020**

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Opening balance	0	0	1,590,049	0	1,590,049
Prior period error	0	0	623	0	623
Additions	0	0	137,609	0	137,609
Disposals	0	0	21,398	0	21,398
TOTAL	0	0	1,706,883	0	1,706,883

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Number of minor assets	0	0	522,083	0	522,083
TOTAL	0	0	522,083	0	522,083

31.4.1 Prior period error**Note****2019/20****R'000****Nature of prior period error**

Relating to the period Prior to 2019/2020 (affecting the opening balance)

623

Machinery and Equipment

623

Relating to 2019/20

77,577

Machinery and Equipment

77,577

Total

78,200

31.5 Movable assets written off**MOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2021**

	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
Assets written off	0	0	0	901,246	6,758	908,004
TOTAL MOVABLE ASSETS WRITTEN OFF	0	0	0	901,246	6,758	908,004



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NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

MOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2020

	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
Assets written off	0	0	0	928,897	6,330	935,227
TOTAL MOVABLE ASSETS WRITTEN OFF	0	0	0	928,897	6,330	935,227

32. Intangible Capital Assets

MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	396,311	0	60,210	0	456,521
TOTAL INTANGIBLE CAPITAL ASSETS	396,311	0	60,210	0	456,521

32.1 Additions

ADDITIONS TO INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Cash	Non-cash	(Development Work-in-Progress current costs)	Received current, not paid (Paid current year, received prior year)	Total
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	85,300	8,836	(33,926)	0	60,210
TOTAL ADDITIONS TO INTANGIBLE CAPITAL ASSETS	85,300	8,836	(33,926)	0	60,210

32.2 Disposals

DISPOSALS OF INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Sold for cash	Non-cash disposal	Total disposals	Cash received Actual
	R'000	R'000	R'000	R'000
SOFTWARE	0	0	0	0
TOTAL DISPOSALS OF INTANGIBLE CAPITAL ASSETS	0	0	0	0

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DEPARTMENT OF POLICE

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FOR THE YEAR ENDED 31 MARCH 2021

32.3 Movement for 2019/20**31 MARCH 2020**

	Opening balance	Prior Period Error	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	396,311	0	0	0	396,311
TOTAL INTANGIBLE CAPITAL ASSETS	396,311	0	0	0	396,311

32.3.1 Prior period error**Note****2019/2020****R'000****Nature of prior period error**

Relating to the period Prior to 2019/2020 (affecting the opening balance)

Software

Relating to 2019/20

Software

Total

0

0

0

0

0



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NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

33. Immovable Tangible Capital Assets

MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	5,159,772	0	236,107	1,570,296	3,825,583
Dwellings	50,064	0	0	115	49,949
Non-residential buildings	1,796,715	0	236,107	1,570,181	462,641
Other fixed structures	3,312,993	0	0	0	3,312,993
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	5,159,772	0	236,107	1,570,296	3,825,583

33.1 Additions

ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	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
BUILDINGS AND OTHER FIXED STRUCTURES	327,827	233,773	(317,965)	(7,528)	236,107
Dwellings	0	0	0	0	0
Non-residential buildings	296,044	233,773	(286,182)	(7,528)	236,107
Other fixed structures	31,783	0	(31,783)	0	0
TOTAL ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS	327,827	233,773	(317,965)	(7,528)	236,107

33.2 Disposals

DISPOSALS OF IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2021

	Sold for cash	Non-cash disposal	Total disposals	Cash received Actual
	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	0	1,570,296	1,570,296	0
Dwellings	0	115	115	0
Non-residential buildings	0	1,570,181	1,570,181	0
Other fixed structures	0	0	0	0
TOTAL DISPOSALS OF IMMOVABLE TANGIBLE CAPITAL ASSETS	0	1,570,296	1,570,296	0

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FOR THE YEAR ENDED 31 MARCH 2021

33.3 Movement for 2019/20**MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020**

	Opening balance	Prior Period Error	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	5,061,126	(69,701)	168,576	229	5,159,772
Dwellings	38,829	11,325	100	190	50,064
Non-residential buildings	1,809,006	(180,728)	168,476	39	1,796,715
Other fixed structures	3,213,291	99,702	0	0	3,312,993
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	5,061,126	(69,701)	168,576	229	5,159,772

33.3.1 Prior period error**Nature of prior period error**

Relating to the period prior to 2019/2020 (affecting the opening balance)

Dwellings

Non-residential buildings

Other fixed structures

Relating to 2019/20

Non-residential buildings

Total

Note	2019/2020
	R'000
	(69,701)
	11,325
	(180,728)
	99,702
	(4,452)
	(4,452)
	(74,153)

The prior period error on Network infrastructure assets is as a result of fair valuation of all assets.

In addition, the reconciliation of the Non-residential assets values for the purpose of transferring this assets in terms of S42

Capital Work-in-progress**33.4 CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2021**

	Note	Opening Balance 1 April 2019	Current Year WIP	Ready for use (Assets to the AR) / Contracts terminated	Closing Balance 31 March 2020
		R'000	R'000	R'000	R'000
Annexure 7					
Buildings and other fixed structures		412,514	177,681	(230,981)	359,214
Intangible assets		54,006	42,762	(8,836)	87,932
TOTAL		466,520	220,443	(239,817)	447,146



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Age analysis on ongoing projects

0 to 1 year
1 to 3 year(s)
3 to 5 years
Longer than 5 years
Total

Number of projects		2020/21
Planned, construction not started	Planned, construction started	Total R'000
25	12	77,686
51	12	110,801
58	42	204,653
0	2	54,006
134	68	447,146

Accruals and payables not recognised relating to Capital WIP

Amounts relating to progress certificates received but not paid at year end and therefore not included in capital work-in-progress

2020/21	2019/20
R'000	R'000
2,772	12,618
2,772	12,618

Total

CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2020

Note	Opening Balance	Current Year WIP	Ready for use (Assets to the AR) / Contracts terminated	Closing Balance 31 March 2020
Annexure 7	R'000	R'000	R'000	R'000
Buildings and other fixed structures	413,869	134,797	(136,152)	412,514
Intangible assets	54,006	0	0	54,006
TOTAL	467,875	134,797	(136,152)	466,520

Age analysis on ongoing projects

0 to 1 year
1 to 3 year(s)
3 to 5 years
Longer than 5 years
Total

Number of projects		2019/20
Planned, construction not started	Planned, construction started	Total R'000
47	12	48,327
41	5	29,367
12	73	388,826
0	0	0
100	90	466,520

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33.5 Immovable assets written off**IMMOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2021**

	Buildings and other fixed structures	Heritage assets	Land and subsoil assets	Total
	R'000	R'000	R'000	R'000
Assets written off	1,570,296	0	0	1,570,296
TOTAL IMMOVABLE ASSETS WRITTEN OFF	1,570,296	0	0	1,570,296

IMMOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2020

	Buildings and other fixed structures	Heritage assets	Land and subsoil assets	Total
	R'000	R'000	R'000	R'000
Assets written off	229	0	0	229
TOTAL IMMOVABLE ASSETS WRITTEN OFF	229	0	0	229

S42 Immovable assets**Assets to be transferred in terms of S42 of the PFMA - 2020/21****BUILDINGS AND OTHER FIXED STRUCTURES**

	No of Assets	Value of Assets
		R'000
Non-residential buildings	162	169,092
Total	162	169,092

S42 Immovable assets**Assets to be transferred in terms of S42 of the PFMA - 2019/20****BUILDINGS AND OTHER FIXED STRUCTURES**

	No of Assets	Value of Assets
		R'000
Non-residential buildings	1,250	1,849,166
Total	1,250	1,849,166



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NOTES TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

		2019/20	
34. Prior period errors	Note	Amount before error correction	Restated amount
		R'000	R'000
34.1 Correction of prior period errors			
Other: (e.g. Irregular expenditure, fruitless and wasteful expenditure, etc.)			
Irregular expenditure		1,657,570	1,580,296
Fruitless and wasteful expenditure		8,033	16,250
Movable Tangible Capital Assets		22,743,303	22,717,051
Immovable Tangible Capital Assets		5,233,925	5,159,772
Minor Assets		1,628,683	1,706,883
Net effect		31,271,514	31,180,252

35. BROAD BASED BLACK ECONOMIC EMPOWERMENT PERFORMANCE

Information on compliance with the B-BBEE Act is included in the annual report under the section titled B-BBEE Compliance Performance Information

36 COVID 19 Response Expenditure	Note	2020/21	2019/20
		R'000	R'000
	ANNEXURE 10		
Compensation of employees		32,054	0
Goods and services		1,716,216	42,222
Transfers and subsidies		0	0
Expenditure for capital assets		3,101	0
Other		0	0
Total		1,751,371	42,222

**ANNEXURE IP18****1307**

DEPARTMENT OF POLICE

VOTE 28**ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 1**STATEMENT OF FINANCIAL GUARANTEES ISSUED AS AT 31 MARCH 2021 - LOCAL**

Guarantee in respect of and Guarantor institution	Original Guaranteed capital amount	Opening balance 1 April 2020	Current year adjustments to prior year closing balances	Guarantee draw downs during the year	Guarantee Repayments/ cancelled/ Released/ Reduced during the year	Closing balance 31 March 2021
	R'000	R'000	R'000	R'000	R'000	R'000
Housing						
STANDARD BANK		174	0	0	70	104
NEDBANK PTY LTD		87	0	0	0	87
ABSA		285	0	0	86	199
Total		546	0	0	156	390



ANNEXURE IP18

1308

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 2

CLAIMS RECOVERABLE

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020
	R'000	R'000	R'000	R'000	R'000	R'000
Departments						
The Presidency	0	0	555	499	555	499
Department of Defence	0	78	107	104	107	182
Department of Agriculture, Forestry and Fisheries	0	0	87	75	87	75
Department of Arts and Culture	4	0	62	19	66	19
Civilian Secretariat for Police	2,149	0	384	384	2,533	384
Department of Communications	0	5	252	84	252	89
Department of Correctional Services	0	0	49	74	49	74
Department of Cooperative Governance	0	0	314	153	314	153
Department of Basic Education	0	5	160	126	160	131
Department of Higher Education and Training	0	1	22	9	22	10
Department of Environmental Affairs	0	14	92	63	92	77
Department of Energy	0	0	56	56	56	56
Department of International Relation & Cooperation	0	6	34,285	34,330	34,285	34,336
Department of Health	0	134	399	303	399	437
Department of Home Affairs	0	13	137	6	137	19
Department of Human Settlement	0	0	39	170	39	170
Department of Justice and Constitutional Development	0	34,109	19,013	992	19,013	35,101
Department of Labour	0	0	247	134	247	134
Department of Rural Development and Land Reform	9	0	55	135	64	135
Parliament : National Assembly	0	0	237	229	237	229
Parliament : National Council of Provinces	0	0	220	213	220	213
Department of Public Enterprises	0	0	18	18	18	18
Department of Public Works	8	345	1,946	2,013	1,954	2,358
Department of Social Development	0	12	266	239	266	251
Department of Trade and Industry	0	28	334	311	334	339
Department of Transport	0	0	58	52	58	52
Department of Water and Sanitation	0	0	46	61	46	61
Department of Mineral Resources	0	0	150	136	150	136
Department of Public Service and Administration	155	0	61	212	216	212
Department of Science and Technology	0	0	1	1	1	1
Department of Sport and Recreation South Africa	0	18	19	0	19	18
Statistics South Africa	0	0	24	32	24	32
Department of Telecommunication and Postal Services	0	0	1,268	1,428	1,268	1,428
National Prosecuting Authority (Justice)	251	0	160	8	411	8
National Treasury	0	19,407	1	0	1	19,407
Department of Small Business	0	0	38	9	38	9
Public Protector	0	0	2	2	2	2

**ANNEXURE IP18****1309**

DEPARTMENT OF POLICE

VOTE 28**ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 2 Continue....						
Planning Monitoring and Evaluation	0	0	45	1	45	1
State Security Agency (SSA)	0	0	131	130	131	130
Department of Tourism	0	0	74	80	74	80
SUB TOTAL	2,576	54,175	61,414	42,891	63,990	97,066

Provinces	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020
	R'000	R'000	R'000	R'000	R'000	R'000
OFFICES OF THE PREMIERS	0	34	3,236	2,846	3,236	2,880
MEC SAFETY AND SECURITY	0	0	363	182	363	182
KWAZULU NATAL: PROVINCIAL GOVERNMENT	0	28	1,901	1,123	1,901	1,151
FREE STATE PROV: PROVINCIAL GOVERNMENT	0	36	324	184	324	220
WESTERN CAPE PROV: PROVINCIAL GOVERNMENT	0	9	302	247	302	256
LIMPOPO PROV: PROVINCIAL GOVERNMENT	19	2,328	596	394	615	2,722
EASTERN CAPE PROV: PROVINCIAL GOVERNMENT	79	306	883	330	962	636
GAUTENG PROV: PROVINCIAL GOVERNMENT	554	0	1,584	597	2,138	597
NORTH WEST PROV: PROVINCIAL GOVERNMENT	0	0	51	38	51	38
MPUMALANGA: PROVINCIAL GOVERNMENT	0	0	850	228	850	228
NORTHERN CAPE: PROVINCIAL GOVERNMENT	0	31	780	471	780	502
SUB TOTAL	652	2,772	10,870	6,640	11,522	9,412

Other Entities	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020
	R'000	R'000	R'000	R'000	R'000	R'000
National Intelligence Agency	0	0	6	6	6	6
South African Social Security Agency (SASSA)	0	0	167	221	167	221
South African Revenue Services	0	0	0	19	0	19
Road Traffic Management Corporative	0	0	271	384	271	384
SUB TOTAL	0	0	444	630	444	630
TOTAL	3,228	56,947	72,728	50,161	75,956	107,108



ANNEXURE IP18

1310

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 3 INTER- GOVERNMENT PAYABLES

GOVERNMENT ENTITY	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL		Cash in transit at year end 2020/21*	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020	Payment date up to six (6) working days before year end	Amount
	R'000	R'000	R'000	R'000	R'000	R'000		R'000
DEPARTMENTS								
Current								
International Relations and Cooperation	29046	6079	4,004	3,395	33,050	9,474		
Justice and Constitutional Development	52,149	152,281	59,877	159,816	112,026	312,097	30/03/2021	23,926
Government Communication and Information System	134	5,436	887	0	1,021	5,436		
KZN Prov Government Social Development	0	0	1	1	1	1		
MP Provincial Government	0	14	1	1	1	15		
Public Works	118,670	152,212	300,926	235,454	419,596	387,666	31/03/2021	19,356
Civilian Secretariat for Police	0	0	12	12	12	12		
National Intelligence Agency	6	6	0	0	6	6		
TOTAL	200,005	316,028	365,708	398,679	565,713	714,707		43,282
OTHER GOVERNMENT ENTITY								
Current								
State Information Technology Agency	62,148	240,058	160,260	604,056	222,408	844,114	30/03/2021	205,021
South African Post Office	41	600	0	0	41	600		
Safety and Security Sector Education and Training Authority (SASSETA)	4,044	0	0	0	4,044	0		
TOTAL	66,233	240,658	160,260	604,056	226,493	844,714		205,021
TOTAL INTERGOVERNMENTAL	266,238	556,686	525,968	1,002,735	792,206	1,559,421		248,303

**ANNEXURE IP18****1311**

DEPARTMENT OF POLICE

VOTE 28**ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 4**STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED**

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2020/2021	2019/2020
		R'000	R'000
Received in cash		0	0
		0	0
Received in kind			
Public & Businesses	Cleaning	0	30
Public & Businesses	Consumables, Inventory, Clothing and Protective gear (PPE)	2424	387
Public & Businesses	Computer Equipment	113	113
Public & Businesses	Dogs	54	81
Public & Businesses	Excellence Awards Detective Service and National excellence awards (Golf day)	0	2681
Public & Businesses	Furniture & Equipment	0	92
Public & Businesses	Machinery and Equipment	830	3
Public & Businesses	Medical Equipment	0	22
Public & Businesses	National Police day	0	6169
Public & Businesses	Photographic Services and Catering	20	30
Public & Businesses	Transport assets/Service and Equipment	33,261	0
Public & Businesses	Stationery and Publications and Sim cards	10	462
Public & Businesses inc foreign country	Travel & Accommodation and Training	128	4789
Public & Businesses	Trophies and Vouchers	54	72
Public & Businesses	Weapons and Ammunition	0	18
Subtotal		36,894	14,949
TOTAL		36,894	14,949

ANNEXURE IP18

1312

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 5

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2021

NATURE OF LIABILITY	Opening balance 1 April 2020 R'000	Closing balance 31 March 2021 R'000
Claims against the department		
Claims against the department	6,437,240	7,714,497
Total	<u>6,437,240</u>	<u>7,714,497</u>

Claims against the Department is calculated based on a best estimate of average claims paid.

STATEMENT OF THE RECOVERABILITY OF ACCUMULATED PAYMENTS MADE AS AT 31 MARCH 2021					
Nature of recoverability	Opening Balance 01/04/2020 R'000	Current year adjustments to prior year balances R'000	Movement during the year		
			Detail of finalized transactions	Amount finalized R'000	New transactions Amount R'000
Civil claims against the Department	232,255	343	Written off (TR 11.4 & 12)	240	367,248
			Claim by the Department	7,237	
			Waiver of claims (TR 12.7.3)	297,844	
			MERITS OF LOSS CANNOT BE DETERMINED	5	
Total	<u>232,255</u>	<u>343</u>		<u>305,326</u>	<u>367,248</u>
					<u>294,520</u>

**ANNEXURE IP18****1313**

DEPARTMENT OF POLICE

VOTE 28**ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 6**INVENTORY****INVENTORIES FOR THE YEAR ENDED 31 MARCH 2021**

	Note	Ammunition	Uniform	TOTAL
		R'000	R'000	R'000
Opening balance		79,133	268,463	347,596
Add/(Less): Adjustments to prior year balances		0	0	0
Add: Additions/Purchases - Cash		54,486	270,392	324,878
Add: Additions - Non-cash		0	0	0
(Less): Disposals		0	0	0
(Less): Issues		(19,749)	(174,146)	(193,895)
Add/(Less): Received current, not paid (Paid current year, received prior year)		0	0	0
Add/(Less): Adjustments		(191)	3,229	3,038
Closing balance		113,679	367,938	481,617

INVENTORIES FOR THE YEAR ENDED 31 MARCH 2020

	Note	Ammunition	Uniform	TOTAL
		R'000	R'000	R'000
Opening balance		91,192	307,006	398,198
Add/(Less): Adjustments to prior year balances		0	0	0
Add: Additions/Purchases - Cash		59,172	155,794	214,966
Add: Additions - Non-cash		0	0	0
(Less): Disposals		0	(742)	(742)
(Less): Issues		(72,011)	(197,492)	(269,503)
Add/(Less): Received current, not paid (Paid current year, received prior year)		0	0	0
Add/(Less): Adjustments		780	3,897	4,677
Closing balance		79,133	268,463	347,596



ANNEXURE IP18

1314

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 7

Movement in Capital Work-in-Progress

MOVEMENT IN CAPITAL WORK-IN-PROGRESS FOR THE YEAR ENDED 31 MARCH 2021

	Opening balance	Current Year Capital WIP	Ready for use (Asset register) / Contract terminated	Closing balance
	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	412,514	177,681	(230,981)	359,214
Dwellings	0	0	0	0
Non-residential buildings	412,514	145,898	(230,981)	327,431
Other fixed structures	0	31,783	0	31,783
COMPUTER SOFTWARE	54,006	42,762	(8,836)	87,932
Computer Software	54,006	42,762	(8,836)	87,932
TOTAL	466,520	220,443	(239,817)	447,146

Movement in Capital Work-in-Progress

MOVEMENT IN CAPITAL WORK-IN-PROGRESS FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Prior period errors	Current Year Capital WIP	Ready for use (Asset register) / Contract terminated	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	413,869	0	134,797	(136,152)	412,514
Dwellings	0	0	0	0	0
Non-residential buildings	413,869	0	134,797	(136,152)	412,514
Other fixed structures	0	0	0	0	0
COMPUTER SOFTWARE	54,006	0	0	0	54,006
Computer Software	54,006	0	0	0	54,006
TOTAL	467,875	0	134,797	(136,152)	466,520

**ANNEXURE IP18****1315**

DEPARTMENT OF POLICE

VOTE 28**ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT**

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 8**INTER-ENTITY ADVANCES PAID (note 10.1)**

ENTITY	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2021	31/03/2020	31/03/2021	31/03/2020	31/03/2021	31/03/2020
	R'000	R'000	R'000	R'000	R'000	R'000
NATIONAL DEPARTMENTS						
Government Communication and Information System	4,572	5,591	0	0	4,572	5,591
Subtotal	4,572	5,591	0	0	4,572	5,591
Other Institutions						
Police Actions	431	645	0	0	431	645
Temporary Advances	12	16	0	0	12	16
Purchases	1,307	4,516	0	0	1,307	4,516
Subtotal	1,750	5,177	0	0	1,750	5,177
TOTAL	6,322	10,768	0	0	6,322	10,768



ANNEXURE IP18

1316

DEPARTMENT OF POLICE

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 9

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS MADE AND REMISSIONS, REFUNDS AND PAYMENTS MADE AS AN ACT OF GRACE

NATURE OF GIFT, DONATION OR SPONSORSHIP	2020/2021	2019/2020
(Group major categories but list material items including name of organisation)	R'000	R'000
Made in kind		
Computer Equipment	2	452
Dogs	392	887
Machinery & Equipment	305	15
Medical Equipment	38	304
Uniform	0	30
Weapons & Ammunition	0	169
Stationery	0	6
Protective Gear	1	0
TOTAL	738	1,863

ANNEXURE IP18

1317

DEPARTMENT OF POLICE VOTE 28 ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT FOR THE YEAR ENDED 31 MARCH 2021

ANNEXURE 10 COVID 19 RESPONSE EXPENDITURE Per quarter and in total

Expenditure per economic classification	APRIL	MAY	JUN	JUL	AUG	SEPT	Subtotal	OCT	NOV	DEC	Subtotal	JAN	FEB	MAR	Subtotal	2020/21	2019/20
	2020	2020	2020	2020	2020	2020	Q1	Q2	Q3	Q4	Q4	Q4	Q4	Q4	Q4	TOTAL	TOTAL
Compensation of employees	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Goods services	1,034,21	307,968	28,568	122,108	140,897	11,940	1,371,357	274,945	3,752	2,847	15,417	6,769	8,655	39,073	54,497	1,716,216	42,022
Minor assets	15,374	2,721	819	2,024	1,153	505	18,914	3,682	163	299	925	(88)	237	(948)	(799)	22,722	
Catering: Departmental activities	667	128	144	6	42	(7)	939	41	(154)	0	(668)	0	0	0	0	312	
Communication (G&S)	25	8	30	0	0	0	63	0	0	0	0	0	0	0	0	63	0
Consultants: Business and advisory services	0	0	4	10	12	0	4	22	0	0	0	0	0	0	0	26	0
Contractors	139	80	50	32	52	4	269	88	0	0	(64)	10	2	(40)	(28)	265	
Agency and support/outsourced services	164	43	656	675	2,581	3,596	863	6,852	1,588	117	4,282	5,004	4,049	27,715	36,768	48,765	
Entertainment	39	0	14	0	0	0	53	0	0	0	(53)	0	0	0	0	0	0
Fleet services (including government motor transport)	149	166	255	154	123	36	570	313	81	0	81	1	2	(49)	(46)	918	2
Consumable supplies	1,005,346	284,911	3,793	98,598	128,458	3,921	1,294,050	230,977	1,330	1,293	4,782	959	3,596	11,787	16,342	1,546,151	41,783
Consumables: Stationery, printing and office supplies	1	151	1	(111)	1	0	153	(110)	0	0	0	0	0	60	60	103	2
Operating leases	1,689	2,712	2,088	1,426	1,826	906	6,489	4,158	87	295	572	152	1	54	207	11,426	0
Property payments	327	299	613	334	389	175	1,239	898	65	89	245	104	53	41	198	2,580	0

DEPARTMENT OF POLICE

VOTE 28

ANNEXURE TO THE ANNUAL FINANCIAL STATEMENT

FOR THE YEAR ENDED 31 MARCH 2021

Expenditure per economic classification	APRIL 2020	MAY 2020	JUN 2020	Subtotal Q1	JUL 2020	AUG 2020	SEPT 2020	Subtotal Q2	OCT 2020	NOV 2020	DEC 2020	Subtotal Q3	JAN 2021	FEB 2021	MAR 2021	Subtotal Q4	2020/21 TOTAL	2019/20 TOTAL
	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Travel and subsistence	10,844	16,551	19,967	47,362	18,883	6,013	2,804	27,700	1,941	636	579	3,156	569	561	453	1,583	79,801	88,088
Venues and facilities	57	198	134	389	77	247	0	324	19	35	0	54	58	154	0	212	979	979
Advertising	0	0	0	0	0	0	0	0	1,923	0	175	2,098	0	0	0	0	2,098	0
Operating payments	0	0	0	0	0	0	0	0	5	2	0	7	0	0	0	0	7	0
Transfers and subsidies	0	0	0	0	0	18	0	18	(18)	0	0	(18)	0	0	0	0	0	0
Social benefits	0	0	0	0	0	18	0	18	(18)	0	0	(18)	0	0	0	0	0	0
Expenditure for capital assets	474	793	656	1,923	406	353	75	834	193	0	0	193	99	0	52	151	3,101	3,101
Transport equipment	0	299	75	374	0	0	0	0	0	0	0	0	0	0	0	0	374	0
Other machinery and equipment	474	494	581	1,549	406	338	56	800	215	0	0	215	111	0	52	163	2,727	2,727
Buildings and other fixed structures	0	0	0	0	0	15	19	34	(22)	0	0	(22)	(12)	0	0	(12)	0	0
TOTAL COVID 19 RE-SPONSE EXPENDITURE	1,035,295	308,761	29,224	1,373,280	122,514	141,268	17,106	280,888	10,933	19,832	2,847	33,612	7,173	9,482	46,936	63,591	1,751,371	42,222



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INVESTIGATION INTO ALLEGATIONS OF A VIOLATION OF THE EXECUTIVE ETHICS

CODE AGAINST THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA, HIS

EXCELLENCY MR MC RAMAPHOSA

AFFIDAVIT OF MAJOR GENERAL RHOODE

I, the undersigned,

Walther Peter Rhoode

do hereby declare under oath as follows:

1. I am an adult male, currently employed at the South African Police Services ("SAPS"), posted as the Head of the Presidential Protection Services ("PPS") whose registered offices are situated at Maupa Naga Building, 3 corner Park and Troy Street, Sunnyside, Pretoria.
2. The facts contained herein are within my personal knowledge, save where the converse appears within the context, and are both true and correct.
3. I hold a rank of Major-General in the SAPS and I have been the Head of the PPS since 1 June 2018.

wpr

4. I report directly to the National Commissioner of the SAPS. In addition, I report directly to His Excellency, The President, Mr. Matamela Cyril Ramaphosa ("the President" / "President Ramaphosa").
5. In my aforesaid official capacity (as head of PPS), my responsibilities include, but are not limited to, ensuring the physical, information and logistical security of the President, the Deputy President, all former Presidents and former Deputy Presidents as well as their spouses. I am also responsible for the security of visiting Heads of Foreign States.
6. The purpose of this affidavit is to respond to a series of questions posed by the Public Protector in paragraph 17.2 of a letter addressed to the National Commissioner, dated 7 June 2022 ("the letter").
7. Before addressing the questions referred to above, I wish to note that the complaint by MP Zungula emanates from a statement made by Mr Arthur Fraser ("Mr Fraser"), which statement refers to hearsay evidence of other persons on which Mr Fraser relies, but whose identity/ies is not disclosed. Moreover, I have not been furnished with the supporting evidence to which Mr Fraser refers in his statement.
8. In his statement, Mr Fraser alleges that I am guilty of multiple criminal offences. This affidavit does not constitute a response thereto and should not be construed as an admission of any averments not specifically addressed herein.

wfr

9. It is against this background that I turn to address the questions set out in paragraph 17.2 of the letter, insofar as my knowledge of the relevant facts, permits.
10. On 10 February 2020, I was with President Ramaphosa in Addis Ababa, Ethiopia as part of a delegation of the Republic of South of South Africa to the African Union ("AU") Summit Meeting. On 10 February 2020, I was summoned to President Ramaphosa's suite in Addis Ababa, and he informed me that he received information that there was an alleged breach of security at his farm named Phala Phala ("the Farm"), near Bela-Bela in Limpopo and that I should attend to the breach of security and report back to him. This instruction was to alert me to the incident such that I could properly carry out my duties in respect of protecting the President and his family.
11. It should be noted that President Ramaphosa was chairing the AU summit and was exceptionally busy at that time.
12. I instructed Colonel Mathlo ("Col. Mathlo") from the PPS, who was with me in Addis Ababa, to contact the PPS office in Pretoria and instruct them to assess the breach of security and to deploy PPS personnel to the Farm.
13. It bears mentioning that contrary to my advice, the President has declined the permanent deployment of PPS personnel and

technology at the Farm on the basis that state resources should not be spent on his personal property, especially when he is not always there.

14. Col. Mathlo then informed me that through Lieutenant Colonel Ledwaba ("Lt. Col. Ledwaba"), he can confirm that two (2) cameras at the Farm had been tampered with and the personnel further found that a window was half opened at the President's house on the Farm (which is one of several residences on the Farm). I was informed further that the President's house was locked and there was no one present with access to open the house and accordingly the police did not enter the house.

15. Lt. Col. Ledwaba subsequently deployed security personnel on 10 February 2020. I was advised that four (4) PPS personnel had been deployed to protect the Farm on a shift schedule, with two (2) on day shift and the other two (2) on night shift.

16. Although at this stage I was not aware that anything had been stolen from the President's residence, I took the matter seriously because a breach of security at the President's residence amounts to a direct threat to the President, and poses a serious threat to his life and the lives of his family members.

17. I was only able to brief the President on the steps I had taken once we had boarded the Presidential plane at or around 3h30 on 11

JSH

February 2020, at Addis Ababa Airport. We flew back to Cape Town, South Africa.

18. For the remaining days of February 2020, the President attended to several commitments across South Africa. On 2 March 2020, the President called me to his residence in Hyde Park where he informed me that money from the sale of animals was missing from his residence at the Farm. The President did not indicate the amount of money that was missing.

19. Given the sensitivity and potential seriousness of a breach of security at the President's residence, I informed the President that I must report the matter to my superiors and undertook to revert to him on the course of action to be followed.

20. Following the meeting with the President at his Hyde Park residence, I immediately reported the security breach to and consulted with one of my superiors, the Deputy National Commissioner, Lieutenant-General Mtazi ("Lt. Gen. Mtazi"). Lt. Gen. Mtazi requested that I gather some preliminary information about the incident and potential suspects to determine whether there was any threat to the President's safety and advised me that he would institute a full-scale investigation. It is beyond my scope of work to be allocated matters or case dockets to conduct criminal investigations.

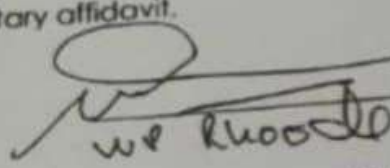
wfr

21. In an attempt to gather the requested preliminary information, on or about 3 March 2020, accompanied by Mr Trevor Fredericks ("Mr Fredericks") and Sergeant Rekhoto ("Sgt. Rekhoto"), I attended Phala Phala. I had asked Mr Fredericks to assist me as he was a former policeman and social worker, and I thought his expertise would be useful. Mr Fredericks died from COVID-19 in 2021. I requested the assistance of Sgt. Rekhoto who works in the PPS as he is multilingual, and I thought he could assist with interpreting any interviews I conducted.
22. I did not engage the services of a local farmer from the neighbouring farm, as alleged. *who is the white man heard in video?*
23. When at Phala Phala, I interviewed a temporary employee in housekeeping by the name of Ms Floriana Joseph ("Ms Joseph"). The purpose of the interview was to ascertain whether she had any information regarding the housebreaking that had taken place. In the presence of Sgt. Rekhoto, Ms Joseph was advised of her rights and that she did not have to answer any questions if she did not want to. She answered my questions voluntarily. Ms Joseph advised me that her brother, Mr David Joseph ("Mr Joseph") had information regarding the alleged break in. Mr Joseph voluntarily subjected himself to an interview. It would not be correct to characterise these interviews as interrogations, which implies a degree of forcefulness.

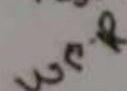
24. With the assistance of Sgt. Rekhoto I compiled the preliminary information requested by Lt. Gen. Mfazi and submitted same to him to hand the matter over. I assumed that Lt. Gen. Mfazi as part of his full-scale investigation, would follow the prescribed process, including opening a docket if appropriate. I do not know what the outcome of Lt. Gen. Mfazi's investigation was.
25. I submit that I acted as diligently as possible and in accordance with the applicable legislative and policy framework from which I derive my authority as Head of PPS, and brought the matter to the attention of Lt. Gen. Mfazi, as directed by protocol.
26. I have no knowledge of any money or items derived from the proceeds of the money stolen from the Farm being recovered. Furthermore, I do not have any knowledge of a referral being made to the Asset Forfeiture Unit in connection with this matter.
27. I have no knowledge of any person, myself included, kidnapping, torturing or paying bribes to the alleged culprits in order to buy their silence in connection with this matter.
28. On 25 June 2020 I went with Mr Bejani Chauke ("Mr Chauke"), the President's envoy for Africa, on an official trip to Namibia. We could not fly due to the lockdown restrictions at the time. We drove from Upington to the Naskop border post, where we completed all of the necessary paperwork on the South African side. We then drove to

No Man's Land where we waited for the Namibian police to meet us. They picked us up in a helicopter and we went to Windhoek. We arrived late at night and the next morning we went to see President Geingob. Mr Chauke met with President Geingob and I stayed outside of the meeting. Accordingly, I do not know what was discussed. To my knowledge, the trip was not in connection with the alleged robbery at the Farm.

29. The trip was authorised by the National Commissioner of SAPS.
30. Should additional information come to light which requires me to clarify or elaborate on the statements made herein I reserve the right to do so by way of a supplementary affidavit.


W. R. Khoo
DEPONENT

I certify that the Deponent acknowledged that he knows and understands the contents of this affidavit, that he has no objection to the making of the prescribed oath and that he considers this oath to be binding on his conscience. I also certify that this affidavit was signed ^{Commissioner of SAPS} in my presence at Pretoria on this 11 day of July 2022 and that the Regulations contained in Government Notice R1258 of 21 July 1972, as amended by Government Notice R1648 of 19 August 1977, have been complied with.



AFFIDAVIT

I, the undersigned,

Sehlahle Fannie Masemola with Persal number 615886-2

Do hereby declare under oath as follows:

1.

I am an adult male, currently employed as the National Commissioner of the South African Police Service, based at Mobilisation Support, SAPS Pretoria West Training Institution with telephone number (012) 397 7027.

2.

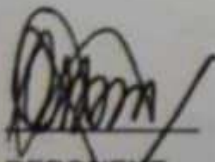
I hereby confirm that on 10 February 2020 the President of the Republic of South Africa made a report of a security breach at his farm, Phala Phala, to the Head of the Presidential Protection Services of the South African Police Service, Major General Rhoode. See paragraph 10 of Major General Rhoode's affidavit. I further confirm that the alleged theft/robbery was reported on 02 March 2020 by the President of the Republic of South Africa to Major General Rhoode, as per paragraph 18 of the said affidavit.

3.

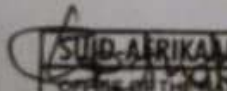
Based on enquiries made with the Provincial Commissioner of Limpopo and the Station Commander of SAPS Bela-Bela, I hereby confirm that no case was opened/registered following the alleged theft at the President's property at Phala Phala Farm.

4.

The complaint by Mr Arthur Fraser which was registered as Rosebank CAS 2/8/2022 was transferred to Bela-Bela SAPS and is currently registered as Bela-Bela CAS 93/06/2022.


DEPONENT

I certify that the Deponent acknowledged that he knows and understands the contents of this affidavit, that he has no objection to the making of the prescribed oath and that he considers this oath to be binding on his conscience. I also certify that this affidavit was signed in my presence at ~~Pretoria~~ on this 12th day of July 2022 and that the Regulations contained in Government Notice R1258 of 21 July 1972, as amended by Government Notice R1648 of 19 August 1977, have been complied with.


SUID-AFRIKAANSE POLISIEDIENS
OFFICE OF THE NATIONAL COMMISSIONER
COMMISSIONER OF OATHS
2022-07-12
OFFICE OF THE NATIONAL COMMISSIONER
SOUTH AFRICAN POLICE SERVICE



**SUBMISSION BY THE
AFRICAN TRANSFORMATION MOVEMENT
TO THE
SECTION 89 INDEPENDENT PANEL
1(A)**

27 October 2022

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A. Introduction

1. The Section 89 Independent Panel was established, by the Parliament of the Republic of South Africa, in order to determine whether an inquiry should be held into the fitness of President of the Republic of South Africa, the Honourable Matamela Cyril Ramaphosa, to hold office.
2. On 18 July 2022, the African Transformation Movement (ATM) wrote to the Speaker of the National Assembly, the Honourable Nosiviwe Mapisa-Nqakula MP, on the motion in terms of Rule 12A-Q of the Rules of the National Assembly Rules to establish this Section 89 Committee Inquiry. The letter is herewith attached as ATM1A1.
3. The letter from the ATM to the Speaker, in the name of the Honourable Vuyo Zungula MP, noted section 89(1) of the Constitution of the Republic of South Africa and further noted the adoption, by the National Assembly, of a Report of the Rules Committee on 22 November 2018 on procedures to give effect to section 89 of the Constitution on the Removal of the President. The ATM went further to propose the resolution that the National Assembly initiates an inquiry into the removal from Office of the President of the Republic, Mr Matamela Cyril Ramaphosa, on the grounds of serious violation of the Constitution or the law, and serious misconduct.
4. The charges proposed by the ATM and accepted for the inquiry were:
 - Charge One: Serious Violation of the Constitution – Violation of Section 96(2)(a), read with Section 83(b) of the Constitution;
 - Charge Two: Serious Violation of the Law – Violation of Section 34(1) of the Prevention and Combatting of Corrupt Activities Act, Act 12 of 2004, read with the South African Police Service Amendment Act, Act 10 of 2012;
 - Charge Three: Serious Misconduct – Violation of Section 96(2)(b) of the Constitution, read with Section 83(b) of the same-said Constitution; and,

- Charge Four: Serious Misconduct – Violation of Section 96(2)(b) of the Constitution, also read with Section 83(b) of the same-said Constitution.
5. In providing information for each of these charges, the submission will firstly explain the charge and then provide the necessary information.
 6. The Speaker replied to the ATM on acceding to the request by the ATM and, in terms of the Rules of the National Assembly and having considered the 17 names recommended by the political parties in Parliament, announced the three-person independent panel on 14 September 2022. These were:
 - Justice Sandile Ngcobo, the former Chief Justice of the Constitutional Court of the Republic of South Africa and Chairperson of the Panel;
 - Judge Thokozile Masipa, former Judge of the Gauteng Division of the High Court of South Africa; and,
 - Professor Richard Calland, Associate Professor of Public Law at the University of Cape Town.
 7. On 27 September 2022, the Speaker substituted the name of Professor Richard Calland with that of Advocate Mahlape Sello SC, after receiving objections to the name of Professor Calland from some political parties (see ATM1A2).
 8. On 20 October 2022, the Speaker announced the ‘Timetable for conduct of preliminary inquiry by the Section 89 Independent Panel’. Members of the National Assembly were therefore allowed to make submissions to the Independent Panel between 22 and 27 October 2022.
 9. Commenting on this Section 89 process, constitutional law expert, Professor Pierre de Vos, writes in his article, herewith attached as ATM1A3:

“...The rules were amended to comply with the 2017 Constitutional Court judgment in *Economic Freedom Fighters and Others v Speaker of the National Assembly* (in a majority judgment written by Justice Chris Jafta), which held that the National Assembly could only proceed to vote on the impeachment of the president in terms of section 89 of the Constitution once it had determined that one of the listed grounds required for lawful impeachment had been established.”

10. It is the understanding of the ATM that the task of the Section 89 Independent Panel is *to determine whether the President of the Republic of South Africa, Mr Matamela Cyril Ramaphosa, has a case to answer in respect of the charges that have been laid against him by the ATM to the Speaker of the National Assembly.*
11. *The ATM verily believes that President Matamela Cyril Ramaphosa is guilty of these four charges and this therefore brings into serious question his ability to hold the high office of President of the Republic.*
12. This submission will illustrate that indeed it is the belief of the ATM that the president of the Republic does have a case to answer and that a Section 89 Inquiry into whether he violated any provisions in the Constitution of the Republic and/or the law of the country.
13. The submission, drawing on a number of documents, media articles as well as the direct words of the president, among others, on the matter at hand, will illustrate that there are a number of questions that remain unanswered or evidence provided, in the public domain, that does not make sense and that *the only manner in which conclusive findings will be made would be to hold an inquiry.*
14. This submission may not be complete and other supporting documentation and/or evidence may be added to it either before the submission to the Panel or even after this submission was made but before the closing date of 27 October 2022.

B. Background

Arthur Fraser walks into Rosebank SAPS

15. On 1 June 2022, Mr Arthur Fraser, the former Director-General: State Security Agency as well as the former National Commissioner for the Department of Correctional Services, took the “unprecedented step” of laying criminal charges against the sitting President of the Republic, Mr Matamela Cyril Ramaphosa, at Rosebank Police Station. Mr Fraser’s media statement on the day is attached herewith as ATM1A4.
16. Mr Fraser indicated in his media statement that “the details of the charges and the supporting evidence, including photographs, bank accounts, video footage and names are contained in [his] statement filed with the Rosebank Police Station.”
17. Mr Fraser’s witness statement, presented to the South African Police Service (SAPS), is also herewith attached as ATM1A5; however without the annexures.
18. According to Mr Fraser’s witness statement the following salient points must be noted:
 - 18.1.that he was laying the charges “solely in pursuance of requesting the South African Police Service (‘SAPS’) to investigate the conduct of the President of the Republic of South Africa, President Matamela Cyril Ramaphosa (‘President Ramaphosa’ and or ‘the President’); the Head of the SAPS’ Presidential Protection Unit, Major General Wally Rhoo de (‘Major General Rhoo de’); and that of others, which, inter alia, amounts to money laundering, in contravention of the Prevention of Organised Crime Act No. 121 of 1998 (‘POC’) and corruption, in contravention of Corrupt Activities Act No. 12 of 2004, as a result of information, documents, photographs and vide footage that has been brought to my attention”;
 - 18.2.that “on or about 9 February 2020, trespassing and housebreaking occurred at the main farmhouse at Phala Phala, a wildlife farm situated in Bela-Bela, Limpopo, which is privately owned by President Ramaphosa, during which incident large undisclosed sums of United States Dollars (‘US\$’), concealed in the furniture in the main

farmhouse had been unlawfully removed from the President's premises by the assailants”;

18.3.that “the incident was not officially reported to the police to investigate” but that “President Ramaphosa instructed Major General Rhooode to immediately [sic] investigate the incident, to apprehend the suspects and to retrieve the stolen US\$”;

18.4.that “Major General Rhooode immediately, illegally, constituted a team, consisting, *inter alia*, of former SAPS members and serving members of SAPS' Crime Intelligence Unit, along with the local farmer to investigate the matter at the instance of President Ramaphosa”;

18.5.that Mr Fraser was advised that “the team...collected video and photo evidence; interviewed the domestic worker concerned and some of the suspects; recovered some of the stolen loot and obtained documentary proof of how some of the stolen US\$ had been spent by the alleged perpetrators” as well as that “some of the videos, photographs and documents” to which Mr Fraser’s refers was handed to him;

18.6.furthermore that “one of the domestic workers employed at Phala Phala discovered undisclosed sums of US\$ concealed in the furniture of the President's residence on the farm”;

18.7.that “upon discovering the undisclosed sums of US\$ concealed in the furniture of the President's residence, the domestic worker conspired with members of Cyferskyl informal settlement who facilitated the following persons resident in Cape Town, namely, (i) Urrbanus Lomboleni Shaumbwako ('Mr Shaumbwako'), a Namibian citizen; (ii) Petrus Fikeipo Muhekeni ('Mr Muhekeni'), a Namibian citizen; (iii) Erkki Shikongo ('Mr Shikongo'), a Namibian citizen; (iv) lmanuwela David ('Mr David'), a South African citizen; and Petrus Afrikaner ('Mr Afrikaner'), a Namibian citizen, to break into the President's residence at Phala Phala to steal the US\$ concealed in the furniture in President Ramaphosa's property”;

18.8.that “the assailants unlawfully entered the perimeters of Phala Phala farm at approximately 22h17, 9 February 2020, by cutting the wire perimeter fencing, after

which they surreptitiously approached the President's residence,” (Mr Fraser also provides “a copy of a topographical image depicting Phala Phala; places where the fences were cut; and where visible spoor were found, as handed to” him and “a picture depicting a cut fence” which he annexed to his affidavit as well as other video footage of the break-in);

- 18.9.that “the alleged perpetrators subsequently ransacked the President's residence at Phala Phala by removing the undisclosed amount of US\$ that was concealed in the furniture in the residence” and then “thereafter immediately returned to Cape Town”;
- 18.10. that “staff members, including the domestic worker, were interrogated at the President's residence at Phala Phala” and Mr Fraser then also provides a picture of the domestic worker and states that “the picture was purportedly taken by members of Major General Rhooode's investigating team on the day the domestic worker was interviewed”;
- 18.11. that “the domestic worker was subsequently initially dismissed from her employment at Phala Phala, but was later reinstated following discussions between President Ramaphosa and the domestic worker's father”;
- 18.12. further that “upon reinstatement the domestic worker was paid an amount of R150 000 (One Hundred and Fifty Thousand Rand) cash in lieu of her undertaking not to divulge any information of what had transpired at Phala Phala”;
- 18.13. that “this notwithstanding, residents of Cyferskyl informal settlement knew about the theft that had taken place at President Ramaphosa's farm”;
- 18.14. Mr Fraser provided “a picture of a further suspect that was interrogated whilst handcuffed in the President's residence at Phala Phala”;
- 18.15. that “the investigating team constituted by Major General Rhooode traced some of the alleged perpetrators back to Cape Town where they were apprehended under the ruse of an official police investigation and were interrogated” and that “copies of

the alleged suspects' identification documents were obtained”, they were handed to Mr Fraser and he provides copies of these identification documents;

- 18.16. that “the stolen US\$ were exchanged for South African Rands at an informal foreign exchange service ordinarily run by persons of Chinese nationality, situated at 25 Hout Street, Cape Town”;
- 18.17. that “the alleged suspects had thereafter commenced spending the stolen loot on various high-end purchases and cash deposits into bank accounts”, including vehicles, and he provides documents supporting the purchases of these;
- 18.18. that “another suspect was traced and found to have fled to Namibia”, “President Ramaphosa sought the assistance of the President of Namibia, President Hage Geingob in apprehending the suspect in Namibia” which “resulted in Major General Rhooode traveling to Namibia where the suspect was interviewed and stolen monies seized from him” and that “Major General Rhooode had travelled to Namibia utilising official government resources and had not been legally processed through border control to have left the country nor that he returned to the country”;
- 18.19. that one Mandia Ofentse “had sent a message to an unknown person on or about 27 February 2020 advising ‘I have information about those who stole in phala phala [sic] but scared [sic] for my safety’” while also providing a copy of the message;
- 18.20. that “a message was forwarded to Major General Rhooode containing pictures of one of the suspects” as well as “numerous screenshots of text messages between a woman named Precious Moloto, who seemed to know the alleged suspects and investigators, and unknown persons, detailing attempts to trace the suspects in relation to the theft at Phala Phala” and again while providing copies of such text messages;
- 18.21. that “after interrogating Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David; and Mr Afrikaner, Major General Rhooode's team confiscated large sums of money and valuables from these suspects” but that they also “on the instruction of President Ramaphosa paid Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David;

and Mr Afrikaner R150 000-00 (One Hundred and Fifty Thousand Rand) each in cash to conceal the events that took place at Phala Phala on 9 February 2020”;

18.22. that “as the first citizen of the Republic of South Africa, President Ramaphosa has a duty to uphold and respect the rule of law, due process, our constitutional values and most importantly, his oath of office. President Ramaphosa took an oath to protect and uphold the Constitution and the laws of the Republic” while “the same applies to Major General Rhooode”;

18.23. that, according to Mr Fraser, “the mere fact that President Ramaphosa had large undisclosed sums of foreign currency in the form of US\$ concealed in his furniture at his Phala Phala residence is *prima facie* proof of money laundering in contravention of section 4 of the Prevention of Organised Crime Act No. 121 of 1998 (‘POCA’)” and that “in this regard it is prudent for the SAPS to establish the origins of these large sums of foreign currency” while further insisting that “the President's conduct may also amount to a contravention of section 36 of the General Law Amendment Act No. 62 of 1955, i.e. unexplained possession of suspected stolen goods, and contraventions of our various fiscal, currency and exchange control and custom and excise laws and regulations”

18.24. that, again according to Mr Fraser, “Major General Rhooode's conduct in assisting both President Ramaphosa, Mr Shaumbwako, Mr Muhekeni, Mr Shikongo, Mr David, and Mr Afrikaner, falls foul of section 5 of POCA” while “the payment by President Ramaphosa, Major General Rhooode and his team of R150 000 (One Hundred Thousand Rand) in cash each to the domestic worker, Mr Shaumbwako, Mr Muhekeni, Mr Shikongo, Mr David, and Mr Afrikaner to not [sic] divulge any information in relation to the huge sums of US\$ taken from President Ramaphosa's Phala Phala residence, where same was concealed, not only amounts to corruption in contravention of the Prevention of Corrupt Activities Act No. 12 of 2004, but is also intended to defeat and/or obstruct the course of justice”; and finally,

18.25. that “it is further evident from the conduct of Major General Rhooode and his team, acting at the instance of President Ramaphosa, having forcefully interrogated the alleged suspects, that their conduct amounts to kidnapping, in that they unlawfully

and intentionally deprived the alleged suspects of their respective personal freedom of movement and constitutional rights.”

19. Having made his witness statement at the Rosebank Police Station on 1 June 2022, Mr Fraser then brought all this information to the attention of the SAPS for investigation and pledged his “availability to render any further assistance herewith as may be required.”

The Presidency responds

20. The responses by President Ramaphosa and/or the Presidency will be dealt with in detail further in this submission under the charges.
21. Suffice to say, that 2 June 2022, the day after Mr Fraser laid the charges at the Rosebank SAPS, the Presidency released a statement titled: “Presidency responds to claims by Mr Arthur Fraser.” The statement is herewith attached as ATM1A6 and the following is important to note:
- 21.1. the president “is clear that there is no basis for the claims of criminal conduct”;
- 21.2. “the Presidency can confirm that a robbery took place at the President’s farm in Limpopo on or around 9 February 2020 in which proceeds from the sale of game were stolen”; and,
- 21.3. “the President was attending an African Union Summit in Addis Ababa at the time the incident occurred. On being advised of the robbery, President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service for investigation.”
22. On 4 June 2022, two days after his initial response to the charges laid against him by Mr Fraser, President Ramaphosa released another statement (ATM1A7) this time reiterating that:

22.1. “there is much interest and concern about claims made in a criminal complaint against him”;

22.2. “the President reaffirms that he was not involved in any criminal conduct, and once again pledges his full cooperation with any police investigation”;

22.3. “he confirms that following the incident in February 2020, security has been improved around his homes”; and,

22.4. “due to the possible investigation, The Presidency will not be in a position to engage further on the detail of the matters, and urges that due process be allowed to take its course.”

Rolling out of investigations

23. In keeping his pledge of cooperation, on 15 June 2022, Mr Fraser met with the Directorate for Priority Crime Investigation, ‘the Hawks’, “in order to assist them with their investigation into his complaint against His Excellency, President Matamela Cyril Ramaphosa.” Mr Fraser’s media statement on that occasion is herewith attached as ATM1A8.

24. It is also important to note that a number of state entities are investigating this matter; each having their own and independent mandate. These institutions include:

- the Directorate for Priority Crime Investigation, ‘the Hawks’;
- the Public Protector;
- the South African Reserve Bank;
- the South African Revenue Services;
- Financial Intelligence Centre; and,
- the Department of Home Affairs.

25. However, in dealing with the various information that has subsequently come to light, especially emanating from the president and/or the presidency, it would be sufficient to deal with each of these when dealing with each of the charges.

C. Charge One: Serious Violation of the Constitution – Violation of Section 96(2)(a), read with Section 83(b) of the Constitution

26. The president is guilty of serious violation of Section 96(2)(a) of the Constitution of the Republic which states that members of the executive, i.e. cabinet and deputy ministers, may not undertake any other paid work.

27. Section 96(2)(a) of the Constitution reads as follows:

“Members of the Cabinet and Deputy Ministers may not undertake any other paid work”

28. At the same time, Section 83(b) of the Constitution reads:

“The President must uphold, defend and respect the Constitution as the supreme law of the Republic.”

What is the true source of the funds?

29. On 2 June 2022, the same day the Presidency released its first statement, journalist Ferial Haffajee quoted sources “close to the Presidency”, as saying that “Fraser’s amount was an exaggeration”; the article is attached as ATM1A9. When Ms Haffajee asked why the president was paid in cash and the money then held on the farm, “the source, who did not want to be named, said the farm made the transaction on the weekend [the president] was away.” The source continued: “...usually, the farm manager would bank it quickly.”

30. Ms Haffajee went on to point out that, based ostensibly from information from the same source, “the Presidency is reconciling all sales over that weekend to assess the trade.”

As Professor Pierre de Vos, in his article attached as ATM8, points out this reconciling was now happening two years after the robbery which the president knew about and which he instructed his protection unit head to investigate.

31. On 3 June 2022, the president's spokesperson, Mr Vincent Magwenya, told *News24* the money was paid to the president by the buyers who visited the farm, Phala Phala, "from time to time". The article is herewith attached as ATM1A10.
32. Mr Magwenya continued that "this is what happens since the president owns and runs a game breeding farm. In the normal course of some operations, clients will come in and out, look at game, and buy game, that's just a normal thing. During this particular time, the transactions were not necessarily from an auction, it was just a transaction that took place at the farm. And there were some cash payments made - some clients would use the normal banking platforms, others would pay cash. So, once that cash is received it will then get managed accordingly against the invoices raised and so on."
33. On 5 June 2022, addressing the African National Congress (ANC) provincial conference, President Ramaphosa said the following:

“...However, I’d like to say that, I’m a farmer. I’m in the cattle business and the game business. And through that business which has been declared, in parliament and all over, I buy and I sell animals. Sometimes people buy these animals, and some of the people who have bought the animals and some of them are here, I do it, yes, I do it through, the sales are sometimes through cash, or sometimes through transfers. Some of the people who are offshore customers, and who are sometimes local, they come through and buy animals, and some of them come also to hunt on the farm. And, so this that’s being reported, was a clear business transaction of selling animals....All this was money from proceeds from selling animals...”
34. As early as 2 June 2022 and as mentioned earlier, the Presidency acknowledged that there was indeed a burglary at the Phala Phala farm. Again, as mentioned earlier and it is worth repeating, the Presidency confirmed that it was the proceeds of game that was stolen. Here, at this ANC conference, four days after Mr Fraser laid his charges, the

President again confirms that there was a robbery, that the proceeds of his private business were stolen and, because they were implicitly confirming that it was foreign currency stolen, that sometimes the buyers of the game are foreigners.

35. On 6 September 2022, based on the President's submission to the Public Protector on the matter, *News24* journalist, Kyle Cowan, reported that "a mysterious Sudanese businessman handed \$580 000 (about R8 million) in cash to an employee at President Cyril Ramaphosa's Phala Phala farm 45 days before the same money was stolen." The article is herewith attached as ATM1A11. The story of the president and/or the presidency has therefore changed substantially in explaining how the large sum of money had come to be on his Phala Phala farm.
36. According to Mr Cowan, and based on the President's submission to the Public Protector, the mystery Sudanese businessman, one Mustaf Mohamed Ibrahim Hazim, did not collect the stock, which he had paid for on 25 Decemeber 2019, for 2 years and that the president knew about the transaction.
37. In other words, the differences in stories proffered by the president or the presidency include:
- 37.1.that unlike reported by Ferial Haffajee on 2 June 2022, whereby "the transaction on the weekend [the president] was away" occurred, the transaction, now according to the president, took place on 25 December 2019 i.e. South Africans are still unclear when the transaction(s) took place which made for such a large amount of money, in foreign currency, to be stored on the president's farm;
- 37.2.if indeed, the transaction took place on 25 December 2019, as per the president's submission to the Public Protector, then it is inconsistent with the information shared by Ms Haffajee's source that "usually, the farm manager would bank it quickly";
- 37.3.as pointed out, reconciliation of sales was taking place two years after the sale, which according then to Ms Haffajee and Professor de Vos was in February 2020, but now, in the president's submission to the Public Protector we are to believe that

reconciliation was taking place nearly three (3) years after the sale in December 2019 and only days after Mr Fraser went to lay the charges;

37.4.furthermore, on 2 June 2022, the president needed to do “the reconciling all sales over that weekend to assess the trade” but in his submission to the Public Protector, in September 2022, there was only one buyer;

37.5.on 3 June 2022, the President’s spokesperson spoke to News24 and said: “and there were some cash payments made - some clients would use the normal banking platforms, others would pay cash. So, once that cash is received it will then get managed accordingly against the invoices raised and so on” yet again three months later in the president’s submission to the Public Protector he indicates that there was only one buyer, Mustaf Mohamed Ibrahim Hazim; and,

37.6.if indeed, either the narratives of the unnamed source, Mr Magwenya, i.e. the president’s spokesperson, or the president’s submission to the Public Protector is to be believed then where are the invoices Mr Magwenya refers to or this mysterious buyer that the president speaks of?

38. On 29 September 2022, during Questions to the President in the National Assembly, the president said, among others:

“...I have said and I’ve said it more publicly that it was proceeds of sale of game [interjections] I have been a cattle farmer and a game farmer for a number of years a matter that I have disclosed, in my disclosures, here in parliament as well as to the secretary of cabinet and that is an activity that sometimes results in the sale of cattle as well as the sale of animals such as buffalo, sable, rhode and what-have-you and that is a matter that takes place from time to time even recently we’ve been able to conclude, my managers have concluded, a process where a parcel of buffalo was also sold. So that in my view is not money laundering, it is a process that goes on...”

39. In answer to a separate question, on the same day, he said:

“...Soon after it [the break-in] happened, I was informed that a theft had been committed and my manger informed me. I immediately, we were travelling in Addis Ababa, informed General [sic] Rhooode. Now, when things such as these happen, yes I am informed. When a car overturns and there’s an accident, I’m informed. Not that I will immediately be able to take somebody to hospital or whatever, I am informed because I am an interested party about what happens. So that is why I was informed, and I was then able to inform a general of the police service; who at the time was travelling with me in Addis Ababa.

With regards to all these interests, I have declared, as I’ve said, my farming activities. Great passion for cattle farming and so on, that I have declared, the agriculture aspects or activities that I’m involved in. So that has been declared, firstly here in parliament and thereafter, when I became president, also to the secretary of the cabinet. And as part of that also, some properties that I own personally have also been disclosed.

Now I must also say that initially the intention was to set up a blind trust and I did then say I do not intend to be in any other form of business, other than the agricultural sector, which I have declared. So that is why in the end no such trust was formed because this is the sum total of what I get involved in. Do I buy and sell merchandise? No. But does the entity buy and sell cattle and animals? Yes, that is what it does and why does it do so? Because they multiply and you either have to cull them or whatever and that is the situation that we are in.”

Summary on Charge One:

40. The inconsistencies in the stories on the source of the money, proffered by the president and the presidency, lends us to believe that the president has been undertaking paid work in violation of Section 96(2)(a) of the Constitution of the Republic. As a result, he is therefore also in violation of Section 83(b) of the same-said Constitution.

41. Charges Three and Four will point out the clear conflict in official responsibilities of the President and his private interests and it is for this reason that members of the executive are discouraged from being actively involved in business when in office.
42. Unfortunately, the Declaration of Members' Interests of the President is not freely available, unlike members of parliament. Yet the President sees no conflict in him holding the highest office in the land and running an agricultural business at the same time. This is bound to cause a conflict of interest and as we have seen in this matter, it has caused a conflict of interest.

D. Charge Two: Serious Violation of the Law – Violation of Section 34(1) of the Prevention and Combatting of Corrupt Activities Act, Act 12 of 2004, read with the South African Police Service Amendment Act, Act 10 of 2012;

43. The President is guilty of serious violation of section 34(1) of the Prevention and Combatting of Corrupt Activities Act, Act 12 of 2004, which places a duty on any person to report corrupt transactions to any police official, in that:
- 43.1.the President failed to report the theft on his farm to any police official as required by the Act;
- 43.2.reporting the matter to General Wally Rhooode, a member of the Presidential protection Unit, is not in compliance with the South African Police Service Amendment Act, Act 10 of 2012, which directs that reporting should be made to the police official in the Directorate for Priority Crime Investigation in terms of Section 34(1) of the Prevention and Combatting of Corrupt Activities Act, Act 12 of 2004; and,
- 43.3.the fact that there was no case number until very recently is proof that the manner in which the purported reporting was made was irregular and therefore unlawful.

Possessing foreign currency for a prolonged period

44. As pointed out earlier, under Charge One, it is difficult to determine when exactly the President came into possession with the foreign funds being stored on his Phala Phala farm. In the immediate aftermath of Mr Fraser laying his charges against the President and Major General Rhooode, the presidency and sources from the presidency stated that the money had come from a transaction or transactions, because reconciling had to take place, that had occurred as recently as the weekend that the president was away, in Addis Ababa. However, this story changed by the time the president made his submission to the Public Protector. By then, it was one transaction but that the transaction had occurred as early as 25 December 2019.

45. Yet our questions are also that of Ferial Haffajee when she asks, in her article ATM1A12:

“why could a simple game transaction not be done electronically? Why were the takings not immediately banked? And if they were stolen in 2020, why was this not declared? Since then, intrigue has filled the vacuum as the quantum theft went from \$4-million to R9-million [sic – supposed to be \$9-million], as reported last week by *News24*.”

46. In another article, Haffajee and her colleague, Sahra Heuwel, ask: “Did he (Ramaphosa) pay tax on the proceeding of stock sale? How did he (Ramaphosa) earn it? Can he show invoices of the deals and did he pay tax? What is the position of Sars in this matter? Was the income declared to Sars? Did he declare the income for purposes of income tax? Was the money declared to Sars, and if not, why not? Did the President charge VAT on his trading activities and did he pay the VAT over to Sars?” See ATM1A13.

47. Haffajee’s colleague, Rebecca Davis, in her article ATM1A14, reminds us that: “FICA [Financial Intelligence Centre Act] law...imposes a restriction on the amount of cash that one may keep at their private residence. The Financial Intelligence Centre Act states that all cash transactions of R25,000 or more must be reported to the Financial Intelligence Centre (FIC) ‘no later than 2 (two) days’ after becoming aware of such a transaction.”

48. For his part, constitutional expert, Professor Pierre de Vos, writes:

“In terms of the Currency and Exchanges Act 9 of 1933, read with the relevant regulations, foreign currency cannot, as a general rule, be used as legal tender in South Africa. Regulation 8 specifically states: ‘No person shall, except with the permission of the Treasury, and in accordance with such conditions as the Treasury may impose, make or receive payment’ except in the currencies specified by the Treasury.

According to the *Currency and Exchanges guidelines for business entities* issued by the Reserve Bank, ‘Travel agents, hotels, restaurants, shops and other persons whose business is directly related to the tourist industry may apply for permission to accept foreign banknotes and foreign currency travellers’ cheques from visitors to South Africa as payment for goods and services.’

However, this is on the condition that they provide a written undertaking that the foreign currency will be sold to an authorised forex dealer ‘not later than the following business day after the transaction’. A record of all transactions ‘must also be kept and be available for inspection by the Financial Surveillance Department’.

Regulation 6(6) further states that any foreign currency held by people who reside in South Africa ‘shall not be sold, transferred or otherwise disposed of without the permission of the Treasury and in accordance with such conditions as the Treasury may impose’.

From the above, it must be clear that much will hinge on whether Ramaphosa received permission from the Treasury to sell game for foreign currency, or alternatively, whether his business falls under the tourist industry exception and whether he applied for permission to accept foreign currency as required.” See ATM1A15.

49. Carol Paton, a journalist at *News24* reminds us that “the failure to report a foreign exchange transaction can result in criminal charges, but is often punished with a fine” See ATM1A16.

The unlawful investigation

50. The detail of the unlawful investigation that subsequently occurred into the missing funds, by Major General Rhooode after he was informed that funds had been stolen in March 2020, will be furnished in Charges Three and Four of this submission. The alleged unlawful instruction given to Major General Rhooode as well as his subsequent alleged unlawful activities, all on the instruction of the president, is the subject of Charge Three. The abuse of state resources for the private interests of the President, in pursuance of this unlawful investigation, is the subject of Charge Four.
51. However, it is useful at this point to note that the explicit aim to ‘pay-off’ the burglars is itself an offence and particular in contravention of Section 34(1) of the Prevention and Combatting of Corrupt Activities Act. Hence, the possible illicit source of the money as well as the attempt to ‘silence’ the culprits through paying them off is the evidence presented in relation to Charge Two.
52. As Rebecca Davis writes (see ATM1A14), these alleged burglars “never saw the inside of a jail cell; were never charged; in the case of the domestic worker, never even lost their job; and ended up with a R150,000 present — by way of punishment for having stolen millions from a sitting president?...Which would seemingly make this the textbook example of ‘crime does, in fact, pay’.”
53. In the blog post of Professor de Vos, mentioned earlier, he also writes:
- “One of the most disturbing claims made by Fraser is that Ramaphosa, and/or the head of the Presidential Protection Unit had paid R150,000 in cash each to the domestic worker and other people allegedly involved in the matter to buy their silence and thus ‘not to divulge any information in relation to the huge sums of US\$ taken from President Ramaphosa’s Phala Phala residence’. Fraser

claims that, among other things, this amounts to corruption in contravention of the Prevention and Combating of Corrupt Activities Act (PCCA) 12 of 2004.

Section 3(b)(iv) of the PCCA seems to be the provision most likely to apply in a situation as alleged here. The section prohibits any person from directly or indirectly offering or giving money to somebody else in a manner that amounts to an unauthorised or improper inducement to do or not to do anything. This means that if Fraser's claim about the R150,000 payments is correct, there may well be a case of corruption to answer for those involved in organising the payments.

It is impossible to know at this stage if there is any truth to this particular claim made by Fraser. But if it is true, as Fraser claims, that Ramaphosa's domestic worker was dismissed after the incident, only to be re-employed later despite being implicated in the theft (something that could easily be checked), it would lend credence to the claim that attempts were made to silence the witnesses." See ATM1A15.

54. At the same time, Carol Paton reports, in ATM1A16, that there has been correspondence between the president and the South African Reserve Bank, about the president's possession of foreign currency, and that "the failure to report a foreign exchange transaction can result in criminal charges, but is often punished with a fine."

Summary of Charge Two

55. The information provided for Charge Four of this submission will go into detail about the unlawful investigation into the burglary and theft the president's private farm, Phala Phala.
56. However, Charge Two, insofar as the matter of Phala Phala is concerned could include but is not limited to: (a) how the money was sourced and where it came from, this submission does not preclude the possibility that the money could have been acquired unlawfully, given that it was foreign currency; (b) that the foreign currency was kept at the farm for possibly two months, depending on which version from the presidency is

to be believed; (c) that state resources were then used to pursue an unlawful investigation into the burglarly and theft despite the crimes not being reported through the proper SAPS channels; and, (d) that the alleged perpetrators of the crimes were paid ‘hush money’, ostensibly on the instruction of the president of the Republic.

E. Charge Three: Serious Misconduct – Violation of Section 96(2)(b) of the Constitution, read with Section 83(b) of the same-said Constitution

57. The President is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that members of the executive, i.e. cabinet and deputy ministers, may not, *inter alia*, expose themselves to any situation involving the risk of a conflict between their own responsibilities and private interests, in that:

57.1.a member of the Presidential Protection Unit, Major General Wally Rhooode, was directed to deal with the investigation of the robbery and the security issues in the private farm of the President in violation of the provisions of section 96(2)(b) of the Constitution;

57.2.President Ramaphosa’s life and limb was not threatened by the burglary and thus Major General Wally Rhooode had no business to be investigating anything at the Phala Phala Farm as unlawfully directed by the President; and,

57.3.by violating Section 96(2)(b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by Section 83(b) of the Constitution.

No reporting: a cover-up?

58. When addressing the matter, in the Questions to the President, in Parliament on 29 September 2022, the President said the following:

“...now, when things such as these happen, yes I am informed. When a car overturns and there’s an accident, I’m informed. Not that I will immediately be

able to take somebody to hospital or whatever, I am informed because I am an interested party about what happens. So that is why I was informed, and I was then able to inform a general of the police service...”

59. As the president of the Republic, charged with “upholding, respecting and defending the Constitution”, the president ought to have known that the first thing you do “when things such as these happen” was that you inform the SAPS.

60. While there is no compulsion on the part of the president or there was no obligation to report the theft to the SAPS, the president found it necessary to inform the head of his protection unit. In that same Questions to the President session on 29 September 2022, the president says:

“...Soon after it [the break-in] happened, I was informed that a theft had been committed and my manger informed me. I immediately, we were travelling in Addis Ababa, informed General Rhooode [sic]...”

61. Before the president informed the head of his protection unit, the first question the president should have asked his manager or whomever was informing him of the theft was whether that person had informed the police. If the person answered in the affirmative, then both that person and the president had done the correct thing. If the person answered in the negative, the President should have, at best, informed the person to do so and, at worst, asked the person why he or she had not done so.

62. The fact that neither the person reporting the theft to the president, the president nor subsequently the head of the Presidential Protection Unit opened a case with the SAPS is reasonable grounds to believe that the money was acquired through unlawful means and/or that the money had been at Phala Phala unlawfully.

63. Instead, the journalist Mzilikazi Wa Afrika (ATM1A17) reports that a case was eventually opened on the theft in August 2022; 18 months after the theft and two months after the theft was made public. Again, the fact that the theft was registered now and not then, when the burglary had occurred, must raise reasonable suspicion that the money was gained through unlawful or ill-gains.

64. Furthermore, according to Kyle Cowan and Sipho Masondo in their article ATM1A18, dated 6 June 2022, the “Presidency spokesperson confirm[ed] that no case [had been] registered with police after the February 2020 burglary at Phala Phala farm owned by President Cyril Ramaphosa.”
65. Put differently, as by Ferial Haffejee does, “...the Presidency confirmed to *News24* that PPU head General [sic] Wally Rhooode had not opened a docket and registered a case number.” See ATM1A19.
66. By his account, Major General Rhooode, the head of the Presidential Protection Unit “claimed, in his own statement to the Public Protector, that he only found out in early March 2020 that money had been stolen [a month after being told of the burglary], and was subsequently asked by the now late General Slindile Mfazi to launch a preliminary investigation.” This can be found in ATM1A20.
67. Major General Rhooode’s statement further “reveals he was called to the president’s private residence in Hyde Park in Johannesburg on 2 March 2020, where Ramaphosa informed him that money from the sale of animals had been stolen, although Ramaphosa did not say how much.” See ATM1A21.
68. Furthermore, the journalist Marianne Merten reports in detail the fact that the breach of security at one of the president’s residence, albeit a private residence, was not reported in the Annual Reports of the SAPS. She continues:

“That it didn’t, and an apparent backroom probe by presidential protectors continued, now steeped in allegations of unlawful detention, dodgy border crossings and backchannel intelligence measures, illustrates the continuation of the politicisation and elite focus of South Africa’s law enforcement and intelligence agencies.

In 2019/2020, a total number of 84,756 protection services were provided by 14 Static Units, which covered 88 identified VIP residences, 29 strategic installations, which are located throughout South Africa, as well as nine

buildings occupied by the SAPS. *No security breaches occurred during protection duties*

Their dignity and its resources [sic] are protected with diligence, implement security measures to counter threats and risks that can cause harm to the Presidency, dignity of such Presidency, employees, assets, critical information and operations of the Presidency and identified VIPs. A 24-hour static protection service was provided to 21 identified VIP residences and three offices, *without security breaches*” [emphasis added].” See ATM1A22.

69. In a subsequent article Marianne Merten goes on to provide the possible explanation as to why the security breach had not been recorded in the Annual Reports. She writes:

“‘The security breach was not reported in the SA Police Service annual report 2019/20 as the president’s farm in Phala Phala was not protected by SAPS presidential protection service. Phala Phala farm only became the responsibility of SAPS in late 2020...’ said Police Minister Bheki Cele in his parliamentary reply dated 4 July 2022.

It remains unclear why President Cyril Ramaphosa’s Phala Phala farm, where he is understood to regularly spend time, failed to be included in the presidential protection set-up. What is apparent, however, is that the SAPS not protecting Phala Phala until late 2020 stands at odds with the Presidential Handbook, which talks of both official and private residences, alongside the offices.” See ATM1A23.

70. The only logical conclusion one can deduce as to why the Phala Phala farm was not protected by the SAPS presidential protection service may be for the same reason the manager of the farm, upon learning of the burglary, the president and/or Major General Rhooode did not report the matter to SAPS for investigation is because it was known, by the president in particular, that the money stored on the farm was gained through unlawful and illicit means. In other words, Phala Phala was chosen for the storage place of this money, gained through unlawful or illicit means, precisely because the president knew that it was not under the protection of the PPU of the SAPS.

71. *News24* journalists, Kyle Cowan and Qaanitah Hunter, in their article, ATM1A24, indicate that “...one forensic expert, a senior executive at a respected forensic law firm who asked not to be named so he could speak freely, said money laundering in the wildlife trade was an area South Africa needed to address. ‘At the moment, there is a broader problem for South Africa, we have been criticised in our latest mutual evaluation with the Financial Action Task Force [FATF] for not doing enough to tackle money laundering. The trade in wildlife and casinos has been specifically highlighted as areas that are open to abuse,’ they said.”

Summary of Charge Three

72. Hitherto and in the president’s view, he has now reported this matter twice to the SAPS. First, to Major General Rhooode, who he immediately informed on hearing of the burglary and then again when informing him, Major General Rhooode, of the money stolen, and then secondly to the Bela Bela SAPS in August 2022.

73. The fact that the president found it necessary to report the crime two months after the crimes were exposed by Mr Fraser indicates that he acknowledges that his reporting to MG Rhooode was inadequate, if not unlawful.

74. Even more so, it could be reasonably concluded that when the president reported the burglary to Major General Rhooode, in February 2020, and then again when he informed him of the money stolen, in March 2020, that he expected some sort of action from Major General Rhooode.

75. The law does not compel the President to report a burglary at his property. It does however require him to do so at a police station, in whose jurisdiction the scene of the crime happens to be, if he wanted to report it and allow for the police and investigating unit authorised to perform such investigations to pursue their work. The Presidential Protection Unit does not have the authority to pursue criminal investigations and the president ought to have known this; especially for someone who has studied law and completed articles.

76. Yet the President thinks that the Presidential Protection Unit is his personal police force and therefore he can expect them to carry out investigations of crimes wherein his personal property has been violated and his money stolen. The president is therefore clearly in violation of Section 96(2)(b) of the Constitution of the Republic which states that he should not act in any way that is inconsistent with his office, or exposes him to any situation involving the risk of a conflict between his official responsibilities and private interests.

77. The president acted in a way that was inconsistent with his office in unlawfully instructing Major General Rhooode to pursue an investigation and follow-up on the suspects as well as creating a situation whereby there is a clear conflict between his official responsibilities and his private interests. As a result, he is also in defiance of Section 83(b) of the Constitution of the Republic.

F. Charge Four: Serious Misconduct – Violation of Section 96(2)(b) of the Constitution, also read with Section 83(b) of the same-said Constitution

78. The President is guilty of serious misconduct by violating Section 96(2)(b) of the Constitution, which provides that members of the executive, i.e. cabinet and deputy ministers, may not, *inter alia*, act in a way that is inconsistent with their office, in that:

78.1. the President gave an unlawful instruction to Major General Wally Rhooode, a member of the Presidential Protection Unit, to investigate the burglary in his private farm and the instruction to investigate rather than to report the matter in terms of the law shows dishonesty and constitutes misconduct and unlawfulness on the part of the President; and,

78.2. by violating Section 96(2)(b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required by Section 83(b) of the Constitution.

79. While Charge Three explains the unlawful investigation, Charge Four pertains particularly to the details of this unlawful investigation.

80. As mentioned earlier, Major General Rhooode, in his statement to the Public Protector “reveals he was called to the president’s private residence in Hyde Park in Johannesburg on 2 March 2020, where Ramaphosa informed him that money from the sale of animals had been stolen, although Ramaphosa did not say how much.” See ATM1A21.

81. In addition to the information provided by Mr Fraser in his witness statement, paragraph 18 of this submission, the following additional information is also presented based on investigations pursued by various media houses.

82. According to Emsie Ferreira, writing for the *Mail & Guardian*, see ATM1A25:

“The head of the presidential protection services, Major General Wally Rhooode, has confirmed that he travelled to Windhoek with presidential envoy Bejani Chauke for an undisclosed purpose in June 2020, a fortnight after Namibian authorities nabbed the main suspect in the burglary at President Cyril Ramaphosa’s game farm.

Ramaphosa’s envoy for Africa, discussed with Namibia’s President Hage Geingob, because he was simply the security detail on the mission.

[MG Rhooode stated that:] ‘Mr Chauke met with President Geingob and I stayed outside the door. Accordingly, I do not know what was discussed.’

By this stage, Rhooode’s efforts to investigate the burglary at the presidential game farm in Limpopo were well underway, with the apparent support of his superiors.

But so were separate investigations by Namibian authorities into the suspect transfer of large sums of money into Namibian bank accounts from South Africa between February and May that year.

Justice Minister Ronald Lamola confirmed on Monday that on 13 August, Namibian authorities had sent a request for mutual legal assistance to the South

African department of foreign affairs. It asked for help in investigating suspected contraventions of three sections of the Namibian Prevention of Organised Crime Act.

The request was first sent to the special commercial crime unit of the National Prosecuting Authority (NPA), and from there to the justice department's chief directorate for international legal relations, which advised that it did not comply with the international law on cooperation in criminal matters.

'The instruction was to alert me to the incident such that I could properly carry out my duties in respect of protecting the president and his family,' he [Major General Rhooode] wrote. 'It should be noted that President Ramaphosa was chairing the [African Union] summit and was exceptionally busy at that time.'

Presidential protection services staff were sent to the farm and confirmed that two security cameras were compromised. Rhooode and Ramaphosa returned to South Africa where, he again stressed, the president's schedule was packed.

It is beyond the scope of my work to be allocated matters or case dockets to conduct criminal investigations," Rhooode said.

83. In addition, Tileni Mongudhi, Sam Sole and Tebogo Tshwane for *amaBhungane* (ATM1A26) wrote:

What we do know is that authorities in Namibian law enforcement agencies were alerted to about N\$6-million (about R6-million) transferred by the suspects into Namibian accounts between February and May 2020.

According to a Namibian police statement, David was in possession of a TAG Hauer watch worth N\$ 28 000, a Rolex watch worth N\$ 280 000 and gold chain worth N\$ 163 000, plus eleven US\$100 notes.

Government sources told Namibian journalist Tileni Mongudhi at the time that the South African authorities appeared reluctant to assist or provide information.

Mongudhi was told that a “back-channel” intelligence approach between Namibian and South African officials revealed that David was being monitored as a member of a group suspected of having broken into Cyril Ramaphosa’s house around February or early March this year.

The Namibian security sources said the SA government was denying the incident allegedly because the President might find it difficult to explain the cash in his house and the security breach.

They said it was allegedly an inside job and one of the cleaners was a suspect. The gang supposedly made off with cash worth R50-million.

Nevertheless, information pieced together by amaBhungane suggests that Rhooode or his team adopted a heavy-handed approach to the investigation, which gave rise to Fraser’s allegations of kidnapping.

AmaBhungane was able to trace someone who previously worked at Phala-Phala and knows and speaks to David (the Namibian suspect) regularly.

He told us the kidnapping story was credible.

The man, who asked not to be identified, said he was informed by one of his former colleagues that Ramaphosa’s helper, whose name is Froliana, was kept locked in a room on the farm for about two to three days with her brother. The two were appearantly [sic] interrogated by a number of Black, Indian and White officials who were thought to be either police or intelligence.

‘They did ask them so many questions like the whole day until 2am the following day. They would give them three to four hours to sleep and then the following day they would be on top of them again with questions.’

The source said that according to the version he heard the Phala-Phala domestic worker had discovered the money and took pictures and videos. She showed her brother, who was the one who shared the information with Imanuwela David and the other suspects.

‘There are a few Namibian women who work on the farm, one of them cracked when the house manager was questioning them and implicated Froliana,’ said the man.

When she was asked to explain what happened she confessed that her brother organised the break-in with guys who had come from Johannesburg. She apparently claimed to have not been part of it but had received money from the brother afterwards, which was around R40 000. Following her confession, she was ordered to ask her brother to fetch her from the farm and that’s how they got hold of him and kept them hostage.

According to a Namibian police report seen by amaBhungane, David was assisted to exit South Africa and cross the border illegally by a person who works as ‘head of intelligence’ in Durban, South Africa and was known as ‘Mr Jele’ or ‘Papa J’.

This ‘Papa J’ allegedly paid people R50 000 in Namibia and South Africa to smuggle David out.

The police report said ‘Papa J’ allegedly contacted a Zambian who in turn contacted Mr Ngalangi to assist.

It is known that Paulus Ngalangi, who acted as chief executive officer of the National Fishing Corporation of Namibia (Fishcor), collected David at the Namibian border after he crossed the Orange River in a canoe.

Ngalangi was Fishcor’s finance chief and was in charge of the parastatal’s purse when more than N\$75 million was allegedly diverted from the national fishing

corporation to fund Swapo, political leaders and business people in the so-called ‘Fishrot scandal’.

While transporting David to Windhoek, Ngalangi was accompanied by a policeman Hendrick Hidipo Nghede.

The trial of the two men, who have pleaded not guilty to charges involved in aiding and abetting an illegal immigrant, resumes on Monday.

What is clear is that attempts by Namibian authorities to obtain assistance from South African law enforcement were met with failure.

Amabhungane understands that the Namibian authorities also approached the South African embassy in Namibia with information about David and his accomplices (whose names are known to amaBhungane) and separately delivered a request for Mutual Legal Assistance setting out the evidence against the three men.

These initiatives yielded were unsuccessful.

Instead amaBhungane was told by Namibian sources that high level ‘back-channel’ communications ensued with the Namibian authorities to persuade them to keep the matter quiet and that Fraser may have played a role.

As a result of this non-co-operation, David was in November 2020 in a position to plead guilty to minor charges under the Nambian Immigration Act.

According to an official Namibian statement, he paid a fine of N\$ 20 000 in respect of his sentence and was released on the same day. A 48-hour notice was issued to him by Immigration officer to leave the country and he left Namibia via Noordoewer border post on 14 November 2020 at about 08h00.

Amabhungane suggested to Ramaphosa’s spokesperson that the only reasonable explanation for this series of events was that there was no wish to pursue the

investigation because it would reveal that either the President or Mr Rhoode – or members of their respective teams – had committed crimes in the course of or aftermath of the theft incident.”

84. Furthermore, Abram Mashego, from the *City Press*, see ATM1A27 wrote:

National police commissioner General Fannie Masemola allegedly authorised the use of a police helicopter and a communication interception device known as a grabber, and the spending of thousands of rands in the hunt for the suspects linked to the theft of millions of dollars in cash from President Cyril Ramaphosa’s farm in Limpopo.

These startling claims are contained in classified “security breach” reports within the SA Police Service (SAPS) crime intelligence unit. The use of state resources happened in spite of the fact that no theft case had been opened with the police at that point.

Several independent security cluster sources revealed this week that it was Masemola, during his tenure as deputy national commissioner responsible for policing, who authorised the operation, which involved task force police officers and civilians.

The officers who were tracking the alleged suspects, one of whom was finally located in Namibia, allegedly used the grabber and monitored the communication of Ramaphosa’s domestic worker, who was the alleged mastermind behind the theft.

The costly hunt for the suspects started on February 10 2020.

A security cluster source with access to the reports said: ‘Masemola was the one who gave the green light for the use of the police resources even though there was no registered criminal case. The costs for the operation, which included the use of the police air wing, the vehicles, accommodation as well as meals, were paid for by the police service.’

According to the source, there was a crime intelligence investigation into the matter, which recommended that some of the officers implicated in the secret operation be charged. But those findings were allegedly shelved.

The source said: ‘I don’t know why the report was shelved. But I assume they were afraid that the disciplinary process would expose the involvement of senior officers and a sitting minister, which would cause embarrassment and cause diplomatic tension between South Africa and Namibia.’

85. About the alleged involvement of the Deputy Minister of State Security, Zizi Kodwa MP, *City Press* journalist, Setumo Stone, wrote (see ATM1A28):

“Kodwa’s name is among the latest to feature in the list of government officials who allegedly knew about the incident at Phala Phala, but opted to keep it a state secret, another being a Colonel E Edwards, a police attaché in the SA High Commission in Windhoek, Namibia.

City Press has learnt that this is part of fresh information coming from Namibia that is being shared with South African investigators.

From the South African side, it is alleged that Kodwa was accompanied by Ramaphosa’s head of the Presidential Protection Unit, Major General Wally Rhooode, who stands accused of kidnapping and torturing the suspects in a bid to force them to disclose where the millions were hidden.

86. However, *News24* journalist Junior Khumalo was to write later that (see ATM1A29):

“Kodwa said the allegations that secret crime intelligence funds were used to covertly investigate the robbery that took place at Ramaphosa’s farm in February 2020, and that he accompanied Major-General Wally Rhooode, the head of the Presidential Protection Unit, during secret interactions between the South African and Namibian authorities, were untrue.

87. On the other hand, MG Rhooode himself stated, as mentioned earlier, that he had accompanied the president's special advisor to Namibia. Kyle Cowan, writing for *News24*, ATM1A30, indicated that:

The trip to Namibia meanwhile, with a police helicopter which flew to no man's land at the Nakop border post with Rhooode and Chauke in June 2020, was, according to Rhooode's response to investigations, because Chauke was sent to discuss matters he was not privy to with Namibian President Hage Geingob. He supplied false information for the reason he undertook a trip to Namibia with Ramaphosa's special advisor, Bejani Chauke, in June 2020;

88. From the Namibian side, The Namibian reported that (ATM1A31):

“PROSECUTOR [sic] general Martha Imalwa says she has information that “certain money” entered Namibia amid concerns that South African president Cyril Ramaphosa roped in president Hage Geingob to trace part of the N\$60 million in cash stolen from his farm.

Imalwa yesterday told The Namibian the case did not go far because Namibian officials did not get assistance from South Africa.”

89. Iavan Pijoo, a journalist writing for *News24* (ATM1A32) wrote that:

“The Namibian Police Force (Nampol) has denied doing ‘dirty work’ for President Cyril Ramaphosa in relation to some US\$4 million in cash (around R64 million at the current exchange rate) that was stolen from Ramaphosa's Phala Phala game farm in Limpopo.

The statement by the Namibian police calls into question the actions of the South African authorities and their pursuit of the matter.”

90. For his part, the President of the Republic of Namibia, Dr Hage G. Geingob, released a statement on 10 June 2022 not denying assistance to President Ramaphosa.

91. The statement from the Nambian Presidency stated, see (ATM1A33):

“President Ramaphosa sought the assistance of the President of Namibia, President Hage Geingob in apprehending the suspect in Namibia.’

As can be seen from the above-quoted part of Mr Fraser’s statement, it does not make any allegation of criminality on the part of President Geingob, except a suggestion that President Ramaphosa ‘sought’ assistance from President Geingob ‘in apprehending’ – which literally means ‘assistance in arresting’ – the concerned suspect, who is a South African citizen and who at the time was alleged to have unlawfully entered Namibia.

The portion referred to above in Mr Fraser’s statement, if properly considered on an objective basis, simply suggests that President Ramaphosa ‘sought assistance in apprehending’ the concerned suspect.

92. On the South African side, Cebelihle Bhengu (ATM1A34) writes that:

“The Department of Justice and Correctional Services has denied claims by the Namibian government it refused to provide legal assistance in the case involving Imanuwela David, the alleged mastermind of the Phala Phala farm break-in and robbery.

Giving an update on high-profile cases involving foreign nationals on Monday, the department said the request it received was about an investigation of a possible infringement of Namibia's Organised Crime Act.”

93. In addition, Mzilikazi Wa Afrika wrote (ATM1A35):

“Police top brass, including Minister Bheki Cele, lied to Parliament when they reported that ‘no resources of the SAPS’, especially crime intelligence, were used in the Phala Phala farm cover-up and clandestine service investigation.

The police failed to acknowledge that two crime intelligence operatives, Captain Owen Mdluli and Warrant Officer Marius Pretorius, for surveillance, were dispatched from Pretoria to Cape Town with a state grabber that was used to ping and trace the alleged robbers to a house in Milnerton where four men, including the alleged robbery mastermind, Immanuwela David, were arrested in March 2020.

The Sunday Independent has seen some of the records of the state grabber that was used to ping the alleged suspects. Police raided the house, using a fictitious drug-dealing case, and broke down the ceiling in search of the robbers' loot."

94. Finally, reporting on the matter between the Public Protector and her suspension by the president, Kgomotso Modise, included the following pivotal line:

Ramaphosa's lawyer advocate, Karrisha Pillay, *pointed out that the president's private interest in the Phala Phala Gate investigation* but insisted there was no risk of a conflict of interest because of the provisions made by the Public Protector Act (emphasis added; see ATM1A36).

Summary of Charge Four

95. Firstly, it is important to note the last article by Modise wherein the president's lawyer "pointed out that the president's private interest in the Phala Phala Gate investigation." The president would have a "private interest" in the investigation precisely because it is his private farm. Neither he nor the presidency has denied this.
96. Secondly, four independent sources, apart from Mr Fraser, indicate through their own investigations that (a) there was an investigation into the burglary at Phala Phala; (b) that this investigation was led by Major General Rhooode and ostensibly on the instructions of the president; (c) that the investigations took, at least, Major General Rhooode to Namibia; and, (d) state resources, funds and equipment was used to pursue this investigation.

97. Thirdly, that had the manager of Phala Phala or the one who initially discovered the burglary, the president or even MG Rhoode opened a case with the SAPS that, inevitably, state resources would have been used to investigate the alleged crimes.
98. However, and fourthly, a case was not opened, until August 2022, and MG Rhoode, on the unlawful instruction of the president, pursued the ‘private’ investigation, on the private matter of the president and on a crime neither one of them wanted to report to SAPS so that (a) they could utilize state resources at their disposal but that would not normally be at the disposal of an ordinary SAPS investigation and (b) they did not want the burglary and theft to be uncovered, for ill-gotten reasons as stated above.
99. The president is therefore guilty of acting in any way that is inconsistent with his office, and exposing himself to a situation involving the risk of a conflict between his official responsibilities and private interests, in contravention of Section 96(2)(b) when he is supposed to be upholding, defending and respecting the Constitution as the supreme law of the Republic, as contemplated in Section 83(b) of the same-said Constitution.

G. Conclusion

100. In conclusion, we wish to re-iterate simply the summaries of the four charges:

In respect of Charge One

- 100.1. The inconsistencies in the stories on the source of the money, proffered by the president and the presidency, lends us to believe that the president has been undertaking paid work in violation of Section 96(2)(a) of the Constitution of the Republic. As a result, he is therefore also in violation of Section 83(b) of the same-said Constitution.
- 100.2. Charges Three and Four will point out the clear conflict in official responsibilities of the President and his private interests and it is for this reason that members of the executive are discouraged from being actively involved in business when in office.

100.3. Unfortunately, the Declaration of Members' Interests of the President is not freely available, unlike members of parliament. Yet the President sees no conflict in him holding the highest office in the land and running an agricultural business at the same time. This is bound to cause a conflict of interest and as we have seen in this matter, it has caused a conflict of interest.

In respect of Charge Two

100.4. The information provided for Charge Four of this submission will go into detail about the unlawful investigation into the burglary and theft the president's private farm, Phala Phala.

100.5. However, Charge Two, insofar as the matter of Phala Phala is concerned could include but is not limited to: (a) how the money was sourced and where it came from, this submission does not preclude the possibility that the money could have been acquired unlawfully, given that it was foreign currency; (b) that the foreign currency was kept at the farm for possibly two months, depending on which version from the presidency is to be believed; (c) that state resources were then used to pursue an unlawful investigation into the burglary and theft despite the crimes not being reported through the proper SAPS channels; and, (d) that the alleged perpetrators of the crimes were paid 'hush money', ostensibly on the instruction of the president of the Republic.

In respect of Charge Three

100.6. Hitherto and in the president's view, he has now reported this matter twice to the SAPS. First, to Major General Rhooode, who he immediately informed on hearing of the burglary and then again when informing him, Major General Rhooode, of the money stolen, and then secondly to the Bela Bela SAPS in August 2022.

100.7. The fact that the president found it necessary to report the crime two months after the crimes were exposed by Mr Fraser indicates that he acknowledges that his reporting to MG Rhooode was inadequate, if not unlawful.

100.8. Even more so, it could be reasonably concluded that when the president reported the burglary to Major General Rhooode, in February 2020, and then again when he informed him of the money stolen, in March 2020, that he expected some sort of action from Major General Rhooode.

100.9. The law does not compel the President to report a burglary at his property. It does however require him to do so at a police station, in whose jurisdiction the scene of the crime happens to be, if he wanted to report it and allow for the police and investigating unit authorised to perform such investigations to pursue their work. The Presidential Protection Unit does not have the authority to pursue criminal investigations and the president ought to have known this; especially for someone who has studied law and completed articles.

100.10 . Yet the President thinks that the Presidential Protection Unit is his personal police force and therefore he can expect them to carry out investigations of crimes wherein his personal property has been violated and his money stolen. The president is therefore clearly in violation of Section 96(2)(b) of the Constitution of the Republic which states that he should not act in any way that is inconsistent with his office, or exposes him to any situation involving the risk of a conflict between his official responsibilities and private interests.

100.11 . The president acted in a way that was inconsistent with his office in unlawfully instructing Major General Rhooode to pursue an investigation and follow-up on the suspects as well as creating a situation whereby there is a clear conflict between his official responsibilities and his private interests. As a result, he is also in defiance of Section 83(b) of the Constitution of the Republic.

In respect of Charge Four

100.12 . Firstly, it is important to note the last article by Modise wherein the president's lawyer "pointed out that the president's private interest in the Phala Phala Gate investigation." The president would have a "private interest" in the investigation precisely because it is his private farm. Neither he nor the presidency has denied this.

100.13 . Secondly, four independent sources, apart from Mr Fraser, indicate through their own investigations that (a) there was an investigation into the burglary at Phala Phala; (b) that this investigation was led by Major General Rhooode and ostensibly on the instructions of the president; (c) that the investigations took, at least, Major General Rhooode to Namibia; and, (d) state resources, funds and equipment was used to pursue this investigation.

100.14 . Thirdly, that had the manager of Phala Phala or the one who initially discovered the burglary, the president or even MG Rhooode opened a case with the SAPS that, inevitably, state resources would have been used to investigate the alleged crimes.

100.15 . However, and fourthly, a case was not opened, until August 2022, and MG Rhooode, on the unlawful instruction of the president, pursued the ‘private’ investigation, on the private matter of the president and on a crime neither one of them wanted to report to SAPS so that (a) they could utilize state resources at their disposal but that would not normally be at the disposal of an ordinary SAPS investigation and (b) they did not want the burglary and theft to be uncovered, for ill-gotten reasons as stated above.

100.16 . The president is therefore guilty of acting in any way that is inconsistent with his office, and exposing himself to a situation involving the risk of a conflict between his official responsibilities and private interests, in contravention of Section 96(2)(b) when he is supposed to be upholding, defending and respecting the Constitution as the supreme law of the Republic, as contemplated in Section 83(b) of the same-said Constitution.

26 September 2022

Attention: Acting Chief Operations Officer: Ms. Nelisiwe Nkabinde

Public Protector of South Africa
174 Lunnnon Street
Hillcrest Office Park
Pretoria
0083

Dear Madam

**INVESTIGATION INTO ALLEGATIONS OF A VIOLATION OF THE
EXECUTIVE ETHICS CODE BY THE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA, MR MC RAMAPHOSA**

1. I refer to your letter with reference 7/2-005084/22, addressed to me and my attorneys, regarding the abovementioned matter, dated 14 September 2022, as well as the interview held between ourselves on 08 September 2022.
2. In reference to paragraph 2 of your letter and for accuracy of the record, it is important to clarify, as the record will show, that while I confirmed my affidavit a copy of which you showed me, some of the supporting documents were not legible and one annexure was missing. It is for that reason that my legal counsel and I made the undertaking to furnish you with better copies, receipt of which you confirmed in paragraphs 2, 2.1, 2.2, 2.3, 2.4, 2.5, ad 2.6 of your letter.
3. During our meeting, you recorded that what was depicted in the photographs was not Phala Phala farm. We immediately clarified that your position was erroneous in this regard. We trust that the additional documents sent to you on 12 September 2022 settle this issue and

reveal that the location depicted therein is indeed Phala Phala farm. For the record, the information sent to you on 12 September is as follows:

- 3.1 CCTV video footage of the alleged burglary at Phala Phala farm;
 - 3.2 Colour photographs of the Phala Phala farm indicating places where fences were cut and interviews held with suspects inside the house;
 - 3.3 Images of the suspects entering the immovable structure on Phala-Phala farm, where the alleged robbery took place;
 - 3.4 Copies of passports and identity books of the alleged suspects;
 - 3.5 Photographs of the motor vehicles alleged to have been bought by suspects after the robbery/theft of cash from Phala Phala; and
 - 3.6 Copies or screenshots of cell phone messages communicating information related to the Phala Phala incident of theft/robbery.
4. I further pointed out to you that the supporting documents in your possessions did not contain annexure AF4, which is a series of video footage that contain more explicit details of the farm and the burglary. This letter is also accompanied by further information, the details of which are set out in paragraph 14 hereunder.

RESPONSE TO THE QUESTIONS

5. I found the tone of your letter somewhat disconcerting. One discerns from the tone of your letter that you regard me as a complainant or an implicated person, both of which I am not for purposes of the investigation by the Public Protector. I simply laid criminal charges against President Cyril Ramaphosa and requested the Directorate for Priority Crime Investigation ("the DPCI") to investigate the matter. The complaints before you, as you confirmed to me and my legal counsel were lodged by four individuals, including Mr. Zungula and Mr. Steenhuizen, both of whom are members of Parliament. These complainants are thus better placed to share with you their views on the complaints they laid and the basis on which they considered them legitimate. I laid mine with the Police, and not the Office of the Public Protector.
6. You will also recall my plea to you about the importance of respecting the Constitution in how we do our jobs. I shared with you my views about the enormity and repercussions of doing the right thing against the powerful and the common dilemma of government officials when facing a choice between what is right, on the one hand, and the interests of political principals on the other. Often, many in your position show regrettable reluctance to investigate the powerful, who hold the key to their professional growth.
7. I reiterate what I stated to you during our interview, that I deemed it my legal and constitutional obligation to lay criminal charges against President Ramaphosa. I did not do it lightly or for any self-aggrandizement. The charges are neither banal nor trivial. They are indeed of a serious and unprecedented nature. However, I regarded my obligation to the country and its Constitution as more paramount than any other factor or fear of reprisal or personal harm. In this regard,

I implored your good office to serve only our country and its Constitution, and not individuals, in the way you conduct this investigation.

8. As I stated in my statement to the DPCI, **"...It is no small matter to lay criminal charges against a sitting President, but I am guided by the dictates of the interests of justice and our Constitution."**
9. I also advised you that while I trusted your Mr. Vusi Dlamini's *bona fides*, I was aware of the allegation that he was being managed by two people who allegedly met him in Gqeberha on behalf of President Ramaphosa. I put it no higher than that and I was not contradicted. It was in this context that I sought to alert you that such matters require absolute integrity. The record will show that I raised this issue squarely and frontally without attacking Mr. Dlamini's integrity. I deemed it prudent that we be open and frank with each other. Such integrity will ensure that this investigation does not become yet another scandalous exercise in subterfuge, and its report, yet another sinister document designed to pull wool over society's eyes. The truth is a stubborn stain.
10. I undertook to assist the Office of the Public Protector in so far as my assistance would not compromise the criminal investigation pending before the DPCI. I therefore furnish you with information that I have been advised does not carry with it the risk of compromising the criminal investigation. As you indicated during our interview that you are cooperating with the DPCI, I assume that the Office of the Public Protector will liaise with the DPCI in respect of those questions I am unable to answer without possibly compromising the criminal investigation. I have already furnished you with some of the information already in the possession of the DPCI. They are at liberty to use their discretion to share with you what else has been placed before them.

AD SERITIUM

11. I now turn to the specific questions contained in your letters. For the record, the question to which you request my response are as follows:

AD QUESTION 4.1

- 11.1 **“4.1. When exactly did you become aware of the burglary incident at Phala Phala farm? Please provide PPSA with the date on which this incident came to your attention or knowledge and what are your reasons for reporting to the South African Police Service only in June 2022, taking into consideration the date of the alleged incident?”**

ANSWER

- When you raised this question during our interview, you insinuated that my reporting of this crime may have something to do with the ANC National Conference, which is to be held in December 2022. I was left with the perception that you regarded me as an accused rather than a whistleblower, and you sought to elevate this **“motive”** above the imperative to investigate the alleged criminal and unethical conduct of President Ramaphosa. It is indeed an irrelevant question designed to divert from the real subject of investigation. It insinuates that President Ramaphosa’s culpability is dependent upon my motive. It is regrettable that a question about my motive is raised in the face of the serious allegations set out in my statement.

- In this regard, I have been advised that a complaint is not wrongful merely because it had been brought for an improper purpose. One of the grounds that may render an investigation wrongful, (following such a complaint), would be where reasonable and probable grounds to conduct the investigation are absent. Further, that the motive of a complaint, and a consequential investigation, is irrelevant as the best motive does not cure an otherwise illegal investigation, and similarly, the worst motive does not render an otherwise legal investigation illegal.
- Notwithstanding the above, my motive is clearly stated in my statement to the police. Your question, however, suggests that I laid the charges in order to achieve some political result, the precise nature of which I do not really know.
- As I advised you then, I hereby reiterate that nothing could be further from the truth. You will recall that I informed you that the unlawful investigation into the theft of moneys at Phala Phala by Major General Walter Rhooode and his team took place after 09 February 2020 and proceed until June/July 2021. It is during this period that I became aware of the burglary and the unlawful storage of money in the President's residence.
- Regrettably, I do not recall the exact date on which I became aware. Even at that stage, I still had to verify the information given to me about this crime. It would have been remiss of me to lay a charge before verifying the information received from sources. I reiterate that, unlike a burglary, keeping large sums of money is an ongoing offence and cannot be limited to one day or incident.

AD QUESTION 4.2

- 11.2 “4.2. Who are the sources of your information? Please provide the details of the sources of this information to enable the PPSA’s investigation team to interact with them directly and eliminate dealing with what may be construed as hearsay and secondary evidence.

ANSWER

- With respect, I am not at liberty to disclose my sources as this may compromise the sensitive criminal investigation of the DPCI. I have given the DPCI enough to act swiftly on this matter. The DPCI is on public record pronouncing that it has already obtained about 50 witness statements in respect of this case. Depending on their progress, and on clarification of issues concerned with their investigation, I have undertaken to shed more light on the case, should same be required. In so far as the DPCI and the PPSA are both organs of State I submit that this question is better left to your engagement with the DPCI within the spirit of the constitutional imperative of co-operative government and that of intergovernmental relations.
- In any event it is also important in this regard to allow President Ramaphosa the space to take the nation into his confidence by providing your office with his complete and comprehensive responses. It is of no value to seek to extract from me more information while President Ramaphosa seeks refuge in legal technicalities and

waiting to discover what else I may be withholding. I will await his responses, the contents of which you declined to share with me or my legal team. Depending on the criminal investigation and when you will be at liberty to share President Ramaphosa's responses with me, I may, at that stage assist you with better clarification regarding his responses, where they are inconsistent with what I know or what is contained in my statement to the police.

- You will also recall that my legal team and I frontally indicated to you that President Ramaphosa's responses cannot be kept a secret forever, and that the best way to get to the truth is to disclose such responses in order to obtain my rebuttal thereof or concession thereto. You immediately indicated that **"at this stage"** you prefer not to share President Ramaphosa's responses with me. I shall await the appropriate time and assist you further should the need arise at that stage.

AD QUESTION 4.3

- 11.3 **"4.3. The complainants alleged in the main, and purportedly on, inter alia, the strength of the affidavit deposed to by you at Rosebank Police Station dated 1 June 2022, that the President breached section 96 of the Constitution and the Code of Ethics prescribed by Executive Members Ethics Act 82 of 1998 (EMEA) in connection with this matter in that:**

- 4.3.1. In respect of Phala Phala farm, the President undertakes other paid work, acted in a way that is inconsistent with his office, used his**

position to enrich himself or improperly benefit any other person; or exposed himself to any situation involving the risk of a conflict between his official responsibilities and private interests;

4.3.2. It was also alleged that the President used state resources, specifically the Presidential Protection Unit within the South African Police Service (SAPS) to track and recover his stolen dollars.

4.4. Kindly provide the PPSA with your views on the above allegations and any supportive evidence you are in possession of.”

ANSWER

- Your question relates to the allegations by the complainants wherein they allege that the President may have “...breached section 96 of the Constitution and the Code of Ethics prescribed by Executive Members Ethics Act 82 of 1998 (EMIA)...”.
- This question is entirely misplaced since it requires my personal views and opinions on issues of a legal nature. During our interview, you already confirmed that it was not in dispute that the burglary had occurred at Phala Phala farm. In fact, you were even aware that another burglary had take place on a neighbouring farm a night before the burglary at Phala Phala farm.
- You also confirmed that you were already aware that the mother of the domestic worker had opened a case of

kidnapping at the Bela Bela police station. It is at that point that I implored you to investigate the fact that the dockets relating to these cases of burglary and kidnapping had disappeared.

- Although you have elected to keep secret President Ramaphosa's responses, he is on record, at least, stating the sources of the money that was stolen. Whether his purported explanation is true, may be revealed much later in the process.

AD QUESTIONS 4.4, 4.4.1, 4.4.2, 4.4.3, 4.4.5 and 4.4.6

11.4 "4.4. Kindly provide the PPSA with your views on the above allegations and any supporting evidence you are in possession of, with particular reference to the following:

4.4.1. Evidence of direct or active involvement of the President in connection with the business operations at Phala Phala farm;

4.4.2. Any specific form of evidence linking the President's conduct directly to the breach of any specific provisions of the Code of Ethics and the Constitution, in connection with the Phala Phala incident;

4.4.3. Any evidence which supports the allegations that the President may have personally given improper instruction to any person or members of the SAPS to use state resources, specifically SAPS to track and recover his stolen dollars;

- 4.4.4. Any evidence which supports the allegation that the President personally received remuneration for work in connection with business operations at Phala Phala farm;
- 4.4.5. Any evidence, instructions or orders personally linking the President to the allegation that he kidnapped the suspects, interrogated them in connection with the theft of cash at Phala Phala farm; paid bribes to the culprits in order to buy their silence for this crime and defeated the ends of justice in the process;
- 4.4.6. Where you are unable to provide any supporting evidence in relation to the above, please indicate so in your response.”

ANSWER

- This question seeks my ‘**views**’ on the allegations by the complainants to the office of the Public Protector. I submit that it is only fair that this question be directed to the four complainants themselves to share willingly their views. I am advised and state that my opinion or views on the complaints before the office of the Public Protector, or the provisions of the Code of Ethics of the Constitution, or any other legal issue to which you refer, are irrelevant for purposes of your investigation. It is your office that must determine such legal questions without fear, favour or prejudice. I presume that you will consider the admission by President Ramaphosa about the sources of the cash and whether such income or profit was duly declared in

the register of interests. It may well be that further light may be later shed as to the sources of the money.

- Further, I point out that there is enough in the public domain that should direct your investigation about the conduct of the President and some of his Cabinet Ministers. For instance, consider Minister Lamola's initial response to the revelation that the Namibian authorities had sought mutual legal assistance from the South African authorities. On 25 June 2022, Minister Lamola, through his spokesperson, Mr. Chrispin Phiri, categorically denied that the Namibian authorities requested such assistance. Compare this with Minister Lamola's own statement, a month later, on 25 July 2022, wherein he confirms that such assistance was indeed requested by the Namibian authorities. Your good office may well investigate whether there was an attempt to cover-up in this regard.
- On 16 June 2022, the office of the Inspector General of the Namibian Police Force issued a press statement, herein marked as **AF1**, wherein the Inspector General stated, *inter alia*, as follows:

"14. A preservation order was issued, and a formal request was made through the Ministry of Justice to South Africa to confirm whether or not a crime was registered in South Africa. However, no response was received from South African authorities, resulting in the cancellation of the preservation order and release of assets".

- Contrary to media reports claiming that only about R600 000 or less was stolen during the burglary, footage already in the public domain reveals that the robbers actually stole more money than what President Ramaphosa and sections of the media sympathetic to him would have us believe. Your good office may also want to consider what is revealed during the interrogation of Immanuwela David by Rhooode and his team in respect of the precise amount they accuse him of stealing. Similarly, the footage already furnished to the DPCI reveals that the assets purchased by the robbers add up to millions. This may be inconsistent with the claims made by President Ramaphosa about the amount that was stolen.
- I have already furnished you with sufficient information revealing that a crime was committed at Phala Phala. It is undisputed that President Ramaphosa kept sums of cash, which he claims came from his farming business which he runs at Phala Phala. It is your good office that must investigate whether his admission in this regard is contrary to the constitutional requirement not to engage in any other paying job or activity as he was admittedly receiving payment emanating from his farming activities. Whether or not these responses are candid is a matter for your consideration in line with your constitutional and statutory obligations to investigate without fear, favour or prejudice.

AD QUESTION 5

12. **“5. With regard to other allegations that the President may have also breached legal prescripts related to South African Revenue**

Services (SARS) South African Reserve Bank (SARB) and Department of Home Affairs (DHA), the PPSA's investigation is currently engaging directly with these institutions to investigate the allegations. However, we request that where possible, please provide the PPSA with any evidence you may be in possession of pertaining specifically to these allegations."

ANSWER

- I am unable to assist you with this question as it relates to legal questions which your office should determine. I also think it is President Ramaphosa's answers that may assist you in this regard. After all he has a duty to be truthful to your office.

13. I add that the criminal charges that I laid relate to multiple crimes committed, including defeating the ends of justice and a cover up of the original crime of burglary and theft. On 12 September 2022, I already furnished you with sufficient details to determine the issues recorded in the case I laid with the police. In due course, and depending on President Ramaphosa's candid answers, I will not hesitate to assist you and the DPCI with more information, should I obtain more from other sources.

ADDITIONAL INFORMATION

14. Consistent with my undertaking to assist your office, where I can, I hereby submit the following additional that may have relevance to the scope and mandate of the Office of the Public Protector I am also advised that this information is already in the public domain and does not run the risk of compromising the criminal investigation:

- 14.1 A copy of a report compiled by Commissioner Nelius Becker, Criminal Investigation Department, Namibian Police Service, Windhoek, dated: 21 June 2021, marked AF2.
- 14.2 This report compiled by Commissioner Nelius Becker referred to liaison between the Namibian authorities and South African authorities, notably through the South African SAPS attaché, Colonel Edward, stationed at the South African Embassy in Windhoek.
- 14.3 In view of the fact that the matter related to the President of South Africa, it is common practice that the Namibian enquiries would have been registered with the South African Ambassador to Namibia, the Minister of International Relations and Cooperation, to the Minister of Justice (as he ultimately confirmed to Parliament) and the Minister of Police.
- 14.4 Importantly, the Namibian Crime Intelligence Report (notably p.5) corroborates what I had been told by another source, as well as corroborated and provided further information to the evidence submitted together with my affidavit filed at the Rosebank police station on 1 June 2022, notably:
- When the Namibian Police interviewed Mr. Imanuwela David, he confirmed that they had stolen US dollars of President Ramaphosa that was concealed inside the furniture at President Ramaphosa's Phala Phala farm. This is how the Namibian authorities became aware of the theft that had taken place at Phala Phala farm.
 - The report details that the domestic worker, employed at Phala Phala farm had assisted Mr. Imanuwela David and

his co-conspirators in locating the US dollars concealed in the furniture at Phala Phala farm.

- The report further details that the domestic worker also identified the suspects when she was confronted by South African authorities about the theft and as a result was not apprehended.
- The report reflects that the Namibian authorities detected Mr. Imanuwela David when he illegally entered Namibia on or about 7 June 2020.
- The Namibian Crime Intelligence Report states as part of their follow up issues, amongst others, a request for cooperation to be addressed by the Namibian Financial Intelligence Centre (FIC) to the South African FIC.
- It may be prudent for the Office of the Public Protector to ascertain from the South African FIC if any request for assistance / cooperation had been received by it from the Namibian FIC on matters related to the theft at Phala Phala farm and what, if anything, the FIC had done in respect thereof.
- It is known that SAPS attaché's, Colonel Edwards deployed to the South African Embassies abroad are deployed from within the Crime Intelligence Division of the SAPS.
- Colonel Edwards' involvement with the Namibian Crime Intelligence's investigation (on matters related to the burglary and theft at Phala Phala farm) is detailed in Namibian Crime Intelligence Report.

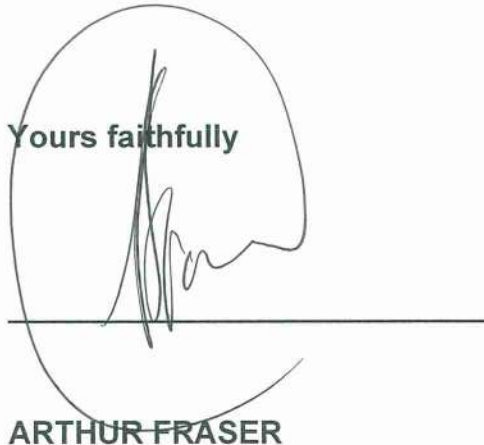
- Colonel Edwards therefore had a fiduciary duty to report the matter (related to the President Ramaphosa) to SAPS head office in South Africa. It therefore logically follows that the hierarchy in the SAPS, including the Executive would have been informed, especially because it related to a burglary at President Ramaphosa's farm.
- Again, it would be prudent for the Office of the Public Protector to ascertain from SAPS whether it had received any information and / or any formal or informal request from the Namibian authorities to render assistance in the Namibian investigation.
- In reference to the Minister of Justice and Constitutional Development, it is common cause that although his initial response was a denial, Minister Lamola has since confirmed to Parliament that they had received a request for mutual legal assistance from the Namibian authorities, after denying it at first.
- It is also a matter of public record that the theft that occurred at President Ramaphosa's Phala Phala farm was not reported in the Annual Report of the SAPS VIP Protection Unit to Parliament.

14.5 In addition, I attach for ease of reference, a copy of a Press Statement by the Namibian President, Dr Hage Geingob dated: 10 June 2022, titled: **"Statement by the Namibian Presidency Following Unfounded Allegations that the President of the Republic of Namibia may have Assisted President Cyril Ramaphosa "in apprehending" a Suspect Connected to the Phala Phala Farm Burglary"**, marked AF3.

CONCLUSION

15. I remain available and committed to render further assistance to the Office of the Public Protector of South Africa and Parliament in furtherance of their investigation into the matter and, should new information become available to me on this case, I will provide such further information when it becomes available. Whenever, you deem it appropriate to share with me President Ramaphosa's answers, I am available to clarify any issue and/or may be able, wherever possible, to provide you with further clarifications or information.
16. Should you require any further information or assistance, do not hesitate to contact my attorneys.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Arthur Fraser', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval shape.

ARTHUR FRASER

"AF1"

Pol 716 A

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REPUBLIC OF NAMIBIA
MINISTRY OF HOME AFFAIRS, IMMIGRATION, SAFETY AND SECURITY
OFFICE OF THE INSPECTOR-GENERAL
NAMIBIAN POLICE FORCE



Tel. No.: (+264 61) 209 3202

Fax No.: (+264 61) 228 533

E-mail:

Enquiries: Lt-Gen. S.H. Ndeitunga/ Dep. Comm. Shikwambi

Our Ref.:

Your ref.: 8/2/6/2

Private Bag 12024

Ausspannplatz

WINDHOEK

Namibia

16 June 2022

PRESS RELEASE
(For immediate release)

**TO: ALL MEDIA HOUSES
NAMIBIA**

(KINDLY PUBLISH / BROADCAST THE FOLLOWING INFORMATION IN YOUR RESPECTIVE MEDIA OUTLETS)

NAMIBIAN POLICE FORCE UPDATE ON THE ARREST OF IMANUWELA DAVID

1. The Namibian Police Force has taken note of the talk of the nation and or public concern on the arrest of Mr. Imanuwela David in Namibia during 2020. These undesirable comments are noted on social media as well as newspapers; and these comments have the potential to erode public confidence in the Namibian Police Force as it could be understood to mean that the Force that is entrusted with the responsibility of upholding the law and protecting the rights of all citizens indeed has failed to act in accordance with the laws and to disseminate accurate information in the case of Mr. Imanuwela David.
2. As the custodian of law and order, we vehemently refute the allegations in the media that states and I quote, **"The Namibian Police Force did dirty work for President Ramaphosa"**. Furthermore, we refute allegations of **torture and or abduction of the suspect (Mr. Imanuwela David)** and that currently **there is a joint investigation underway between the Namibian Police Force and the South African Police Service**. Mr. Imanuwela David was arrested and charged for contravening the law and the matter followed the normal due process up to its conclusion as will become apparent in this statement.
3. The Namibian Police Force upholds and respects the right of public access to information, similarly fully supports press freedom which includes the mass media, and hence would not deliberately or for any other purpose withhold any relevant crime related information or underreport on the extend of criminal activities in Namibia.
4. Therefore, in the spirit of transparency and openness, the Namibian Police Force hereby shares the sequence of events following the illegal entry of Mr. Imanuwela David into Namibia as follows:

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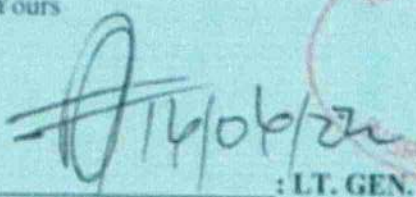
5. On 12 June 2020, Mr. Imanuwela David illegally entered Namibia through an ungazetted entry point near Noordoewer, //Karas Region by canoe via the Orange River. On the same day, he was assisted by a police officer identified as **Sgt Hendrick Hidipo Nghede** attached to the Tourism Protection Sub-Division in Lüderitz and by **Mr. Paulus Alfeus Ngalangi**, the Acting CEO of FishCor in Luderitz, to get to Windhoek. The trio drove to Windhoek in the acting CEO's BMW X5 and arrived after midnight. Mr. Imanuwela David spent the night at Faith City Flats, Apartment No: 18 in Rocky Crest.
6. On 13 June 2020, Mr. Imanuwela David was arrested at Hotel 77 Independence Avenue in Windhoek on charges of violating the Immigration Control Act, Act 7 of 1993 and the State of Emergency Regulations that were in place at the time. He was found in possession of Three Hundred Namibia Dollars (N\$300), 11x 100 US Dollar notes, a TAG Hauer watch worth N\$28 000, a Rolex watch worth N\$280 000, a Gold Chain worth N\$163 000 and four (4) cellphones.
7. Upon arrest, Mr. Imanuwela David was subjected to a COVID-19 test and his results came out positive. He was thereafter detained and quarantined at the Hosea Kutako International Airport Police Station holding cells.
8. After he was released from quarantine, Mr. Imanuwela David was then transferred to Noordoewer to appear in court and answer to charges he was arrested for. On 13 November 2020, Mr. Imanuwela David pleaded guilty in the Noordoewer Magistrate Court on **Count 1:** C/s 6 r/w Sec 1,2,4,7,8,34,53,56 and 57 of the Immigration Control Act, Act 7/1993 Entry into Namibia at any place other than a port of entry, and **Count 2:** C/s 14 (1)(a) r/w Sec 1,14(b), 14(2), 14(3), 91, 100 and 105 of the Customs and Excise Act, Act 20/1998 - failure to declare goods.
9. He was subsequently found guilty as charged and sentenced as follows: **Count 1:** Five Thousand Namibia Dollars (N\$ 5 000) or twelve (12) months imprisonment and for **Count 2:** Fifteen Thousand Namibia Dollars (N\$15 000) or twenty-four (24) months imprisonment. Mr. Imanuwela David ultimately paid a fine of N\$ 20 000 in respect of his sentence and was released on the same day. A 48 hours' notice was issued to him by Immigration Officials to leave the country and he subsequently left Namibia via Noordoewer Border Post on 14 November 2020 at about 08H00.
10. The other accused, **Mr. Paulus Alfeus Ngalangi** and **Sgt. Hendrik Hidipo Nghede** were also arrested, charged and all pleaded not guilty to Contravening Section 56 (a) r/w Sec 1,2,4,7,8,34,53,56 and 57 of the Immigration Control Act, Act 7 of 1993, Aiding and abetting an illegal immigrant (common purpose), and Contravening Section 34(a) r/w Sec 32,46,49 and 51 of the Anti-Corruption Act, Act 8/2003, Corruptly giving gratification to an agent as an inducement (common purpose). Alternative Charge: Contravening Section 35 (2) (a) r/w Sec 32,35(2), 46,49, and 51 of the Anti-Corruption Act, Act 8/2003 – Corruptly giving gratification to an agent as an inducement (common purpose). A separation of trial was made and their matter was postponed to 06-09 June 2022 for trial at Noordoewer Magistrate Court, however when the matter appeared in June 2022, it could not be finalized thus it was postponed for continuation of trial from 15 – 19 August 2022.

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11. It is worth noting that indeed the two police authorities met on 19 June 2020 at what is termed "no-mans" land near Noordoewer, //Karas Region to share operational information pertaining to Mr. David Imanuwela and other Namibian nationals suspected to have stolen money in South Africa and fled to Namibia.
12. It should be clear that the meeting venue was determined by restriction measures of COVID-19 at the time. The meeting resolved for the two police authorities to investigate the matter within their jurisdiction.
13. The Namibian Police Force identified individuals, bank accounts and various properties including lodges, houses and vehicles suspected to have been purchased with proceeds of crime; and consulted the Office of the Prosecutor General to consider a preservation order of the assets.
14. A preservation order was issued and a formal request was made through the Ministry of Justice to South Africa to confirm whether or not a crime was registered in South Africa. However, no response was received from South African authorities, resulting in the cancellation of the preservation order and release of assets.
15. It is known and understood that policing issues attract significant media attention hence the public interest. It must therefore also be known and shared with the public that in terms of justice, Namibia is a country that follows the rule of law. Therefore, in terms of any proceedings that transpires within our courts, including the arrest and prosecution of the accused, the records are open and accessible to every citizen.
16. The Namibian Police Force wishes to take this opportunity to thank public members for their continuous support granted to law enforcement and the fight against crime, and encourage such support to continue in our quest to make Namibia a safe place for us all.

Thank you for your continuous assistance in educating and informing the Namibian nation.

Sincerely Yours


: LT. GEN.

S.H. NDEITUNGA, OMS

INSPECTOR-GENERAL OF THE NAMIBIAN POLICE FORCE



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CONFIDENTIAL

He then admitted that he and the Acting CEO of Fishcor, Paulus Ngalangi (Namibian male, 35 years of age) arranged for ID to be assisted to cross the river on the 12th of June 2020 and met him in Noordoewer. The assistance in getting him over the river was arranged with three male persons at Noordoewer, namely Petrus Erastus, Lameck Ndaningina and Immanuel Thomas (also known as "Madala" a cousin of ID from Ombandja). It is alleged that Petrus Erastus, the suspect in the above photograph allegedly made a trip to Keetmanshoop on that Friday. We are suspecting that he went to collect the payment from the CEO, the CEO was in Keetmanshoop on Saturday and withdraw N\$ 35 000, 00 cash on Saturday. In that regard see extracts of the bank account statements of Paulus Ngalangi (First National Bank Account 62241169425) and that of Sgt Nghede (First National Bank account 62132652505)

AN NAMI - PASSPORT Wednesday, 17 June 2020, 12:13:53

THDI 1 THE DDA TRANSACTION HISTORY 20200617 12:13:46

MS 50852 ACTION COMPLETE

CO 45 OP

CURR NAD ACCT COND

PROD CODE DDA ACCT 62241169425 SHORT NAME P A NGALANGI

BRANCH 537 SUB-PRODUCT 25 MAN CODES: ONE MANGI TWO SUBO:

S	TRAN. DESCRIPTION	TRAN. AMOUNT	FEE	DATE	PAGE	ACCT. BALANCE
	MONEY	11,000.00-		05/29		56,391.29-
	SEND 264813895500	3,000.00-		05/29		51,391.29-
	#MONTHLY ACCOUNT FEE	495.00-		05/30		61,886.29-
	TRANSACTION DUTY	5.60-		05/30		61,891.89-
	BP	4,000.00-		06/01		65,891.89-
	HOME LOAN 00003000	5,439.27-		06/01		71,331.16-
	HOME LOAN 00003000	6,653.48-		06/01		77,984.64-
	120151290	684.00-		06/01		78,668.64-
	SEND 264812520622	770.00-		06/02		79,438.64-
	FNXXWESBANKMH08121E	7,601.54-		06/02		87,040.18-
	PAYMENTS	1,000.00-		06/05		88,040.18-
	SEND 264812789553	5,000.00-		06/06		93,040.18-
	ATM CASH 00537076	1,000.00-		06/06		94,040.18-
	INTERNET T FUNDS	8,000.00		06/11		86,040.18-

PF: 1-HELP 3-PLVL 6-INQ 7-SB 8-SF 9-ASUM 12-ARTH

AN NAMI - PASSPORT Wednesday, 17 June 2020, 12:13:53

THDI 1 THE DDA TRANSACTION HISTORY 20200617 12:13:46

MS 50852 ACTION COMPLETE

CO 45 OP

CURR NAD ACCT COND

PROD CODE DDA ACCT 62241169425 SHORT NAME P A NGALANGI

BRANCH 537 SUB-PRODUCT 25 MAN CODES: ONE MANGI TWO SUBO:

S	TRAN. DESCRIPTION	TRAN. AMOUNT	FEE	DATE	PAGE	ACCT. BALANCE
	ATM CASH 00537076	4,000.00-		06/12		80,040.18-
	ATM CASH 00537076	4,000.00-		06/12		84,040.18-
	ATM CASH 00537076	1,000.00-		06/12		85,040.18-
	FNX APP TR FUNDS	1,334.00		06/12		86,374.18-
	SEND 26481245723	2,000.00-		06/12		88,374.18-
	FNX APP PA CTA	61,000.00		06/12		149,374.18-
	TRILLER CAS 04611	75,000.00-		06/12		174,374.18-
	CASH HANDLING FEE	1.00	962.10	06/12		175,336.28-
	FUEL CANYON SERVICE	366.65-		06/12		175,702.93-
	FUND	44,000.00-		06/12		219,702.93-
	FNX APP PA VH	60,000.00		06/12		279,702.93-
	PURCH BILLS ASSUMED	200.00-		06/12		279,902.93-
	PURCH SERVICE 04670	970.81-		06/12		280,873.74-
	FUEL CANYON SERVICE	820.01-		06/12		281,693.75-

PF: 1-HELP 3-PLVL 6-INQ 7-SB 8-SF 9-ASUM 12-ARTH

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17 JUN 2020

When Ngalangi was searched he was only found with N\$ 3000, 00. Cash. Erastus in currently quarantined at Karasburg and need to be interviewed. It is also alleged that Sgt Nghende made an offer of N\$ 5000, 00 to a Sgt Petrus Mufoko at Decca police station from Noordoewer for assistance. After the crossing of ID, they drove with the car of Ngalangi (BMW, X5 with registration N676767W) and arrived at around 19:00 in Keetmanshoop. From there they drove to Windhoek the same night and arrived there after midnight.

They then got into contact with a lady called Agnes Nandjila Anghuwo (working at the Namibia Breweries) who directed them to Faith City Apartments 18, Rocky Crest to the flat of her niece Dr Ndapewa Ipinge, where he spent the night. The next morning Saturday the 13th of June 2020 he allegedly used a taxi to get to Hotel 77 Independence Avenue, where he was subsequently traced and arrested by Comm Shikongo, Dep Comm Agas and members of Serious Crime of Keetmanshoop and Windhoek on Sunday the 14th of June 2020 in regard to violations of the Immigration Act and of the COVID Regulations.. He was hereafter detained at Hosea Kutako Airport Police on an Immigration Warrant of Arrest where he is still in quarantine. He subsequently tested positive for the COVID virus.

According to Detective Inspector Anton of Serious Crime Subdivision Keetmanshoop, when ID was questioned, he claims that he was coming to visit and that he was on his way to Swakopmund to check out a Car Rental Business that he and his partners wanted to purchase in a joint venture. He further said he was supposed to go there on a "helicopter" but that the plans changed, and he then came via road to the border. He further indicated that his arrangements to get into Namibia was made between a person who works as Head of

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Intelligence in Durban, South Africa and known as "Mr Jelle "or "Papa J" with cell phone number +27733959761. He allegedly paid "Papa J" R 50 000.00 to arrange people in Namibia and RSA to smuggle him into Namibia. "Papa J" allegedly contacted a Zambian who in turn contacted Mr Ngalangi to assist. He further elaborated that he had to sign some important documents with other partners in Windhoek. Whilst being questioned by the Police "Papa J" called but was warned by ID (that he was in "shit"). Papa J is according to Inspector Anton also saved on the phone of ID as "Intelligence". He claimed that he worked as a bodyguard to the Mayor of Durban, Mr Ncwane for two years and resigned two months ago. A search on the Internet could not confirm that Durban had such a Mayor.

After providing a copy of the RSA Passport to Colonel Edwards, the attaché of the SAPS, to establish if he has a record or is wanted, she indicated that there is no warrant of arrest for him and that he has prior convictions for drunken driving, assault GBH and drinking in public. The drunken driving was the last in 2019. He allegedly resides and works on the East Rand and in Mpumalanga

He had N\$ 300.00, USD 1100.00, four cell phones and an expensive Rolex watch with him. He was arrogant and un-cooperative and minimum force had to be used to get a sample from him for testing by the MOHSS COVID Team.



There are possible leads that can be followed up in South Africa, namely the telephone number of "Papa J" and the details of the vehicle that offloaded him at Rooiwal. Information has it that the South African Police saw a vehicle which had "dropped suspension" driving out on the Rooiwal road at Vioolsdrift. They decided that this was suspicious as this is a gravel road that was not in a good shape and not suitable for such a vehicle. They decided to investigate and the vehicle and persons inside it were searched. The South African Police via Colonel Edwards reported that the vehicle was a Hyundai i20 with GP registration plates (no specific number available). The vehicle had four occupants who claimed they were from KZN and the one person's phone number were obtained namely "Prince" +27 78 045 2908.



Prince

+27 78 045 2908
Mobile

After the arrest of ID some information surfaced that the family of ID hails from the Olukekete area in Namibia. His mother is Amalia Haunaunye. The father of the subject is Libolius David from Oshindombe village in Ohangwena Region. Former SWATF and went to RSA after Independence and came back to Namibia after he retired or resigned from his work in RSA. He passed on some years back. Siblings: the subject has three biological siblings; Namene Jesaya married to David Shihepo now in Walvis bay, Kandaha possibly in RSA and unidentified last born. The subject has contact back home with Ndapandula Ileimo Aipanda ID

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871027 00075 and they are from the same house of the late Helena Shikunda in Olukekete, Ombalantu.

ID was suspectedly born in Lüderitz, Namibia where he went to School and after failing Grade 10 left school and Lüderitz in 2001. In 2005 he allegedly left Namibia and followed his father to South Africa where he later enlisted in the SADF. He was allegedly working at Mpumalanga area and guarding borders. He then resigned from the SADF.

Information further has it that ID and other accomplices (possibly a person called Erickson Shooya) committed a housebreaking and theft on the farm "Ntabanyoni" of the President of South Africa, Cyril Ramaphosa, which is situated at Badplaas, Mpumalanga Province RSA.

Some audio recordings also surfaced in Oshivambo language circulating on social media by a man who claims that he knows Immanuwela David. That ID was working as a security guard together with him in South Africa, posted at the gate and he left the job. That the theft of the money took place in a farm of President Ramaphosa and the money stolen was in US dollars that were stored inside a sofa. On that farm there were apparently Oshivambo speaking ladies who cleaned the house, iron clothes etc. One lady discovered the money and told her brother who lives somewhere else. She was asked to take a picture and video of the money and she did and shared the photos and video with her brother. The brother approached the ID asking him what kind of money were visible in the video that the lady's brother sent to ID. ID told him it was foreign currency. ID organized others to steal it. ID and his team went to spent about 2 to 3 days at a place called Aventura in Warmbaths Limpopo at, RSA, planning how to steal the money. They first broke into a wrong room, confronted the lady that there was no money and the lady directed them to the right room and they stole the money. The lady who work in the farm and her brother were apparently confronted by the authorities or by the farm management and they revealed how much money they were given. The authorities or farm management realized that more money went with ID and his friends. The lady and her brother were apparently allowed to go and were apparently asked to help the authority or farm management to find the main suspects. No further info in the audio. The author said he knows ID well, that his mom is from Ombalantu area, Omusati Region, his father has died, and that ID was married to a woman and he divorced her. That ID owned an old model Polo car and he overturned it (confirmed from photographs on his Instagram). Later he had it fixed. That all the other vehicles we may see him driving are bought with the recently stolen money. That he had no money before. All expensive gold chains and other things were bought with that stolen money. That after ID stolen the money he went to settle in Cape Town.

This cash then suspectedly entered Namibia and information has it that a "lodge" belonging to a businessman and mechanic of Outapi, Mr Shaduka, was bought with some of the proceeds of this crime. This sale was processed through a third party namely the School Principal of John Pandeni combined school, Simeon Haihambo @ Tafulele who owns a bar known as Tafulele near Outapi police station.

The same teacher allegedly bought a Land Cruiser on behalf of the criminal group from a Mr Matheus Kaholongo, a Director at the Cabinet Secretariat. Interviews with him by the Head of Special Branch reveals that he was told by the Teacher that he was making purchases on behalf of the gang. Shaduka was allegedly called in the presence of Special Branch and he confirms the purchase of the Lodge by the Teacher.

Further information has it that at the Homestead of Meme Mekuru Shikunda there is currently construction of a 12 room sink building which may be financed with the proceeds of this crime.

An Instagram search revealed that ID has two accounts. On the first account (under handle imanuweladavid) his pictures reflect mundane posting and vehicles and his appearance appears to be average to poor. In his second Instagram account (under handle

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David Manuwela) dated from around April 2018 you see a clear change in his profile, and he is posing with better clothing and an expensive vehicle. On 30 December 2019 he posts "I can proudly say this is the beginning of wonderful changes in me, family and my life".

The South African authorities, particularly a [REDACTED] contacted Commissioner [REDACTED] of Special Branch and set up a meeting in "no man's land" at Ariamsvlei Border Post. Comm [REDACTED] flew there and met him and he confirmed that something took place on the farm but that no cases were registered. He confirmed that ID was the master mind behind the burglary and supplied some names and photographs of his accomplices. Due to the sensitivity of the matter and the envisaged fallout it will create in South Africa they requested that the matter is handled with discretion. Discussions are allegedly ongoing between the countries two Presidents.

Currently ID is detained on an Immigration Warrant of Arrest which will expire on Monday the 29th of June 2020. Provided copies of his test results can be obtained arrangements will be made for him to appear in the Noordoewer Magistrates Court in absentia (in terms of the provisions of the Criminal Procedure Act) and the matter remanded to a further date to give us opportunity to finalize the Immigration investigation as well as the possible Money Laundering.

The charges thus far are Count 1. Contravening Sec 6,7 and 8 (read with section 10) of the Immigration Control Act 7/1993 Count 2. Contravening Sec 56(a) and (b) of the Immigration Control Act 7/1993. However, there are suspicions that the proceeds of a crime in South Africa was laundered to Namibia. Noordoewer Cr 14/06/2020 was registered. Currently we are still deciding on whether to charge both the CEO and the Sergeant. This may be problematic as we need to prove that they were aware that ID crossed and entered Namibia illegally. We are considering using the Sergeant as a witness against the CEO. He can allegedly make a statement that the CEO had telephonic conversations in the vehicle that indicates that he was aware of the illegal entry. The persons in Noordoewer that assisted with the crossing still must be interviewed to see if they can link both the CEO and the Sergeant to the crossing and proof that they were aware of the illegality.

In the interim after an Intelligence Report from the FIC, we intent requesting an authorisation for a money laundering investigation from the IGP and will then start following up on the most obvious purchases namely the Lodge and Land Cruiser.

INVESTIGATIONS OUTSTANDING

- Place of birth of ID to be confirmed with proof
- Establish if he has Namibian documentation
- Travel history to be confirmed
- Bank cards which is currently in the safe of Deputy Commissioner Agas to be photographed to follow up on the accounts (particularly the FNB card on which he was very protective).
- Statement to be obtained from Mr Mateus Kaholong (Comm Abraham SB has his contact details)
- Statement of Sergeant Petrus Mufoko to be obtained
- Statements of all the Police Officers currently in quarantine to be obtained regarding the follow up and arrest.
- Bank account statement of CEO to be obtained to see where amounts deposited emanates from.

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- Shaduka to be approached, questioned, statement obtained and establish how he was paid and by whom.
- Meme Shikunda to be approached to establish who is funding the construction at the Homestead.
- Information has it that Sergeant Nghete allegedly owns two Toyota Fortuner vehicles which are registered on other persons names, intelligence must be developed in this regard to obtain the registration numbers of such vehicles.
- RSA authorities to be requested to follow up on the telephone number of "Papa J" and "Prince".
- The three persons in custody at Noordoewer to be questioned and possibly charged if sufficient evidence exists of their involvement.
- FIC to start analysing the available bank accounts and liaise with FIC South Africa
- Letter to be prepared to South Africa as we will need to establish if there is a predicate offence in South Africa which will justify a money laundering investigation in Namibia.
- The telephones which were in possession of ID to be opened and data extracted.
- The Rolex to be examined to see if it has a serial number that may be followed up.
- The accomplices of ID in the burglary to be identified and profiled as well as to look at their bank accounts and assets.
- Obtain COVID test results of ID for court purposes to appear and remand the case in absentia.
- Statement of Immigration Officer Shiimi at Noordoewer to be obtained.
- Immigration docket to be finalized ASAP
- Passport to be booked in as exhibit along with other exhibits recovered from ID.



Commissioner Nelius Becker

2020/06/21



**Dr Hage G. Geingob** ✓

June 10 · 🌐

...

Statement By The Namibian Presidency Following Unfounded Allegations That The President Of The Republic of Namibia May Have Assisted President Cyril Ramaphosa "in apprehending" A Suspect Connected To The Phala Phala Farm Burglary

The President of the Republic of Namibia, His Excellency Dr Hage G. Geingob is a champion of the rule of law and Effective Constitutional Governance. Following revelations by media houses in South Africa and Namibia that Mr Arthur Joseph Peter Fraser had lodged a criminal complaint against the President of the Republic of South Africa, His Excellency Cyril Ramaphosa, certain individuals and a number of media houses, out of context and clearly motivated by malice or other ulterior motives, have been suggesting, without any factual basis, that the President of the Republic of Namibia, His Excellency Dr. Hage G. Geingob, may have used his office, in a manner incompatible with the laws of the Republic of Namibia, to assist President Ramaphosa. The slanderous allegations and insinuations made about President Geingob are outrageous and unfortunate.

There is absolutely no truth in the allegations that President Geingob inappropriately used his office to assist President Ramaphosa. The Presidency had an opportunity to look in particular at paragraph 13.23 of Mr Fraser's statement under oath, which is publicly available, and which reads that:

"President Ramaphosa sought the assistance of the President of Namibia, President Hage Geingob in apprehending the suspect in Namibia."

As can be seen from the above-quoted part of Mr Fraser's statement, it does not make any allegation of criminality on the part of President Geingob, except a suggestion that President Ramaphosa "sought" assistance from President Geingob "in apprehending" – which literally means "assistance in arresting" – the concerned suspect, who is a South African citizen and who at the time was alleged to have unlawfully entered Namibia. The portion referred to above in Mr Fraser's statement, if properly considered on an objective basis, simply suggests that President Ramaphosa "sought assistance in apprehending" the concerned suspect.

The details regarding the arrest of the suspect in Namibia on 14 June 2020 are matters of public record. The arrest was executed by members of the Namibian Police upon reasonable suspicion that the suspect in question had committed some immigration-related offences in Namibia. The suspect was, in accordance with the law, subsequently convicted by a Criminal Court in Namibia and paid a fine. Following the suspect paying the fine imposed, he left Namibia in November 2020 to his home country, South Africa. It follows from the above-stated facts that except for those who (motivated by bad faith and ulterior motives) would be quick to unnecessarily read something more into the statement of Mr Fraser, clearly the statement does not suggest criminality. It also does not suggest that President Geingob may have in any way participated in and/or abetted foreigners in kidnapping and torturing any person, as maliciously and recklessly suggested by certain individuals in Namibia and South Africa. Such suggestions and insinuations are devoid of any truth in their entirety, and these were simply made to score cheap political points.

The apprehension of suspects in Namibia is a constitutional and statutory duty of members of the Namibian Police who, on reasonable suspicion that a person may have committed an offence, are mandated to effect an arrest if it is deemed appropriate and necessary. On the other hand, persons suspected to have committed offences in foreign countries who may be located in Namibia, are dealt with in terms of the International Cooperation in Criminal Matters Act of 2000 or the Extradition Act of 1996 unless they voluntarily return to the countries they are sought. The President is not a repository of power when it comes to the apprehension of suspects alleged to have committed offences in foreign countries. Accordingly, the mischief-riddled and politically motivated statements by individuals and media houses in Namibia and South Africa against President Geingob have no factual or legal basis. The Presidency finds the politically motivated statements by some political leaders in South Africa, that criminal investigation be conducted against the President of the Republic of Namibia to be absurd and downright non-sensical.

The President of the Republic of Namibia liaises with other Heads of State on official matters, within established State-to-State diplomatic protocols, in accordance with the constitutional powers of the President and upon the dictates of international practices on mutual cooperation between Heads of State and

Government.

The Presidency therefore categorically denies insinuations that President Geingob may have acted inappropriately and/or participated or abetted in the apprehension of the individuals concerned. The above stated facts exhaustively and demonstrably clarify the matter.



MEDIA RELEASE

10 June 2022
WINDHOEK
ALL MEDIA

Stokkiesdraai Entrance

ANNEXURE IP22

1402

Lodge

Staff

Store

- Yellow arrows are directions of visible spoor found.
- Red blocks are places fences were cut

Phala-Phala Gate

Vicinity Phambile fence was cut



1 km



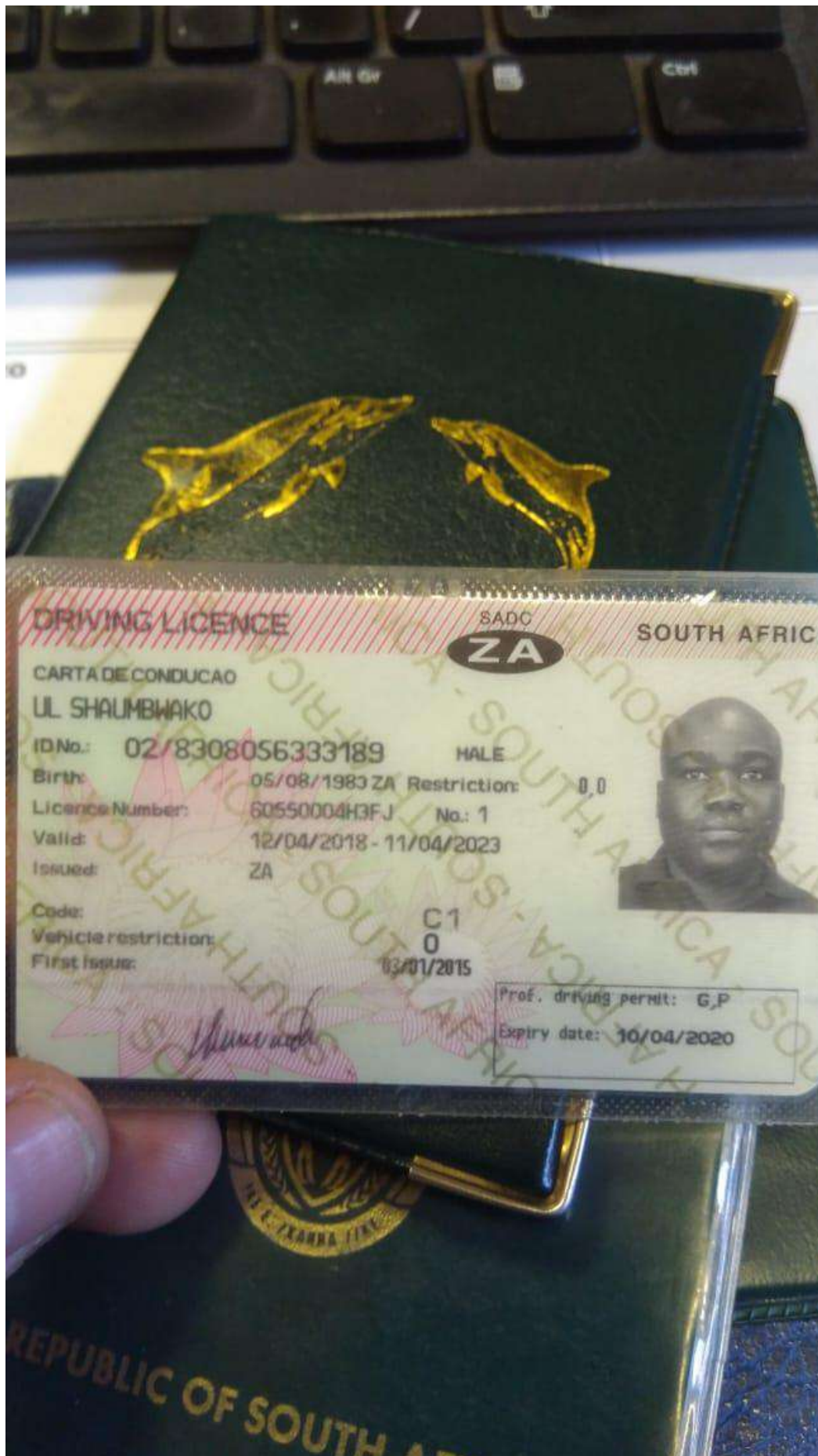












1

I.D.No. 830805 6333 18 9



NIE S.A.BURGER/NON S.A.CITIZEN

VAN/SURNAME
SHAUMBWAKO

VOORNAME/FORENAMES
URBANUS LOMBOLENI

GEBOORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH
NAMIBIA

GEBOORTEDATUM/
DATE OF BIRTH
1983-08-05



DATUM UITGEREIK
DATE ISSUED
2009-12-17

UITGEREIK OP GESAG VAN DIE
DIREKTEUR-GENERAAL:
BINNELANDSE SAKKE

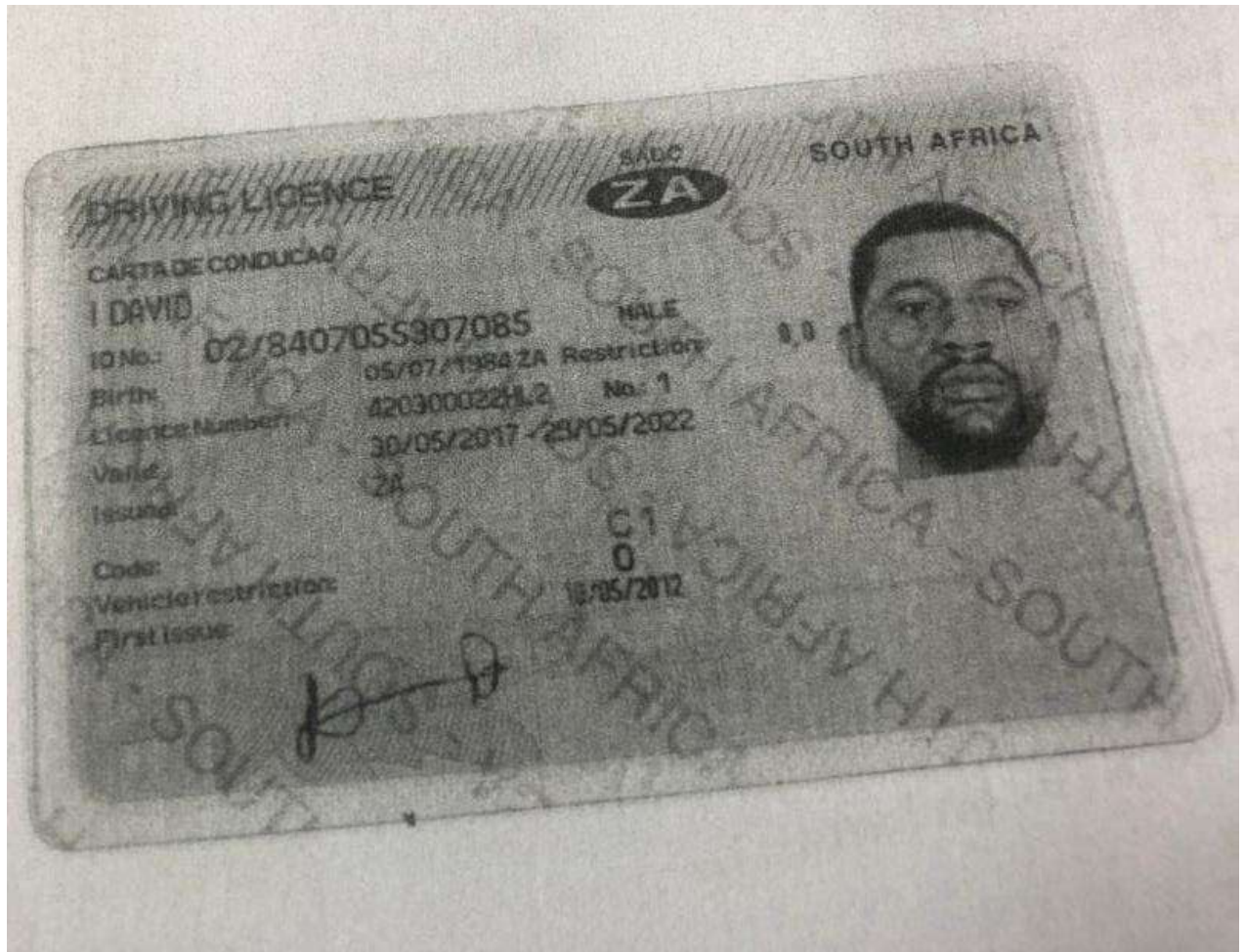
ISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL:
HOME AFFAIRS

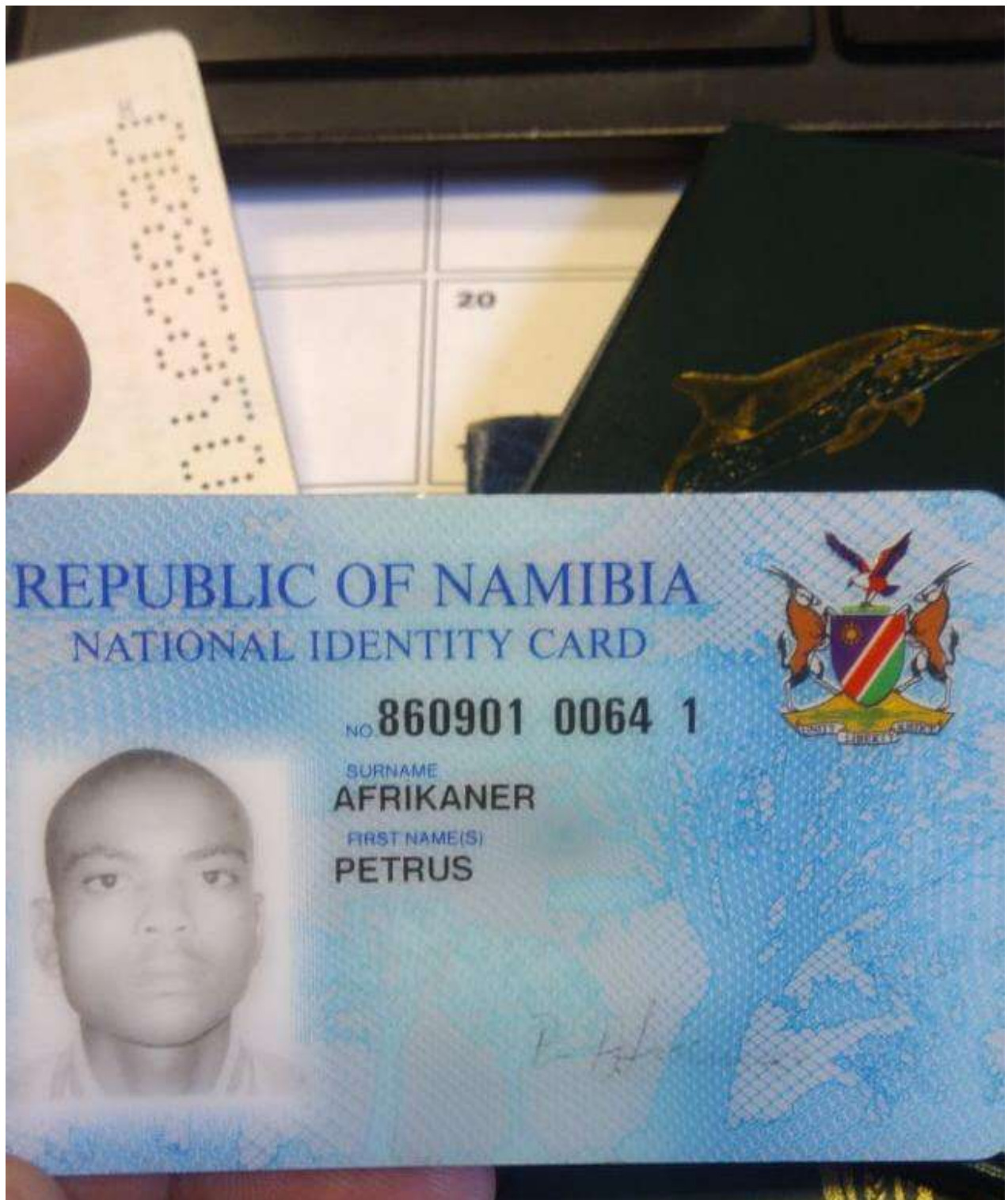


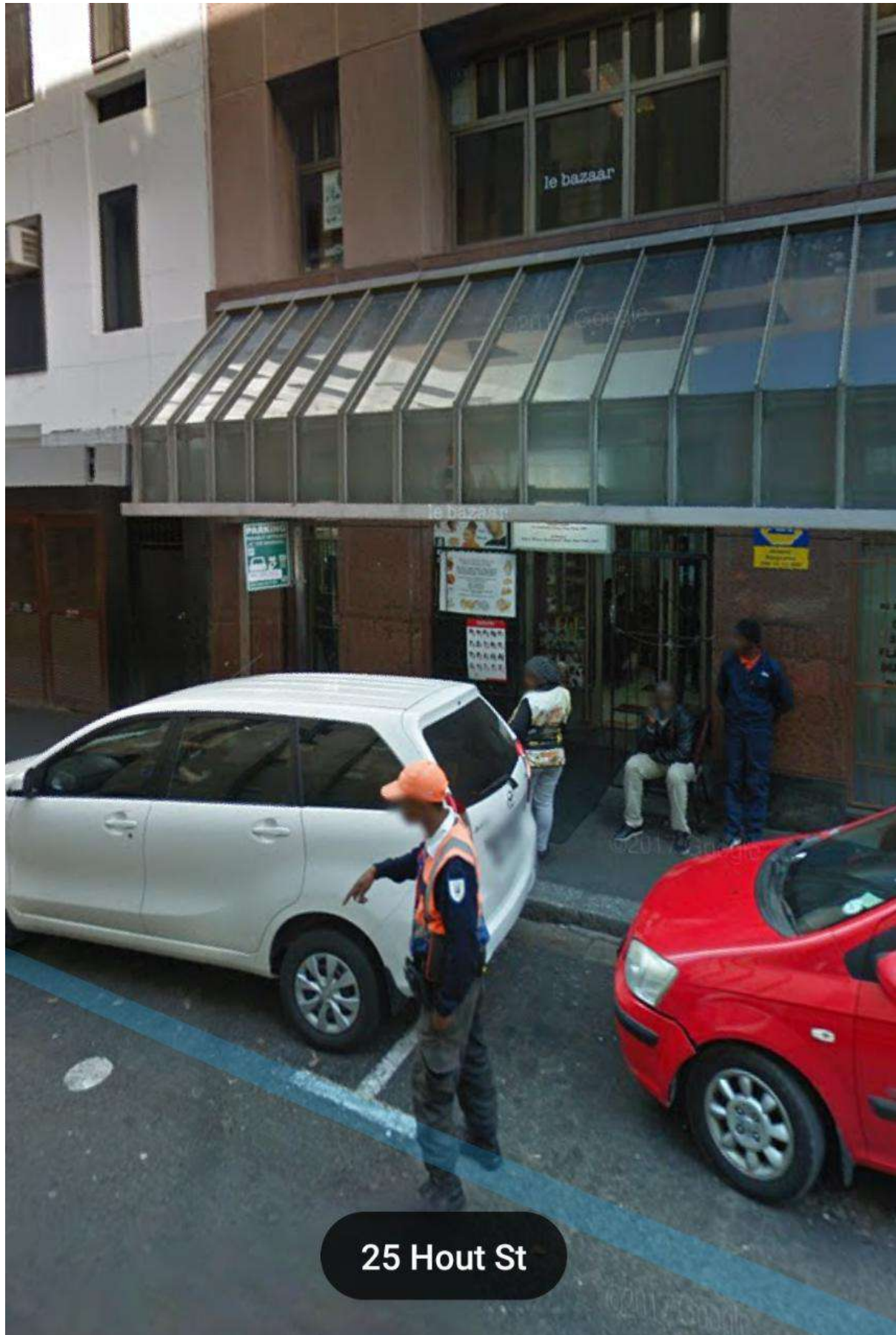


ANNEXURE IP33

1415







25 Hout St

12
19
26
4
5
THU
FRI
PAD...
Cousin Greg
Sister Alex

ONAKA TRAVEL } TRAVEL Agency
 R250k x 8
 R2000-00 →

BABA - 1 Million deposit

URBANUS
 FNB
 62843451791
 R150k x 2
 term R200 000-00

5/3/2020
 R100 000 } R900 000-00
 R300 000

10/3/2020
 R1 million

11/3/2020
 R1 million

URBANUS LOMBOLONI SHAMUENAKO
 # BARBECUE SHOP → BUSINESS REGISTERED

R1 million DAVIS HALLS...
 MI I DAVID

TRANSFER
 FNB 62845016882 R222 000
 ATTORNEY
 RANSBURG →

January =
 opened Acc in FNB

Cash deposit 12/02/20
 R150k
 R150k
 - Bearer R1.75 Million

D URBANUS - ATM } out only
 daily
 R300k

BBAUS V.W R300k } R715k
 BBAUS VW R150k

R 28
 60 168 R238
 80 70
 10

FNB
 62774497252
 13/02/2020
 → R579k

AUBUS Carry Auto



ANNEXURE IP38

1420

Republic of South Africa

MOTOR VEHICLE LICENCE
AND LICENCE DISC
(National Road Traffic Act, 1996)

PF MUHEKENI
2134 MOLOKWANE STREET
IMIZAMO YETHU

MANDELA PARK
HOUT BAY
7806



Republiek van Suid-Afrika

MOTORVOERTUIGLISENSIE
EN LISENSIESKYE
(Nasionale Padverkeerswet, 1996)

Vehicle register number: **BDY143X**
Licence number: **CAA136971**
Vehicle identification number (VIN): **AFAPXXMJ2PKT39256**
Engine number: **YN2LPKT39256**
Make: **FORD**
Series name: **RANGER**
Vehicle category: **Light load vehicle (GVM 3500Kg or less)**
Driven: **Self-propelled / Selfgedrewe**
Vehicle description: **Pick-up / Bakkie**
Tare (T): kg/Roadworthy Test Date: **2189 / 2020-02-13** Tarra (T): kg/Padwaardigheidsdoetsdatum: **2189 / 2020-02-13**
National Vehicle Classification (NVC): **K131F080805000210030060150200221** Nasionale Voertuigklassifikasie (NVK): **K131F080805000210030060150200221**
Registering authority: **City of Cape Town** Registrasie-owerheid: **City of Cape Town**
Control number: **1001056BPSLR** Beheernommer: **1001056BPSLR**
Date of expiry: **2021-01-31** Vervaldatum: **2021-01-31**
RECEIPT
Receipt number: **1001056J2RBR** Kwitansienommer: **1001056J2RBR**
Transaction: **Licensing S 2.2 / Lisensiering S 2.2** Transaksie: **Licensing S 2.2 / Lisensiering S 2.2**
Debt paid: **R0.00** Skuld betaal: **R0.00**
Fee paid: **R402.50** Fooi betaal: **R402.50**
Transaction fee paid: **R72.00** Transaksie fooi betaal: **R72.00**
Total amount paid: **R474.50** Totale bedrag betaal: **R474.50**
Date: **2020-02-20** Datum: **2020-02-20**
Received by: **BMS NYEKA** Ontvang deur: **BMS NYEKA**
Method of payment: **Multiple adding / Veelvoudige optelling** Metode van betaling: **Multiple adding / Veelvoudige optelling**
Number: **Multiple adding / Veelvoudige optelling**



INSTRUCTIONS

1. Cut out disc and affix to the lower left-hand corner of the inside of windscreen or disc holder as per Regulation 36.
2. Retain the motor vehicle licence/receipt in a safe place.

AANWYSINGS

1. Knip die skyfkie uit en hegsig binnekant aan die linker onderkant van die windskeerm of skyfhouer soos per Regulasie 36.
2. Bewaar die motorvoertuig lisensie/kwitansie in 'n veilige plek.

Republic of South Africa

CERTIFICATE OF REGISTRATION
IN RESPECT OF MOTOR VEHICLE
(National Road Traffic Act, 1996)

Registering authority
Vehicle register number
Vehicle identification number
Engine number
Make
Series name
Vehicle category
Driven
Vehicle description
Tare (T): kg
Date of liability for first licensing (Not year model)
Vehicle status
Date liable for
Last 3 licence (most recent)

TITLE HOLDER

Type of identification
Country of Name

OWNER

Type of identification
Country
Name
Control
Issue of

Date of
Register at which
RECEIPT
Receipt
Transaction
Total amount
Date

Received
Method
Number

Menlyn Corporate Park, Block A,
Cnr Garsfontein Road & Corobay Avenue,
Waterkloof Glen XII, Pretoria, 0181
PO Box 284, Menlyn, 0063
T +27 12 001 0800

King Price Insurance Company Ltd FSP no. 43862
Reg no. 2009/012496/06 VAT no: 4710 259 724
Executive Directors: G Galloway, RJP Finch, RF Malunga
Non-Executive Directors: G Radley, LJ van der Nest, PH Faure, CL Smith

King Price™
INSURANCE

Confirmation of cover

Car insurance

14 Feb 20

Dear Royal Recipient

It's with great pleasure and pride that the king hereby confirms that the following c
has joined our royal family and is covered by King Price Insurance

Name Petrus Fikeito Muhekeni
ID no. 8206176213085
Phone no. 0603486747
Email tobiasangula@gmail.com
Policy no. KP2508979

Policy start date 2020-02-14
Physical address 2134 Molokwane Street
Hout Bay
Mandela Park
Western Cape
7784

Summary of car insurance cover

Car details	2019 FORD RANGER 2.0TDCi WILDTRAK 4X4 A/T P/U D/C
Registered owner	Mr Petrus Fikeito Muhekeni
Regular driver	Petrus Fikeito Muhekeni
Cover	Comprehensive
Cover start date	2020-02-14
Engine no.	KT39256
Chassis no.	AFAPXXMJ2PKT39256
Registration no.	TBA
Financed by	

NOTIFICATION OF PAYMENT

To Whom It May Concern:

First National Bank hereby confirms that the following payment instruction has been received:

Date Actioned	: 15 Feb 2020
Time Actioned	: 12:30:50
Trace ID	: VODS8WYG9WCG

Payer Details

Payment From	: Mr Erkki Shikongo - FNB Gold Cheque Account
Cur/Amount	: ZAR300,000.00

Payee Details

Name	: Barons Culemborg
Bank	:
Branch Code	:
Reference	: Erkki Shikongo

END OF NOTIFICATION

ANNEXURE IP41

1423

<https://www.online.fnb.co.za/be>

Thank You!

Your Payment was successful

Ref: VODSFY6V8XCG

Ref

VODSFY6V8XCG

Date

16-Feb-2020

Time

10:59:39

Payment History Details

Payment From :

FNB Gold Cheque Account

62803376054

Last Payment Account

Account Name

FNB Gold Cheque Account

Account Number

62803376054

Recipient Details

Payment Name

Barons Culemborg

Public Recipient Description

Barons Culemborg

Account Number

Country

South Africa

References

My Reference

Barons Culemborg

Their References

Erkki Shikongo

Amount

415,000.00

MVL1CC(2)(2008/02)

Republic of South Africa

**MOTOR VEHICLE LICENCE
AND LICENCE DISC
(National Road Traffic Act, 1996)**

**UL SHAUMBWAKO
6950 MYICA ROAD
LOWER CROSSROAD**

**PHILLIPI
CAPE TOWN
7785**

Republiek van Suid-Afrika

**MOTORVOERTUIGLISENSIE
EN LISENSIESKYF
(Nasionale Padverkeerswet, 1996)**

Vehicle register number HTR035K

Licence number CAA136496

Vehicle identification number (VIN) WVVZZZAUZLW064509

Engine number DJH077695

Make VOLKSWAGEN

Series name VW 370 - GOLF

Vehicle category Light passenger mv(less than 12 persons)

Given Self-propelled / Selfgedrewe

Vehicle description Hatch back / Luikrug

Tare (T): kg/Roadworthy Test Date 1417 /

Additional Classification (NVC) B118V041705000140020000220190122

Registering authority City of Cape Town

Control number 1001056BPJVT

Expiry date 2021-01-31

Receipt number 1001056J2H6X

Transaction Licensing S 2.2 / Lisensiering S 2.2

Not paid R0.00

Not paid R558.00

Transaction fee paid R72.00

Amount paid R630.00

Issued by 2020-02-19

Method of payment J KITSHOFF

Per Multiple adding / Veelvoudige optelling

Voertuigregister

Lisensie

Voertuigidentifikasienom

En

Voertu

Voertuig

Tarra (T): kg/Padwaardighe

Voertuigklass

Registr

K

Trans

Tot

M

AA

INSTRUCTIONS

1. Cut out disc and affix to the lower left-hand corner on the inside of windscreen or disc holder as per Regulation 36.

1. Knip d binnekant van die w soos per

LISENSIESKYF

RSA

NO. 1001056BPJVT NR.

Licence no. CAA136496

Lisensienr. CAA136496

Veh. register no. HTR035K

Vrt. registrernr. HTR035K

Engine no./Enjinnr. WVVZZZAUZLW064509

Engine no. DJH077695

Fees/Gelde 2.2

GVM/BVM 2020kg

Tare/Tarra 1417 kg

12:31



Vehicle Circulatio...

164.151.129.231



Vehicle Circulation Details

Circulation Status: No record - NOT stolen**Case:****Reg:** CAA148219**Engine:** CJX095445**Chassis:** WVVZZZAUZGW178595**Type:** LAND/SEDAN/ HATCHBACK/ COUPE**Make:** VOLKSWAGEN**Colour:** RED**IDNun** 8308056333189**Surname:** SHAUMBWAKO**Initials:** UL**Addr.1:** 6950 MYICA ROAD**Addr.2:** LOWER CROSSROAD**Addr.3:** PHILLIPI

eh

Pers

F/Arm

Cell

Back

Logof











ANNEXURE IP47

1431

Vodacom 4G 19:31 54%



Wally

seen today at 19:10

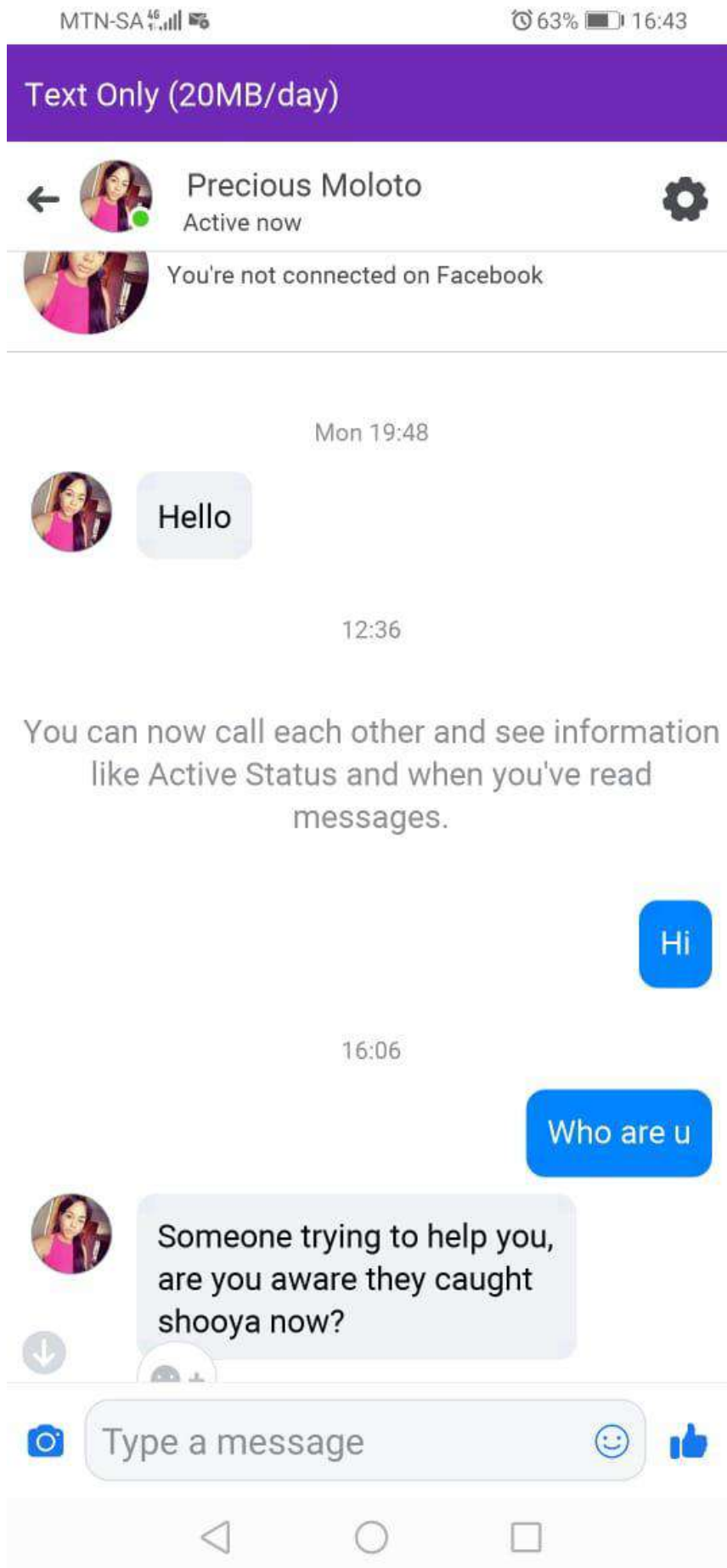


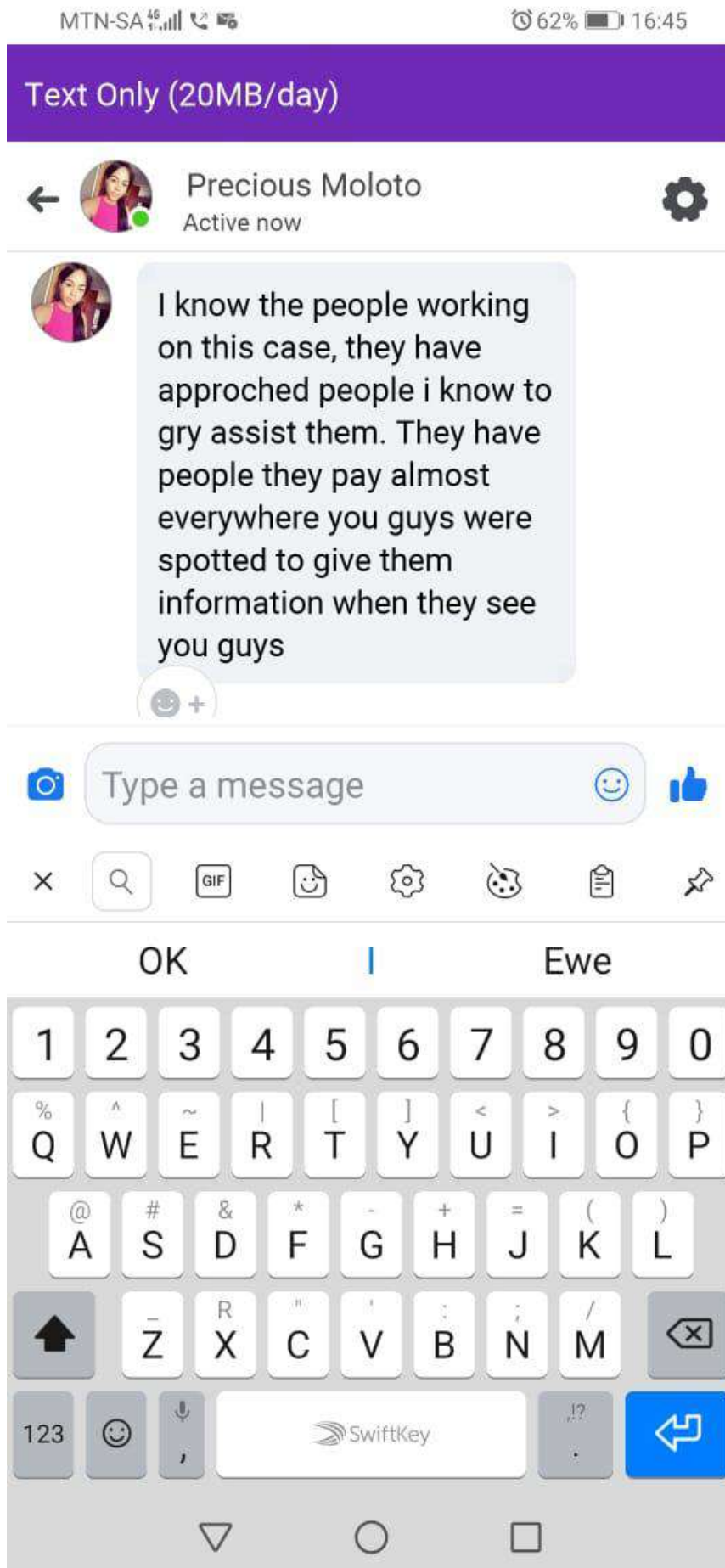
Forwarded



Forwarded







Text Only (20MB/day)



Precious Moloto
is typing...



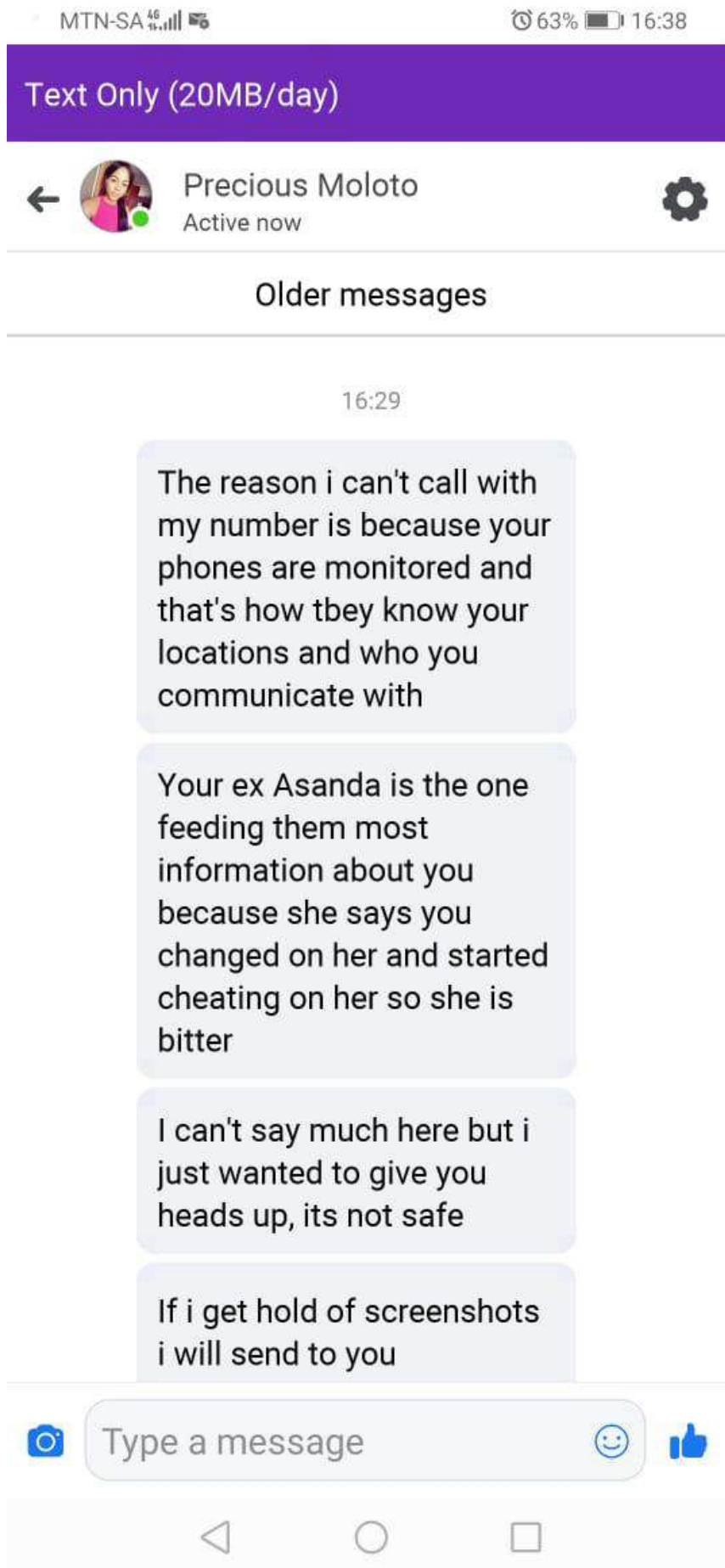
I know the people working on this case, they have approached people i know to gry assist them. They have people they pay almost everywhere you guys were spotted to give them information when they see you guys

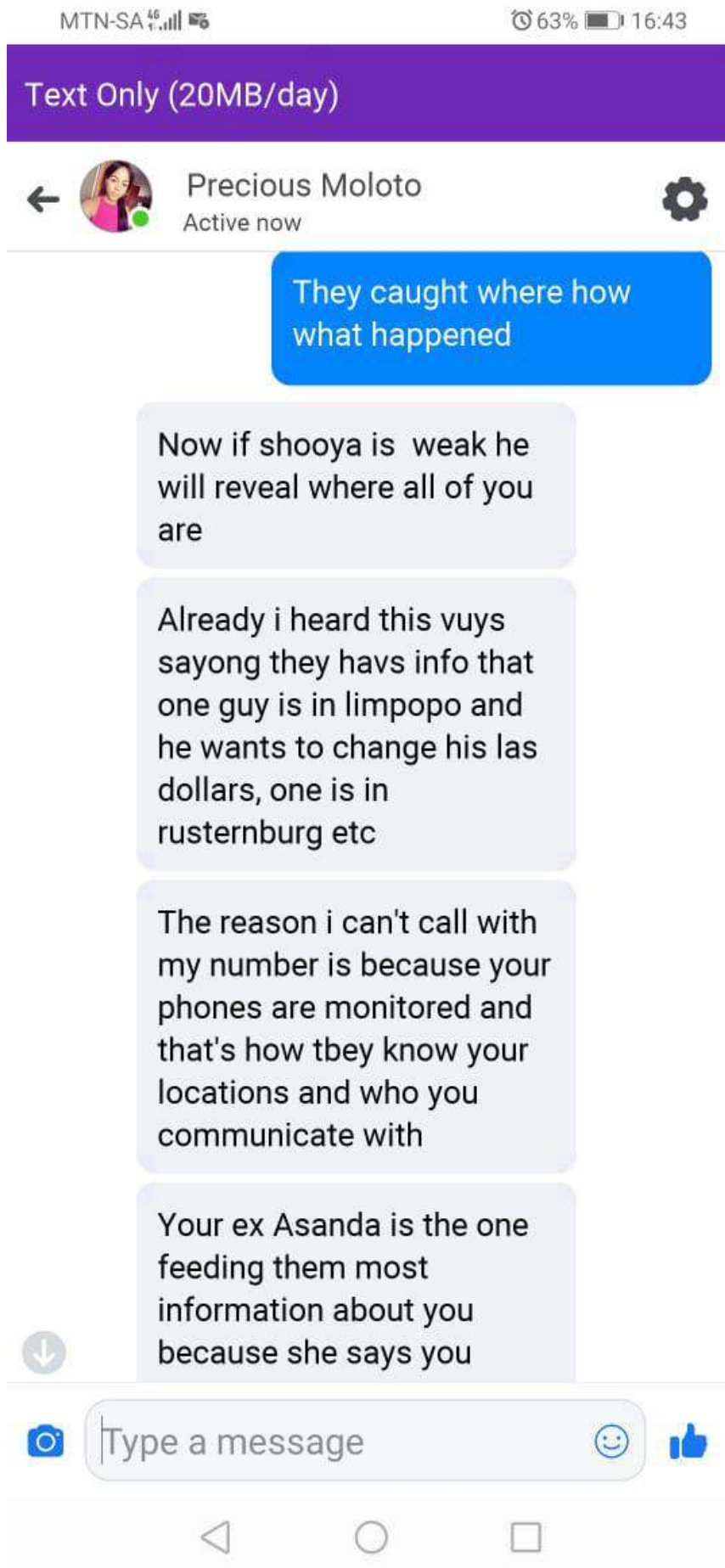
Now they want to trap the one in limpopo because he wants to exchange his last dollars



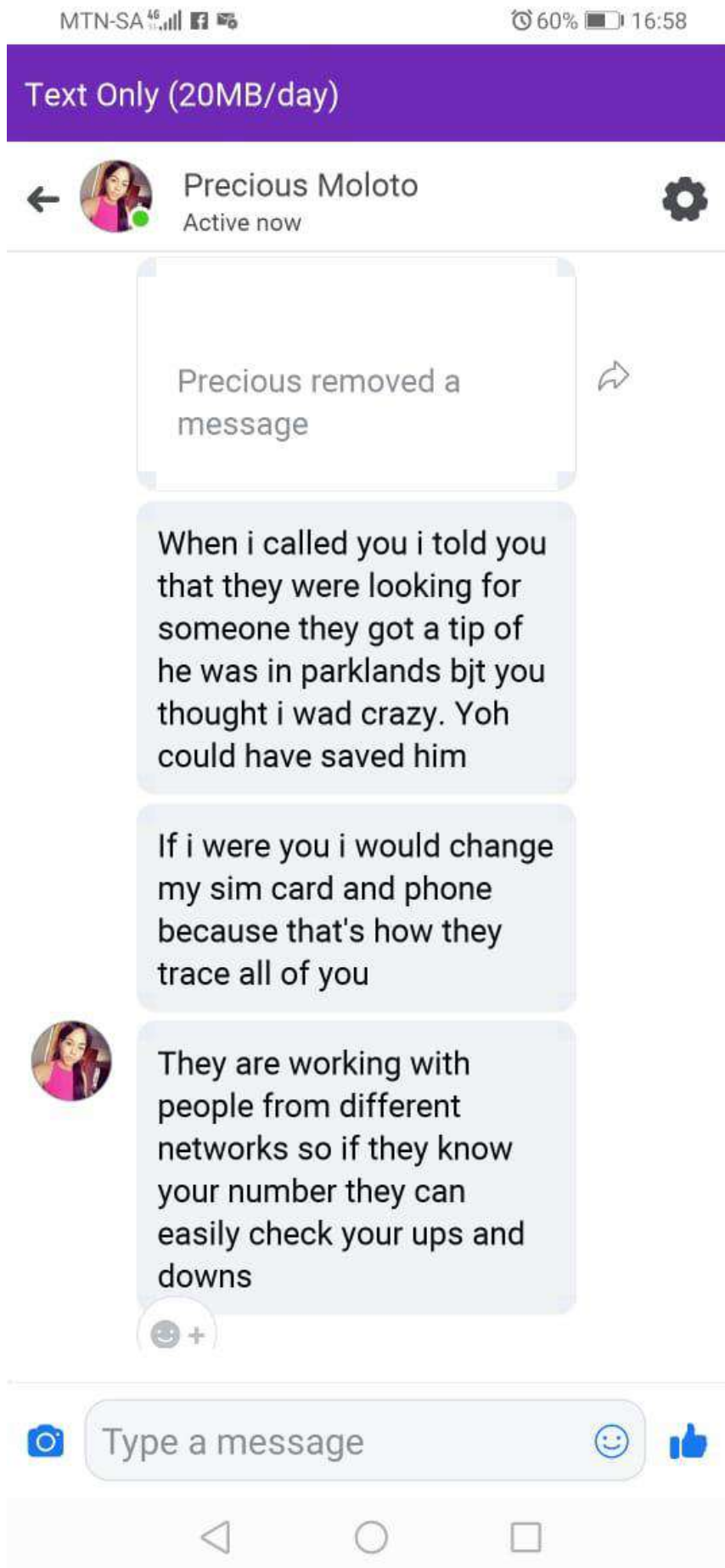
Im only telling you because i hate tjat they are usinv innocent people











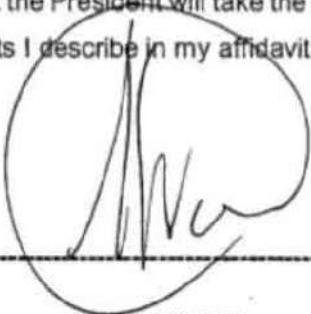
MEDIA STATEMENT – BY ARTHUR FRASER**01 June 2022**

Today I have taken the unprecedented step to lay criminal charges against His Excellency, the President of the Republic of South Africa, Matamela Cyril Ramaphosa ("the President"). The details of the charges and the supporting evidence, including photographs, bank accounts, video footage and names are contained in my statement filed with the Rosebank Police Station.

The charges emanate from the theft of millions of US dollars, (in excess of four million US dollars) concealed within the premises of the President's Phala Phala farm in Waterberg, Limpopo, by criminals who were colluding with his domestic worker. They also include defeating the ends of justice, kidnapping of suspects, their interrogation on his property and bribery. The President concealed the crime from the South African Police Service and/or South African Revenue Service ("SARS") and thereafter paid the culprits for their silence. The evidence I provide shows that the said burglary took place on 9 February 2020.

This conduct of the President and those involved constitutes a breach of, *inter alia*, the Prevention of Organized Crime Act, No. 121 of 1998 ("POCA") and the Prevention of Corrupt Activities Act No. 12 of 2004 ("the Corruption Act").

I trust that the police and the prosecuting authorities will investigate this matter without fear or favour. I also trust that the President will take the nation into his confidence and accept or deny that the events I describe in my affidavit occurred on his property.



A handwritten signature in black ink, appearing to read 'A Fraser', is written over a horizontal dashed line. The signature is enclosed within a large, hand-drawn circle.

SIGNATURE

CONTACT: Eric : 082 561 1076

MEDIA STATEMENT OF ARTHUR FRASER

15 June 2022

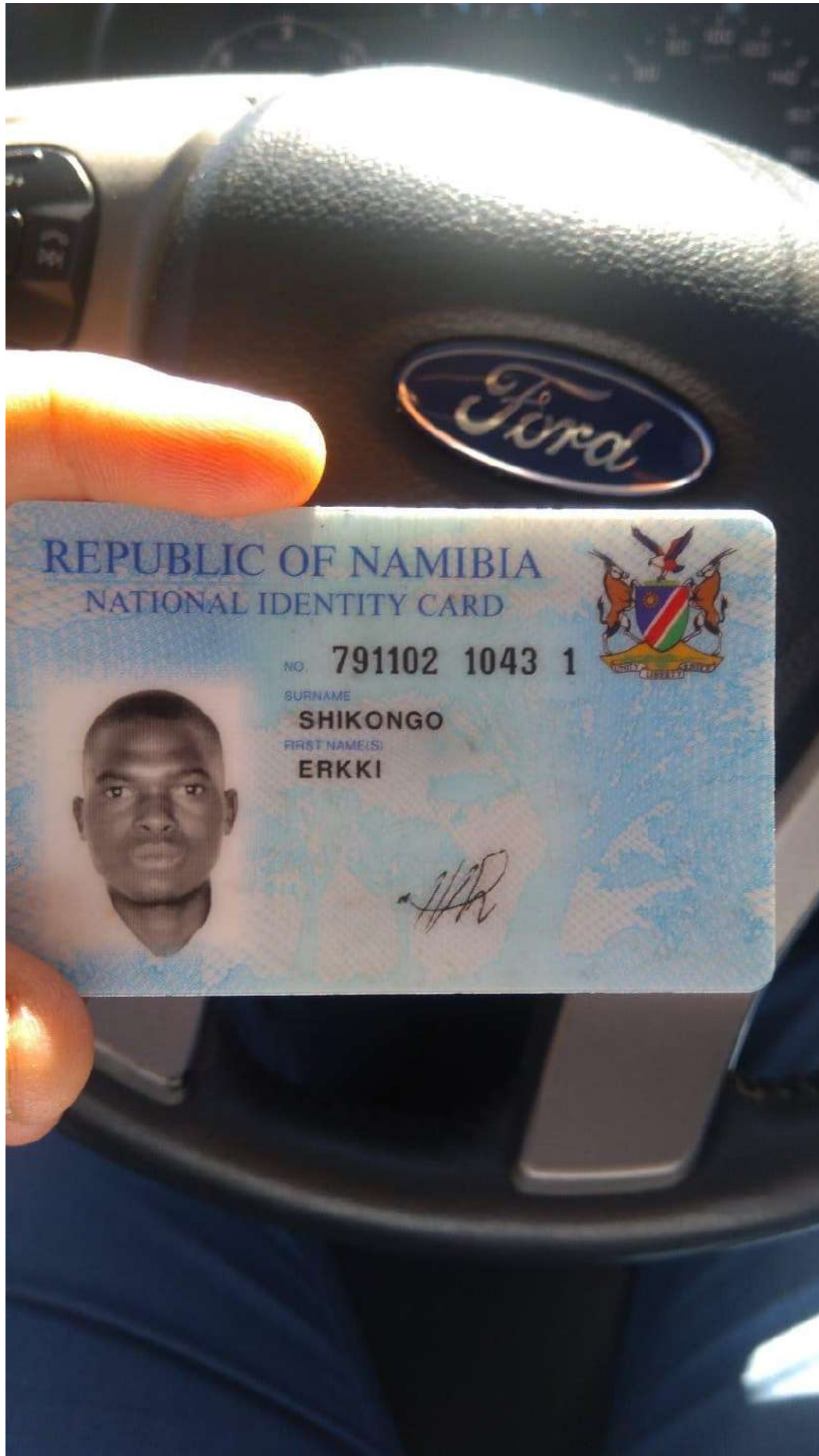
Today, being the 15th of June 2022, Mr Arthur Fraser met with the Directorate for Priority Crime Investigation ("the Hawks") in order to assist them with their investigation into his complaint against His Excellency, President Matamela Cyril Ramaphosa.

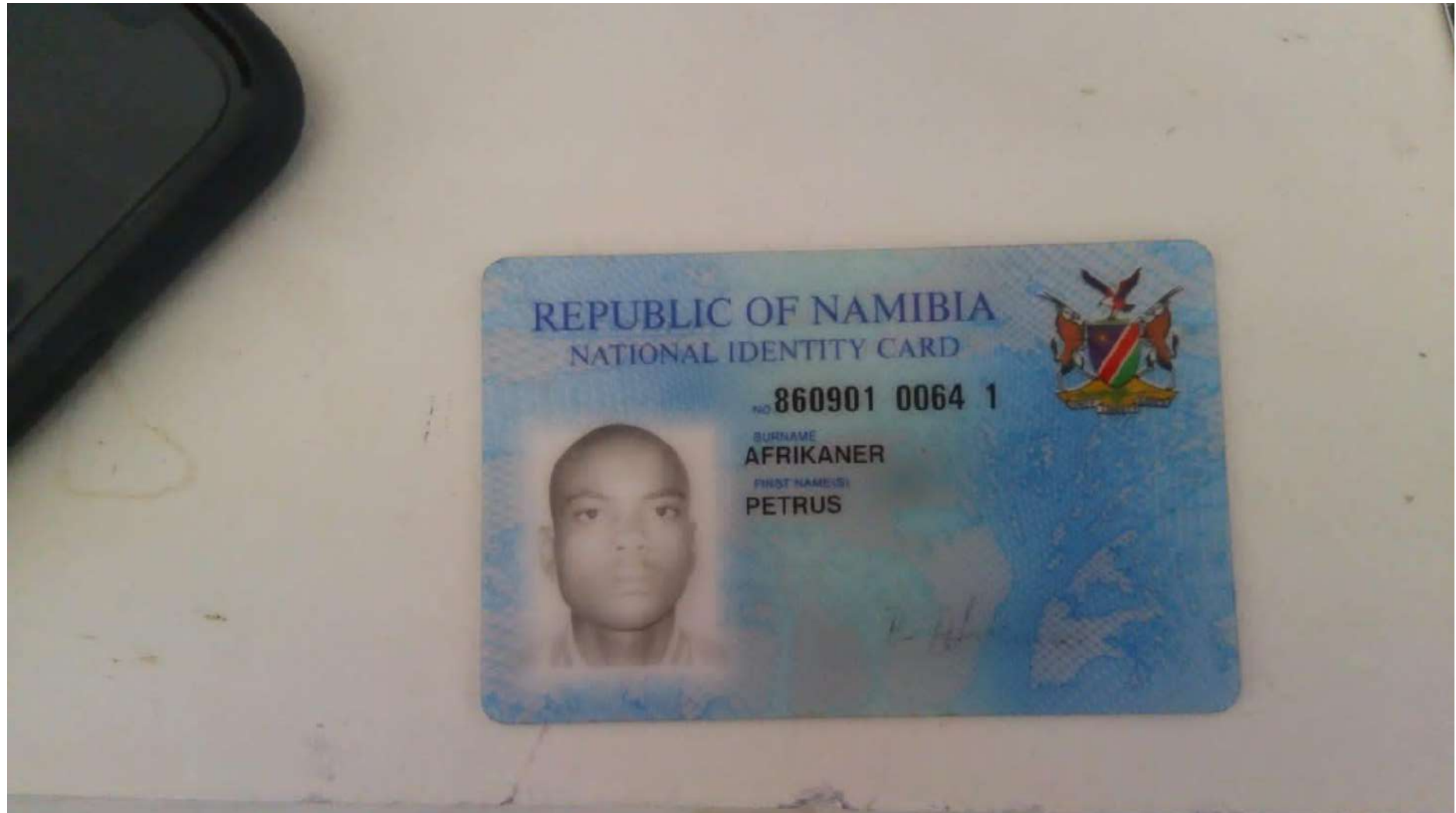
He has furnished the Hawks with additional information and details to enable them to do their work.

Mr Fraser appreciates the professionalism and the speed with which the Hawks have responded to his complaint.

END

Contact: ERIC 082 561 1067

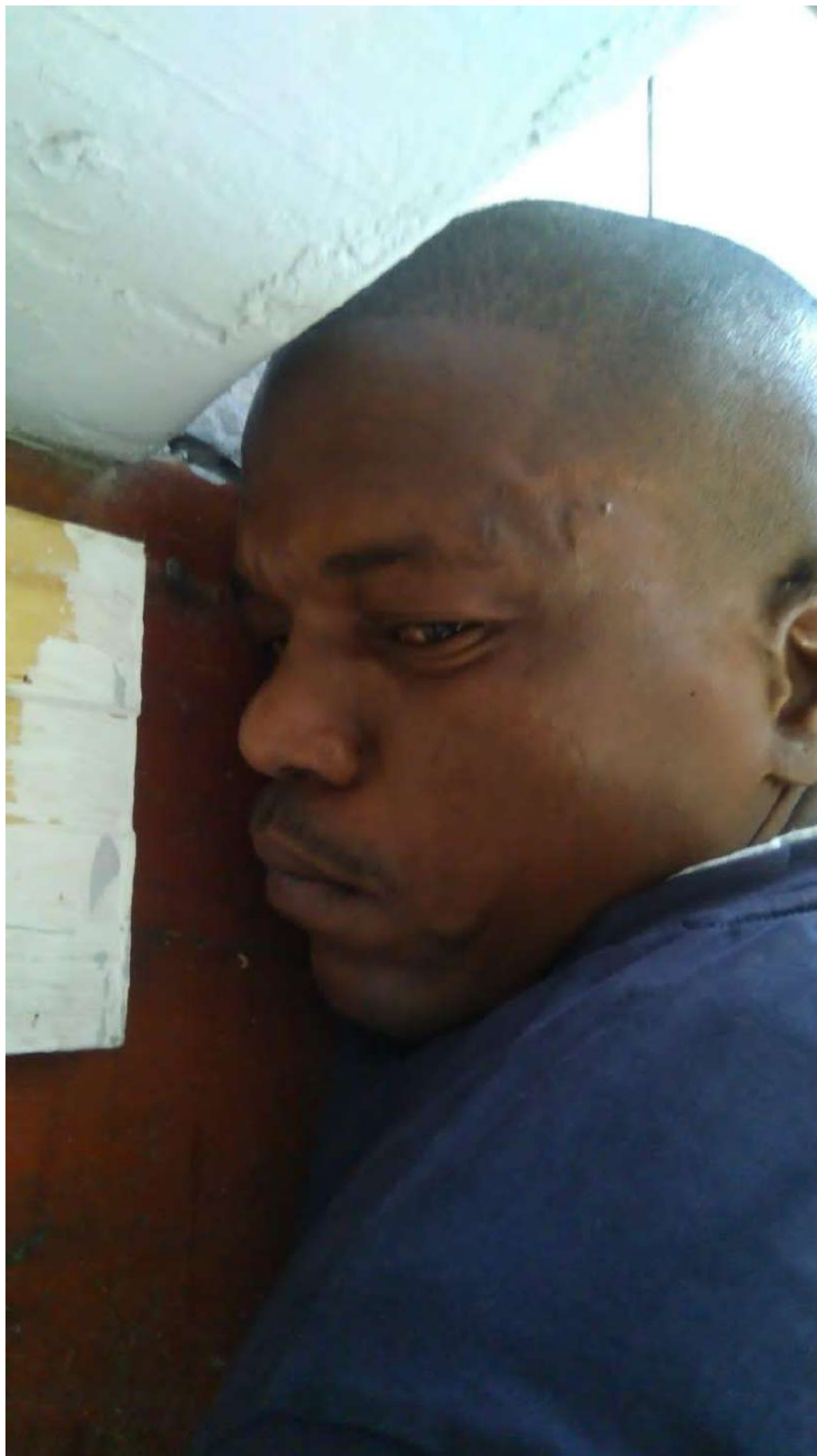


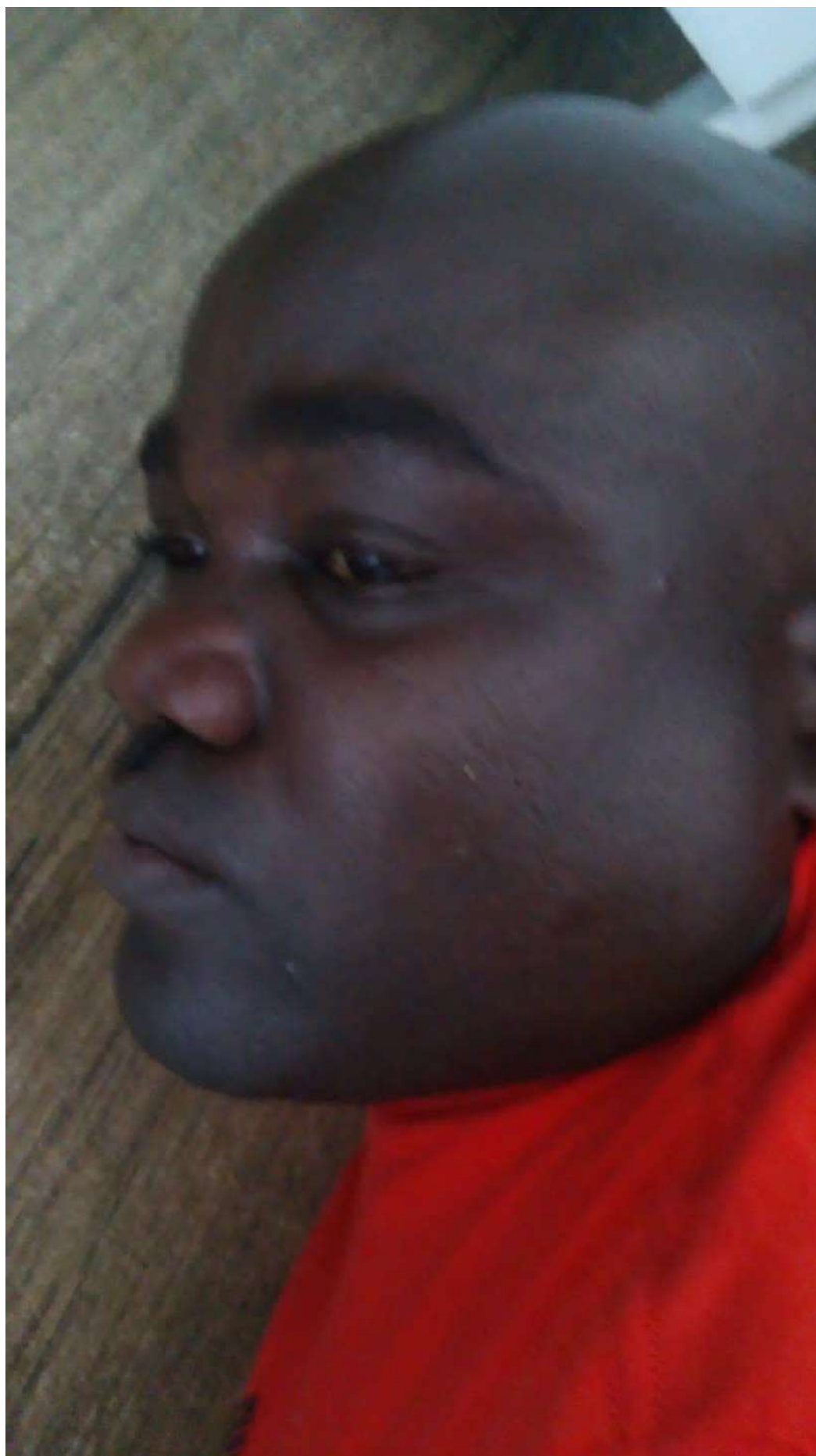














ANNEXURE IP51

1449

www.youtube.com/user/ParliamentofRSA/[\(https://www.instagram.com/ParliamentofRSA/\)](https://www.instagram.com/ParliamentofRSA/)

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

(L)



WATCH

(/PARLIAMENT-TV)



LISTEN

(/PODCASTS)

SPEAKER APPOINTS ADV SELLO TO THE PANEL OF EXPERTS

PRESS RELEASES

For a soundbite from
Parliament
Spokesperson Moloto
Mothapo, please click:



<https://iono.fm/e/1232173> (<https://protect-za.mimecast.com/s/LRcFC98BwPTk0D01HqZe5Q?domain=parliament.us15.list-manage.com>)

Parliament, Tuesday, 27 September 2022 - The Speaker of the National Assembly has considered the written submissions received from some political parties as well as a

DID YOU KNOW?

The seat of Parliament is in Cape Town, but it could be moved by an Act of Parliament supported by a majority of the members of the National Assembly.

ANNEXURE IP51

1450

LEARN MORE (/DID-YOU-KNOW)

legal opinion regarding the appointment of Prof. Richard Calland to serve on the Independent Panel of Experts to conduct a preliminary assessment of a motion tabled in accordance with Section 89 of the Constitution. Following her appointment of the three-member panel of experts on 14 September in terms of the Rules, constituted of Justice Sandile Ngcobo, who will also chair the panel, Judge Thokozile Masipa and Prof Calland, the Speaker received objections from the Democratic Alliance and the Economic Freedom Fighters regarding Prof Calland based on the perception of bias. A submission was also received from the Good Party, which nominated Prof Calland, to be retained on the panel.

The Speaker had sought a legal opinion from Parliament's legal and constitutional unit on the matter.

Having considered all the submissions from the political parties as well as the legal opinion, the Speaker was of a view that, while there exists no factual basis to corroborate any perceived or apprehension of bias, the integrity of the work of the panel would be best served if Prof Calland is excluded from the panel.

The Speaker has since communicated her decision to Prof Calland, who has expressed his appreciation for consideration and has accordingly agreed to the decision. The Speaker sincerely thanks Prof Calland for making himself available for this important task and for his understanding regarding the decision.

The Speaker has appointed Adv. Mahlape Sello, a respected senior counsel with decades of experience in legal practice, and who recently served on the Judicial Commission on State Capture, to serve on the panel. She joins Justice Ngcobo and Judge Masipa as part of the panel, which will

OUR PARLIAMENT

OUR PEOPLE

BUSINESS OF PARLIAMENT

MEDIA

HAVE YOUR SAY

VISIT

PARLIAMENT



ARRANGE A

TOUR (/VISITING-

PARLIAMENT#ARRANGE-

TOUR)



ATTEND A

DEBATE (/VISITING-

PARLIAMENT#ATTENDIN-

DEBATE)



DIRECTIONS

(/VISITING-

PARLIAMENT#DIRECTION



CONTACT

DETAILS (/CONTACT-

US)

FEATURED
MEMBER

ANNEXURE IP51

resume its work at a date which will be determined. The date of the resumption of the panel's process will be announced in the Announcements, Tablings and Committee Reports (ATC), and the panel will have 30 days within which to conclude and table a report of its findings and recommendations on its work.

The Speaker once again wishes the panel well in its work.

ISSUED BY THE PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Enquiries: Moloto Mothapo



(/person-
details/218)

1451

Dr
Makgabo
Reginah
Mhaule

(/person-
details/218)

National Assembly

(/group-
details?
chamber=2)

African
National
Congress

(/group-
details?
party=ANC)

on the
provincial
list for the
province of
Mpumalang
a



Sattar.Z@dbe.gov.za
(mailto:Sattar.Z@dbe.gov.z

ANNEXURE IP51

1452

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CONTACT US

[Tel : \(021\) 403-2911](#)

[\(tel:+27214032911\)](tel:+27214032911)

[Fax: \(021\) 403-8219](#)

info@parliament.gov.za

[\(mailto:info@parliament.gov.za\)](mailto:info@parliament.gov.za)

ADDRESS

Parliament Street, Cape Town

PO Box 15, Cape Town, 8000

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 (HTTPS://TWITTER.COM/INTENT/FOLLOW?)

MENU



()

QUOTE OF THE WEEK

PIE expressly requires the court to infuse elements of grace and compassion into the formal structures of the law. It is called upon to balance competing interests in a principled way and promote the constitutional vision of a caring society based on good neighbourliness and shared concern. The Constitution and PIE confirm that we are not islands unto ourselves. The spirit of ubuntu, part of the deep cultural heritage of the majority of the population, suffuses the whole constitutional order. It combines individual rights with a communitarian philosophy. It is a unifying motif of the Bill of Rights, which is nothing if not a structured, institutionalised and operational declaration in our evolving new society of the need for human interdependence, respect and concern.

JUSTICE ALBIE SACHS
PORT ELIZABETH MUNICIPALITY V VARIOUS OCCUPIERS (CCT 53/03) [2004] ZACC 7

PREVIOUS QUOTES OF THE WEEK (quotespage)

10 AUGUST 2022

RAMAPHOSA IMPEACHMENT UNLIKELY, BUT PROCESS MAY SHINE LIGHT INTO MURKY PHALA PHALA WATERS

It would be naïve to think that the motion for the impeachment of President Cyril Ramaphosa will lead to his removal from office. For as long as he remains president of the ANC, most ANC MPs will not support such a motion.

National Assembly Speaker Nosiviwe Mapisa-Nqakula last week announced that a motion by the African Transformation Movement (ATM) calling for the impeachment of President Cyril Ramaphosa over the Phala Phala scandal will be referred to an independent panel to assess whether the available evidence supports a finding that the President is guilty of a serious violation of the Constitution or the law, or of serious misconduct.

ANNEXURE IP52

1454

Because the rules governing the impeachment of the president were changed in 2018, it is no longer possible for governing party MPs in the National Assembly to treat such impeachment motions as a purely political matter settled by a vote in the chamber, without considering whether, *as a matter of fact*, the president was guilty of a serious violation of the Constitution or the law, or of serious misconduct. (These are some of the grounds listed in section 89 of the Constitution as warranting the impeachment of a president).

The rules were amended to comply with the 2017 Constitutional Court judgment in *Economic Freedom Fighters and Others v Speaker of the National Assembly* (<http://www.saflii.org/za/cases/ZACC/2017/47.html>) (in a majority judgment written by Justice Chris Jafta), which held that the National Assembly could only proceed to vote on the impeachment of the president in terms of section 89 of the Constitution once it had determined that one of the listed grounds required for lawful impeachment had been established.

Notably, both Chief Justice Mogoeng Mogoeng and Deputy Chief Justice (as he was then) Raymond Zondo, penned dissenting judgments in the case, with Mogoeng accusing the majority of a “textbook case of judicial overreach”. In that case, the majority held that:

For the impeachment process to commence, the Assembly must have determined that one of the listed grounds exists. This is so because those grounds constitute conditions for the president’s removal. A removal of the president where none of those grounds is established would not be a removal contemplated in section 89(1). Equally, a process for removal of the president where none of those grounds exists would amount to a process not authorised by the section.

The amended rules — which closely resemble the rules for the impeachment of the Public Protector and the heads of other Chapter 9 bodies — now divide the impeachment process into three stages, with the first two stages taking on the character of a quasi-legal process, while the third stage remains a purely political process.

In the first stage, the Speaker must (she has no discretion in this matter) refer an impeachment motion that complies with the technical requirements to an independent panel of three experts who “collectively possess the necessary legal competence and experience”. This panel is required to conduct a preliminary inquiry and must “make a recommendation to the Speaker within 30 days, whether *sufficient evidence exists* to show that the president committed a serious violation of the Constitution or law; or committed serious misconduct”.

It is important to note that in terms of National Assembly rule 129G(1)(c)(iv), the panel may not “hold an oral hearing and must limit its enquiry to the relevant written and recorded information placed before it by members in terms” of the rules.

ANNEXURE IP52

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In the case of Public Protector Busisiwe Mkhwebane, the work of the independent panel was made much easier by the fact that various courts — including the Constitutional Court — found that the Public Protector had acted in a dishonest manner and that she was incompetent.

In the case relating to the Phala Phala matter, no such court rulings exist, which means much will depend on what evidence is placed before the panel, how credible the evidence is judged to be, and how credible the President's responses to the allegations are.

What is not in dispute is that the new rules will force the President to respond to the allegations — something that would not have been required before the amendment of the rules.

If the President responds in the same evasive manner as he has done up to now, or if his legal team rely on technical arguments to avoid having to provide detailed explanations of what happened (something former president Jacob Zuma and his lawyers have done masterfully over the past 14 years), it may still ward off impeachment, but at a political cost.

The inquiry by the independent panel — even at this early stage — is therefore likely to enhance presidential accountability by focusing on the evidence to determine whether there was wrongdoing on the part of the President, and if so, whether it was serious enough to warrant impeachment.

I suspect this was something the majority of the Constitutional Court foresaw when it ordered the National Assembly to amend the rules to provide for an assessment of the evidence.

The recommendations of the independent panel are not binding on the National Assembly, which (in this second stage of the process) must consider the panel's recommendations when deciding whether to proceed with the appointment of a section 89 impeachment committee, which will then have to conduct an impeachment inquiry (of the kind currently considering the fate of Busisiwe Mkhwebane).

If the independent panel finds that sufficient evidence *does not* exist to show that the President committed a serious violation of the Constitution or law; or that he committed serious misconduct, this will surely be the end of the matter. Even if it finds the opposite, the National Assembly could still decide not to proceed with an impeachment hearing, although the political cost for shielding the President in this way may be high.

Of course, it is likely that ANC MPs may close ranks to protect the President by latching on to the fact that there have, as yet, been no adverse court findings against him in this matter. But if the independent panel finds that there is sufficient evidence to show that the President committed a serious violation of the Constitution or law; or committed serious misconduct, and the National Assembly decides not to proceed with an impeachment hearing, it may raise questions about the rationality of the decision and may lead to court action to have the decision reviewed on the basis that it was irrational. (Whether it is wise for courts to get involved in such matters, is a separate issue.)

ANNEXURE IP52

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For similar reasons, it would be unwise for the impeachment committee in the Public Protector matter to ignore the various adverse court findings made against the Public Protector. In terms of the principle of legality, it would, at the very least, be irrational for the committee to ignore the various court findings against her.

As the North Gauteng High Court pointed out in *Institute for Accountability v Public Protector* (<http://www.saflii.org/za/cases/ZAGPPHC/2020/64.html>), the adverse court findings against the Public Protector “cannot be equated with the opinions of ordinary individuals and cannot be treated as such”, and these findings are “binding on all persons and those organs of state to which they apply”. Ignoring these findings may render a decision that the Public Protector did not commit misconduct, and is not incompetent, vulnerable to review.

In any event, in both cases, a decision of the impeachment committee to recommend the incumbent’s removal from office will trigger a vote on the motion in the National Assembly. Conversely, in the absence of such a recommendation, the National Assembly will not be legally entitled to remove the incumbent from office.

The inquiry during the first two stages is supposed to be narrowly focused on the facts and the evidence (something the Public Protector and her legal team does not seem keen on).

But once the motion is placed before the National Assembly, individual MPs will make a purely political decision — probably “guided” by an instruction from the leaders of their party to either support or oppose the motion. This means that even when grounds for removal are found to be present, two-thirds majority support for such a motion in the National Assembly — which is required for removal — may not be achieved if some ANC MPs decide not to support the motion.

This may partly explain the political antics of Busisiwe Mkhwebane’s legal team before the impeachment committee considering her case. The aim may well be to try to influence ANC MPs who are sympathetic to the (even more) corrupt faction within the ANC to vote against impeachment, and not to persuade the members of the committee that there are no grounds to justify the removal of the Public Protector, the latter in any event being a close to hopeless task given the adverse court findings made against her.

This is also why any decision by the Speaker on whether to allow a secret vote on the impeachment of the Public Protector may be fiercely contested.

As far as the motion for the impeachment of President Ramaphosa is concerned, it would be naïve to think this will lead to his removal from office. For as long as he remains president of the ANC, the majority of ANC MPs will not support such a motion.

However, the appointment of an independent panel to assess whether *sufficient evidence exists* to show that the President committed a serious violation of the Constitution or law; or committed “serious misconduct”, is a significant development as it may place considerable pressure on the President to explain himself — and may help to shine some light on this murky affair.



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Saudi Arabia State Visit

President Cyril Ramaphosa received by HRH Crown Prince and Prime Minister of the Kingdom of Saudi Arabia, Mohammad bin Salman bin Abdulaziz al Saud, during a State Visit to the Kingdom

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Home | Presidency responds to claims by Mr Arthur Fraser

Presidency responds to claims by Mr Arthur Fraser

2 June 2022 - 1:00pm



The Presidency has been made aware through a media statement that Mr Arthur Fraser has laid a complaint with the South African Police Service against President Cyril Ramaphosa.

President Ramaphosa is clear that there is no basis for the claims of criminal conduct that have been made against him in Mr Fraser's statement.

The Presidency can confirm that a robbery took place at the President's farm in Limpopo on or around 9 February 2020 in which proceeds from the sale of game were stolen.

The President was attending an African Union Summit in Addis Ababa at the time the incident occurred. On being advised of the robbery, President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service for investigation.

President Ramaphosa stands ready to cooperate with any law enforcement investigation of these matters.

President Ramaphosa remains resolute in leading the fight against corruption, restoring the integrity and capability of public institutions and overcoming the legacy of state capture, and will not be deterred by disinformation campaigns.

Media enquiries: Vincent Magwenya, Spokesperson to the President – 082 835 6315

Issued by: The Presidency
Pretoria

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Deputy President David Mabuza
Minister Mondli Gungubele
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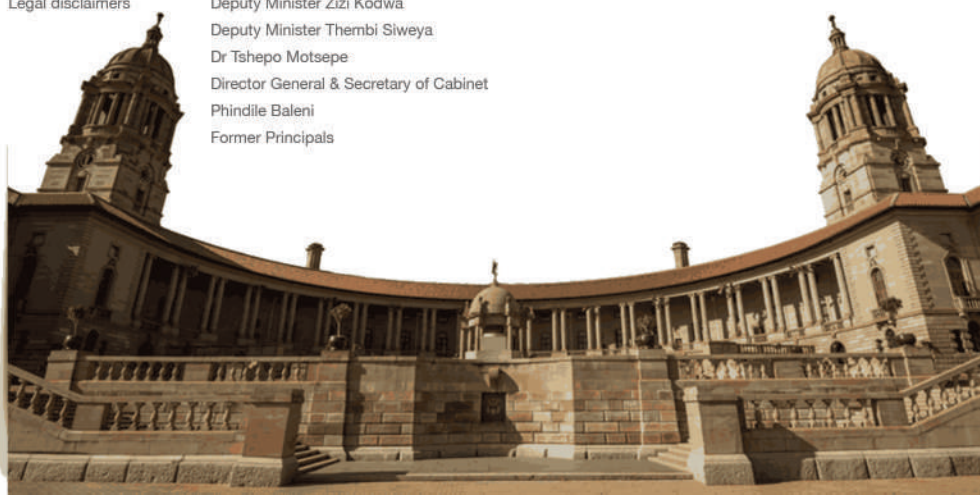
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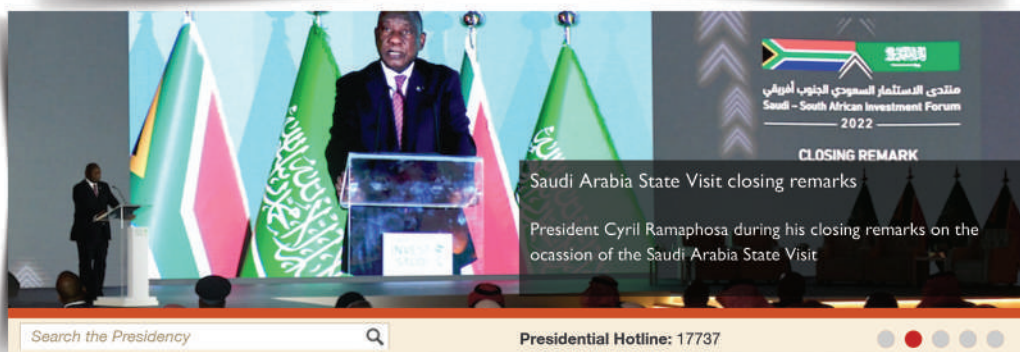
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Home | President Ramaphosa remains focused on rebuilding and recovery

President Ramaphosa remains focused on rebuilding and recovery

4 June 2022 - 4:45pm



President Cyril Ramaphosa acknowledges that while there is much public interest and concern about claims made in a criminal complaint against him, he remains firmly focused on the task of rebuilding the economy and the country.

The President reaffirms that he was not involved in any criminal conduct, and once again pledges his full cooperation with any police investigation.

He confirms that following the incident in February 2020, security has been improved around his homes.

Due to the possible investigation, The Presidency will not be in a position to engage further on the detail of the matters, and urges that due process be allowed to take its course.

The President affirms his commitment to fighting corruption and professionalising law enforcement agencies to better serve and respond to public needs.

He looks forward to The Presidency Budget Vote speech, which will be an opportunity for him to update the nation on the key priorities he outlined in his State of the Nation Address.

Media enquires: Vincent Magwenya, Spokesperson to the President – 082 835 6315

Issued by: The Presidency
Pretoria

The Presidency Profiles

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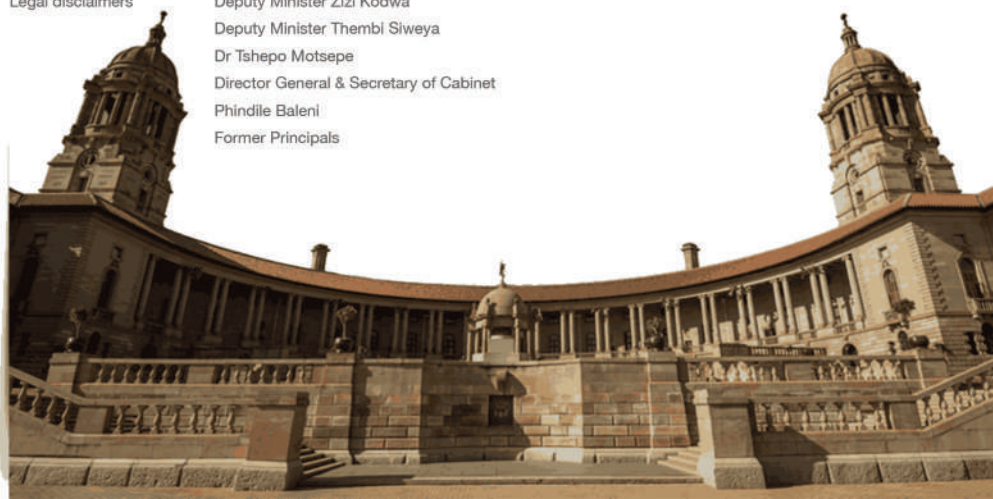
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Why Ramaphosa (apparently) kept mum about multimillion-dollar robbery at his farm



President Cyril Ramaphosa. (Photo: Gallo Images / Volksblad / Mlungisi Louw)



By Ferial Haffajee

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02 Jun 2022 20

The President feared creating panic, so kept the robbery quiet, say sources close to him.

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At lunchtime on Wednesday, former spy boss Arthur Fraser and a bodyguard stepped into the police station on Sturdee Avenue, Rosebank, in Johannesburg and said he wanted to open a criminal case.

The police station is one of the best in Johannesburg, and Fraser was quickly attended to as he laid a criminal complaint against President Cyril Ramaphosa for holding and then being robbed of almost \$4-million in cash at his Limpopo farm.

Fraser included a flash drive of video and other evidence and submitted his already-typed charge sheet and a detailed affidavit to desk officers.

They immediately notified the station commander, Lieutenant-Colonel Sthembiso Ngubane, who called up his provincial bosses. He knew the docket that had just been opened was explosive. He called up his superiors at the SA Police Service (SAPS) provincial headquarters in Parktown, Johannesburg, and they told him to get the docket to them as soon as possible – dockets at local police stations are easy to access for the media.

Then the national police sent a top brass team to fetch it, and within hours, it was in Wachthuis, the police headquarters in Pretoria, out of the reach of the public.

At the same time, Fraser got his lawyer to issue a statement alerting the public to his charges.

The Presidency was forced to confirm the robbery by lunchtime on Thursday. The case set the stage for a mighty showdown between the former spy boss and the President.

Presidency caught hopping

The Presidency was caught hopping by Fraser, who is used to setting cats among pigeons. He was the man who leaked the so-called spy tapes to former president Jacob Zuma, as Adriaan Basson and Pearlie Joubert reported [here](#).

And in September 2021, it was Fraser, then serving as Correctional Services Commissioner under Ramaphosa, who [set Zuma free](#) on medical parole after he had been jailed on contempt of court charges for dodging the State Capture Commission.

The Presidency confirmed Fraser's charges but denied criminal complicity. Ramaphosa had been away attending the African Union Summit in Addis Ababa in February 2020 when the robbery at his farm took place.

Fraser's affidavit first revealed that a domestic worker was allegedly acting in cahoots with criminals who had invaded his farm on the weekend he was in the Ethiopian capital. He submitted camera footage showing that the robbers had gained access to the farmhouse via a window just after 10.17pm on one of the nights Ramaphosa was in Addis. His home is in Hyde Park, Johannesburg, but a full-time staff takes care of the farm.

The thieves made off with millions of US dollars, Fraser revealed.

“The charges emanate from the theft of millions of US dollars (in excess of four million) concealed within the premises of the President's Phala Phala farm in Waterberg, Limpopo by criminals who were colluding with his domestic worker,” said Fraser's statement released on social media and to selected media (not *Daily Maverick*).

Ramaphosa is a keen breeder and trader in buffalo and [Ankole cattle](#). His political nomenclature is “The Buffalo” and the money is believed to be related to the main purchase of a red oryx.

In February 2020, the value of the dollars was about R62-million; but a source close to the Presidency said Fraser's amount was an exaggeration. Asked why the President was paid in cash and then held the money on the premises, the source, who did not want to be named, said the farm made the transaction on the weekend he was away. Usually, the farm manager would bank it quickly.

His farm manager would routinely bank the money on the next available working day, after clearing transactions with the President. The buyer paid to purchase the red oryx with forex notes, as wildlife industry sales are often paid for in cash. Scimitar or Sahara oryx became extinct in the wild. According to Wikipedia, after a careful rebreeding of remaining stock across the continent, there are about 400 now.

The Presidency is reconciling all sales over that weekend to assess the trades.

Asked why Ramaphosa did not immediately notify the public of the robbery after it was reported to the police, the source said he did not want to panic the country or the farming community.

Fraser also alleged that the robbery suspects had been kidnapped, interrogated and then paid for their silence. The confidante of the President denied that anybody had been roughed up, kidnapped or paid off.

Farms in South Africa are hotbeds for crime, and a presidential farm being robbed, despite top-notch security, would create panic, he said. Former presidents [Thabo Mbeki](#) and Jacob Zuma have had house robberies and did not release statements about those, said the source.

Presidency spokesperson Vincent Magwenya said that the Presidential Protection Unit had immediately launched an investigation when the robbery was discovered. As pinned on social media in his affidavit, Fraser said, "the Security Camera footage referred to herein was also handed to me by Major General Rhooode's team". Wally Rhooode is the head of Ramaphosa's Presidential Protection Unit. (*News24's* Kyle Cowan wrote about him [here](#).)

The game plan

On the day after Fraser laid the charges, leading social media accounts of the RET faction of the ANC started sharing the next stage of their campaign.

Because Fraser has laid a criminal complaint or charge, the accounts established a narrative that Ramaphosa should step aside and that Deputy President David Mabuza should finish his first term, which ends in 2023.

The same gambit has been tried before against Ramaphosa by members of the RET faction and failed. The step-aside rule only kicks in once charges are investigated, and a charge sheet is drawn up and brought against a complainant by the National Prosecuting Authority. Ramaphosa committed no crime in not reporting his robbery.

But Fraser's case will be embarrassing and destabilising to Ramaphosa in the short term. His wealth is an Achilles heel in a struggling country and for anybody to hold so much cash in foreign currency raises red flags for money laundering and tax evasion.

Daily Maverick requested comment from Mabuza and asked for an interview with Fraser, but these were not granted. Ramaphosa denied criminality. The Presidency said disinformation would not deter him from the fight against corruption. An aide said the President was facing a disinformation campaign.

The other factor at play is that the final report of the State Capture Commission is scheduled to come out on 15 June. It will make findings on lengthy hearings which heard that billions of rands had been squandered or stolen in false-flag operations by the State Security Agency.

Much of this happened when Fraser was the spy boss and when he allegedly ran a principal-agent network that was a front for massive personal enrichment. Zuma also had a personal special projects unit in the intelligence agency, which became like a private army of intelligence operatives, the Zondo Commission heard.

Fraser disputed the evidence before the Zondo Commission and applied to cross-examine witnesses, which Judge Raymond Zondo [refused](#). He also laid perjury charges against those who implicated him. This week, Fraser said he wanted an update on the charges against the national security adviser, Sydney Mufamadi, and others, as Suné Payne reported [here](#).

Where will it end?

Ramaphosa's aides say he will not allow this attempt at destabilisation to stop his reform drive from gaining momentum. The Investigating Directorate last week, for example, made progress on crucial State Capture cases, including at Transnet, where thieves stole the most public money in the period investigated by the Zondo Commission. (Read this piece by [Jessica Bezuidenhout](#) for an update.)

But Fraser is a powerful man with deep roots in the security establishment. He was part of South Africa's National Security Council. Asked about Fraser's motivation, the source said the President did not know. Fraser, he said, had open access to Ramaphosa and could easily have reached out to state his concerns about the cash that the robbers stole.

Fraser's complaint, meanwhile, says the cash at the Limpopo farm raises concerns of money laundering and corruption.

For their part, the police say a case of money laundering, defeating the ends of justice and kidnapping has been registered. "All that is being said and alleged is the subject of that investigation. As such, the SAPS won't comment further on this matter and just like in any other case the SAPS won't give a blow by blow account of the progress of the investigation," police spokesperson Colonel Athlenda Mathe said. **DM**

Additional reporting by Victoria O'Regan

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-02-why-ramaphosa-apparently-kept-mum-about-multimillion-dollar-robbery-at-his-farm/> on 26 October 2022

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Ramaphosa farm theft: Money stolen from game farm the earnings from private sales, transactions

news24 Kyle Cowan and Qaanitah Hunter

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President Cyril Ramaphosa

PHOTO: Jeffrey Abrahams, Gallo Images

President Cyril Ramaphosa has confirmed cash was stolen from a farm he owns in Limpopo.

While the true amount is yet to be disclosed, former spy boss Arthur Fraser has alleged

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cash transactions involving Ramaphosa's businesses.

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The money stolen from President Cyril Ramaphosa's game farm in Limpopo was not the earnings from one of the many lucrative auctions of rare game in the province, but that of a deal between the president and private breeders or investors.

The president's spokesperson Vincent Magwenya told News24 the money was paid to Ramaphosa by buyers who visited the farm, Phala Phala, "from time to time".

Ramaphosa is a regular participant in game auctions in Limpopo where breeders of exotic game bid millions of rand on various animals in what has become a lucrative industry.

"This is what happens since the president owns and runs a game breeding farm. In the normal course of some operations, clients will come in and out, look at game, and buy game, that's just a normal thing.

"During this particular time, the transactions were not necessarily from an auction, it was just a transaction that took place at the farm. And there were some cash payments made - some clients would use the normal banking platforms, others would pay cash.

"So, once that cash is received it will then get managed accordingly against the invoices raised and so on," Magwenya said.

READ | Presidency confirms robbery at Ramaphosa's farm, but there's 'no basis for claims of criminal conduct'

Ramaphosa is an avid game breeder and seller with large transactions over the years making headlines - just last month one of his prize Ankole bulls, Mufasa, sold for R700 000 at auction. Over the years, the auction of game has netted Ramaphosa's farms millions.

The president owns two farms - the 5 000-hectare Ntaba Nyoni in Mpumalanga, and between 2011 and 2014 he bought 4 500 hectares of farmland near Bela-Bela in Limpopo, Phala Phala,

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where rare antelope, cattle and buffalo are bred

ANNEXURE IP56

1465

These estates seemed to be worth in excess of R100 million, according to the deeds office.

Phala Phala is part of the Stud Game Breeders, a group of breeders that include Ramaphosa, former SAB chief executive Norman Adami, Jacques Malan, Tony and Richard Morton as well as Johan and Nadien Bosch.

Auctions of buffalo and other game by these breeders often fetch record prices. They all pride themselves on breeding outstanding and often rare, disease-free animals to be sold in a competitive market.

Phala Phala's general manager, Hendrik von Wielligh, would not venture into detail when contacted by phone on Thursday, saying only it was not unheard of for transactions to be in cash, although the majority of deals were done through bank transfers.

He would not be drawn on the identity of the cash buyer, saying he would rather let police enquiries take their course.

A well-placed source in Limpopo with working knowledge of events at Phala Phala indicated the money was seemingly related to a foreign investor and buyer.

News24 was not able to confirm the exact amount of cash that was taken, or if it was in rands or dollars.

Confirmation from the Presidency on Thursday that money was stolen during a robbery at his farm in Limpopo in February 2020 has raised serious questions over the apparent inflow of large amounts of cash into Ramaphosa's game breeding ventures.

On Wednesday, former State Security Agency (SSA) director-general Arthur Fraser issued a press statement alleging that on 9 February 2020, a burglary took place at the Limpopo farm, and according to him, roughly US\$4 million in cash was taken.

He opened a case at the Rosebank police station, claiming Ramaphosa had hidden the incident from police and the taxman, and according to the statement, had provided police with video evidence of the theft.

Fraser alleged the suspects were caught, kidnapped and interrogated, and he believed crimes of defeating the ends of justice, kidnapping and money laundering were committed.

Police spokesperson Colonel Athlenda Mathe confirmed a case had been registered and "due processes" would follow.

Magwenya issued a statement on Thursday, confirming the incident but denied Fraser's claims.

He said the "proceeds from the sale of game were stolen".

The auction of cattle was halted by the government between 2019 and mid-February 2020 due to an outbreak of foot and mouth disease. The robbery took place just days before the government lifted the ban.

Red flags

The president's confirmation that cash was stolen immediately has raised concerns.

One forensic expert, a senior executive at a respected forensic law firm who asked not to be named so he could speak freely, said money laundering in the wildlife trade was an area South Africa needed to address.



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- ☐ **He should just stay home & sort out load shedding**

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"At the moment, there is a broader problem for South Africa, we have been criticised in our latest mutual evaluation with the Financial Action Task Force [FATF] for doing enough to tackle money laundering. The trade in wildlife and casinos has been specifically highlighted as areas that are open to abuse," they said.

"This is an issue for government to clamp down on and address, because it is creating concerns on the part of the FATF regarding compliance with the recommendations. The report was quite scathing."

Another leading figure in agriculture with extensive knowledge of the wildlife industry said cash transactions were common, with auctions mostly being online and widespread suspicion that money laundering could play a role in some transactions.

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President Cyril Ramaphosa on Sunday said the appointment and removal of board members in SOE's was one of the key causes



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Concerned

A source close to the president's security detail told News24 Ramaphosa was first concerned about a security breach at his farm, but did not know money was stolen from the premises.

At first, there was concern about the wellbeing of the animals on the farm given the fact he owns breeding buffalos worth millions.

The insider said only weeks later after the African Union Summit and State of the Nation Address in Parliament, did the president realise the money was stolen.

The well-placed source noted Major-General Wally Rhooode, the head of Ramaphosa's VIP Protection Unit, immediately began an investigation into the matter.

READ | Ramaphosa set for another second term nod as VBS scandal haunts ANC Limpopo conference

"The farm was not under the care of the presidential protection unit. Ramaphosa didn't want us to install security there because of what happened at Nkandla. So, after this incident we had to secure the farm," the insider said.

Two sources close to the Union Buildings added they believed Fraser overstated the amount of money stolen from the premises.

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Ramaphosa's allies believe Fraser's accusations were a red herring amid talks of looming criminal charges against him and a close confidant to the president.

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Phala Phala: Mystery Sudanese businessman paid \$580 000 to Ramaphosa's farmhand 45 days before theft

news24 Kyle Cowan

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President Cyril Ramaphosa

PHOTO: Twitter/@MyANC

Cyril Ramaphosa knew that \$580 000 in cash was stashed at his Phala Phala farm for 45 days before it was stolen.

Ramaphosa has identified the person who gave the cash to his staff for a group of buffalo.

The buffalo are still at Phala Phala, with nothing said about whether the buyer has ever tried to collect on his purchase.

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A mysterious Sudanese businessman handed \$580 000 (about R8 million) in cash to an employee at President Cyril Ramaphosa's Phala Phala farm 45 days before the money was stolen.

Ramaphosa told the Public Protector the money was handed to an employee of his farm, near Bela Bela in Limpopo, on 25 December 2019 by a man identified as Mustaf Mohamed Ibrahim Hazim.

Ramaphosa also confirmed the money was hidden under a "sofa cushion" and claimed he could provide a receipt for the cash transaction.

Despite extensive searches, utilising various databases and online tools, News24 was not able to immediately verify Hazim's identity.

The latest revelations would suggest that Ramaphosa knew about the money more than a month before it was stolen.

READ | Phala Phala cleaner spins story of denial in burglary scandal

The Presidency also refused to respond to questions seeking further clarity on the relationship between Ramaphosa and Hazim.

"All your questions refer to an ongoing investigation. As stated before, the Presidency will not

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According to the responses, Hazim handed a bag of cash to a Phala Phala staff member after it was agreed he would purchase a group of buffalo, which had traits that made them undesirable breeding stock for Phala Phala's operations.

But the buffalo are still at Phala Phala, Ramaphosa's responses revealed.

The president claimed this was due to the high costs of the administration and facilitation of the export of the animals and that the burglary affected this. It was unclear why the farm did not carry the cost, or why Hazim would not have demanded delivery of the buffalo in more than two years.



Part of Phala Phala.

News24 previously reported **that the buyer had paid roughly \$600 000 in cash and had come from Dubai.**

It is unclear whether Hazim lives in Dubai. The report also cited sources who claimed the cash

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had been stashed in a cupboard – but the president contradicted this

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Ramaphosa told the Public Protector that he visited the farm on 26 December 2019 and that the cash was locked in a safe inside the Bayete Centre, the main visitors' facility on the farm. But, being concerned that the cash was in a safe which many employees had access to, he asked the Phala Phala staff member – whose name was included in the responses – to store the money in a safer place.

READ | ANC does not want to 'interfere' with investigations into 'Rama-Phala Phala'

The staff member then took the cash to Ramaphosa's residence on the farm and "stashed it under a sofa cushion".

The president said, in his response, that the staff member believed it would be safe because "no one would dare steal from the president".

The burglary occurred on 9 February 2020, which meant that more than R8 million in US dollars were kept at Phala Phala, with Ramaphosa's knowledge, for at least 45 days.

At the time, Ramaphosa was in Addis Ababa. He returned to the farm later in February, and only then confirmed the cash was gone.

He stated that he immediately reported the burglary to the head of the Presidential Protection Unit, Major-General Wally Rhooode, and later also informed him that cash had been stolen.

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Ramaphosa denies that the domestic worker, cited by Fraser, has ever been a permanent employee of Phala Phala.

WATCH | Ramaphosa denies money stolen from his farm were proceeds from crime

News24 tracked Froliana Joseph down, and she also denied any knowledge of the burglary.

According to Fraser's claims, Joseph was the one who tipped off the burglars – a group of Namibian and South African nationals, led by Immanuela David.

David was arrested in Namibia in June 2020, after crossing into the country unlawfully. He was found guilty of violating immigration laws and deported back to South Africa in November 2020.

David and his fellow alleged burglars lived a lavish life on their stolen loot, which included buying millions of rands worth of cars, a luxury apartment in Bloubergstrand in Cape Town, and diamond-studded jewellery worth hundreds of thousands of rands.

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WATCH | 'He's going to account' - opposition parties seek motion of no confidence in Ramaphosa

Several opposition political parties in Parliament believe President Cyril Ramaphosa has a "case to answer", and a motion of no confidence is the best route to hold him accountable for the Phala Phala farm scandal.



The Hawks, or the Directorate for Priority Crime Investigation, have been probing Fraser's claims, which includes allegations of a widespread cover-up, stretching all the way to the president of Namibia, Hage Geingob, who has himself denied the claims.

News24 previously reported that numerous senior police officials knew about the burglary.

The revelation that Ramaphosa has confirmed certain key details is unlikely to aid the president, who is under major pressure from opposition political parties to speak openly about the burglary at his farm.

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Last week, Ramaphosa appeared before Parliament, but refused to answer direct questions which sought detail on the matter, saying instead that his office would need to carry out the various investigations to take its course.

READ | Arthur Fraser's damning affidavit

Apart from the probes by the Public Protector and the Hawks, Parliament also launched its own inquiry process, with an expert panel to determine whether a full-scale inquiry should go ahead.

Rhoope, meanwhile, is facing an investigation by the Independent Police Investigative Directorate, as well as an internal probe by the South African Police Service.

Bloomberg reported on Monday that, over the weekend, Phala Phala netted **R6.8 million for the sale of various game, including a buffalo, named Pink 37**, as well as rare Ankole cattle.

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ANALYSIS

Ramaphosa can't take 'the fifth' on Phala Phala for much longer



Illustrative image // President Cyril Ramaphosa. (Photo: Waldo Swiegers / Bloomberg via Getty Images) | The sale of game, including the red oryx, has been at the centre of the robbery at the President's Phala Phala wildlife farm in Limpopo. (Photo: Supplied)



By Ferial Haffajee

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18 Aug 2022 4

While President Cyril Ramaphosa has decided on a stoic silence to deal with the growing questions about the big money find at his Phala Phala farm in 2020, his political opposition is turning it into a battering ram.

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[BeyondWords](#)

Opposition parties led by the EFF and IFP, with a clutch of smaller parties, decided on 17 August to table a motion of no confidence in Ramaphosa. In

June, former spy boss Arthur Fraser laid a criminal complaint with the police against the President for not declaring the theft and it has since become a political potato because the latter has gone tortoise on his country.

The Presidency promised to make public the amount stolen from alleged game sale takings within days after the revelations, but has since clammed up as Ramaphosa claimed he had to wait until “due process” was completed by the Hawks investigation. But the National Assembly Speaker has agreed to a [Section 89 constitutional inquiry](#) into the President’s conduct and opposition parties have upped the ante.

The forum of opposition parties at Parliament said it would submit the names of four former judges to chair the inquiry. The official opposition, the DA, and the New Freedom Party did not attend the final of three meetings. The ANC, the Freedom Front Plus, the African Independent Congress, Good and Al Jama-ah did not attend the forum’s meetings.

Read more in Daily Maverick: [“Ramaphosa’s Farmgate scandal – a timeline of what we know \(and don’t know\) so far”](#)

The Phala Phala case is not a typical scandal in that no theft of state funds is involved. But it is harming Ramaphosa’s image as a reformer, as *Daily Maverick* reported [here](#). His continued silence is hurting his reputation and presidency. It also raises questions: why could a simple game transaction not be done electronically? Why were the takings not immediately banked? And if they were stolen in 2020, why was this not declared? Since then, intrigue has filled the vacuum as the quantum theft went from \$4-million to R9-million, as reported last week by *News24*.

The opposition parties that met this week have decided on four judges for the inquiry: former chief justice Mogoeng Mogoeng, former deputy chief justice Dikgang Moseneke, and former judges Bernard Ngoepe and Yvonne Mokgoro. The inquiry’s panel will choose one, but not necessarily from this quad, because the names have not been agreed by either the ANC or the DA, which have a substantial majority in the House.

The ongoing inquiry into suspended Public Protector Busisiwe Mkhwebane’s fitness to hold office has revealed how gruelling and revealing parliamentary probes can be, especially when done properly. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-08-18-ramaphosa-cant-take-the-fifth-on-phala-phala-for-much-longer/> on 26 October 2022

YOUR QUESTIONS ANSWERED

It's entrapment, says Presidency about Ramaphosa farm robbery. Then it clammed up



President Cyril Ramaphosa at the Presidency Budget Vote on 9 June 2022 in Cape Town, South Africa. (Photo: Gallo Images / Brenton Geach)



By Ferial Haffajee and Sahra Heuwel

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10 Aug 2022 4

We have assessed the Phala Phala story for you here, and also include your usual round-up of inspiring and happy stories from Daily Maverick.

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[BeyondWords](#)

Hundreds of *Daily Maverick* readers have questions for President Cyril Ramaphosa about the 2020 burglary at his Phala Phala farm. We try to answer some of them.



Minister in the Presidency Mondli Gungubele said the police are investigating entrapment charges in relation to the burglary at President Cyril Ramaphosa's Phala Phala farm in Limpopo in 2020. Then he clammed up and said the Presidency would not answer questions about the theft. Queenin Masuabi reported on Gungubele's meeting with editors [here](#).

Despite throwing a dragnet around the issue, the questions mount. The Presidency appears to be banking on short news cycles keeping it out of the public eye, but the questions we received showed that it remains a burning issue. When we asked you for your questions relating to the burglary, they poured in by the hundreds. An analysis shows the public want answers, but Ramaphosa has said he will only answer once 'due process' has run its course. By this he means the [investigation by the Hawks](#) into the incident. The Directorate for Priority Crime Investigation (Hawks) has also clammed up and will not report on any progress. On Wednesday, 10 August, *News24* reported that the stolen amount was closer to R9-million in 2020 and that it had been the proceeds from the sale of a single buffalo.

The word cloud below shows your main areas of concern.



“How did the millions get to the farm? Did these monies belong to Ramaphosa? Where did the money come from? Why was it there? Why was it cash if it was a business transaction?”

These questions were repeated by most readers, showing that the public needs basic information. When we first reported this story on 1 June, the Presidency said the questions would be answered in days. That didn't happen. Once former spymaster [Arthur Fraser's complaint docket at Rosebank police station](#) was moved to the Hawks, Ramaphosa refused to answer. It has been 70 days since that complaint was made.

The second major theme that emerges from reader questions is fairness. Here's one sample of this theme:

“Apparently a crime was committed on the President’s farm. Why was the money kept in the house and not the bank. Was Sars (South African Revenue Service) and the SA Reserve Bank made aware? You would have expected the President to comment about the exact amount found on the farm. You would have expected him to open a criminal case with the police. Is the President hiding something?”

Sars is on a major tax collection and tax morality drive in order to fund the needs of struggling South Africans, to bolster the economy and pay off Eskom's debt so that energy reforms can kick into gear. The silence about the farm burglary has raised many questions about whether tax was paid. Sars cannot divulge the tax affairs of individuals but Corruption

Watch, among others, have said that in this case, the President should pierce his own veil of confidentiality and show whether tax was paid on the game sales. The Presidency has maintained that the money came from game sales at Phala Phala, but it's worth noting that this explanation is now being downplayed.

Here's a sample of tax questions:

“Did he (Ramaphosa) pay tax on the proceeding of stock sale? How did he (Ramaphosa) earn it? Can he show invoices of the deals and did he pay tax? What is the position of Sars in this matter? Was the income declared to Sars? Did he declare the income for purposes of income tax? Was the money declared to Sars, and if not, why not? Did the President charge VAT on his trading activities and did he pay the VAT over to Sars?”

There is a banking culture in South Africa and various laws discourage holding cash because it is a red flag for money laundering and corruption.

“The question is: why was the money kept in the house and not the bank?” many readers asked. If the other factor Ramaphosa is banking on to get through this scandal is his popularity, this is a risky strategy. While he enjoys the highest trust and popularity levels of all political leaders, the so-called Farmgate issue could cost him. “How can you in good conscience stash millions in a couch, while people in this country struggle to put food on the table?”

The allegation that the thieves found the cash sewn into the bottom of a sofa has gathered a head of steam and caught the public's attention. The ANC's RET faction has even put images of a couch bottom stuffed with dollars on social media. It has become a meme.

“How can Cyril (Ramaphosa) morally, let alone legally, justify such an amount of cash be stashed in one of his homes? If discovered, as has now happened, many citizens will deem him to be guilty of ‘something’ until an investigation tells us otherwise. Serious damage to his rep. Don't know if he will survive re-election (as ANC president) in December,” commented one reader.

And another: “Who is this man that we wanted to trust? Living the high life while majority of South Africans battle to buy a list (loaf) of bread. Shame on him!”

Only three questions were sympathetic to Ramaphosa. It looks like he still has a nominal lead ahead of the ANC elective conference in December, but

outside the party, the silence from the leader appears to have taken a toll on that lead.

Here are some specific answers to your questions.

If it is shown that millions of US dollars were in fact concealed at his residence, would this have contravened exchange control/SA Reserve Bank regulations?

We asked Karam Singh, the director of Corruption Watch. [Here's what he said.](#)

Was it Fica-compliant?

We don't know. The Financial Intelligence Centre is a very opaque institution.

Why was the transaction done in US-dollar cash?

The President's spokesperson, Vincent Magwenya, said this is how the game industry works. Read Onke Ngcuka's story on the game industry [here](#).

Please clarify if the money concerned was in rands or US dollars?

The Presidency has confirmed that it was US dollars.

What is Arthur Fraser's motive? When did he know about the theft?

We have tried numerous times to interview Mr Fraser, but he has declined through his lawyer. We'll keep trying.

Which game was sold?

[Onke Ngcuka gives you the ins and outs](#) of game sales above. Mostly ankole cattle, buffalo and perhaps a red oryx, as far as we can tell.

Now for your round-up of uplifting news articles.

Recently we applauded:

[The Equality Court for sending a strong message](#) about the consequences of spreading hatred and discrimination on social media, after a five-year hate speech case was won by Chinese South African communities.

Otherwise we were happily diverted by:

The [article](#) by *Maverick Life's* Malibongwe Tylio on Van Life, showcasing the beauty of living and travelling South Africa in a mobile home. South Africans share their experiences (and tips for those looking to do the same) of swapping brick-and-mortar homes for life on the road.

We took inspiration from:

Writer and photojournalist Ihsaan Haffeejee, [who tells us a beautiful story](#) about a Soweto music school, Buskaid, which lifts children from despair to soaring performances.

Meanwhile, at the Birmingham 2022 [Commonwealth Games](#) we were so proud and found much excitement in South Africa's wins and gold medallists:

- Lara van Niekerk became the first South African athlete to [win two gold medals](#) at the Commonwealth Games;
- [‘It's nice to cry on the podium, rather than next to the pool’](#) – Tatjana Schoenmaker, Chad le Clos and Kaylene Corbett made it a full set of medals for Team South Africa in the pool;
- ‘If it were not for judo, I would probably have dropped out of school,’ [says SA's latest gold medal winner](#), Michaela Whitebooi. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-08-10-hundreds-of-readers-have-burning-questions-for-ramaphosa-about-the-burglary-on-his-farm/> on 26 October 2022

SPIES R US EXPLAINER

Unpacking the Cyril Ramaphosa home robbery story, and why you should care



From left: Arthur Fraser. (Photo: Gallo Images / City Press / Khaya Ngwenya) | President Cyril Ramaphosa. (Photo: Getty Images / Dwayne Senior)



By Rebecca Davis

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08 Jun 2022 29

President Cyril Ramaphosa is facing what may be the most personally damaging moment of his presidency. A seemingly unreported 2020 theft of cash from Ramaphosa's Limpopo game farm is coming back to haunt him in a way that is clearly orchestrated to endanger his political future — but that doesn't mean there aren't some serious issues at stake. We unpack the bizarre saga so far.

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How did this all begin?

As Ferial Haffajee laid out brilliantly [here](#), a week ago the former South African spy boss Arthur Fraser walked into a Johannesburg police station and laid a criminal complaint against President Cyril Ramaphosa.

But the real story starts “on or about” 9 February 2020, which is when Fraser claims a very large sum of money — more about the amount in a minute — was stolen from Ramaphosa’s game farm, Phala Phala, in Limpopo.

Fraser alleged that Ramaphosa did not report the theft to the police, and instead instructed the head of his Presidential Protection Unit, Major-General Wally Rhooode, to essentially go rogue: find the criminals, get the money back, and keep it all quiet. (Coincidentally, this is also the plot of almost every movie starring The Rock.)

In Fraser’s version, Rhooode and his team did just that, via an entirely unlawful caper that involved kidnapping and interrogating suspects, tracking some of them to Namibia, and ultimately paying off six suspects to the tune of R150,000 per person to not breathe a word of what had happened.

The mastermind behind the theft, Fraser alleges, was Ramaphosa’s domestic worker at the farm. He further claims that the employee not only received one of the R150,000 pay-offs but also was ultimately reinstated in her job after some patriarchal man-talk between Ramaphosa and her father.

So the alleged criminals...

Never saw the inside of a jail cell; were never charged; in the case of the domestic worker, never even lost their job; and ended up with a R150,000 present — by way of punishment for having stolen millions from a sitting president?

Correct, according to Fraser. Which would seemingly make this the textbook example of “crime does, in fact, pay”.

How reliable is Fraser as a whistle-blower?

Fraser claimed in his affidavit that he was coming forward at this point “guided by the dictates of the interests of justice and our Constitution”, which is a lovely idea, but completely implausible.

Fraser has a clear axe to grind against Ramaphosa, who [removed him from the State Security Agency \(SSA\)](#) after evidence emerged that the country’s

intelligence apparatus under Fraser had become a deeply politicised force working to entrench the power of former president Jacob Zuma.

As Makhudu Sefara pointed out in an [incisive Sunday Times op-ed](#), “Presidents around the world are seized with the mammoth headache of getting rid of spy chiefs they don’t trust but who know enough to plunge governments into crises.”

That Ramaphosa bungled the handling of Fraser is clear. The President awarded Fraser the consolation appointment of Commissioner of Correctional Services after his removal as spy boss — in which post Fraser was able to do another solid for his former master by [unlawfully authorising](#) the early release of Zuma from jail in September 2021 on medical parole.

It would be tragically naïve to view Fraser’s criminal complaint against Ramaphosa as unrelated to the factionalism that continues to divide the ANC. RET forces have made no secret of their unhappiness at the party’s “step-aside” rule, which currently prohibits leaders facing criminal charges from seeking election at the crucial December ANC electoral congress.

There has been open gloating from RET supporters on social media in response to Fraser’s affidavit. If the police do decide to charge Ramaphosa with criminal wrongdoing over the theft’s handling, the President would be ineligible to seek re-election from the ANC in December, denying him a second term that he is considered most likely to win, as things stand.

The only other option to maintain his political career, if he is formally criminally charged, would be for Ramaphosa to suddenly contest the same step-aside rule that he pushed for. This would not only constitute an act of egregious political hypocrisy, but would certainly open the door for figures like suspended ANC Secretary-General Ace Magashule to claim the right to seek re-election in December too.

Fraser’s actions are probably also motivated by more direct self-interest. The final report of the Zondo Commission, due in mid-June, will include damning findings against the SSA under Fraser’s leadership, and could well recommend the criminal prosecution of Fraser. In addition, there are [reports](#) that the Investigating Directorate is circling around the SSA over the theft of hundreds of millions of rands from the agency.

From this perspective, Fraser’s decision to come forward now might be seen as a warning shot. There is speculation that Fraser could be sitting on further, yet more damaging, information about Ramaphosa that he could still release — which is why, as Sefara wrote, disgruntled former spooks make the most dangerous enemies.

The crucial “BUT” accompanying this all is a reminder that two things can be true at the same time. Fraser clearly has his own agenda, but that does not render the allegations against Ramaphosa automatically baseless. Regardless of Fraser’s motives in releasing the information, there are strong indications that Ramaphosa does, nevertheless, have a case to answer.

How much of Fraser’s story can we believe at this point?

Ramaphosa and his spokesman have confirmed that a theft of money from the Phala Phala farm did take place around the date of 9 February 2020, so we know that much is true. Ramaphosa was away at the time attending an African Union summit in Ethiopia.

It also appears certain that the theft was not officially reported to the SAPS, though the Presidency’s statement on the matter initially tried to fudge the issue a bit. It said: “President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service [Rhooode] for investigation”.

The Presidency [has since conceded](#) that Rhooode did not register a theft case with the police.

It seems self-evidently true that the Presidency deliberately kept the crime quiet at the time, since Fraser’s affidavit was the first public mention of these events and there was no reporting on it at the time in South African media.

There has been no comment forthcoming from Ramaphosa and his team on the allegations of kidnapping, unlawful investigations, illegal pay-offs, and so forth. But the man claimed to be responsible for orchestrating the vigilante justice, Wally Rhooode, has [a distinctly chequered past](#), having been suspected of involvement in tender corruption on at least two occasions.

Rhooode’s dodgy reputation is no secret, which raises further questions as to Ramaphosa’s judgment in appointing him as his chief bodyguard. As *News24* editor Adriaan Basson [wrote](#) this week: “How did Ramaphosa allow this man to be his closest protector and oversee his entire security establishment?”

The most significant corroboration given to Fraser’s claims at this stage has come from an [amaBhungane investigation](#) that supported a number of key aspects. A source with knowledge of the events told amaB that the claims of kidnapping and interrogation carried out by Rhooode’s team were “credible”. There is also evidence to confirm that the suspects were indeed tracked to Namibia, while claims from Namibian authorities that they were given little

assistance by South African law enforcement bolsters the sense of a high-level cover-up.

The Presidency's refusal to supply any substantive information on the matter at this time is certainly fuelling the fire.

The Presidency has defended this stance by saying: "Due to the possible investigation, the Presidency will not be in a position to engage further on the detail of the matters, and urges that due process be allowed to take its course."

This old chestnut, which is reliably trotted out by South African politicians seeking to avoid answering difficult questions, is nonsense. As [local legal experts have wearily pointed out](#) on countless occasions, there is nothing in current South African law that prevents the discussion of any ongoing court case — let alone a hypothetical investigation.

How much money was actually stolen from Ramaphosa?

Fraser wrote in his affidavit: "The quantum was speculated to be in the region of approximately 4 million to 8 million USD".

In February 2020, when the theft occurred, 4 million USD was the equivalent of 60.2 million ZAR and 8 million USD was the equivalent of 120.5 million ZAR.

Ramaphosa and his team have been adamant that this estimate of the theft's value is highly exaggerated, but have not provided an alternative figure.

"The amount involved is far less than the amount which has been reported in the press. Some said it's R1-billion, some say it's four million dollars. I want to say it is far less," Ramaphosa [told](#) the ANC Limpopo conference on Sunday night.

amaBhungane's report stated that the Namibian media were made aware by police in 2020 of a theft from Ramaphosa's farm amounting to around R50-million.

IOL has, for reasons known only to its quirky journalists, [reported](#) that the amount of money stolen was \$80-million, or R1.24-billion. Nobody else, including Fraser, has made this claim — which means it's probably safe to file alongside "decuplets" in the big book of *Shit that Independent Media Made Up*.

Ramaphosa's farm manager has questioned whether amateur criminals operating without so much as a getaway vehicle would be able to carry off as much cash as Fraser alleges.

But it would indeed be possible — \$4-million in cash would weigh around 40kg and be made up of 40,000 \$100 bills. The internet [estimates](#) that an average-sized briefcase could carry around \$2.4-million in \$100 bills.

Why did Ramaphosa have so much money lying around in the first place?

The Presidency says that the stolen millions were the proceeds of a private game sale.

Presidential spokesman Vincent Magwenya told [News24](#): “In the normal course of some [Phala Phala] operations, clients will come in and out, look at game, and buy game, that’s just a normal thing”.

If anyone in this strange saga deserves your thoughts and prayers, it is Magwenya, who has been in his job for less than a week and has apparently had to become an expert on big-game farming virtually overnight.

Back to what Magwenya told [News24](#): “During this particular time, the transactions were not necessarily from an auction, it was just a transaction that took place at the farm. And there were some cash payments made — some clients would use the normal banking platforms, others would pay cash.”

Is this normal? The consensus seems to be that it does happen sometimes, but it’s unusual and — for obvious reasons — not considered a very wise idea.

“In our experience, it is not common for buyers to want to pay cash in a private sale,” Wildlife Ranching SA’s Miquette Caalsen told *Daily Maverick* on Monday.

It is also unclear why the buyers wanted to pay in US dollars. Were they American?

“There is not a lot of interest from American buyers in South African game, unless they are owners or investors in private game ranches,” Caalsen said.

While there are many questionable aspects of this story, one thing that is well established is Ramaphosa’s involvement in the wildlife trade. It is probably not an exaggeration to suggest that the President’s greatest personal passion is the breeding and sale of animals.

This hobby seems to have started when he was young. In November 2020, presidential social media manager Athi Geleba tweeted that Ramaphosa “has been a pigeon breeder since the age of 16 & owned a flock of pigeons as a young man living in Soweto in the 60s & 70s”.

The price of big game in South Africa has reached astronomical levels over the last decade, although the bubble seems to have burst a bit in recent years. Nonetheless, it is definitely plausible that a sale of this nature at Phala Phala could bring in many millions. Unfortunately for Ramaphosa, the wildlife trade is also known to be awash with questionable and under-regulated dealings.

Was the money that was stolen really hidden in a couch?

Fraser's affidavit alleged that the money taken by the thieves was being "concealed in [Ramaphosa's] furniture", which is an intriguingly vague description. Fraser did not mention a couch explicitly.

City Press [reported](#) that the furniture in question is "said to be a couch", but it wasn't clear what the source of that information was. Then again, couches do have a certain reputation for housing hidden treasure; someone [once found an ancient Sanskrit text](#) down the back of a sofa.

One thing which seems undisputed is that the theft was almost laughably easy. Fraser's affidavit says the thieves snipped a perimeter fence and slipped into the farmhouse through a ground-floor window. Ramaphosa's farm manager [told City Press](#) that the culprits arrived on foot and that there was "no indication that the robbery was carried out in a sophisticated manner".

Why was security so weak at the President's property?

South Africans are never happy. First, we all went nuts about former president Jacob Zuma's special "security features" at his Nkandla home; now we're questioning why the next president didn't have *enough* special security features at his private property.

It is one of the darkly comic aspects of this saga that the outcry over the Nkandla expenditure is actually being cited as an explanation for Phala Phala's vulnerability.

"Ramaphosa didn't want us to install security there because of what happened at Nkandla," a source told [News24](#). These presidents of ours just can't win!

So Ramaphosa got robbed. Why would he try to hush that up?

That is one of the many four-million-dollar questions swirling around this affair.

A Presidency insider [told Haffajee](#) that Ramaphosa did not want to raise existing panic over security on farms in particular, given the political temperature around that specific crime category already.

The insider also intimated that there was nothing untoward in itself about not going public with the theft, claiming that former presidents Thabo Mbeki and Jacob Zuma had experienced home robberies and kept that information private.

There are other potentially plausible reasons why Ramaphosa may have tried to keep the theft secret.

One might have been to prevent knowledge getting out about how simple it seems to have been to rob the President's farm, which could embolden all of us other criminals to have a go.

Another possible reason, which is frankly more likely, is that Ramaphosa was acutely aware of just how bad the optics would be when it came to the President of South Africa — a country where children are literally starving to death — having such an insane amount of cash lying around unsecured at his home.

His awareness of the unseemliness of the kind of money thrown around in the big-game trade was evident in 2012, when Ramaphosa infamously (and unsuccessfully) [bid R19.5-million](#) for a buffalo cow, and [then apologised](#), saying: "I regret it because it is an excessive price in the sea of poverty. I belong to a community and it was one of those moments when I was blind-sighted."

Arthur Fraser's theory, eagerly taken up by the Economic Freedom Fighters, seems to be that Ramaphosa needed to keep everything on the down-low because the source of the money was dodgy. There is no evidence currently publicly available either to confirm or disprove that notion, and Fraser appears not to have presented any to the police at this point.

Is it illegal not to report a crime to the police?

Of course not. Given the existing lack of confidence in the SAPS, many of us only bother to report crimes like theft to the police if we need a case number for insurance paperwork.

EDIT: It has been correctly pointed out that it is, in fact, a criminal offence not to report certain types of crime to the police. Someone stealing your money, however, is not among them.

So what exactly is illegal about Ramaphosa's handling of the issue?

Much is uncertain without further concrete details, but the allegations made by Fraser are certainly troubling.

There are two arms to Ramaphosa's potential legal troubles: the first involving the money kept at Phala Phala and the second regarding the handling of the alleged robbers.

In simple terms, you are not allowed to undertake such high-value cash transactions without informing the authorities. The Financial Intelligence Centre Act states that all cash transactions of R25,000 or more must be reported to the Financial Intelligence Centre (FIC) "no later than 2 (two) days" after becoming aware of such a transaction.

It is unclear whether the alleged Phala Phala game sale was indeed reported, as the FIC is staying tight-lipped on the matter. As is the South African Revenue Service (SARS), with another issue being whether Ramaphosa reported this income to SARS. The South African Reserve Bank is also declining to comment on whether Ramaphosa may have violated exchange control policies with regard to the sum of dollars involved.

Opposition parties have called on the FIC, SARS and the South African Reserve Bank to urgently clarify whether Ramaphosa followed the required legal process involved in a transaction of this nature.

When it comes to the alleged attempts by Rhooode and Co to track down the robbers, there are multiple potentially illegal elements to this extrajudicial project. One would be the alleged kidnapping of suspects. Another would be Fraser's — currently uncorroborated — claim that Rhooode entered and exited Namibia, in pursuit of the suspects, without being legally processed through border control.

A big no-no would also be the alleged pay-offs made to the culprits. If this happened, prosecutors might well agree with Fraser that these amount to "corruption in contravention of the Prevention of Corrupt Activities Act No 12 of 2004" and also potentially to obstructing the course of justice.

What is critical here is: how much can Ramaphosa be proven to have known about these activities?

It is Fraser's (again uncorroborated) contention that all of Rhooode's actions after the robbery were carried out not just with the full knowledge of Ramaphosa, but on his direct orders. For the President of South Africa to have instructed his bodyguard to engage in this kind of illegal vigilantism would render Ramaphosa's position untenable.

This is why this story, despite its surreal elements, is indeed extremely serious.

What happens next?

Police Minister Bheki Cele [on Tuesday](#) appealed for the police to be “given space” to conduct an investigation.

Ramaphosa has indicated that he will voluntarily submit himself to the ANC’s Integrity Commission — not a body historically renowned for its commitment to accountability — over the matter.

In the meantime, sharks are circling the President both within and outside the ruling party. Known Ramaphosa adversaries and ANC National Working Committee members Tony Yengeni and Lindiwe Sisulu [were reported](#) on Monday to be already lobbying for Ramaphosa to step aside until the matter is resolved.

United Democratic Front leader Bantu Holomisa made a similar call, urging Ramaphosa to take a “sabbatical” for a few months. The EFF said in a press conference on Tuesday that the interests of justice could not be served if a police investigation was conducted with Ramaphosa in office as President, due to the prospect of interference. EFF leader Julius Malema has also submitted [parliamentary questions](#) to Ramaphosa about the Phala Phala robbery, to which the President is obliged to respond within 10 days.

With the volume of both legitimate concern and politically opportunistic outrage showing no signs of abating, Ramaphosa would be well advised to gather every scrap of documentary evidence that might exist relating to the source of the stolen money and the robbery and play open cards with the South African public.

For as long as Ramaphosa refuses to do this, the sense that he does indeed have something serious to hide will grow. Global history teaches us that presidents have been toppled for far less.

Anything further?

Just one intriguing footnote. Fraser’s affidavit claims that one of the key members of Rhoo-de’s alleged vigilante team was “a local [Limpopo] farmer with investigative experience and capabilities”.

Who is this agricultural Hercule Poirot of the hinterland? The country deserves to know. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-08-unpacking-the-cyril-ramaphosa-home-robbery-story-and-why-you-should-care/> on 26 October 2022

POPULAR PERCEPTIONS OP-ED

The verdict in the court of public opinion may yet cost Ramaphosa dearly



President Cyril Ramaphosa. (Photo: Felix Dlangamandla)



By Pierre de Vos

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07 Jun 2022 5

Whatever the facts may turn out to be in the case of the theft of foreign currency from Cyril Ramaphosa's Phala Phala farm, it would be a mistake to view the matter only through a criminal law lens. I would guess that Ramaphosa has just as much (or even more) to fear from the court of public opinion, than from any criminal court.

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[BeyondWords](#)

Late last week, former spy boss [Arthur Fraser laid a criminal complaint against President Cyril Ramaphosa](#), stemming from the theft of a large amount of foreign currency from Ramaphosa's Phala Phala farm in Limpopo. Fraser alleged that the matter was not reported to the police, but was instead investigated by a team led by the head of the Presidential Protection Unit, who proceeded to cover up the matter.

This raises the crisp legal question: did the President break the law? But it also raises broader questions about the failure of the ANC to hold its senior leaders politically accountable.

When I heard about the theft, my first thought was to wonder why Ramaphosa had not bothered to lock this money away in a safe, but rather hid it in furniture. This is not the kind of thing one would expect any law-abiding South African citizen to do. Even if it later turns out that Ramaphosa did not break the law (or will not be prosecuted for breaking the law), Ramaphosa will now forever be remembered as that guy who hid large amounts of foreign currency in the furniture of his home at Phala Phala – something one would expect to see one of those sad and spectacularly incompetent criminals do in an episode of *Fargo*.

But before I develop the *Fargo* theme a bit further, it is necessary to have a closer look at the relevant parts of the criminal law, to consider whether Fraser's complaint may have legs. As always, much will depend on the facts, some of them currently contested or not clear, (and thus on what may or may not be uncovered) in the police investigation which we are told is now under way.

Buying and selling goods using US dollars or other foreign currency

In terms of the Currency and Exchanges Act 9 of 1933, read with the relevant regulations, foreign currency cannot, as a general rule, be used as legal tender in South Africa. Regulation 8 specifically states: "No person shall, except with the permission of the Treasury, and in accordance with such conditions as the Treasury may impose, make or receive payment" except in the currencies specified by the Treasury.

According to the [Currency and Exchanges guidelines for business entities](#) issued by the Reserve Bank, "Travel agents, hotels, restaurants, shops and other persons whose business is directly related to the tourist industry may apply for permission to accept foreign banknotes and foreign currency travellers' cheques from visitors to South Africa as payment for goods and services."

However, this is on the condition that they provide a written undertaking that the foreign currency will be sold to an authorised forex dealer "not later than the following business day after the transaction". A record of all

transactions “must also be kept and be available for inspection by the Financial Surveillance Department”.

Regulation 6(6) further states that any foreign currency held by people who reside in South Africa “shall not be sold, transferred or otherwise disposed of without the permission of the Treasury and in accordance with such conditions as the Treasury may impose”.

Regulation 22 states that it is a criminal offence to contravene any of the regulations, to make any incorrect statement in any declaration required in terms of the regulations, or to refuse or neglect to “furnish any information which he or she is required to furnish under these regulations”. The maximum penalty for such a breach is a fine not exceeding R250,000, or imprisonment for a period not exceeding five years.

From the above, it must be clear that much will hinge on whether Ramaphosa received permission from the Treasury to sell game for foreign currency, or alternatively, whether his business falls under the tourist industry exception and whether he applied for permission to accept foreign currency as required.

But if the latter is true, a further problem arises as Ramaphosa would have had to keep a record of all transactions, something that may not have been done. Notably, [*Daily Maverick* reported last week](#), quoting a source “close to the President”, that the President did not know how much money had been stolen and would only be “reconciling all sales over that weekend to assess the trades” and establish the amount. (This claim is odd as it is not clear why such a reconciliation would only be done now, when the theft occurred in 2020.)

Money laundering

In his complaint, Fraser claimed that the mere fact that “Ramaphosa had large undisclosed sums of foreign currency in the form of US dollars concealed in his furniture at his Phala Phala residence is prima facie proof of money laundering in contravention of section 4 of the Prevention of Organised Crime Act (Poca) 121 of 1998”. While it is laudable that Fraser correctly identified section 4 of Poca as the provision creating the crime of money laundering (the Public Protector famously got this wrong), the claim is misleading.

Section 4 of Poca makes it clear that a person will be guilty of money laundering if he or she receives money while he or she knew or reasonably ought to have known that the money is or forms part of the proceeds of unlawful activities, and nevertheless dealt with the money in such a way that it “has or is likely to have the effect of concealing or disguising the nature, source, location, disposition or movement of the said property or

the ownership thereof or any interest which anyone may have in respect thereof”.

This means that money laundering will only come into play if the money in Ramaphosa’s house came from unlawful activities and he knew or ought to have known about it. If Ramaphosa’s claim that the money came from the *bona fide* sale of animals on his farm is true, that would be the end of the matter, as no money laundering could then possibly have been committed.

Of course, if the sale of animals was a ruse to shift hot money around, or if the money came from another source altogether, money laundering may well come into play. In the absence of more information about the source of the money, it is thus impossible to take this inquiry further.

Corrupt payments to buy silence

One of the most disturbing claims made by Fraser is that Ramaphosa, and/or the head of the Presidential Protection Unit had paid R150,000 in cash each to the domestic worker and other people allegedly involved in the matter to buy their silence and thus “not to divulge any information in relation to the huge sums of US\$ taken from President Ramaphosa’s Phala Phala residence”. Fraser claims that, among other things, this amounts to corruption in contravention of the Prevention and Combating of Corrupt Activities Act (PCCA) 12 of 2004.

Section 3(b)(iv) of the PCCA seems to be the provision most likely to apply in a situation as alleged here. The section prohibits any person from directly or indirectly offering or giving money to somebody else in a manner that amounts to an unauthorised or improper inducement to do or not to do anything. This means that if Fraser’s claim about the R150,000 payments is correct, there may well be a case of corruption to answer for those involved in organising the payments.

It is impossible to know at this stage if there is any truth to this particular claim made by Fraser. But if it is true, as Fraser claims, that Ramaphosa’s domestic worker was dismissed after the incident, only to be re-employed later despite being implicated in the theft (something that could easily be checked), it would lend credence to the claim that attempts were made to silence the witnesses.

The *Fargo* problem revisited

Whatever the facts may turn out to be, it would be a mistake to view the matter only through a criminal law lens. This is because the credibility and authority of political leaders (both inside and outside their party) depend, to a large extent, on what happens in the court of public opinion. For this

reason, I would guess that Ramaphosa has just as much (or even more) to fear from the court of public opinion, than from any criminal court.

Ramaphosa only has to consider what happened to his predecessor to understand why his current predicament is about more than whether he will be prosecuted and convicted of a criminal offence. In short, Jacob Zuma was politically undone after a sizeable proportion of voters came to view him as dishonest and corrupt. This happened long before he formally became a criminal after being sent to jail for contempt of court. Once we all started joking about the fire pool, the weekend special, and the claims of poisoning, this became Zuma's story in the eyes of large sections of the voting public.

Which is why it may well be a huge problem for Ramaphosa that he is going to become *that* guy who hid large amounts of foreign currency in the furniture of his home at Phala Phala, and who then covered up the theft. It's a plot twist worthy of an episode of *Fargo* – and it cannot be long before the story becomes the punchline of a joke. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-07-the-verdict-in-the-court-of-public-opinion-may-yet-cost-ramaphosa-dearly/> on 26 October 2022

23 Sep



Phala Phala: Ramaphosa meets deadline on Reserve Bank forex probe

news24 Carol Paton

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President Cyril Ramaphosa at a game auction.

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President Cyril Ramaphosa has met the deadline to answer questions from the SA Reserve Bank on the source of US dollars stolen from his farm, his spokesperson Vincent Magwenya has confirmed to News24 Business.

Exchange control regulations require that all foreign currency transactions are reported to an

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authorised foreign exchange dealer within 30 days. Following allegations made by former spy chief Arthur Fraser, a detractor of Ramaphosa, in February 2020 that he had stolen R1.5 billion in December 2020 and the crime covered up, the Reserve Bank sent a list of questions to Ramaphosa in June.

READ | Reserve Bank gives Ramaphosa until next week to provide Phala Phala details

Ramaphosa was given 21 working days to respond to the letter, a deadline Ramaphosa failed to meet. He was subsequently granted a 15-day extension. This deadline was met, but the Bank then requested additional information with a reply date of 8 September. While Ramaphosa met this deadline, the Reserve Bank again asked for further clarification. This deadline has now been met too.

The failure to report a foreign exchange transaction can result in criminal charges, but is often punished with a fine.

Ramaphosa is also being investigated by the Hawks and the Public Protector. They are probing the source of the money, whether Ramaphosa or any of his staff were involved in attempting to cover up the theft and whether Ramaphosa contravened his constitutional duties and the executive code of ethics.

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SUNDAYINDEPENDENT NEWS

Original Phala Phala robbery case mysteriously opened - two years late



Written by
Mzilikazi Wa Afrika



President Cyril Ramaphosa delivering the keynote address at the 2022 National Women's Day event held at the Silahlha Sports Field in Richmond, KwaZulu-Natal. Picture: Jairus Mmutle/GCIS

Published Oct 23, 2022

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By Maphangwe Maphina |
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By Thabeka Ngema | Published Oct 25, 2022



Johannesburg - A case of housebreaking and robbery at President Cyril Ramaphosa's Phala Phala farm in Bela-Bela was mysteriously opened in August this year at the local police station.

The Sunday Independent can today exclusively reveal that the Phala Phala farm manager mysteriously went to Bela-Bela Police Station in August this year and opened a case of housebreaking and robbery, more than two years after the robbery occurred.

Zuma says Ramaphosa is 'corrupt', committed 'treason'

By AFP | Published Oct 23, 2022



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By Sipho Mkhalele
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1502

The move piqued the interest of senior police officers, who questioned the timing and the conduct of colleagues at the station. A senior police officer yesterday told the publication that police at Bela-Bela should have charged the person who opened the case for defeating the ends of justice.

"They failed to report the case to the police for more than two years and now, out of the blue, when everything is in the public domain, someone goes to the police station and opens a case. That person should have been charged for defeating the ends of justice and for wasting the police's time," the officer said.

A politician, who asked not to be named, says if Ramaphosa sanctions the opening of this case, he is as guilty as the person who opened the case.

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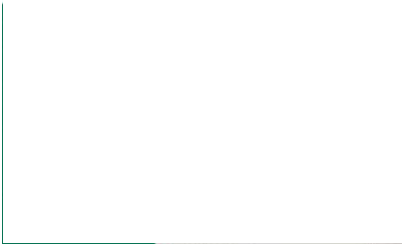
"What exactly do they hope to achieve by opening this case? The crime scene has been tampered with for more than two years, and the president should have known better," the politician said.

"If he wanted justice for the robbery at his farm, he should have reported the matter to the police in February 2020 -- unless he has something to hide."

The case comes two years after robbers made off with an undisclosed amount of American dollars from Ramaphosa's property. Police spokesperson Colonel Robert Netshiunda yesterday failed to answer questions sent to him about the case.

ANNEXURE IP63

1503



Five Namibian nationals allegedly broke into Ramaphosa's farm on February 9, 2020, and helped themselves to US dollars that were concealed in furniture at the farm, including a mattress. But the president and his head of security, General Wally Rhoode, didn't report the robbery to any police station.

Former state security director-general Arthur Fraser was the first to make the public aware of the robbery, when he opened a criminal case of kidnapping and torture against Ramaphosa and Rhoode at Rosebank Police Station in June this year.

In his affidavit, Fraser claims that Ramaphosa and Rhoode didn't report the matter to the police because they wanted to hide the fact that the president was keeping an undisclosed amount of dollars, estimated to be between \$4 million to \$8m at the farm. He further claimed Ramaphosa never declared or disclosed the source of the funds to the South African Revenue Services (SARS).

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President Cyril Ramaphosa. Picture: Phando Jikelo/African News Agency(ANA)

Fraser also added that the robbers were traced and pinged using state resources. He further claimed that members of the SAPS, even though no case was opened, participated in the clandestine operation.

He added that after the robbers were apprehended in a rented house in Milnerton, Cape Town, they were allegedly kidnapped and tortured.

The former spy boss added that Rhoode "instructed" Ramaphosa to pay the robbers R150 000 each for their silence, so they wouldn't

reveal any details about the alleged robbery to the public.

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1504

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Ramaphosa admitted in Parliament and a press statement that there was indeed a robbery of an undisclosed amount of US dollars, and that no case had been opened with the police, as he was hoping that Rhoode, to whom he reported the robbery at his farm, would open the case.

Rhoode also admitted, in his response to the Public Protector investigation, that he had not opened any case with the police about the robbery.

The new revelations come as the independent panel appointed by Parliament to probe the Phala Phala allegations against Ramaphosa started work on the case on Wednesday. The Speaker of Parliament, Nosiviwe Mapisa-Nqakula, was forced to appoint a panel to determine whether Ramaphosa has a prima facie case to answer on the Phala Phala farm robbery.

The panel has 30 days to report back to Parliament. All members of Parliament were given six days to submit evidence to the panel, while Ramaphosa would be given 10 days to provide his written responses to all the evidence submitted.

Former president Thabo Mbeki yesterday argued that the ANC should prepare itself for a worse case scenario where the panel rules that Ramaphosa has “a case to answer”.

Mbeki said Ramaphosa is under a lot of pressure around the Phala Phala farm matter as “there are criminal investigations going on” around him.

Speaking at the annual general meeting of the Strategic Dialogue Group (SDG) in Johannesburg yesterday, Mbeki asked what would happen if the panel says Ramaphosa has a case to answer.

“The leadership of the ANC cannot avoid meeting to discuss that. In the light of that, what do we do? Do we say to the president he must step aside, or do we say, let it continue through the parliamentary process? What is the impact of that in the public mind?” Mbeki asked.

Ramaphosa is being probed by the panel after African Transformation Movement (ATM) leader Vuyolwethu Zungula lodged a complaint with Mapisa-Nqakula that the president might have violated the Constitution and his oath of office.

Zungula also wrote to suspended Public Protector advocate Busisiwe Mkhwebane, asking her to investigate Ramaphosa. The president

suspense. Mkhwebane today has a series of 30 questions to answer on the Phala Phala farm robbery.

ANNEXURE IP63

1505

Mkhwebane is also facing a Parliamentary inquiry on her fitness to hold office, and is fighting her suspension in court. The Western Cape high court initially ruled that Mkhwebane's suspension was "unlawful".

The court ruled that it was "reasonable to form the perception that the suspension" of Mkhwebane "was triggered by her decision to institute an investigation against the president".

"There is no other plausible or logical explanation for the premature suspension of the applicant on the eve of a judgment meant to determine the very lawfulness of the suspension," the court ruled.

But Ramaphosa and the opposition DA party have appealed the ruling.

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06 Jun



Ramaphosa burglary: Head of SAPS protection unit did not open case after 'millions' of dollars stolen

news24 Kyle Cowan and Sipho Masondo

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President Cyril Ramaphosa.

Gallo Images

Presidency spokesperson confirms that no case was registered with police after the February 2020 burglary at Phala Phala farm owned by President Cyril Ramaphosa.

Former SSA director-general Arthur Fraser may have been prompted to report the alleged crimes by Ramaphosa and his head of security, Major-General Wally Rhoode, as investigations into corruption at the SSA gain steam.

Ramaphosa is yet to explain the origins of the large amount of cash stolen, with Fraser alleging \$4 million in cash was taken.

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A case was not registered with police in the two years since burglars broke into a house on President Cyril Ramaphosa's farm near Bela-Bela in Limpopo in February 2020, and took off with an undisclosed amount of cash.

Ramaphosa's spokesperson Vincent Magwenya said that, to the best of his knowledge, the head of Ramaphosa's police protection unit, Major-General Wally Rhoode, did not report the burglary, adding that he was not in a position to explain or discuss why Rhoode did not report the crime to the police.

"All these issues will be ventilated in proper and appropriate forums. What we know is that he [Rhoode] conducted his own investigation and it ended there. Those are some of the issues that investigations will have to deal with," Magwenya said in an interview with News24 on Sunday.

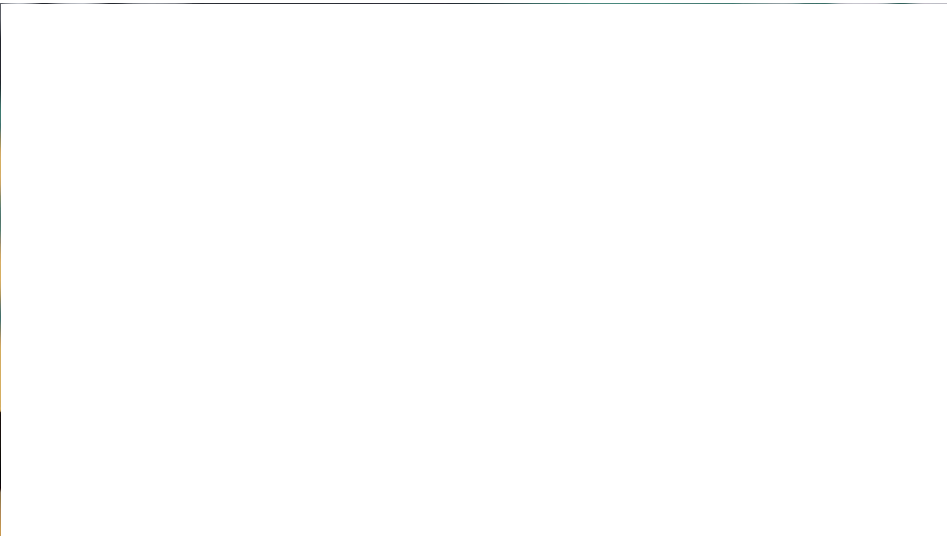
He poured cold water over suggestions that this matter had plunged the presidency into a crisis.

WATCH | Ramaphosa denies money stolen from his farm were proceeds from crime

"There is no sense of being under siege as it would appear out there in the public. Where the president needs to account, he will do so. He will subject himself to due process. At the moment the president has a programme to implement, and he is sticking to it."

Magwenya had, in statements to the media, denied the quoted figure of \$4 million US dollars, saying only that a reconciliation of sales at the farm, from which Ramaphosa's Phala Phala Wildlife operated, was still being done. He did, however, say the figure, first quoted by former SSA director general Arthur Fraser, was inflated.

Fraser opened a case with Rosebank police on Thursday alleging that Rhoode and Ramaphosa had been embroiled in a cover-up of the burglary and that Rhoode had unlawfully constituted a team of investigators, including former and then active police officials, who then allegedly interrogated and kidnapped suspects at the farm and in Cape Town.



WATCH | 'I've not stolen taxpayers' money' - Ramaphosa claims innocence amid farm burglary charges

President Cyril Ramaphosa has insisted that the money stolen from his farm were not proceeds of crime.



Fraser's affidavit provided to police, which News24 has seen, included allegations that all the suspects were then paid R150 000 each and sworn to silence.

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News24 previously reported that newly appointed SSA director-general, Ambassador Thembisile Majola, had instructed all SSA officials to **co-operate with forensic investigators, or face disciplinary action**.

News24 also understands that Investigating Directorate probes are progressing, with a source close the SSA saying that rumours within SSA's corridors was that Fraser's move could have been prompted by the fact that the ID was ratcheting up investigations into the theft of hundreds of millions at the intelligence agency.

Adding to Fraser's apparent discomfort was the placing on sabbatical or special leave of Graham Engel, the general manager for operations coordination. Engel is known to be a key ally of Fraser's.

The SSA did not immediately respond to confirm Engel's status.

"Majola is moving with speed," another SSA source explained. "Fraser is throwing up smokescreens, to try and distract everyone from what is to come."

The source said that Ligwa Advisory Services, tasked to undertake the forensic probe, had been instructed to pursue criminal charges and fully investigate "anything that even looked like corruption".



Arthur Fraser.

The final volume of the Zondo Commission into state capture report was due to be released in the coming weeks, and would focus largely on evidence of state capture at the SSA.

READ | Arthur Fraser's damning affidavit

But whether Fraser is seeking to divert attention or not, Ramaphosa and Rhoode are both in a precarious position - Rhoode for his handling of the investigation and alleged kidnapping and bribery of suspects, and Ramaphosa over the origin of the funds and what he knew of Rhoode's

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Fraser's allegations against Ramaphosa and Rhooode had also brought to light an alleged fallout between Fraser and Rhooode. The two men were long rumoured to have been close.

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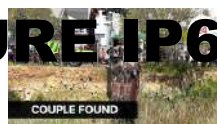
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Hawks take over Ramaphosa forex heist case from President's Praetorian Guard



South African President Cyril Ramaphosa. (Photo: Charlie Shoemaker / Getty Images) | Rawpixel | Unsplash



By Ferial Haffajee

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06 Jun 2022 0

The Hawks have taken over the investigation of the multimillion-dollar burglary at President Cyril Ramaphosa's Limpopo farm, as a damage control exercise gets under way. Meanwhile, Corruption Watch says the President should not be running a game farm as a business.

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[BeyondWords](#)

The Presidential Protection Unit (PPU) initially investigated the February 2020 burglary at President Cyril Ramaphosa's Limpopo farm, the Presidency confirmed after former spy boss Arthur Fraser laid a criminal complaint on June 2. But the Hawks have now taken over the docket, Brigadier Thandi Mbambo confirmed to *Daily Maverick*.

"The Directorate [for Priority Crime Investigation] has received a docket. At this stage, we are not in a position to say who is being investigated. Experienced investigators have been assigned in this case," she said.

The Presidency confirmed to *News24* that PPU head General Wally Rhooode had not opened a docket and registered a case number. Fraser's affidavit alleged the PPU had used off-book methods of investigation, including engaging the services of a local farmer to help.

The PPU can investigate but has to register an inquiry or open a docket, according to police officers and analysts. The Hawks have taken over the case, suggesting that the shake-up of Ramaphosa's Praetorian Guard, the PPU, is imminent as their methods have landed the President in a scandal.

The PPU, a subunit of the SAPS VIP Unit, is one of the few police divisions that received real increases this year while other parts of the police service suffered budget cuts, said Gareth Newham, the head of the ISS Justice and Violence Prevention Programme.

Until Fraser brought the complaints, Ramaphosa had stayed mum, the President said, not to create panic. But Fraser's affidavit alleged numerous irregularities, while [amaBhungane](#) reported an elaborate cover-up involving Namibian criminals. Newham said VIP Unit members could investigate but generally did not, as their core function was to protect VIPs.

Several red flags

"If Arthur Fraser did not come forward with this, we would have been none the wiser," said the Corruption Watch executive director Karam Singh, who said the incident had raised several red flags.

"The [biggest] red flag is that the President is actively involved in business," said Singh.

The cash paid for a red oryx and other game was still on the farm at the time of the burglary because the President was in Addis Ababa at an African Union summit, the Presidency confirmed. The implication is that the head of state oversaw the operations stemming from the burglary.

Ramaphosa's spokesperson, Vincent Magwenya, said the President's farm often made game sales in cash.

However, Singh said that if this is an industry where payments are made in significant cash, it must be seen as a sector vulnerable to money laundering. He said that people launder money by spending cash and substantial cash sales triggered obligations to report to the Financial Intelligence Centre or the SA Revenue Service.

Red flag number two

Red flag number two is that the cash was in foreign currency.

Fraser's affidavit says between US\$4-million and \$8-million was stolen. A statement by his lawyer used the lower amount.

Did the President violate exchange control violations? If it were tens of thousands of dollars, Ramaphosa would be able to regularise transactions after the fact by alerting the SA Reserve Bank. If the trades were in millions of US dollars, it becomes trickier for Ramaphosa to explain.

The rule is that any amount of more than \$10,000 on hand must be reported in 30 days and only exports can be paid for in foreign currency. This means Ramaphosa will have to show that the purchaser was buying his animals for export and that that exporter was not South African.

Two South Africans cannot trade in forex.

Keeping mum until Friday

"Due to the possible investigation, the Presidency will not be in a position to engage further on the details," said Magwenya. On Friday, the President will hold a media briefing after his Budget Vote Speech to Parliament, where he will answer detailed questions.

Ramaphosa was duty-bound to declare private business interests as part of the Executive Ethics Code, but that declaration is private. So are his tax affairs. Singh said Corruption Watch supported Ramaphosa waiving his right to privacy to make public these declarations.

"The third red flag is that the President did not bring us into his confidence. He is a public figure who does not have the same degree of [the right to] privacy as the [public]."

Political storm swirls

Fraser's complaint has stirred up a hornets' nest for the President. The DA leader, John Steenhuisen, said on Monday: "There is no aspect of any police or other investigation that prevents him from taking the country into his confidence with a full and honest account of the facts. He has a special obligation to do so, which no other South African has. Full disclosure is in both the Presidency and nation's best interests."

The DA has written to the SA Reserve Bank's Financial Surveillance Department to ask it to investigate forex violations regarding the cash taken from the President.

Understand this story

Former spy boss Arthur Fraser [laid a criminal complaint](#) against the president for holding and being robbed of almost \$4-million in cash.

Ramaphosa [confirmed the robbery](#) at his Limpopo farm.

[Official state documents](#) prove the president's security had hidden the incident from the public.

Ramaphosa volunteered to explain the allegations before the [ANC's Integrity Commission](#).

Stephen Grootes explains why this is Ramaphosa's [worst public image crisis](#) since he returned to formal politics.

"Sarb [the SA Reserve Bank] applies its exchange control policy consistently and equally to all South African residents. It is the practice of Sarb to investigate matters brought to its attention wherein reasonable grounds exist to believe there are contraventions," said the central bank in a statement.

When billionaire [Christo Wiese](#) was found with millions of dollars in his hand luggage in 2012, the SA Reserve Bank wrote to his lawyer, triggering an investigation.

UDM leader Bantu Holomisa has called for a parliamentary inquiry into the burglary at the presidential farm. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-06-hawks-take-over-ramaphosa-forex-heist-case-from-presidents-praetorian-guard/> on 26 October 2022

SPIES R US ANALYSIS

Mishandling of the Ramaphosa farm forex theft reflected in state accountability documents



Former spy boss Arthur Fraser during his appearance in Parliament on April 19, 2018 in Cape Town, South Africa. (Photo: Gallo Images / Netwerk24 / Jaco Marais)



By Marianne Merten

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07 Jun 2022 9

As more questions arise over the February 2020 forex and cash theft at President Cyril Ramaphosa's Phala Phala wildlife farm, it has emerged there is a serious omission of this in the SAPS annual report — thus compromising a key oversight and accountability tool.

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[BeyondWords](#)

The 2019/20 SAPS annual report ([South African Police Service Annual Report 2019/2020](#)) states:

“In 2019/2020, a total number of 84,756 protection services were provided by 14 Static Units, which covered 88 identified VIP residences, 29 strategic installations, which are located throughout South Africa, as well as nine buildings occupied by the SAPS. **No security breaches occurred during protection duties** [emphasis added].”



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And specifically on the Presidential Protection Service responsible for “the Presidency and identified VIPs”, the 2019/20 annual report states:

“Their dignity and its resources [sic] are protected with diligence, implement security measures to counter threats and risks that can cause harm to the Presidency, dignity of such Presidency, employees, assets, critical information and operations of the Presidency and identified VIPs. A 24-hour static protection service was provided to 21 identified VIP residences and three offices, **without security breaches** [emphasis added].”

That this is not true emerged courtesy of ex-spy boss Arthur Fraser’s affidavit and criminal charges laid last week against President Cyril Ramaphosa.

On 9 February 2020, burglars broke into the farm in Limpopo and got away with US dollars estimated to be worth into the tens of millions of rands that

were hidden in sofa cushions, [as was reported by the Daily Maverick's Ferial Haffajee and amaBhungane, which also traced the Namibian connection and intelligence backroom channels.](#)

The 9 February 2020 theft falls into the 2019/20 financial year ending 31 March 2020 and thus should be part of the 2019/20 annual report. Except it isn't.

Yet previous SAPS annual reports included security breaches.

Annual reports are a statutorily required account of how a department performs against determined indicators and spends its money on achieving these targets. Parliament uses annual reports for its Budget oversight — and may amend or refuse a Budget vote, even if lawmakers have not ever used their powers like that.

In the 2009/10 annual report, the SAPS said on presidential protection services, “No security breaches occurred in South Africa or abroad” in relation to transits. But on static protection, 13 security breaches were reported while guarding “76 presidential and national ministerial residences”; nine cases were concluded, four remained under investigation, with 18 suspects arrested.

Incidents included “theft of floodlights from the Presidential Guest House in Bryntirion”, and various thefts from the ministerial residential Bryntirion Estate, including trespassing and housebreaking.

And the 2002/3 SAPS annual report noted:

“No incidents of security breaches were reported. Seven complaints were lodged against members of the Protection Services. Investigations into the complaints revealed that it was not necessary to take departmental steps against the members involved. The situation was rectified by means of in-service training.”

In those days annual reports contained a lot more details and information. That's been whittled away. In the 2019/20 SAPS annual report, the forex robbery at the presidential Limpopo farm was just MIA.

Crucially, it's not an option that Ramaphosa's residences are unprotected. His Camps Bay, Cape Town, home is guarded by presidential protection teams — just ask anyone jogging or driving past.

It would be curious for presidential homes and farms where Ramaphosa spends time not to be protected, when police guard the homes of former presidents and deputies, according to the SAPS annual report. A parliamentary reply in late 2021 showed R8.39-million was spent between 1

April to 30 September 2020 to accommodate the bodyguards of Deputy President David “DD” Mabuza in Mpumalanga.

Security around presidential homes has been “improved” since the February 2020 Limpopo farm robbery, [according to Saturday’s statement from the Presidency](#).

The security breach has had real consequences — and those should have been reflected in the SAPS annual report which is a document of accountability.

To be clear: No legal obligation exists on Ramaphosa to report the robbery at his wildlife farm that makes money from auctions, [according to the Stud Game Breeders website featuring Phala Phala as one of its six members](#).

[Update: If the amount involved is R100,000 and more, according to Clause 34(1)(b) of the 2004 Prevention and Combating of Corrupt Activities Act, even a suspicion of theft, fraud, extortion or forgery must be reported to “any police official”. Ramaphosa may well argue that getting his bodyguards’ boss involved covers this. And while he’s on public record that the amount involved was much less than the reported \$4-million claimed by Fraser, no numbers are given.]

If he had, the proper process and procedure would have involved detectives — perhaps bypassing the local constable, straight to the Hawks — a CAS number and a docket.

But if the President decided he’d rather not report the matter, then everything had to have stopped.

That it didn’t, and an apparent backroom probe by presidential protectors continued, now steeped in allegations of unlawful detention, dodgy border crossings and backchannel intelligence measures, illustrates the continuation of the politicisation and elite focus of South Africa’s law enforcement and intelligence agencies.

Whether then police boss Khehla Sitole was ever told or otherwise knew, would indicate the lack of policy transparency and accountability. As accounting officer, Sitole signed off on the 2019/20 SAPS annual report that didn’t include the presidential security breach.

What to know about the Ramaphosa farm forex theft

Former spy boss Arthur Fraser [laid a criminal complaint](#) against the president for holding and being robbed of almost \$4-million in cash.

Ramaphosa [confirmed the robbery](#) at his Limpopo farm.

[The Hawks](#) have taken over the investigation of the multimillion-dollar burglary.

Ramaphosa volunteered to explain the allegations before the [ANC's Integrity Commission](#).

Stephen Grootes explains why this is Ramaphosa's [worst public image crisis](#) since he returned to formal politics.

Other questions remain.

The South African Reserve Bank (SARB) is on public record saying it does not comment on any investigations. And South African Revenue Service (SARS), is well known to maintain taxpayer confidentiality.

So it's unclear whether Ramaphosa, or his farming business, is registered to handle foreign currency that so-called offshore buyers and hunters deal with. And it's unclear if the stolen US dollars had been stored in the sofa cushions for longer than the 30-day exchange window. If yes, penalties by the SARB could follow.

Whether Ramaphosa paid SARS dues like Value-Added Tax on the proceeds of the animal sales on his farm also remains unclear.

It was a given that Fraser's criminal charges would set off an ANC factional political push to scupper Ramaphosa's second term presidential bid at the ANC December elective conference. But it's also become enmeshed in statecraft and governance.

"Due to the possible investigation, the Presidency will not be in a position to engage further on the details of the matters..." the Presidency statement said on Saturday. On Sunday Ramaphosa, the ANC president, told the Limpopo ANC elective conference the stolen money was far less than reported.

Reiterating his innocence on Fraser's claims in a feint invoking taxpayers' money, Ramaphosa said:

"I have never stolen money from taxpayers. My integrity as a leader will never allow me to do so".

No one said Ramaphosa did. It's about forex, being in the cattle and game farming business, tax — and why the President doesn't seem to know about safes, or seemingly how to use his strongroom.

“I’m a farmer. I’m in the cattle business. I’m in the game (farming) business,” Ramaphosa told the ANC conference delegates on Sunday.

“And through that business that has been declared in Parliament and all over I buy and sell animals... This was a clear business transaction of selling animals...”

Except no declarations have been filed in Parliament since 2018. That’s when Ramaphosa resigned, as he must according to Section 87 of the Constitution, following his [election as President in February 2018](#). Declarations as President would be kept in the Union Buildings.

The available parliamentary declarations from 2014, when Ramaphosa became deputy president and put his wealth in blind trusts, show plenty of property owned, but not [Phala Phala wildlife estate, started in 2011](#).

It may well be in the confidential section of the members’ interest register, although strictly speaking only details like the address and size may be shielded.

What is declared is the Tshivhase Trust that houses the Shanduka interests — and 100 shares in each of Ntaba Nyoni Feedlot and Ntaba Nyoni Estates, listed as cattle and game farms. Between 2014 and 2017, Ramaphosa’s last parliamentary declaration, the value of the estate went from R50,311,251 to R120,735,000, according to declarations.

The February 2020 presidential farm forex theft has raised lots of questions — and compromised statutory accountability documents such as annual reports central to parliamentarians’ oversight.

It is messy. And to no small extent it’s because of presidential fudginess. It’s unlikely the criticism will go away.

The opposition is set to seize the opportunities on Thursday when the two-day parliamentary session on the Presidency Budget vote kicks off. What Ramaphosa does in his Friday reply will be crucial for his presidency of both party and state. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-07-mishandling-of-the-ramaphosa-farm-forex-theft-reflected-in-state-accountability-documents/> on 26 October 2022

PARLIAMENT

Cele: Police were not protecting Ramaphosa's Phala Phala farm at time of forex theft



Illustrative image // President Cyril Ramaphosa. (Photo: Waldo Swiegers / Bloomberg via Getty Images) | The sale of game, including the red oryx, has been at the centre of the robbery at the President's Phala Phala wildlife farm in Limpopo. (Photo: Supplied)



By Marianne Merten

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05 Jul 2022 1

President Cyril Ramaphosa's Limpopo farm was not under police protection at the time of the 2020 sofa cushion forex theft. Thus the security breach — the theft wasn't reported to the local charge office — didn't make the 2019/20 SAPS annual report, according to a parliamentary reply.

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BeyondWords

But the failure to provide security at the farm until the end of 2020 raises further questions about the SAPS doing its job – and that includes the protection of private and official homes of presidents, their deputies and spouses, according to the Presidential Handbook.

In early June [Daily Maverick reported](#) how the forex farm saga did not appear in the 2019/20 SAPS annual report that stated, “No security breaches occurred during protection duties”.

The February 2020 break-in and theft of reportedly \$4-million of which only the presidential bodyguard’s boss was informed, according to ex-spooks boss Arthur Fraser’s affidavit to police on 1 June 2022, should have been listed in that 2019/20 SAPS annual report. These departmental documents are key oversight tools for Parliament, outlining not only spending but crucially also performance against targets and indicators. Protecting VIPs like the President both in transit and in loco is such a mainstay performance indicator.

As it now turns out, the presidential farm in Limpopo wasn’t protected.

“The security breach was not reported in the SA Police Service annual report 2019/20 as the president’s farm in Phala Phala was not protected by SAPS presidential protection service. Phala Phala farm only became the responsibility of SAPS in late 2020...” said Police Minister Bheki Cele in his parliamentary reply dated 4 July 2022.

SAPS national commissioner Lieutenant-General Fannie Masemola had signed off as police accounting officer to the parliamentary response to DA MP Andrew Whitfield on 29 June 2022.

But Cele’s parliamentary reply raises further red flags.

The SAPS takes “full responsibility for the protection and security of the president”, according to the [Presidential Handbook](#) that sets out entitlements for sitting and former presidents, their deputies and their spouses/partners.

Together with intelligence agencies, “regular and comprehensive security assessments” are done. And security and protection measures include, but are not limited to “static protection at all official and private residences and office accommodation”.

Such protection measures also include in-transit security and “static protection of aircraft”, the vetting of bodyguards, medical personnel and other staff, the screening service providers and regular reviews of ICT security systems.

“The cost of the provision, implementation and maintenance of physical security measures at official and private residences used during the term of the president and deputy president shall be carried by DPW (Department of Public Works) in terms of office of the relevant policies at DPW and government legislation and regulations, as advised by the intelligence agencies,” according to the Presidential Handbook dated November 2015.

The presidential Cape Town and Johannesburg homes are visibly guarded; anyone driving past in Cape Town can see that.

It remains unclear why President Cyril Ramaphosa’s Phala Phala farm, where he is understood to regularly spend time, failed to be included in the presidential protection set-up.

What is apparent, however, is that the SAPS not protecting Phala Phala until late 2020 stands at odds with the Presidential Handbook, which talks of both official and private residences, alongside the offices.

How this lack of protection also while Ramaphosa was deputy president from 2014 was allowed to continue should be the subject of further questions — and parliamentary oversight.

And such questions must be asked as costs for “the provision, implementation and maintenance of physical security measures at official and private residences” are determined by Public Works — but are carried by what the handbook calls the “National Security Services (NSS)”, effectively the SAPS, spooks and soldiers.

The so-called NSS also carries costs for “security personnel, communication security and information security”, while the SAPS specifically is responsible for procuring and maintaining the cars for the President, deputy president and their spouses together with the vehicles’ running costs, according to the Presidential Handbook.

No excuse exists for not knowing. The preface to that handbook officially in place since 2015 states,

“All public servants who provide services in terms of this handbook are expected to acquaint themselves thoroughly with the provisions contained herein.”

Against the SAPS’s now publicly admitted failure to have protected the presidential Phala Phala farm stands Ramaphosa’s continued silence on the farm forex saga.

In his [10 June Budget Vote debate reply](#), Ramaphosa invoked “due process” as the reason why no details would be given.

“I will therefore not be responding to speculation, conjecture, allegations, or so-called revelations. These must be ventilated in the proper and appropriate forums. I repeat, the law must take its course,” said Ramaphosa then, citing the criminal complaint.

As the farm forex saga travelled with him to the recent G7 summit in Germany, presidential parliamentary replies that were published around the same time continued holding the line of keeping schtum.

“I am ready to cooperate with any investigations on this matter and will answer whatever questions the investigators ask of me. The law must be allowed to take its course and due process needs to be followed...” said Ramaphosa [in response to five parliamentary questions](#) from the EFF and DA.

On Tuesday, Cele in another parliamentary reply to Whitfield confirmed the Hawks were investigating “a criminal case related to a number of allegations” made by Fraser in his 1 June complaint.

But that’s as far as the details went.

“The systematic search for the truth shall dictate the path to follow,” said Cele in his parliamentary reply. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-07-05-cele-police-were-not-protecting-ramaphosas-phala-phala-farm-at-time-of-forex-theft/> on 26 October 2022

03 Jun



Ramaphosa farm theft: Money stolen from game farm the earnings from private sales, transactions

news24 Kyle Cowan and Qaanitah Hunter

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President Cyril Ramaphosa

PHOTO: Jeffrey Abrahams, Gallo Images

President Cyril Ramaphosa has confirmed cash was stolen from a farm he owns in Limpopo.

While the true amount is yet to be disclosed, former spy boss Arthur Fraser has alleged more than US\$4 million was taken and recovered.

The confirmation of the theft has raised serious questions around the nature of large

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cash transactions involving Ramaphosa's businesses

ANNEXURE IP68

1528

The money stolen from President Cyril Ramaphosa's game farm in Limpopo was not the earnings from one of the many lucrative auctions of rare game in the province, but that of a deal between the president and private breeders or investors.

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former SAB chief executive Norman Adami, Jacques Malan, Tony and Richard Morton as well as Johan and Nadien Bosch.

Auctions of buffalo and other game by these breeders often fetch record prices. They all pride themselves on breeding outstanding and often rare, disease-free animals to be sold in a competitive market.

Phala Phala's general manager, Hendrik von Wielligh, would not venture into detail when contacted by phone on Thursday, saying only it was not unheard of for transactions to be in cash, although the majority of deals were done through bank transfers.

He would not be drawn on the identity of the cash buyer, saying he would rather let police enquiries take their course.

A well-placed source in Limpopo with working knowledge of events at Phala Phala indicated the money was seemingly related to a foreign investor and buyer.

News24 was not able to confirm the exact amount of cash that was taken, or if it was in rands or dollars.

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What key issues should President Cyril

Confirmation from the Presidency on Thursday that money was stolen during a robbery at his farm in Limpopo in February 2020 has raised concerns over the impact of the inflow of large amounts of cash into Ramaphosa's game breeding ventures.

On Wednesday, former State Security Agency (SSA) director-general Arthur Fraser issued a press statement alleging that on 9 February 2020, a burglary took place at the Limpopo farm, and according to him, roughly US\$4 million in cash was taken.

He opened a case at the Rosebank police station, claiming Ramaphosa had hidden the incident from police and the taxman, and according to the statement, had provided police with video evidence of the theft.

Fraser alleged the suspects were caught, kidnapped and interrogated, and he believed crimes of defeating the ends of justice, kidnapping and money laundering were committed.

Police spokesperson Colonel Athlenda Mathe confirmed a case had been registered and "due processes" would follow.

Magwenya issued a statement on Thursday, confirming the incident but denied Fraser's claims.

He said the "proceeds from the sale of game were stolen".

The auction of cattle was halted by the government between 2019 and mid-February 2020 due to an outbreak of foot and mouth disease. The robbery took place just days before the government lifted the ban.

Red flags

The president's confirmation that cash was stolen immediately has raised concerns.

One forensic expert, a senior executive at a respected forensic law firm who asked not to be named so he could speak freely, said money laundering in the wildlife trade was an area South Africa needed to address.

"At the moment, there is a broader problem for South Africa, we have been criticised in our latest mutual evaluation with the Financial Action Task Force [FATF] for not doing enough to tackle money laundering. The trade in wildlife and casinos has been specifically highlighted as areas that are open to abuse," they said.

"This is an issue for government to clamp down on and address, because it is creating concerns on the part of the FATF regarding compliance with the recommendations. The report was quite scathing."

Another leading figure in agriculture with extensive knowledge of the wildlife industry said cash transactions were common, with auctions mostly being online and widespread suspicion that money laundering could play a role in some transactions.

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President Cyril Ramaphosa on Sunday said the appointment and removal of board members in SOE's was one of the key causes



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1530

Concerned

A source close to the president's security detail told News24 Ramaphosa was first concerned about a security breach at his farm, but did not know money was stolen from the premises.

At first, there was concern about the wellbeing of the animals on the farm given the fact he owns breeding buffalos worth millions.

The insider said only weeks later after the African Union Summit and State of the Nation Address in Parliament, did the president realise the money was stolen.

The well-placed source noted Major-General Wally Rhooode, the head of Ramaphosa's VIP Protection Unit, immediately began an investigation into the matter.

READ | Ramaphosa set for another second term nod as VBS scandal haunts ANC Limpopo conference

"The farm was not under the care of the presidential protection unit. Ramaphosa didn't want us to install security there because of what happened at Nkandla. So, after this incident we had to secure the farm," the insider said.

Two sources close to the Union Buildings added they believed Fraser overstated the amount of money stolen from the premises.

Ramaphosa's allies believe Fraser's accusations were a red herring amid talks of looming criminal charges against him and a close confidante at the SSA.

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POLITICS

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Phala Phala theft plot thickens

Emsie Ferreira 29 Jul 2022



Cyril Ramaphosa's farm, Phala Phala. (Leon SAdiki)

The head of the presidential protection services, Major General Rhoo de, has confirmed that he travelled to Windhoek with private envoy Bejani Chauke for an undisclosed purpose in June 2021, a fortnight after Namibian authorities nabbed the main suspect in a **burglary** at President Cyril Ramaphosa's game farm.

Rhoo de says, in his reply to questions from the public protector, that he does not know what Chauke, Ramaphosa's envoy for Africa, discussed with Namibia's President

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Hage Geingob, because he was simply the security detail on the mission.

ANNEXURE IP69

Email Address

1534

“Mr Chauke met with President Geingob and I stayed outside the door. Accordingly, I do not know what was discussed.”

SIGN UP

It is one of many questions Rhooode’s affidavit does not answer, while providing a generally exculpatory account of himself and Ramaphosa.

Ramaphosa’s spokesperson Vincent Magwenya said he is not in a position to say why Chauke met Geingob.

According to Rhooode, he and Chauke crossed the border by car on 25 June at the height of the first wave of the Covid-19 pandemic as air travel was out of the question.

“We drove from Upington to the Naskop [sic: Nakop] border post, where we completed all the necessary paperwork on the South African side. We then crossed into Man’s Land where we waited for the Namibian police to meet us,” he said in his submission.

“They picked us up in a helicopter and took us to Windhoek. We arrived late in the afternoon and the next morning we went to see President Geingob.”

By this stage, Rhooode’s efforts to investigate the burglary at the presidential farm in Limpopo were well underway, with the apparent support of his superiors.

But so were separate investigations by Namibian authorities into the suspected funneling of large sums of money into Namibian bank accounts from South Africa between February and May that year.

Imanuwela David, the man named as the mastermind of the theft of millions of dollars from the farm, was arrested after illegally crossing the border into Namibia on 1 June, carrying US dollars and Swiss watches.

Justice Minister Ronald Lamola confirmed on Monday that on 13 August, 2017,

authorities had sent a request for mutual legal assistance to the South African department of foreign affairs. It asked for help in investigating suspected contraventions of three sections of the Namibian Prevention of Organised Crime Act (POCA).

ANNEXURE IP69

1535

The request was first sent to the special commercial crime unit of the National Prosecuting Authority (NPA), and from there to the justice department's chief directorate for international legal relations, which advised that it did not comply with the international law on cooperation in criminal matters.

"The request could therefore not be processed at that stage," Lamola said.

In November, David — who was reportedly born in Namibia but carries a South African passport — was charged with contravening the Immigration Act, fined R100,000 and given 48 hours to leave the country. He then returned to South Africa.

By then there were whispers in Windhoek that he had been part of a gang that had stolen money from Ramaphosa but that the South African side was reluctant to extend official assistance to local police tracking the suspects.

The justice ministry on 21 June, three weeks after former spy boss **Arthur I** was named in the Zondo state capture report, pressed charges against Ramaphosa's former bodyguard, Rhoope, for allegedly obstructing the course of justice, denied having received a request for help from Namibia in relation to David.

This week Lamola clarified that the request never reached him, and that while he was talking about it last month, he could not trace it partly because it was stuck at a preliminary stage in the department, partly because the request did not focus on David but was suggested by Namibian communiqués on the subject, but mentioned various other suspects. Hence it was a case of confusion not a cover-up.

ANNEXURE IP69**1536**

Links: Protection services head Wally Rhoode went to Cyril Ramaphosa's farm over the burglary with colleagues, including a former police officer, who is now Arthur Fraser's business partner.

Rhoode said the national police commissioner had sanctioned his trip.

His account of events starts in Addis Ababa on February 10, when Ramaphosa called him to his hotel room in the Ethiopian capital to inform him that there had been a security breach at this farm.

“The instruction was to alert me to the incident such that I could properly carry out my duties in respect of protecting the president and his family,” he wrote. “It should be noted that President Ramaphosa was chairing the [African Union] summit in Addis Ababa at the time.”

exceptionally busy at that time.”

ANNEXURE IP69

1537

Presidential protection services staff were sent to the farm and confirmed that security cameras were compromised. Rhoode and Ramaphosa returned to Africa where, he again stressed, the president's schedule was packed.

On 2 March, Ramaphosa summoned Rhoode to his home in Hyde Park and that “money from the sale of animals was missing from the residence at the

The president did not mention an amount.

Rhoode said he told Ramaphosa that he had to inform his superiors and to inform the deputy national police commissioner Sindile Mfazi, who asked him to gather further information and said he would institute a full-scale investigation.

“It is beyond the scope of my work to be allocated matters or case dockets to conduct criminal investigations,” Rhoode said.

He said he, a fellow member of the presidential protection services and one Trevor Fredericks, who has since died of Covid-19, interviewed the domestic help at the farm, Floriana Joseph, and her brother.

Trevor Fredericks is also the name of a former NPA provincial head of security. Later, *amaBhungane* has reported, became Fraser's business partner.

Rhoode said of the questioning of the Josephs: “It would be wrong to characterize these interviews as interrogations.”

He said he submitted what he gleaned to Mfazi. “I assumed that Lieutenant Mfazi would as part of the full-scale investigation follow the prescribed procedure including opening a docket if appropriate.”

But, in a separate affidavit, Masemola confirmed that “no case was opened regarding the alleged theft”, although subsequent to Fraser's complaint the Directorate of Public Prosecutions Priority Crime Investigation has been assigned to the matter. The investigation is to determine the provenance of the money.

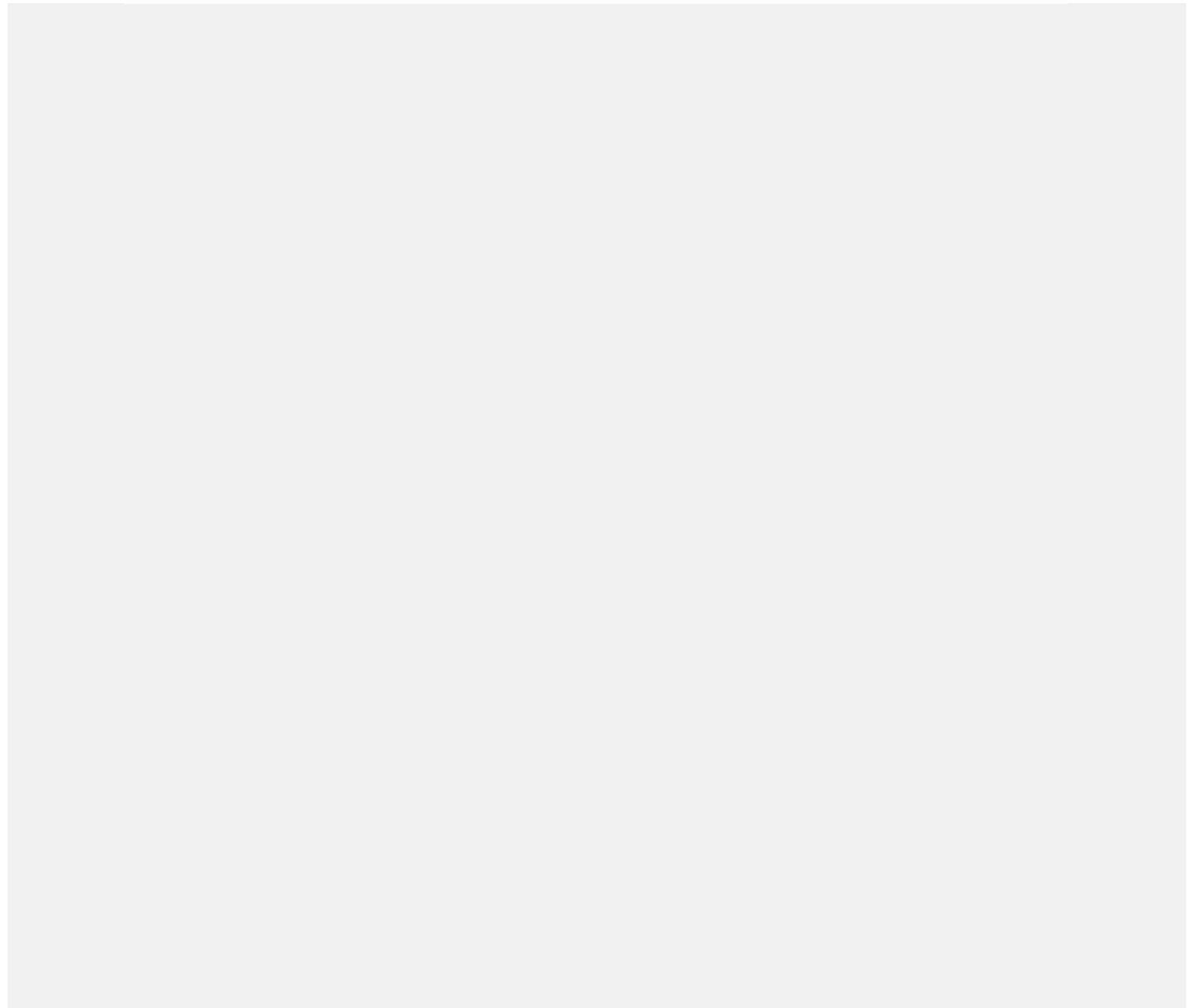
It was confirmed this week that despite reports to the contrary, Rhoodes is not in post.

ANNEXURE IP69

1538

Ramaphosa has in the meanwhile, under threat of subpoena, responded to questions sent to him by the public protector after his second request for records was denied.

Mfazi too has died of Covid-19 complications.



AMABHUNGANE

Ramaphosa's stolen millions: the Namibian connection



President Cyril Ramaphosa (pictured) has admitted that over R60-million was stolen from his Limpopo farm, this after charges were laid by former spy boss Arthur Fraser. (Photo: GCIS)



By Tileni Mongudhi, Sam Sole and Tebogo Tshwane for amaBhungane

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04 Jun 2022 11

In 2020 Namibian authorities identified suspects following a break-in at Cyril Ramaphosa's farm, but sources allege SA intelligence back-channels were used to get the Namibians to let the matter go. Now Arthur Fraser's criminal complaint puts the President on the spot: what did he do, what did he know and why the cover-up?

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Information obtained by amaBhungane points to a major cover-up of the 2020 theft of some US\$4-million in cash from President Cyril Ramaphosa's Phala Phala game farm in Limpopo.

Now the criminal complaint against Ramaphosa laid by former spy boss Arthur Fraser on Wednesday has massively raised the stakes over what exactly happened in the days following the break-in on 9 February 2020.

The key questions are: what did Ramaphosa do, what did he know, and why was it hushed up?

Late Saturday presidential spokesperson Vincent Magwenya sent a message in response to detailed questions from amaBhungane, stating: "My apologies. Because of the volume of detailed questions we have received, most of which we cannot answer due to pending investigation, we are going to release a statement later to address the issue."

What we do know is that authorities in Namibian law enforcement agencies were alerted to about N\$6-million (about R6-million) transferred by the suspects into Namibian accounts between February and May 2020.

One of the suspects, Imanuwela David, a Namibian born individual who also carries a South African passport, was arrested after illegally crossing into Namibia on or about 12 June 2020.

Amabhungane on Saturday reached David via WhatsApp but he claimed we had the wrong number and he didn't know what we were talking about, despite the number being confirmed by one of his friends. He then blocked us.

By 16 June 2020 Namibian journalists were already aware that David was alleged to be linked to a "theft worth around R50-million from a farm belonging to President Cyril Ramaphosa".

According to a Namibian police statement, David was in possession of a TAG Hauer watch worth N\$ 28 000, a Rolex watch worth N\$ 280 000 and gold chain worth N\$ 163 000, plus eleven US\$100 notes.

Government sources told Namibian journalist Tileni Mongudhi at the time that the South African authorities appeared reluctant to assist or provide information.

Mongudhi was told that a "back-channel" intelligence approach between Namibian and South African officials revealed that David was being monitored as a member of a group suspected of having broken into Cyril Ramaphosa's house around February or early March this year.

The Namibian security sources said the SA government was denying the incident allegedly because the President might find it difficult to explain the cash in his house and the security breach.

They said it was allegedly an inside job and one of the cleaners was a suspect. The gang supposedly made off with cash worth R50-million.

This information, revealed in June 2020, is remarkably accurate when compared with the allegations contained in a statement issued by Fraser on Wednesday.

Fraser wrote, “The charges emanate from the theft of millions of US dollars. (in excess of four million US dollars) concealed within the premises of the President’s Phala Phala farm in Waterberg, Limpopo, by criminals who were colluding with his domestic worker. They also include defeating the ends of justice, kidnapping of suspects, their interrogation on his property and bribery. The President concealed the crime from the South African Police Service and/or South African Revenue Service (SARS) and thereafter paid the culprits for their silence.”

In response, the presidency issued a statement noting, “President Ramaphosa is clear that there is no basis for the claims of criminal conduct that have been made against him in Mr Fraser’s statement.”

The Presidency confirmed that a robbery took place at the President’s farm in Limpopo on or around 9 February 2020 in which proceeds from the sale of game were stolen while Ramaphosa was attending an African Union Summit in Addis Ababa.

“On being advised of the robbery, President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service for investigation.”

That fact may hold the key to cover-up and to Fraser’s apparently intimate knowledge of what took place.

The head of the PPU is Major-General Walter “Wally” Rhoode.

As amaBhungane has previously [reported](#), Rhoode has been accused of previously receiving cash payments from the SSA or one of its covert structures, including during the time he was contracted to Ramaphosa’s ANC presidential campaign — a time when Jacob Zuma was president and Fraser was running the SSA.

Now an extract, purporting to be a page from Fraser’s affidavit in support of his criminal complaint, has appeared on social media, showing that security camera footage of the theft was handed to Fraser “by a member of Major-General Rhoode’s team”.

Fraser did not respond to questions about his relationship and interactions with Rhooode that were WhatsApped to his attorney Eric Mabuza, who also previously represented former president Jacob Zuma. He also did not respond to a request for access to his affidavit, although this found its way to controversial Independent Group reporter Mzilikazi wa Afrika.

Rhooode told amaBhungane that he was precluded by police rules from responding to media queries.

Nevertheless, information pieced together by amaBhungane suggests that Rhooode or his team adopted a heavy-handed approach to the investigation, which gave rise to Fraser's allegations of kidnapping.

AmaBhungane was able to trace someone who previously worked at Phala-Phala and knows and speaks to David (the Namibian suspect) regularly.

He told us the kidnapping story was credible.

The man, who asked not to be identified, said he was informed by one of his former colleagues that Ramaphosa's helper, whose name is Froliana, was kept locked in a room on the farm for about two to three days with her brother. The two were apparently interrogated by a number of Black, Indian and White officials who were thought to be either police or intelligence.

"They did ask them so many questions like the whole day until 2am the following day. They would give them three to four hours to sleep and then the following day they would be on top of them again with questions."

The source said that according to the version he heard the Phala-Phala domestic worker had discovered the money and took pictures and videos. She showed her brother, who was the one who shared the information with Imanuwela David and the other suspects.

"There are a few Namibian women who work on the farm, one of them cracked when the house manager was questioning them and implicated Froliana," said the man.

When she was asked to explain what happened she confessed that her brother organised the break-in with guys who had come from Johannesburg. She apparently claimed to have not been part of it but had received money from the brother afterwards, which was around R40 000. Following her confession, she was ordered to ask her brother to fetch her from the farm and that's how they got hold of him and kept them hostage.

Both earlier Namibian reports and wa Afrika's quotation from the Fraser affidavit claim the cash "was concealed in the furniture in the main farmhouse".

Details of David's escape add to suspicions of a high-level cover-up – with or without President Ramaphosa's knowledge.

According to a Namibian police report seen by amaBhungane, David was assisted to exit South Africa and cross the border illegally by a person who works as “head of intelligence” in Durban, South Africa and was known as “Mr Jele” or “Papa J”.

This “Papa J” allegedly paid people R50 000 in Namibia and South Africa to smuggle David out.

The police report said “Papa J” allegedly contacted a Zambian who in turn contacted Mr Ngalangi to assist.

It is known that Paulus Ngalangi, who acted as chief executive officer of the National Fishing Corporation of Namibia (Fishcor), collected David at the Namibian border after he crossed the Orange River in a canoe.

Ngalangi was Fishcor's finance chief and was in charge of the parastatal's purse when more than N\$75 million was allegedly diverted from the national fishing corporation to fund Swapo, political leaders and business people in the so-called “Fishrot scandal”.

While transporting David to Windhoek, Ngalangi was accompanied by a policeman Hendrick Hidipo Nghede.

The trial of the two men, who have pleaded not guilty to charges involved in aiding and abetting an illegal immigrant, resumes on Monday.

What is clear is that attempts by Namibian authorities to obtain assistance from South African law enforcement were met with failure.

Amabhungane understands that the Namibian authorities also approached the South African embassy in Namibia with information about David and his accomplices (whose names are known to amaBhungane) and separately delivered a request for Mutual Legal Assistance setting out the evidence against the three men.

These initiatives yielded were unsuccessful.

Instead amaBhungane was told by Namibian sources that high level “back-channel” communications ensued with the Namibian authorities to persuade them to keep the matter quiet and that Fraser may have played a role.

As a result of this non-co-operation, David was in November 2020 in a position to plead guilty to minor charges under the Nambian Immigration Act.

According to an official Namibian statement, he paid a fine of N\$ 20 000 in respect of his sentence and was released on the same day. A 48-hour notice was issued to him by Immigration officer to leave the country and he left Namibia via Noordoewer border post on 14 November 2020 at about 08h00.

Amabhungane suggested to Ramaphosa's spokesperson that the only reasonable explanation for this series of events was that there was no wish to pursue the investigation because it would reveal that either the President or Mr Rhooode – or members of their respective teams – had committed crimes in the course of or aftermath of the theft incident.

We noted, “Depending on his knowledge of these events, the President and/or Mr Rhooode has/have placed the President in a position of great vulnerability, which Mr Fraser has now chosen to exploit.”

The President has yet to answer. **DM**

Daily Maverick, as found on <https://www.dailymaverick.co.za/article/2022-06-04-ramaphosas-stolen-millions-the-namibian-connection/> on 26 October 2022

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National police commissioner General Fannie Masemola has come under scrutiny in the Phala Phala matter. Photo: GCIS

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NEWS

National police commissioner General Fannie Masemola allegedly authorised the use of a police

helicopter and a communication interception device known as a grabber and the spending of thousands of rands in the hunt for the suspect, led to the theft of millions of dollars in cash from President Cyril Ramaphosa's farm in Limpopo.

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These startling claims are contained in classified "security breach" reports within the SA Police Service (SAPS) crime intelligence unit. The use of state resources happened in spite of the fact that no theft case had been opened with the police at that point.

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his tenure as deputy national commissioner responsible for policing, who authorised the operation, which involved task force police officers and civilians.

FORMER COMMISSIONER SITOLE WAS KEPT IN THE DARK

The officers who were tracking the alleged suspects, one of whom was finally located in Namibia, allegedly used the grabber and monitored the communication of Ramaphosa's domestic worker, who was the alleged mastermind behind the theft.

The costly hunt for the suspects started on February 10 2020.

READ: [The man who stole Cyril's dollars](#)

The grabber is a device normally fitted to the back of an unmarked police van and has on-board computers and an operator. It serves as a cellphone tower receiver. A police insider said the spying device tracks a phone's location and those monitoring it have real-time access to the communication.

A security cluster source with access to the reports said:

Masemola was the one who gave the green light for the use of the police resources even though there was no registered criminal case. The costs for the operation, which included the use of the police air wing, the vehicles, accommodation as well as meals, were paid for by the police service.

The source added that the clandestine operation had been so secret that even then national police commissioner Khehla Sitole had not been informed about the incident and the police's response.

"Sitole only learnt about the incident when it started to become hot gossip ... when some of the involved started to reveal the details of how the police used a heavy-handed approach when they tortured the people who were responsible for the theft," the source revealed.

READ: [Ramaphosa rails against 'personal' attacks on him over Phala Phala](#)

According to the source, there was a crime intelligence investigation into the matter, which recommended that some of the officers implicated in the secret operation be charged. But those findings were allegedly shelved.

The source said:

I don't know why the report was shelved. But I assume they were afraid that the disciplinary process would expose the involvement of senior officers and a sitting minister, which would cause embarrassment and cause diplomatic tension between South Africa and Namibia.

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Police spokesperson Colonel Athlenda Mathe said the department cannot comment on the alleged involvement of Masemola in the sanctioning of the operation.

Mathe said: "The matter referred to remains under investigation by the DPCI [Directorate for Priority Crime Investigation – the Hawks] and the SAPS will therefore not comment on an ongoing investigation."

Hawks head General Godfrey Lebeya said their investigation was ongoing and he would not be divulging the progress to the media.

Lebeya said:

Once we finalise the investigation, it will be handed to the National

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or using his position as president to try to prevent these things from being thoroughly scrutinised."

He charged:

The reason this matter gets reported to the police station ... the intention is not to fight corruption, the intention is that of the counter-revolutionaries to fight back [to] dislodge the leadership of the ANC and the leadership of the alliance.

The allegations of police involvement in the search, torture and cover-up related to the alleged



crimes first surfaced when former State Security Agency boss Fraser opened a criminal case against the president at the Rosebank Police Station in June 2019.

ANNEXURE IP71

1548

In the affidavit, Fraser asked the police to investigate Ramaphosa, Presidential Protection Unit head Major General Wally Rhoode and members of crime intelligence for money laundering, contravening the Prevention of Organised Crime Act and corruption, in contravention of the Prevention and Combating of Corrupt Activities Act.

Fraser said:

I appreciate that it is no small matter to lay criminal charges against a sitting president, but I am guided by the dictates of the interests of justice and our Constitution. By virtue of my experience, my advice is regularly sought in relation to security and intelligence matters. Similarly, unsolicited information is also regularly brought to my attention by various people and entities.

According to his affidavit, which has photos and copies of passports, identity books and other documents, the “trespassing and housebreaking” happened on February 9 2020 at the main farmhouse at Phala Phala, a wildlife farm situated in Bela-Bela.

“The incident was not officially reported to the police to investigate. However, president Ramaphosa instructed Major General Rhoode to immediately investigate the incident, to apprehend the suspects and to retrieve the stolen US dollars. Major General Rhoode subsequently acquired the services of a local farmer with investigative experience and capabilities to assist him with the investigation.

“Major General Rhoode immediately, illegally constituted a team, consisting of, inter alia, former SAPS members and serving members of SAPS’ crime intelligence unit, along with the local farmer, to investigate the matter at the instance of President Ramaphosa,” Fraser said.

READ: Arthur Fraser’s damning affidavit

Sources within the security cluster said it was this team that had access to the police helicopter and high-powered vehicles, as well as the use of the police’s phone monitoring device.

Fraser alleged that the team collected video and photo evidence; interviewed the domestic worker and some of the suspects; recovered some of the stolen money; and obtained documentary proof on how some of the stolen US dollars had been spent by the alleged thieves.

The affidavit read:

I was also informed of the following by a member of Major General Rhoode’s team. One of the domestic workers employed at Phala Phala discovered undisclosed sums of US dollars concealed in the furniture of the president’s residence on the farm. The domestic worker hails from an informal settlement in proximity to Phala Phala, known as Cyferskyl, which is predominantly occupied by Namibian citizens.

PRESIDENTIAL SECURITY CHIEF’S WINGS CLIPPED

This week, Rhoode’s powers were trimmed after Masemola appointed the divisional

commissioner protection security services, Lieutenant General Sam Shitlabane, to oversee the component: presidential protection service that is ultimately being opened up directly to the national commissioner.

Police spokesperson Mathe said:

This comes as General Masemola is putting measures in place to strengthen and enhance governance and accountability, and is thus implementing this as an interim measure to ensure effective and efficient command and control, and also promote better coordination of functions within the organisation.

Rhooide did not want to comment when approached yesterday, saying he was a police officer and was not authorised to speak on the matter.

He referred all questions to the police spokesperson.

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Zizi Kodwa drawn into Phala Phala investigation

City Press Setumo Stone

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Deputy State Security Minister Zizi Kodwa. Photo: Lerato Maduna

NEWS

Deputy State Security Minister Zizi Kodwa has become a person of interest as more details of the alleged robbery of an estimated \$4 million (R60 million) in cash from a farm owned by President Cyril Ramaphosa in Limpopo in 2020 come to light.

Kodwa's name is among the latest to feature in the list of government officials who allegedly knew about the incident at Phala Phala, but opted to keep it a state secret, another being a Colonel E Edwards, a police attaché in the SA High Commission in Windhoek, Namibia.

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City Press has learnt that this is part of fresh information coming from Namibia that is being shared with South African investigators.

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Podcasts **1552**

The investigation into the alleged crime has taken off after the Hawks met with whistleblower and former SA State Security Agency director-general Arthur Fraser.

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City Press has learnt that the Namibian police's approach to the South African Windhoek office came after the arrest of the alleged robbery mastermind, Imanuwela David, and the Namibian authorities were seeking clarity regarding claims about his alleged crime in South Africa and the source of his money.

Yesterday, a source in the SA Police Service (SAPS) claimed that Edwards was no longer in the service of the high commission.

The spokesperson for the international relations and cooperation department, Clayson Monyela, referred questions to the police. Police spokesperson Athlenda Mathe said the SAPS did not discuss the deployment of its members in the public domain.

The postponement of Ramaphosa's state visit to Namibia could not have come at a worse time, as diplomatic relations between the two countries are becoming increasingly strained since Fraser thrust the Phala Phala scandal into the public eye.

READ: Dikeledi Molatoli | Farmgate: What's wrong with being filthy rich?

He laid criminal charges of money laundering, kidnapping and torture against Ramaphosa and

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Rhooode, stating in an affidavit under oath that the stolen money had been stashed in furniture – said to be sofas and mattresses. He also alleged that Ramaphosa's President's Office colluded with Ramaphosa to bring the suspects to South Africa without following official channels.

Presidency spokesperson Vincent Magwenya said that there was no nefarious reason for the postponement of Ramaphosa's Namibia trip for the Binational Commission: "[The] schedules of heads of state often do change."

Flagged top cop

City Press learnt that a Lieutenant Colonel Schelle was a part of the Hawks investigation into the alleged robbery at Phala Phala.

Police insiders said Schnelle was previously part of an investigation involving imprisoned Chech fugitive Radovan Krejčír when key evidence in a laptop got lost in his office and he was never disciplined.

Sources said that:

Instead of facing disciplinary action for losing the evidence, he was transferred to Honeydew in Johannesburg, where he got a promotion to his current rank from being a detective inspector.

City Press also learnt that Schnelle was last year brought in to take over the VBS Mutual Bank investigation when a Lieutenant Colonel Komane refused to charge former Limpopo ANC treasurer Danny Msiza.

Komane had allegedly resisted political pressure to charge Msiza because he believed there was no case and refused to sign the racketeering certificate, but Schnelle charged him.

Komane was allegedly frustrated during the investigations and felt undermined. Police sources said Schelle was also linked to people believed to be close to Ramaphosa, and there are fears that his involvement may compromise the integrity of the investigation.

The Hawks' Thandi Mbambo said: "The Directorate for Priority Crime Investigation shall not be drawn into commenting or revealing details of investigators in any case that is investigated by the directorate. Such comments made about investigators are not only malicious, but also detrimental and risk their safety."



Setumo Stone
Political Journalist



+27 11 713 9001
Setumo.Stone@citypress.co.za
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Phala Phala: Zizi Kodwa says he had 'no prior knowledge' of theft at Ramaphosa's farm

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Deputy State Security Minister Zizi Kodwa. Photo: Lerato Maduna

Zizi Kodwa said he was unaware of any theft at Cyril Ramaphosa's farm until the media publicised the incident.

Kodwa told News24 allegations that he was involved in tracking down the perpetrators were unfounded.

Parliament's Joint Standing Committee on Intelligence announced that it would probe Kodwa with regard to his role.

Deputy State Security Minister Zizi Kodwa distanced himself from the Phala Phala farm theft, saying he had no prior knowledge of the incident.

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Speaking to News24 on Thursday, Kodwa said he only became aware of the theft at President Cyril Ramaphosa's farm when the news broke on Tuesday.

"I have no prior knowledge of what happened at Phala Phala; I also found out from the news, like everyone else," he said.

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WATCH | Cyril Ramaphosa wants 'due process' to unfold before speaking on farm robbery

President Cyril Ramaphosa remained tight-lipped on the details of the robbery at his Phala Phala game farm in Limpopo. He told journalists following his reply to the Presidency budget vote speech that he will wait for "due process" to be



National Assembly Speaker Nosiviwe Mapisa-Nqakula wrote to the JSCI's chairperson, Jerome Maake, last Friday to say the committee was constitutionally mandated to oversee the affairs and conduct of the country's intelligence structures.

"It has also been alleged that Kodwa accompanied Major-General Wally Rhoode during secret

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interactions between the South African and Namibian authorities." Mapisa-Ngakula writes adding that, as such, "a probe must be instituted to identify and punish the culprits."

ANNEXURE IP73

DA leader John Steenhuisen who called on Kodwa to be probed said should these allegations be true, they would "constitute a flagrant abuse of our taxpayers' money".

Former spy boss Arthur Fraser alleged in June that at least \$4 million was stolen from Ramaphosa's Phala Phala farm in Limpopo in February 2020 - and that, subsequent to the theft, off-the-books means were used to try and locate the culprits and the money.

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Phala Phala: Ramaphosa's security boss faces suspension over allegedly 'secret' investigation of 2020 burglary

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President Cyril Ramaphosa's protection unit head, Major General Wally Rhoode, is facing possible suspension.

PHOTO: OJ Koloti, Gallo Images

Major General Wally Rhoode, head of the police's Presidential Protection Service, could be suspended soon.

He is facing charges related to an allegedly off-the-books investigation into a burglary at President Cyril Ramaphosa's farm in February 2020.

A Sudanese businessman paid \$580 000 (R10.5m at current exchange rates) for buffalo.

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The head of President Cyril Ramaphosa's protection unit, Major General Wally Rhoode, is facing suspension amid an internal investigation into his conduct in the burglary of the president's Phala Phala farm in February 2020.

Rhoode, a South African Police Service (SAPS) official, was appointed to head the Presidential Protection Service (PPS) in 2018 after he served as head of security for Ramaphosa's CR17

ANNEXURE IP74**Newsletter 1561**

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WATCH | 'I am not a lapdog and I am not a puppet' - Ramaphosa responds in Parly

The sequence of events, according to one person familiar with processes around Rhoode's troubles, is cementing beliefs that Rhoode is being targeted for removal prior to the ANC's elective conference in December.

An OB is a centralised register kept by all police stations or units that documents events and important information in entries that normally include a date and a unique reference number. A normal, well-kept OB will include information such as the name and time of an officer reporting for duty at a station, to significant events, such as a burglary at the residence of the president.

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The trip to Namibia meanwhile, with a police helicopter which flew to no man's land at the Nakop border post with Rhooode and Chauke in June 2020, has, according to Rhooode's response to investigations, because Chauke was sent to discuss matters he was not privy to with Namibian President Hage Geingob.

In June, former State Security Agency director general Arthur Fraser laid a criminal complaint at the Rosebank police station against Ramaphosa and Rhooode. He revealed that the burglary had occurred and that an estimated \$4 million in cash had been stolen. Fraser's affidavit made it clear the amount was speculative.

Sunday World also reported on the developments around Rhooode this weekend saying the newspaper had learned Rhooode was already suspended two weeks ago.

News24 has since confirmed that Ramaphosa told Public Protector investigators, in a written response to questions posed by the office, that the exact amount was \$580 000 (R10.5 million at current exchange rates) in cash.

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Fraser further alleged that Rhooode had been involved in attempts to cover up the burglary and conducted an off-the-books investigation. Fraser further made allegations of kidnapping and torture against Rhooode but offered no evidence to back up these claims.

Rhooode had been reporting directly to the national police commissioner, a practice that was started under former president Jacob Zuma, while the true hierarchy of the Protection and Security Services (PSS) meant Rhooode should have reported to Brigadier Sam Shitlabane, the head of PSS.

In July, Police Commissioner Fannie Masemola walked back the status quo, resulting in Rhooode reporting to Shitlabane once more. It was seen as a move to create distance between Masemola and Rhooode as well as between Rhooode and Ramaphosa, according to one person who is familiar with developments.

Rhooode and Ramaphosa have both denied any wrongdoing.

In September News24 revealed the identity of the person who paid the \$580 000 for buffalo to an employee of Ramaphosa's farm as Hazim Mustafa, a Sudanese businessman who, according to social media posts, lives in Dubai.

EXCLUSIVE | Here's the Sudanese millionaire - and his Gucci wife - who bought Ramaphosa's buffalo

Mustafa handed over the cash on 25 December 2019, around **45 days before the burglary took place** on Sunday, 9 February 2020.

Ramaphosa told the Public Protector in a written response that he had instructed his staff to move the money from a safe in a main building to a safer location, which resulted in one of the

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1562

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lodge managers stuffing the bundle of cash under couch cushions inside Ramaphosa's residence on the Limpopo farm.

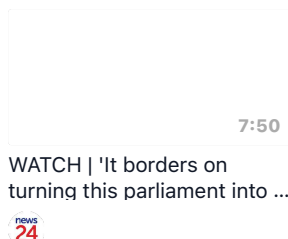
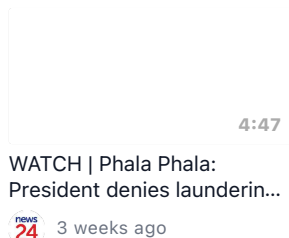
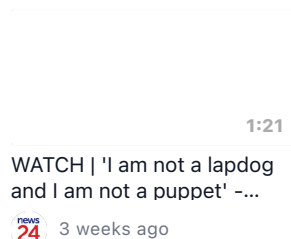
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The lodge manager believed that "no one would dare steal from the president", Ramaphosa's response to Public Protector read.

The response revealed that Ramaphosa had been aware that the cash was at the farm prior to the burglary, and crucially, that the buffalo remained at Phala Phala.

Phala Phala fallout



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Presidential Cover Up: Ex-spy says Ramaphosa called Geingob

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PROSECUTOR general Martha Imalwa says she has information that “certain money” entered Namibia amid concerns that South African president Cyril Ramaphosa roped in president Hage Geingob to trace part of the N\$60 million in cash stolen from his farm.

Imalwa yesterday told The Namibian the case did not go far because Namibian officials did not get assistance from South Africa.

ANNEXURE IP75

1566

Her comments come less than a week after a former South African spy boss and prisons head, Arthur Fraser, accused Ramaphosa of kidnapping and bribery in a case he registered with the South African Police on Wednesday.

In a 48-page witness statement, Fraser alleged that criminals, mostly Namibians, broke into Ramaphosa's Phala Phala game farm in the Limpopo province in February 2020 to steal more than US\$4 million (around N\$60 million) hidden in furniture.

ANNEXURE IP75

1567

Fraser said: "The mere fact that Ramaphosa had large undisclosed sums of foreign currency in the form of US\$ concealed in his furniture at his Phala Phala residence is prima facie proof of money laundering."

Some of it was allegedly transferred to Namibian accounts between February and May 2020.

According to Fraser, Ramaphosa quietly asked Geingob to help find the suspects in Namibia using unofficial channels.

ANNEXURE IP75

1568

"President [Ramaphosa] sought the assistance of the president of Namibia, Hage Geingob, in apprehending the suspects in Namibia," Fraser said, suggesting a high-level cover-up between the two heads of state in concealing the theft, which is believed to have been committed by a gang of Namibians living in South Africa.

Questions sent to Geingob's office on his alleged potential role in this cover-up were not responded to yesterday.

ANNEXURE IP75

1569

Imalwa yesterday said no property was seized because the South African authorities did not provide evidence that a crime was committed in South Africa, and no complainant was named.

She said the initial investigation was based on the fact that suspicious banking transactions were detected with money from South Africa entering Namibia.

Attempts to get the South African authorities to assist in the investigation proved futile, she said.

ANNEXURE IP75

1570

“What I know is that Immanuel David was prosecuted on different charges. So far I don't know about money being alleged to be part of that burglary,” she said.

“The money we enquired about could not be linked to any offence. There was no information that it was stolen,” Imalwa said.

She said Namibia's ~~organised crime~~

ANNEXURE IP75

1571

law allows her office room to pursue the case should South African authorities provide her with the required information, which she cannot force them to do.

In 2020, Namibian authorities had already confiscated two VW Golfs, a VW bus, a Ford Ranger pickup, a Toyota Hilux and a Toyota Land Cruiser pickup from some of the suspects.

They were also monitoring a guest house at Outapi said to have been bought with the proceeds of the stolen money, and froze a number of bank accounts.

ANNEXURE IP75

1572

Namibian security sources said the South African government was denying the incident, allegedly because Ramaphosa may find it difficult to explain the cash in his house and the security breach.

RAMAPHOSA'S RANCH
HEIST

ANNEXURE IP75

1573

An investigation by The Namibian and its South African partners amaBhungane points to a major cover-up of the 2020 theft.

ANNEXURE IP75

1574

The criminal complaint against Ramaphosa laid by former spy boss Fraser on Wednesday has massively raised the stakes over what exactly happened in the days following the break-in on 9 February 2020.

Ramaphosa's presidential spokesperson, Vincent Magwenya, on Saturday sent a message in response to questions from amaBhungane, saying: "Because of the volume of detailed questions we have received, most of which we cannot answer due to pending investigation, we are going to release a statement later to address the issue."

Fraser's witness statement goes
down how the robbery was
executed by Namibians on 9
February 2020.

ANNEXURE IP75

1575

According to him, two robbers
entered the perimeters of
Ramaphosa's farm at around 22h17
on 9 February 2020 by cutting wires.

Video footage shows that two of the
assailants were seen outside the
farm at 00h33, removing the
window where entry was gained.

ANNEXURE IP75

1576

"Entry was gained through a window on the ground floor of the president's main residence on the farm," he said.

Fraser said security camera footage from an internal camera shows some of the suspects were still inside the house by around 01h44.

He said undisclosed sums of US dollars, concealed in the furniture, were stolen from the farm.

ANNEXURE IP75

1577

The former spy boss said the incident was not officially reported to the police to investigate.

“Ramaphosa instructed major general Walter Rhooode to immediately investigate the incident, to apprehend the suspects, and to retrieve the stolen money.”

Fraser said the stolen US dollars were exchanged for South African rands at an informal foreign

exchange service in Cape Town.

ANNEXURE IP75

1578

He named the Namibian suspects:
Umbanus Lomboleni Shaumbwako,
Petrus Fikeipo Muhekeni, Erkki
Shikongo, Petrus Afrikaner and
Immanuel David, who is Namibian-
born, but also has South African
citizenship.

He said the suspects started
splashing the spoils stolen from the
president's ranch.

ANNEXURE IP75

1579

Fraser said one suspect (Mukekeni) bought a 2019 Ford Ranger 2.0TDCi Wildtrak 4x4 bakkie.

The next day, another suspect (Shikongo) allegedly transferred N\$300 000 into a First National Bank account.

On 16 February 2020, Shikongo reportedly transferred another N\$415 000 into a bank account.

ANNEXURE IP75

1580

Fraser said a red Volkswagen GTI was subsequently registered in the name of another suspect, Shaumbwako, on 19 February 2020.

Another suspect was traced and found to have fled to Namibia, he said.

This is when Ramaphosa allegedly sought the assistance of Geingob in apprehending the suspect in Namibia.

ANNEXURE IP75

1581

In the statement, Fraser alleges that the head of Ramaphosa's protection unit, Rhooode, crossed into Namibia undetected using government resources to search for the suspects.

His mission in Namibia was to interview and seize money from a suspect believed to have been part of the gang who stole from Ramaphosa.

According to Fraser's testimony, Rhoo-de had not been legally processed through border control when he left and re-entered South Africa.

ANNEXURE IP75

1582

Around 12 June 2020, David allegedly sneaked into Namibia by crossing the Orange River in a canoe.

ANNEXURE IP75

1583

Former Fishcor finance general manager Paulus Ngalangi collected David at Noordoewer border and transported him to Windhoek with his car – accompanied by a policeman Hendrick Hidipo Nghede.

ANNEXURE IP75

1584

Ngalangi – who allegedly has close ties to Fishrot accused and suspected mastermind James Hatuikulipi – was a person of interest to the authorities at the time of David's arrest.

Namibian authorities also looked at the possibility that David's mission to Namibia may have been linked to the Fishrot corruption scandal, and that he may have been used to courier money into the country for the Fishrot accused in custody.

ANNEXURE IP75

1585

David was arrested after illegally crossing into Namibia on or around 14 June 2020.

He was the third suspect to have attracted the Namibian Police's attention in the Ramaphosa heist, and was believed to have been the kingpin.

According to a Namibian Police statement, David was in possession of a TAG Heuer watch worth N\$28 000, a Rolex watch worth N\$ 280 000, and a gold chain worth N\$163 000, plus eleven US\$100 notes.

ANNEXURE IP75

1586

He was widely reported as a Covid-19 fugitive, who crossed into the country during the nationwide lockdown.

People close to him at the time said David never tested positive for Covid-19.

Sources said the authorities used Covid-19 as an excuse to keep him quarantined as a means of

detaining him to be grilled in
Namibia by South African state
security agents.

ANNEXURE IP75

1587

GRILLING

ANNEXURE IP75

1588

Government sources said the South African authorities at the time appeared reluctant to assist or provide information on David.

It appears Rhoode entered Namibia to look for the stolen money at the same time.

ANNEXURE IP75

1589

The Namibian traced a source who previously worked at Phala-Phala, and is in contact with David regularly.

He says the allegations of kidnapping are credible.

The source says he was informed by one of his former colleagues that Ramaphosa's domestic helper, whose name is Froliana, was locked in a room on the farm for about two to three days with her brother.

ANNEXURE IP75

1590

The two were apparently interrogated by a number of officials who were thought to be either police officer or intelligence.

"They asked them so many questions the whole day until 2am the following day."

According to Fraser's statement, at least five suspects were paid N\$150 000 each on instruction of Ramaphosa for their silence.

ANNEXURE IP75

1591

In November 2020, David pleaded guilty to minor charges under the Namibian Immigration Act.

He paid a fine of N\$20 000 in respect of his sentence and was released on the same day.

A 48-hour notice was issued to him by an immigration officer to leave the country, and David left Namibia

via Noordoewer border post on 14
November 2020 at about 08h00.

ANNEXURE IP75

1592

Because the South African authorities were reluctant to acknowledge the robbery and the request to assist Namibian authorities, Imalwa was forced to drop all investigations and charges, and to return the seized property to the suspects.

The Namibian on Saturday tried to contact David via WhatsApp.

ANNEXURE IP75

1593

The recipient claimed we had the wrong number, despite it being confirmed by one of David's friends.

COVER-UP

ANNEXURE IP75

1594

Namibian law-enforcement agencies were alerted to about N\$6 million (about R6 million) transferred by the suspects into Namibian accounts between February and May 2020.

The authorities on two occasions intercepted two vehicles travelling from South Africa, and searched them for money supposedly hidden in panels and tyres.

ANNEXURE IP75

1595

No money was found, but the authorities started investigating the allegations that money stolen from Ramaphosa's farm was being laundered into Namibia.

South Africa issued a statement last week, saying: "President Ramaphosa is clear that there is no basis for the claims of criminal conduct that have been made against him in Mr Fraser's statement."

ANNEXURE IP75

1596

The South African presidency confirmed that a robbery took place at the president's farm in which proceeds from the sale of game were stolen while Ramaphosa was attending an African Union summit in Addis Ababa.

"On being advised of the robbery, president Ramaphosa reported the incident to the head of the presidential protection unit of the South African police service for investigation."

The Phala Phala Inside Job Timeline

ANNEXURE IP75

1597

9 February 2020: Trespassing and housebreaking reported at South African president Cyril Ramaphosa's Phala Phala farmhouse.

Video footage shows that the robbery unfolded on 9 February 2020 as follow:

The suspects unlawfully entered the perimeters of the farm at around 22h17, by cutting the wire.

00h33: Two suspects seen outside of the farm removing a window. Entry was gained through a window on the ground floor of the president's main residence on the farm.

01h44: Security camera footage shows some suspects inside the premises.

ANNEXURE IP75

1598

N\$60 million hidden in the furniture stolen from Ramaphosa's farm.

Incident not reported to the police

Ramaphosa instructed a major general to investigate the incident and retrieve the money.

Suspects exchange US dollars for South African rands in Cape Town.

On 14 February 2020, one suspect (Mukekeni) bought a 2019 Ford Ranger 4x4 bakkie.

On 15 February 2020, another suspect (Shikongo) transferred N\$300 000 into a First National Bank account.

ANNEXURE IP75

1599

Shikongo transferred another
N\$415 000 on 16 February 2020.

Red Volkswagen GTI registered in
Shaumbwako's name on 19
February 2020.

Another suspect fled to Namibia.

Ramaphosa contacts president Hage
Geingob to apprehend suspects in
Namibia.

SA major general travels to Namibia.

12 June 2020: Namibian-born
Immanuel David, who is one of the

suspects of the robbery sneaked into Namibia by crossing the Orange River in a canoe.

Former Fishcor finance manager Paulus Ngalangi collected David at the Noordoewer border and transported him to Windhoek.

13 June 2020: David is arrested in Windhoek and charged with contravening immigration laws., Charges not related to the Ramaphosa case.

SA major general interviews a suspect and seizes stolen monies.

David pleads guilty to minor charges under the Namibian Immigration Act in November 2020

David pays N\$20 000 fine for his sentence and is released on the

ANNEXURE IP75

1600

same day. A 48-hour notice was issued to him by an immigration officer to leave the country. He left Namibia via the Noordoewer border post on 14 November 2020 at about 08h00.

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President Cyril Ramaphosa

Jeffrey Abrahams, Gallo Images

Claims of a cover-up by President Cyril Ramaphosa, his protectors and police emerged when Arthur Fraser opened a case earlier this month.

Namibian authorities have been drawn into the saga, with claims that they were made aware of the theft at Ramaphosa's farm.

One of the men linked to the crime was arrested in Namibia in 2020.

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The Namibian Police Force (Nampol) has denied doing "dirty work" for President Cyril Ramaphosa in relation to some US\$4 million in cash (valued at \$4 million with a 10% exchange rate) that was stolen from Ramaphosa's Phala Phala game farm in Limpopo.

Ramaphosa has come under fire after former spy boss Arthur Fraser laid a criminal complaint against him following the break-in on 9 February 2020.

In his affidavit submitted in June, Fraser claimed that Ramaphosa had conspired with the head of the Presidential Protection Unit Major General Wally Rhooode to track down the men behind the cash robbery, instead of reporting the matter to the police.

Fraser named Imanuwela David, Errki Shikongo, Petrus Muhekeni, Urbanus Shaumbwako and Petrus Afrikaner as the perpetrators of the farm heist.

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Fraser claimed that the men conspired with a domestic worker to steal the money, which had been hidden in a couch.

The men were found in Namibia and allegedly tortured, along with the domestic worker, who reportedly conspired with the men to arrange the theft.

But in a statement released on Thursday, Namibian police denied the torture and abduction of David. According to Nampol, David entered Namibia illegally by canoe via the Orange River through an ungazetted entry point near Noordoewer in the Karas region.

He was then assisted by a police officer identified as Sergeant Hendrick Hidipo Nghede, from the Tourism Protection sub-division in Luderitz, and Paulus Alfeus Ngalangi, acting CEO of FishCor in Luderitz, to get to Windhoek.

"The trio drove to Windhoek in the acting CEO's BMW X5 and arrived after midnight," Inspector-General Sebastian Ndeitunga said.

ANNEXURE IP76

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WATCH | Cyril Ramaphosa wants 'due process' to unfold before speaking on farm robbery

President Cyril Ramaphosa remained tight-lipped on the details of the robbery at his Phala Phala game farm in Limpopo. He told journalists following his reply to the Presidency budget vote speech that he will wait for "due process" to be



ANNEXURE IP76

He said David was arrested at a hotel in Windhoek on charges of violating the Immigration Control Act and the State of Emergency Regulation that was in place at the time.

Ndeitunga said he was found in possession of N\$300, eleven 100 US dollar notes, a TAG Hauer watch worth N\$28 000, a Rolex watch worth N\$280 000, a gold chain worth N\$163 000, and four cellphones.

David also tested positive for Covid-19. He pleaded guilty and was sentenced to a fine of N\$5 000 or 12 months' imprisonment for violating the Immigration Control Act.

He was further fined N\$15 000 or 24 months' imprisonment under the Customs and Excise Act for failure to declare goods.

ALSO READ | Mbhazima Shilowa: Now is not the time to be sticking your head in the sand, Mr President

Ndeitunga said David paid the fine of N\$20 000 and was released.

According to Nampol, immigration officials issued David with a 48-hour notice to leave the country and he subsequently left Namibia via the Noordoewer Border Post on 14 November.

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Rand - Pound	20.90	-0.1%
Rand - Euro	18.08	+0.4%
Rand - Aus dollar	11.68	-0.3%
Rand - Yen	0.12	+0.4%

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Phala Phala: Namibian Presidency responds to Arthur Fraser

Dr. Hage G. Geingob |
10 June 2022

Categorically denies insinuations that President Geingob may have acted inappropriately

Statement By The Namibian Presidency Following Unfounded Allegations That The President Of The Republic of Namibia May Have Assisted President Cyril Ramaphosa “in apprehending” A Suspect Connected To The Phala Phala Farm Burglary

The President of the Republic of Namibia, His Excellency Dr [Dr Hage G. Geingob](#) is a champion of the rule of law

ANNEXURE IP77**1608**

and Effective Constitutional Governance. Following revelations by media houses in South Africa and Namibia that Mr Arthur Joseph Peter Fraser had lodged a criminal complaint against the President of the Republic of South Africa, His Excellency Cyril Ramaphosa, certain individuals and a number of media houses, out of context and clearly motivated by malice or other ulterior motives, have been suggesting, without any factual basis, that the President of the Republic of Namibia, His Excellency Dr. Hage G. Geingob, may have used his office, in a manner incompatible with the laws of the Republic of Namibia, to assist President Ramaphosa. The slanderous allegations and insinuations made about President Geingob are outrageous and unfortunate.

There is absolutely no truth in the allegations that President Geingob inappropriately used his office to assist President Ramaphosa. The Presidency had an opportunity to look in particular at paragraph 13.23 of Mr Fraser's statement under oath, which is publicly available, and which reads that:

“President Ramaphosa sought the assistance of the President of Namibia, President Hage Geingob in apprehending the suspect in Namibia.”

As can be seen from the above-quoted part of Mr Fraser's statement, it does not make any allegation of criminality on the part of President Geingob, except a suggestion that President Ramaphosa “sought” assistance from President Geingob “in apprehending” – which literally means “assistance in arresting” – the concerned suspect, who is a South African citizen and who at the time was alleged to have unlawfully entered Namibia.

The portion referred to above in Mr Fraser's statement, if properly considered on an objective basis, simply suggests that President Ramaphosa “sought assistance in apprehending” the concerned suspect.

The details regarding the arrest of the suspect in Namibia on 14 June 2020 are matters of public record. The arrest was executed by members of the Namibian Police upon reasonable suspicion that the suspect in question had committed some immigration-related offences in Namibia. The suspect was, in accordance with the law, subsequently convicted by a Criminal Court in Namibia and paid a fine. Following the suspect paying the fine imposed, he left Namibia in November 2020 to his home country, South Africa.

It follows from the above-stated facts that except for those who (motivated by bad faith and ulterior motives) would be quick to unnecessarily read something more into the statement of Mr Fraser, clearly the statement does not suggest criminality.

It also does not suggest that President Geingob may have in any way participated in and/or abetted foreigners in kidnapping and torturing any person, as maliciously and recklessly suggested by certain individuals in Namibia and South Africa. Such suggestions and insinuations are devoid of any truth in their entirety, and these were simply made to score cheap political points.

The apprehension of suspects in Namibia is a constitutional and statutory duty of members of the Namibian Police who, on reasonable suspicion that a person may have committed an offence, are mandated to effect an arrest if it is deemed appropriate and necessary. On the other hand, persons suspected to have committed offences in foreign countries who may be located in Namibia, are dealt with in terms of the International Cooperation in Criminal Matters Act of 2000 or the Extradition Act of 1996 unless they voluntarily return to the countries they are sought.

ANNEXURE IP77

1609

The President is not a repository of power when it comes to the apprehension of suspects alleged to have committed offences in foreign countries. Accordingly, the mischief-riddled and politically motivated statements by individuals and media houses in Namibia and South Africa against President Geingob have no factual or legal basis. The Presidency finds the politically motivated statements by some political leaders in South Africa, that criminal investigation be conducted against the President of the Republic of Namibia to be absurd and downright nonsensical.

The President of the Republic of Namibia liaises with other Heads of State on official matters, within established State-to-State diplomatic protocols, in accordance with the constitutional powers of the President and upon the dictates of international practices on mutual cooperation between Heads of State and Government.

The Presidency therefore categorically denies insinuations that President Geingob may have acted inappropriately and/or participated or abetted in the apprehension of the individuals concerned. The above stated facts exhaustively and demonstrably clarify the matter.

Issued by the Presidency, Namibia, 10 June 2022

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WATCH | 'Everyone, regardless of position, must be held accountable' - Ramaphosa at SACP congress

ANC president Cyril Ramaphosa on Friday morning delivered an address at the SACP congress. Ramaphosa stated that as no one is above the law, especially after a period of state capture. He has also pledged his full co-operation with



The government has denied claims by Namibian authorities it refused to offer assistance in the investigation of the case involving the alleged mastermind of the Phala Phala robbery, Imanuwela David.

It said the request was first received in August 2020 and was returned to Namibian authorities to provide additional information on the case.

Central Authority director-general Doctor Mashabane said the Namibian authorities

never responded with the additional information.

ANNEXURE IP78

1615

The Department of Justice and Correctional Services has denied claims by the Namibian government it refused to provide legal assistance in the case involving Imanuwela David, the alleged mastermind of the Phala Phala farm break-in and robbery.

Giving an update on high-profile cases involving foreign nationals on Monday, the department said the request it received was about an investigation of a possible infringement of Namibia's

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Rand - Yen	0.12	+0.4%
All JSE data delayed by at least 15 minutes		

Good News

Imanuwela David.

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"On 1 September 2021, the High Commission of the Republic of Namibia acknowledged receipt of the note verbale. Since then, the authorities in Namibia have not sent an amended request back to South Africa," the department said in a statement.

The department's director-general, Doctor Mashabane, said the unit had written to the Namibian authorities "to remind them that we wrote back seeking more information".

Mashabane added the original request did not mention David, saying it had different names.

"At the time, it was under different names, there was no David Immanuwela as part of the request. The minister, ordinarily would not know about the request until such a time that the Central Authority is satisfied that the request is in order and meets the requirements."

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SUNDAYINDEPENDENT NEWS AFRICA

'Police lied to Parliament about Phala Phala'



Written by
Mzilikazi Wa Afrika



Police Minister Bheki Cele and SAPS top brass have been accused of lying to Parliament about Phala Phala. Picture: Phando Jikelo/African News Agency (ANA)

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Johannesburg - Police top brass, including Minister Bheki Cele, lied to Parliament when they reported that “no resources of the SAPS”, especially crime intelligence, were used in the Phala Phala farm cover-up and clandestine service investigation.

Responding to a question by EFF MP Mbuyiseni Ndlozi, police in an official answer approved by Cele, national commissioner General Fannie Masemola, deputy national commissioner: policing General Tebello Mosikili, and acting divisional commissioner: crime intelligence General Philani Lushaba said: “No resources of the SAPS crime intelligence (human, physical and financial resources) were used concerning the theft at Phala Phala farm.”

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Ndlozi had asked whether crime intelligence “was involved in any way in the investigation into the burglary at the Phala Phala farm”.

The police’s written response is dated August 29.

The police failed to acknowledge that two crime intelligence operatives, Captain Owen Mdluli and Warrant Officer Marius Pretorius, for surveillance, were dispatched from Pretoria to Cape Town with a state grabber that was used to ping and trace the alleged robbers to a house in Milnerton where four men, including the alleged robbery mastermind, Immanuwela David, were arrested in March 2020.

The Sunday Independent has seen some of the records of the state grabber that was used to ping the alleged suspects. Police raided the house, using a fictitious drug-dealing case, and broke down the ceiling in search of the robbers’ loot.

“A lot of money, in American dollars, was found in the house and the police car that was used to transport the money had to make two trips,” a source with intimate knowledge of the bogus raid said yesterday.

Some of the money found in the house. Picture: Supplied

The Sunday Independent was shown a bag full of American dollars that were allegedly found at the house. Mdluli and Pretorius were forced to drive from Pretoria to Cape Town in a state vehicle which had the grabber mounted on it. Another police source claims that their accommodation, meals and per diem were paid from the crime intelligence secret fund.

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"The men spent more than a week in Cape Town and they were paid from the crime intelligence fund. For the number and the police top brass to lie to Parliament that no state resources were used in the Phala Phala clandestine investigation isn't only a shame but pathetic," said a general, who asked not to be named for fear of victimisation.

The Sunday Independent previously reported that a secret crime intelligence fund was used to finance the clandestine Phala Phala operations used to trace the thieves who stole millions of dollars from President Cyril Ramaphosa's Phala Phala farm in February 2020. We also confirmed that 16 members of the elite special task force were deployed to Ramaphosa's farm in Bela-Bela, Limpopo, after the theft, at a staggering cost to the taxpayers of almost R2 million per month and that their budget also came from the crime intelligence secret fund.

The number of the special task force members was reduced from 16 to 8 after General Sam Setlhabane, the divisional commissioner for protection services, wrote a letter complaining that his department was spending money on something he knew nothing about, three months later. The members were stationed at Phala Phala farm for six months.

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"Can you imagine the audacity of police top brass lying in the National Assembly and the nation without any shame," said another general, who also asked not to be named.

"Wally Rhoode admitted in his response to the public protector's office that he drove a state vehicle to Namibia where he met with his Namibian counterparts and yet we have people telling Parliament that no state resources were abused in the Phala Phala farm cover-up and clandestine investigation," he added.

Ramaphosa confirmed that there was indeed a robbery at his farm and that an undisclosed amount of money, in American dollars, was stolen and that he tasked his head of security, General Wally Rhoode, to investigate the matter.

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Ramaphosa admitted that he didn't report the matter to the police, and Rhoode also didn't report the robbery to the law enforcement agencies officially but acquired the services of crime intelligence in his clandestine investigation.

All the alleged suspects, Namibian nationals, who were allegedly involved in the robbery at Ramaphosa's farm were pinged, traced and arrested after using a state grabber and an undisclosed amount of money was recovered. The men allegedly broke into the farm in February 2020 and stole a large amount of money that was concealed in the president's furniture, including a mattress, allegedly with the help of a domestic worker who discovered the money while she was cleaning the farmhouse.

The robbery at Ramaphosa's farm made international news headlines after former state security agency director-general Arthur Fraser went to the Rosebank police station in Johannesburg in June to open a case of kidnapping and torture against the president and Rhoode.

Fraser claims the men, including the domestic worker, were tortured to confess their sins and also hand over what was left of the money after they went on a shopping spree shortly after the robbery.

The men bought several cars, including a Mercedes-Benz station wagon and a Lamborghini, as well as a house in Rustenburg, North West province, a property in Cape Town and a guest house in Namibia.

Fraser, in his affidavit, claims there was about \$4 million to \$ 8 million at the farm when the robbery took place. The former spy boss also added that Rhoode "instructed" Ramaphosa to pay off the robbers, including the domestic worker, to the tune of R150 000 each for their silence.

African Transformation Movement (ATM) leader, Vuyolwethu Zungula, wrote to the Speaker of Parliament, Nosiviwe Maphisa-Nqakula, shortly after the Phala Phala scandal broke, asking her to initiate a Section 89 inquiry for the possible impeachment of Ramaphosa.

Parliament reported on Friday that various political parties had nominated 17 candidates to serve on a panel that will probe the Phala Phala farm allegations against the president.

Mapisa-Nqakula is set to ask three of them to determine whether enough evidence exists to initiate an impeachment inquiry. Ramaphosa is also facing an investigation by the public protector where Zungula also launched a complaint. The president must also answer questions from the the South African Reserve Bank as to the source of the US dollars that were stolen at his farm.

Ramaphosa was given until September 8 to provide information to

the central bank.

ANNEXURE IP79

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Yesterday Cele's spokesperson, Lirhandzu Themba, failed to answer specific questions about how the minister was involved in lying to the Parliament.

"Please refer these operational questions to SAPS," Themba said.

Sunday Independent can today also reveal that Rhoode was served with a notice to suspend him on Thursday for his role in the Phala Phala farm scandal.

"Rhoode is facing an expeditious process where he might not even be allowed to bring any witnesses but read his charges and possibly be discharged from the service," a police source said.

The source added that Rhoode was accused of failing to report the robbery at the president's farm to the police and also allegedly abusing state resources while investigating the matter.

"Rhoode is telling people that he isn't going to go down alone or be made as a scapegoat for the Phala Phala scandal," a close friend of Rhoode said.

Police spokesperson, Colonel Athlenda Mathe, yesterday failed to answer specific questions on Rhoode's notice of suspension.

"The SAPS does not discuss its internal processes and matters in the public domain," Mathe said.

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RAMAPHOSA'S PRIVATE INTERESTS AT STAKE IN PHALA PHALA SAGA, INQUIRY HEARS

The Western Cape High Court heard arguments on Wednesday on Public Protector Busisiwe Mkhwebane challenging her suspension.



President Cyril Ramaphosa in Johannesburg on Sunday 17 July 2022, where the late ANC deputy secretary general was laid to rest. Credit: GCIS

Cyril Ramaphosa (<https://ewn.co.za/topic/cyril-ramaphosa>) ... Public Protector (<https://ewn.co.za/topic/public-protector>)
[Kgomotso Modise](https://ewn.co.za/contributors/kgomotso-modise) (<https://ewn.co.za/contributors/kgomotso-modise>) | 27 July 2022 09:28 (27 July 2022 09:28)

JOHANNESBURG - Lawyers for President Cyril Ramaphosa conceded that the president's private interests were at stake in the Phala Phala saga.

The Western Cape High Court heard the arguments of Public Protector Busisiwe Mkhwebane challenging her suspension on Wednesday.

Mkhwebane was suspended in June pending the outcome of her impeachment inquiry before Parliament.

Her lawyers argued that her suspension was driven by revenge as she was about to begin an investigation into the Phala Phala scandal.

Former state security boss Arthur Fraser brought to light how the president had millions in foreign currency stolen from Phala Phala.

Ramaphosa's lawyer advocate, Karrisha Pillay, pointed out that the president's private interest in the Phala Phala Gate investigation but insisted there was no risk of a conflict of interest because of the provisions made by the Public Protector Act.

Pillay referred to the provision for Mkhwebane's deputy to be appointed acting Public Protector and not for Ramaphosa to make an appointment.

The Democratic Alliance was party to this matter because the motion for a parliamentary inquiry into Mkhwebane's fitness was brought by its chief whip Natasha Mazzone.

The party's lawyer Steven Butlender also pointed out how there was no reason at the stage to doubt Gcaleka's integrity.

Judgement in this matter was reserved.

Meanwhile, Mkhwebane's impeachment hearing before Parliament will resume Thursday morning.

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ANNEXURE IP80 1626



6 November 2022

Dear Justice Ngcobo,

RESPONSE TO ALL RELEVANT ALLEGATIONS

Kindly find herewith my response, in writing, to all relevant allegations made against me, as requested by the Panel in your letter to me of 28 October 2022.

Sincerely,

A handwritten signature in black ink, which appears to be 'C. Ramaphosa', written over a circular stamp.

Mr Matamela Cyril Ramaphosa
President of the Republic of South Africa

Justice S Sandile Ngcobo

Chairperson: Section 89 Independent Panel,
Retired Chief Justice of the Republic of South Africa

SUBMISSIONS BY MATAMELA CYRIL RAMAPHOSA, PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA, MADE IN TERMS OF RULE 129G(1)(C)(iii) OF THE NATIONAL ASSEMBLY RULES, TO THE INDEPENDENT PANEL APPOINTED IN TERMS OF RULE 129D OF THE NATIONAL ASSEMBLY RULES

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**SUBMISSIONS BY MATAMELA CYRIL RAMAPHOSA, PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA, MADE IN TERMS OF RULE 129G(1)(C)(iii) OF THE NATIONAL ASSEMBLY
RULES, TO THE INDEPENDENT PANEL APPOINTED IN TERMS OF RULE 129D OF THE
NATIONAL ASSEMBLY RULES**

1. I hereby respond to the allegations made against me in the motion in terms of section 89 of the Constitution of the Republic of South Africa, 1996, and Rule 129A to 129I of the National Assembly Rules (*"the Rules"*). The full motion was published in the Announcements, Tablings and Committee Reports (*"the ATC"*) of 17 October 2022.

INTRODUCTORY REMARKS

2. Before I turn to a detailed response to these allegations, I reiterate my commitment to fulfilling the tenets of the oath I took on 15 February 2018 and again on 25 May 2019.
3. I have endeavoured, throughout my tenure as President, not only to abide by my oath but to set an example of respect for the Constitution, for its institutions, for due process and the law. I categorically deny that I have violated this oath in any way, and I similarly deny that I am guilty of any of the allegations made against me.
4. These submissions will be structured as follows:
 - 4.1. I will set out the facts that gave rise to the allegations made against me;
 - 4.2. I will then clarify certain of the statements made by me on this matter to date;
 - 4.3. I will then detail the constitutional principles, law and rules applicable to this process;
 - 4.4. I will address certain additional points that I would like the panel to consider in evaluating my response; and

4.5. I will address each charge in turn.

FACTUAL BACKGROUND

5. Certain of the facts set out below are not within my personal knowledge. That which appears from the context not to be within my personal knowledge has been gleaned from affidavits which have been submitted to several institutions investigating this matter, which information was asked of me and my legal team, as a result of which I have had sight of them. I am advised that these affidavits are confidential (they were submitted to the South African Reserve Bank or the Public Protector's Office) and as such, cannot be annexed hereto.
6. Phala Phala Wildlife is a game farm situated in Limpopo, in the Bela Bela local municipality. The registered owner of the farm, on which the farming operations are conducted, is the Tshivhase Trust, my family trust. Phala Phala Wildlife is the operating entity of Ntaba Nyoni Estates CC ("Ntaba Nyoni"), the close corporation through which game farming operations are run. I am the sole member of Ntaba Nyoni. Its operations are managed and run by its employees. Mr Hendrik von Wielligh ("*Mr von Wielligh*") was the General Manager of Ntaba Nyoni at all relevant times.
7. Phala Phala Wildlife game farming operations started in 2010. The cattle farming operations started in 2001 in Mpumalanga province. Game and cattle farming have become a personal passion of mine; one I share with many other heads of state on our continent including former heads of states like Nelson Mandela who also had cattle in his farmstead in Qunu in the Eastern Cape.
8. In the book I wrote, "Cattle of the Ages", published in 2017 and focused on a special breed of cattle (which breed I facilitated to be brought from Uganda and recognised as a stud breed in South Africa) – the Ankole, I said the following of my love of cattle in particular – which has extended to wildlife more broadly –

Somewhere in the depths of my soul is the connection my father had with his cattle, the hills of Khalavha and his people. A man only feels it – or perhaps comes to understand what it is he was feeling all along – when he gets older

and wiser, and has come to fully sense his own mortality and comprehend the significance and miracle of life. My love for cattle could well be a reflection of my father in me; or of some form of agency on behalf of my father, Samuel Mundzhedzi Ramaphosa, who herded his father's and uncle's cattle while growing up in Khalavha, Venda (my ancestral home), in Northern Limpopo. As in most African cultures, cattle are a sign of wealth and stature among my father's people ... For my part, I first fell in love with cattle – or rather, discovered how deep in me was my father's own love for cattle – when I acquired a farm in the Mpumalanga province of South Africa. I guess I wanted to have a place where I could have my own cattle to follow in my father's footsteps and to honour his memory and my heritage.”

9. Phala Phala Wildlife farms with animals such as buffalo, sable, roan, black and white impala, wildebeest, kudu and other antelopes within a game reserve type of environment. Ankole cattle are also bred and kept on the farm. The wild animals and cattle we farm with reproduce and their numbers almost double on an annual basis. To manage the increasing numbers one has either to cull or sell some of them. At Phala Phala Wildlife we do what many game farmers do, we either cull or sell the excess animals.
10. There are a number of buildings situated at Phala Phala Wildlife. One of these buildings is a private residence that I occupy on occasion when I visit the farm. Separate to that building are a set of other buildings, including a large office and conference building called the Bayeto Centre, and hospitality buildings such as individual rooms – much like a game lodge – lounge areas, a kitchen and an area in which food can be served to guests.
11. The premises at Phala Phala are used for extended family gatherings, but also for educational camps for young people, for which special facilities were built, as well as to host meetings and workshops of a number of non-governmental organisations that I am associated with, such as the Adopt a School Foundation, and the Cyril Ramaphosa Education Trust which is a bursary scheme for university students, offering, over and above bursaries, nurturing, financial support, mentorship and psychological and social grounding to the students.

12. For some time in late 2019, Mr von Wielligh and I had discussions about disposing of buffalo that were substandard and were a financial drain on the operations of Phala Phala Wildlife in that they were costing a great deal of money in terms of veterinary services and feeding. The view that had been taken was that they should be sold as a parcel because this made better financial sense than selling them individually. I had advised Mr von Wielligh that there were potential buyers of these buffalo from the Middle East and other African countries. The disposal of animals in this manner is not unusual. For example, Phala Phala Wildlife has just finalised a transaction for disposing of a parcel of buffalo that will soon be exported to a country in the Middle East, following the fulfilment of various regulatory processes such as the extraction of blood from the buffalo to test for various diseases, export permits and other regulatory processes that are required for the transportation of wild animals.
13. On 26 December 2019, I went to Phala Phala. While there, the Lodge Manager, Mr Ndlovu, informed me about what had transpired the previous day at the farm. At the time, the General Manager Mr von Wielligh was on leave. Mr Ndlovu said that:
- 13.1. Mr Mustafa Mohamed Ibrahim Hazim, a citizen of Sudan ("*Mr Hazim*"), came to the farm to view buffalos that were for sale. Mr Ndlovu showed Mr Hazim the buffalos in Camp 6 and Mr Hazim identified those that he liked the look of. Mr Hazim made payment in cash in the sum of US\$580,000 to Mr Ndlovu. It was a payment for purchase of a number of the buffalo referred to above, based on information Mr Ndlovu gave Mr Hazim regarding the price of each of the animals he had identified and decided to buy.
- 13.2. Mr Ndlovu, upon receipt of the money, gave Mr Hazim an acknowledgement of receipt and informed him that he would inform me about what had transpired. A copy of this receipt is attached marked "**MCR 1**". After Mr Hazim had left Phala Phala, Mr Ndlovu took the money and locked it in the safe at the Bayeto Centre office.
14. When Mr Ndlovu spoke to me on 26 December 2019, the cash he had received was still in the safe at the Bayeto Centre. I was heading to Cape Town for the remainder of the festive season and since Mr von Wielligh was away, I said the money ought to be kept on the

farm until Mr von Wielligh would have the opportunity to process matters related to the transaction and thereafter have the money banked. I left the farm on 27 December 2019.

15. Mr Ndlovu was due to go home on leave on 30 December 2019. He felt uncomfortable about leaving the money in the safe at the Bayeto Centre because he was concerned that several staff members had access to the safe. He decided that the safest place to store the money was inside my private residence on the farm. He stored the money below cushions of a sofa in a spare bedroom that is hardly ever used, inside my private residence, because he thought it was the safest place, as he believed nobody would break into the President's house.

16. I have no personal knowledge of the theft itself. The following is what I can attest to personally:

16.1. On 10 February 2020 – the day after the theft – I was advised by Mr von Wielligh that there was a security breach at Phala Phala farm. At the time, I was in Addis Ababa, to chair the African Union Assembly Summit Meeting. Mr von Wielligh sent footage to me from the CCTV cameras situated outside my private residence at Phala Phala, which shows intruders who were seeking to enter my private residence. I then arranged for Major-General Rhooode, the head of the Presidential Protection Service (“PPS”), to visit me in my room, at our hotel in Addis Ababa. At our meeting, I informed Major-General Rhooode that I had received information that there had been a breach of security at Phala Phala and requested him to attend to the matter and report back to me. I had a lengthy session of the African Union Heads of State Summit meeting ahead of me, which in fact only ended at 3am the following morning.

16.2. Soon after the security breach was reported to me, Mr Ndlovu contacted me to tell me that the money that he had kept in my house had been stolen.

16.3. On my return from Addis Ababa I went straight to Cape Town to attend a Cabinet meeting and thereafter to prepare for the State Of Nation Address.

- 16.4. At some point during the second half of February 2020, which is the soonest my schedule allowed, I visited Phala Phala for the purpose of examining and being fully briefed on what had happened and confirming that money was stolen.
- 16.5. Some days after returning from Phala Phala, I asked Major-General Rhooode to meet me at my residence in Hyde Park, Johannesburg. I informed him that money from the sale of game was missing from my private residence at the Phala Phala. Only then was the General made aware that, in addition to a security breach, a theft had taken place.
- 16.6. It was agreed that Major-General Rhooode would confer with his superiors and revert to me on the way forward. I trusted that General Rhooode would take the necessary steps from a security point of view regarding my safety following the security breach at my residence , and take any other steps required to report and deal with the information I had shared with him.
17. Following the housebreaking and theft, a decision was taken by General Rhooode to deploy Presidential Protection Service (“PPS”) personnel at Phala Phala. The PPS personnel deployed at Phala Phala are there to ensure my safety and to ensure that there is no breach of security at my private residence. Before this breach of security and theft I had always resisted PPS advice to have my residence at Phala Phala guarded when I was not in residence. This was meant to save the state’s costs. But it has now been brought to my attention that there are always a number of potential risks I am exposed to if my private residence, which I visit on occasion, is not guarded at all times.
18. I reported the housebreaking and theft to General Rhooode as he is responsible for ensuring my safety and security in view of the position I occupy. I expected that he would do all that is necessary and take any other steps required in response to the information I had shared with him.

COMMENT ON STATEMENTS ATTRIBUTED TO ME

19. For the Panel's benefit, below I detail an accurate recording of the statements attributed to me and my office and which are being held against me in the motion approved by the Speaker.
20. In Limpopo, on 5 June 2022, I said the following in an address to the Limpopo Provincial Conference of the African National Congress (from 1:05:05 to 1:09:21 of the YouTube clip cited in the allegations):

*"I acknowledge that there is much public interest and concern about claims that have been made in a criminal complaint against me. I remain fully focused on the tasks that I have been given by the people of our country. And I want to reaffirm that I was not involved in any criminal conduct and once again I pledge my full cooperation with any form of investigation. Now due to the investigation, I will not really be able to engage deeply or further on this matter as we should allow the due process to take place. However, I would like to say that **I'm a farmer. I am in the cattle business and the game business.** And through that business, which has been declared in Parliament and all over, **I buy and I sell animals.** Sometimes people buy these animals – and some of the people who bought some of the animals some of them are here – I do it yes, through, the sales are sometimes through cash or sometimes through transfers. Some of the people who are offshore customers and who are sometimes local, they come through and buy animals and some of them come also also to hunt on the farm. And so **this that is being reported was a clear business transaction of selling animals.** The amount involved is far less than what has been bandied in the press. Ba bang this morning ba re ke R1billion. Ba bang ba re ke US\$4 million and so forth. I want to say it's far less. Some are casting aspersions about me and money. I want to assure you comrades that all this was money from proceeds from selling animals. I have never stolen money from anywhere, be it from our taxpayers, be it from*

anyone. I have never done so, and will never do so. I have never stolen money from our taxpayers. My integrity as a leader will never allow me to do so. I will never be able to do so. Now I will continue to fight corruption. I want to make it clear that I will continue to fight corruption and some of these things are clearly, they have their own political agenda and we are all aware of that, but it will not deter me from fighting corruption because I have never stolen taxpayers money. That I have never done, and so therefore I will cooperate with any process. The renewal process that we are involved in comrades is such that all of us must dedicate ourselves to become the type of leaders who will stand up and be able to say 'we are here to serve our people, we are here to make sure that our people get a better life'. That is what drives me. That is what makes me wake up every morning. To serve our people and nothing else. Thank you very much kea leboga" (I have only highlighted the words of this statement contained in 'charge 1')

21. On 2 June 2022 a 'tweet' was issued on my office's behalf. Its full text is worth repeating, as it is the basis of 3 out of the 4 purported charges:

"PRESIDENCY RESPONDS TO CLAIMS BY MR ARTHUR FRASER

The Presidency has been made aware through a media statement that Mr Arthur Fraser has laid a complaint with the South African Police Service against President @CyrilRamaphosa.

President Ramaphosa is clear that there is no basis for the claims of criminal conduct that have been made against him in Mr Fraser's statement.

The Presidency can confirm that a robbery took place at the President's farm in Limpopo on or around 9 February 2020 in which proceeds from the sale of game were stolen.

The President was attending an African Union summit in Addis Ababa at the time the incident occurred. On being advised of the robbery, President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service for investigation. President Ramaphosa stands ready to cooperate with any law enforcement investigation of these matters.

President Ramaphosa remains resolute in leading the fight against corruption, restoring the integrity and capability of public institutions and overcoming the legacy of state capture, and will not be deterred by disinformation campaigns.”

22. The allegations against me do not specify which portion of this long tweet (published as a thread) provides proof of what is alleged.

THE SECTION 89 PROCESS

23. The removal of the President is governed by **section 89 of the Constitution**. Its first subsection provides that –

“The National Assembly, by a resolution adopted with a supporting vote of at least two thirds of its members, may remove the President from office only on the grounds of –

(a) a serious violation of the Constitution or the law;

(b) serious misconduct; or

(c) inability to perform the functions of office.”

24. The Rules adopted by the National Assembly on 11 September 2018 to govern processes conducted in terms of section 89 of the Constitution define the terms relevant to this process.

- 24.1. They provide that “serious misconduct” is “unlawful, dishonest or improper behaviour performed by the President in bad faith”. (underlining added)

24.2. “A serious violation of the Constitution or the law” is defined as “behaviour by the President amounting to an intentional or malicious violation of the Constitution or the law performed in bad faith”. (underlining added)

25. The Rules further provide that, once a motion in terms of section 89 has been deemed to be in order by the Speaker, the Speaker refers it to the Independent Panel.¹

26. Rule 129G(1)(b) of the National Assembly enjoins the Panel to “consider any preliminary inquiry relating to a motion proposing a section 89 enquiry, referred to it by the Speaker, and ... make a recommendation to the Speaker, within 30 days, whether sufficient evidence exists to show that the President: (i) committed a serious violation of the constitution or law; [or] (ii) committed a serious misconduct” (sic).

ADDITIONAL MATTERS FOR THE PANEL’S CONSIDERATION

The formulation of charges 3 and 4

27. I point out that Section 89 makes it plain that the ground for my removal can only be a serious violation of the Constitution or the law or serious misconduct. It is unclear in charges 3 and 4 whether the allegation is that I committed a serious violation of the Constitution, or the law, or serious misconduct. This renders these charges defective in my respectful view. However, on the basis that they are put to me in this format, I will respond to the allegations contained therein.

The evidence intended to support the charges against me

28. Although the primary focus of these submissions is to answer the charges against me and provide supporting evidence therefor, it would be amiss of me not to address the existence, weight and relevance of the evidence that is seemingly intended to support the purported charges against me.

29. In terms of Rule 129G(1)(c)(ii) of the National Assembly Rules, the Independent Panel appointed in terms of Rule 129D of the National Assembly Rules (“the Panel”) was

¹ Rule 129C(1)

enjoined to provide me with all information available to it relating the inquiry. It did so in two steps:

29.1. On 21 October 2022, I received a letter from the Panel, to which was annexed a bundle of documents, indexed, and paginated from pages 1 to 343.

29.2. I was informed, in this letter, that members of the National Assembly had been called upon to provide further relevant information to the Panel and had until 27 October 2022 to do so. I received this additional information just before 5pm on 28 October 2022. It contained 1312 additional pages of information, and 10 video and audio files of various lengths. I appreciate that the Rules enjoin the Panel to share with me all information it receives, without filter.² Since the various parties in Parliament have seen fit to send such information to the Panel, I believe it necessary to state the following in relation to this additional information submitted by the ATM, EFF and UDM:

29.2.1. The bulk of the information contains images or facts of which I have no knowledge whatsoever. This relates to annexures IP20,³ IP24 to IP47, IP49 and IP50. These consist in the main of photographs of the identity documents and passports of persons, of persons standing next to cars, or persons that have seemingly been arrested.

29.2.2. A large number of articles and media releases from various sources are annexed (IP51 to IP80) to the ATM's submissions. I can confirm that IP53 and IP54 are press releases from my office. It is difficult for me to respond to the ATM's submissions to the extent that they are based on contents of newspaper reports, commentary and analytical articles.

29.2.3. I would submit that I ought not be asked to respond to information the sharing of which is prohibited by law, or that is unlawfully obtained. I submit further that this may apply to the information obtained from the Office of the

² Rule 129G(1)(c)(ii)

³ The one entitled ID2

Public Protector of South Africa if it was not shared or supplied by her office with her authorisation, as well as Mr Arthur Fraser's letter to the DPCI, dated 23 June 2022, which appears to have been leaked in some form.

29.2.4. Nonetheless and for the sake of ensuring the Panel has as much information and facts before it as possible and in line with my commitment to fully assist the work of the Panel, I will, where I am able, deal with the contents of these documents.

29.2.5. Some of the submissions made to the Panel attempt to broaden the motion in terms of section 89 of the Constitution that was accepted by the Speaker and published by Parliament. I understand the Rules deal with what these submissions need to cover to address the motion as published in the ATC of 17 October 2022, accepted by the Speaker and referred to this Panel.

29.2.6. I submit that Mr Fraser's letter to the DPCI is based purely on hearsay. Its contents do not demonstrate that he has personal knowledge of any matters of which he speaks and his letter, as I read it, is aimed at 'directing' the DPCI's inquiries. With respect, Mr Fraser's letter does not provide proof of his allegations. Although I will not respond to each allegation contained therein, as I do not deem them relevant to the charges to which I am called on to answer, the allegations contained in Mr Fraser's letter⁴ about Dr Bejani Chauke, my political adviser, being involved in the sourcing and storage of the money that was stolen from Phala Phala Wildlife are false. Kindly see in this regard an affidavit by Dr Chauke marked annexure "**MCR 2**".

30. I now turn to address each of the charges.

⁴ IP13 at para 5.2, p 356

CHARGE 1***The Allegation***

31. In terms of what is labelled '**charge 1**', it is alleged that I am guilty of a serious violation of section 96(2)(a) of the Constitution, in that –

31.1. I stated at an ANC event that *"I'm a farmer, I am in the cattle business and the game business... I buy and I sell animals.... This that is being reported was a clear business transaction of selling animals"*, and

31.2. According to the charge, I am *"actively running [my] farming business"*, and therefore, I *"misled the nation"* when, in 2014, I allegedly stated that all my business interests *"would be managed by a blind trust"*.

Applicable law

32. The **Constitution** enjoins me to *"uphold, defend and respect the Constitution as the supreme law of the Republic; and [promote] the unity of the nation and that which will advance the Republic."*⁵ In exercising my presidential powers it is incumbent upon me to abide by the principle of legality.

33. I, together with the members of my Cabinet and deputy ministers, must act in accordance with a code of ethics prescribed by national legislation.⁶

34. We may not undertake any other paid work, act in any way that is inconsistent with our office or expose ourselves to any situation involving the risk of a conflict between our official responsibilities and private interests; nor shall we use our position or any information entrusted to us, to enrich ourselves or improperly benefit any other person.⁷

35. The legislation referred to in section 96(1) of the Constitution is the **Executive Members Ethics Act 82 of 1998**. The Act requires that a code of ethics be compiled that all Cabinet

⁵ Section 83(b) and (c) of the Constitution of the Republic of South Africa, 1996

⁶ Section 96(1) of the Constitution of the Republic of South Africa, 1996

⁷ Section 96(2) of the Constitution of the Republic of South Africa, 1996

members must abide by,⁸ and sets out the essential elements of the code. The Executive Ethics Code was promulgated in terms of the Act as Proclamation number 41 of 28 July 2000, in government gazette 21399 (*“the Code”*). It provides in relevant part that –

- 35.1. Members of the Executive must *“perform their duties and exercise their powers diligently and honestly; fulfill all the obligations imposed upon them by the Constitution and the law; and act in good faith and in the best interest of good governance; and act in all respects in a manner that is consistent with the integrity of their office or the government.”*⁹
- 35.2. In deciding whether members of the Executive have complied with these obligations, it is necessary to take into account the promotion of an open, democratic and accountable government.¹⁰
- 35.3. In addition to the above, members of the Executive may not, among others, receive remuneration for any work or service other than for the performance of their functions as members of the executive.¹¹
- 35.4. Members must declare conflicts of interest and withdraw from situations where these exist.¹²
- 35.5. Where members hold financial or business interests which may give rise to a conflict of interest in the performance of their functions as a member of the executive, they must, within two months of assuming office, or within two months of acquiring such interest, or any longer period as the President may determine, either dispose of such interest, or place the administration of the interest under the control of an independent and professional person or agency.¹³

⁸ Section 2(1) of the Executive Members’ Ethics Act 82 of 1998

⁹ The Code clause 2.1

¹⁰ The Code clause 2.2

¹¹ The Code clause 2.3 (g)

¹² The Code clause 3

¹³ The Code clause 3.6

- 35.6. *“When the administration of a member’s interest has been placed under the control of a person as contemplated in [the paragraph above], the member may not, during the course of his or her term as member, have any communication with or give any instructions to that person regarding the interest or the administration or control thereof, save for the purposes of complying with any legal requirement in respect of such interest, or to give instructions to sell such interest.”*¹⁴
- 35.7. Members must disclose to the Secretary of Cabinet all their financial interests as detailed in clause 6 of the Code.¹⁵ *“When a member makes [such] a disclosure ..., the member must confirm in writing to the Secretary that the member receives no remuneration other than as a member of the executive.”*¹⁶
- 35.8. These disclosures are contained in a register, which has a confidential part and a public part.¹⁷ Only the President or Premier, as the case may be, the Public Protector, the Secretary concerned, and staff designated by the Secretary, have access to the confidential part of a register, and its contents must not be disclosed.¹⁸ The public portion of the register is accessible to any person, during office hours.¹⁹
36. Compliance with obligations set out in section 96 of the Constitution is done by abiding by what is provided for in the Executive Members Ethics Act and the Code.

Additional facts relevant to this charge

37. As regards **my business interests** generally:

- 37.1. The day after my election as Deputy President of the African National Congress, in December 2012, I released a media statement indicating my intention to review my business interests to avoid potential conflicts. I attach this statement as annexure

¹⁴ The Code clause 3.7

¹⁵ The Code clause 5

¹⁶ The Code clause 5.6

¹⁷ The Code clause 7.1

¹⁸ The Code clause 7.3 and 7.4

¹⁹ The Code clause 7.5

“MCR 3”. Although I did not, at that stage, serve in government, I decided to dispose of the businesses that operated in sectors that were highly regulated (such as mining, banking and financial services) and to retain non-regulated assets. I made this decision because the highly regulated assets had the potential to present conflicts of interest in the senior position that I now occupied in the governing party. I was concerned about any perception that I could potentially have influenced regulatory choices made in government that could directly benefit companies that operated in the sectors, in the mining sector for example, where permission to be able to engage in the activity or industry in question is sought from and granted by a government department.

37.2. On 26 May 2014, I was appointed Deputy President of the Republic. In terms of the Code, I was required within two months of assuming office to dispose of financial interests that gave rise to conflicts of interest or place the administration of such interests under the control of an independent and professional person or agency. I complied with this legal obligation in full:

37.2.1. On 26 May 2014, Shanduka, the group from which I was disposing my interests, announced that it had entered negotiations with the Pembani Group on a transaction that would see me disposing of my interest in the Shanduka Group. The announcement is attached marked “MCR 4”. I issued a statement (annexed marked “MCR 5”²⁰) indicating that, “*in the interim*”, pending finalization of the transaction, my family’s interests would be held in “*blind trusts*”. This was an interim measure meant to safeguard the integrity of the office I would occupy. In the end, it was deemed unnecessary – as will appear clearly below. Assets that could give rise to a conflict were disposed of.

37.2.2. On 24 July 2014, I submitted a declaration of my interests to the Cabinet Secretary, then Dr Cassius Lubisi, and asked the President to extend the deadline for the disposal of my assets, as he is entitled to do in terms of clause

²⁰ Available online at <https://www.thepresidency.gov.za/content/statement-deputy-president-ramaphosa-management-his-business-interest%E2%80%8F>

3.6 of the Code, quoted at paragraph 35.5 above. A copy of my letter to the President is annexed hereto marked “**MCR 6**”;

37.2.3. On 15 August 2014, President Zuma extended the period for me to dispose of my business interests by four months. I annex the relevant Presidential minute as annexure “**MCR 7**”.

37.2.4. On 25 November 2014, I wrote a letter to the President (annexed marked “**MCR 8**”) in which I informed him that, pending required regulatory approvals, I had disposed of my shareholding in Shanduka Group. In doing so, I had met the requirement of rule 3.6 of the Executive Ethics Code regarding the disposal of business interests that may give rise to a conflict of interest. I further advised the President that, although not a requirement of the Executive Ethics Code, the remainder of my business interests from the Shanduka transaction were being placed in a trust managed by independent and professional persons. I committed “*not [to] give any instructions with respect to the management of these interests for the duration of my term in office, save for the purposes of complying with a legal requirement or to give instructions to sell such interest*”. I informed the Cabinet Secretary as well in a similar letter of equal date, annexed marked “**MCR 9**”.

37.2.5. On 26 November 2014, Shanduka announced a restructuring of the group that saw my divestment from the group (the announcement is attached marked “**MCR 10**”). Shanduka would retain the bulk of its businesses that operated in regulated sectors, and dispose of certain assets in ‘non-regulated’ sectors, such as property, to me.

37.2.6. I have repeated the matter of my divestment from all regulated industries in public regularly since 2014, including at the State Capture Commission. I did so again in the National Assembly on 29 September 2022 in response to a question by Hon. Zungula, MP.²¹

²¹ IP12, para 21, p 350

37.2.7. I remain the sole member of Ntaba Nyoni. I have systematically declared this, and any other financial interests, with the Secretary of Cabinet and, when I was a member of Parliament, to the relevant Parliamentary authorities. In all instances, my membership/directorship of Ntaba Nyoni has been reflected in the public section of the declaration; it is therefore readily available for those wishing to see it, contrary to the assertions by the ATM.²² Ntaba Nyoni was never part of the Shanduka Group and therefore not part of those assets affected by the Shanduka divestment process detailed in paragraph 37.2 above.

Response to the charge

38. Ntaba Nyoni, which operates as Phala Phala Wildlife, is a separate legal entity. I am the sole member of the close corporation but I do not work for it and do not get any remuneration from Ntaba Nyoni. From the inception of Ntaba Nyoni in and around 2001 I have invested my and my family's money to fund its operations largely at a loss. To suggest that I undertake paid work on or through the farm is mistaken. I plainly do not. While I have an interest in Ntaba Nyoni as a game and cattle farming operation, I do not conduct any paid work on or in relation to the farm as referred to in section 96(2)(a) of the Constitution.

39. On the allegations contained in charge 1 specifically:

39.1. I am entitled to retain assets or financial interests where no conflict of interest would arise, if these are declared. The ATM and EFF's proposition that I have misconstrued my obligations in this regard²³ is entirely without merit. I do not perform paid work for Ntaba Nyoni – nothing I said has ever suggested as much – nor do I receive remuneration for work or service other than my functions as President in the service of the people of South Africa. Much like a shareholder of a company, who receives no remuneration, I am not on any payroll other than that of the Presidency.

²² IP20, para 100.3, p 1368

²³ IP16 at para 1.1.3, p 421; IP12 at para 32, p 353

39.2. The evidence shows that, in December 2014, I disposed of the financial interests that could give rise to a conflict in the performance of my functions as Deputy President and later as President. It was entirely my choice to place the remaining ‘non-regulated’ financial interests from the Shanduka transaction in the hands of an independent and professional person or agency. As I stated in the National Assembly on 29 September 2022 (the full transcript of which appears in annexure **MCR11**),

“initially the intention was to set up a blind trust, but then I did say that I do not intend to be in any other form of business other than the agricultural sector which I have declared. That is why in the end no such trust was formed because this is the sum total of what I get involved in.”

39.3. I have also disclosed my property holdings.

39.4. The ATM claims that the SARB letter provides proof to support the ‘charge’ that I am actively running my farm business, as it was directed to me. The SARB letter provides no such proof. The SARB directed its queries to me not because it determined I was actively involved in managing the farm business but, as appears from its letter to my legal representatives, because it was acting on media reports to which my office had responded. The SARB asked me to get information from the very persons the ATM claims were its correct interlocutors – the manager of the farm and its relevant employees. The ATM’s characterisation of and reliance on this letter is misinformed and misplaced.

39.5. Charge 1 is based on an error of law. The ATM seems to labour under the impression that I am forbidden from having any financial or business interests, or even investing in such interests. No such blanket prohibition exists.

39.6. Although it was not included in this charge, it bears mentioning that my membership of Ntaba Nyoni does not give rise to a conflict of interest between my official responsibilities and private interests. In any event mere statements that such a conflict exists are made without any effort at indicating how I am allegedly conflicted.

39.7. The EFF asserts that I failed to declare the foreign currency received from Mr Hazim and then stolen from my home. This is not included in any of the charges that I face. For completeness however I am cooperating, as indicated above, with the inquiries by the SARB on this matter.

39.8. Allegations are made that I have not met my tax obligations.²⁴ Ntaba Nyoni is a tax registered and compliant entity and to my knowledge is not under investigation by the South African Revenue Service in respect of this matter.

CHARGE 2

The Allegation

40. In terms of ‘charge 2’, it is alleged that I am guilty of a serious violation of the law in that I failed to abide by the duty provided for in section 34(1) of the Prevention and Combating of Corrupt Activities Act 12 of 2004, read with the South African Police Service Amendment Act 10 of 2012. This duty obliged me to report the housebreaking and theft at my property to a senior police official in the Directorate for Priority Crime Investigation. It is further alleged that my reporting this incident to General Rhooode of the Presidential Protection “Unit” was allegedly not in compliance with the relevant section of the Act, and was “irregular and unlawful”, proof being the lack of a case number in this matter. The basis for this allegation is the content of a tweet by my office published on 2 June 2022.

Applicable law

41. In terms of the **Preventing and Combating Corrupt Activities Act 12 of 2004** (“the PRECCA”), “a person who holds a position of authority and who knows or ought reasonably to have known or suspected that any other person has committed ... the offence of theft, ... involving an amount of R100,000 or more, must report such knowledge or suspicion or cause such knowledge or suspicion to be reported to the police official in the Directorate for Priority Crime Investigation referred to in section 17C of the South African Police Service

²⁴ IP16 at para 1.1.4, p 421

Act 68 of 1995” (underlining added).²⁵ Failure to abide by this duty is an offence.²⁶ Upon receipt of such a report, it is incumbent upon the relevant police official to take it down and provide an acknowledgement of receipt of such report.²⁷ For the purposes of the relevant section of the PRECCA, persons holding a position of authority are listed as including directors general, heads of national or provincial departments, public officers and the senior management service, a member of a close corporation and executive managers of banks, among others.²⁸ It has been accepted however that this obligation also falls on members of the Executive.²⁹

Response to the charge

42. On the allegations contained in charge 2:

42.1. The PRECCA places an obligation on persons in positions of authority who know or ought reasonably to have known or suspected that any other person has committed an offence (including the offence of theft involving an amount of R100,000 or more), to report such knowledge or suspicion.

42.2. As previously stated, I have no personal knowledge regarding the theft itself. Similarly, I have no knowledge or suspicion, and cannot reasonably be expected to have knowledge, of the perpetrators. Therefore, I submit that there was no duty on me to report the theft in terms of section 34 of the PRECCA.

42.3. The objective of PRECCA is to address corruption and hold those responsible for corruption accountable. That is why the DPCI is the body to whom a report of corrupt activities must be made, in terms of section 34 of PRECCA. It could not have been intended that a dedicated corruption fighting unit such as the DPCI should investigate every and any theft involving an amount of R100 000 or more.

²⁵ Section 34(1) of the PRECCA

²⁶ Section 34(2) of the PRECCA

²⁷ Section 34(3)(a) of the PRECCA

²⁸ Section 34(4) of the PRECCA

²⁹ See in this regard *President of the Republic of South Africa v Office of the Protector and Others* 2018 (2) SA 100(GP); 2018 (5) BCLR 609 (GP) at paras 119 and 120

42.4. It could never have been the intention of the PRECCA to specifically place a duty on ‘a person of authority’ to report an offence committed by a person not falling within the sphere of relationship relevant to the person’s position of authority. The duty placed on a person of authority to report an offence in terms of the PRECCA must be interpreted to arise only in respect of a person who is known, or ought reasonably to have been known, or suspected to have committed an offence by virtue of that person’s position of authority. This is so particularly because a failure to report such knowledge or suspicion constitutes an offence. Respectfully, the idea that the failure by a ‘person of authority’ to report an offence committed by someone unknown to them and not falling within the sphere of relationship relevant to that person’s position of authority would constitute an offence in terms of the PRECCA is incorrect.

42.5. The format of the form³⁰ to be used by the responsible DPCI official when taking down a report in terms of section 34 of the PRECCA requires extensive details from the person holding a position of authority as contemplated in section 34(4) of the PRECCA. Part 3 of the form requests the *“Full Names, Identity number of Date of Birth and contact details of person(s) allegedly involved in offence(s), as well as his/her/their position held and the role that he/she/they played in the commission of such offence(s).”* This information would only be available to a person in a position of authority in respect of a person who is alleged to have committed the offence and who is known to them.

42.6. I am advised that this interpretation of the PRECCA gives effect to the purpose for which the legislation was enacted.

42.7. The PRECCA further makes it clear that taking steps to ensure the matter is reported to the correct official of the DPCI is sufficient. I reported the housebreaking and theft of money from my residence at the farm to a senior police official, General Rhooode.

³⁰ Annexure A to GN 1028 of 7 December 2012: Directions by the national head of the directorate for priority crime investigation (DPCI) within the South African Police Service in terms of [section 34 \(3\) \(a\)](#) of the Act (*Government Gazette* No. 35949)

- 42.8. My reporting this theft to the head of the Presidential Protection Service substantially complies with the duty to report such an event or cause such an event to be reported to the appropriate DPCI police official. I was not in control of the process followed after I reported the matter to Major-General Rhoode. I can only assume that it was conducted in accordance with the rules and regulations of the SAPS governing such matters
- 42.9. The housebreaking and theft made plain the ongoing security risks to which I am exposed. As the person primarily responsible for my safety and security as head of state, I needed to bring the housebreaking and theft to Major-General Rhoode's attention to allow him to take the necessary steps to ascertain the extent of such a risk as housebreaking, within the confines of approved SAPS processes. My statement to the National Assembly in response to a question by the EFF³¹ confirms this. In this respect, I refer to relevant sections of the unrevised Hansard, a copy of which is annexed hereto marked "**MCR 11**", and specifically to its pages 160 and 161.³²
- 42.10. The lack of a case number is not a matter over which I have any control.
- 42.11. Nothing in the tweet referred to is evidence of anything other than that I stood ready to cooperate with any law enforcement investigation of these matters. I was confirming my commitment to my obligations in terms of relevant legislation – the opposite of the allegations made.
- 42.12. The 'facts' listed by the EFF³³ are disputed in their entirety. There is no evidence whatsoever to contradict the evidence of Mr Nldovu and Mr Hazim regarding the amount stolen on the farm, or the evidence of General Rhoode under oath of what he did, and did not do. I have no knowledge of the audio clip the EFF

³¹ IP12 at para 23, p 352, first paragraph

³² MCR 11 p 143 to p 161

³³ IP12 at para 7

has provided as evidence of this.³⁴ I do not recognise the voices nor is the source or authenticity of this audio clip verified.

CHARGE 3

The Allegation

43. In terms of what is labelled '**charge 3**', it is alleged that I am guilty of serious misconduct, *"by violating section 96(2)(b) of the Constitution read with section 83(b) of the Constitution"* in that I had a member of the Presidential Protection 'Unit' (General Rhooode) deal with security issues on my private farm. Since, it is alleged, my *"life and limb [were] not threatened by the burglary, ... General Rhooode had no business to be investigating anything at the Phala Phala Farm, as unlawful directed"* by myself. The basis for this allegation is also the content of the tweet by my office published on 2 June 2022, referred to in the paragraph above.

Applicable law

44. The **Presidential Handbook** outlines the services, support and benefits afforded to the President and Deputy President, their spouses, and former Presidents and Deputy Presidents and their spouses.

45. Its latest version is dated November 2015.³⁵ It contains guidelines on support provided to the President and Deputy President. A copy of the Handbook is annexed hereto marked **"MCR 12"**.³⁶

46. The Presidential Handbook provides that the *"South African Police Service (SAPS) takes full responsibility for the protection and security of the President and Deputy President at*

³⁴ IPV10 and IP12 at para 11, p 347

³⁵ It is available online at <https://www.thepresidency.gov.za/sites/default/files/Presidential%20Handbook.pdf>.

³⁶ Presidential Handbook clause 3.12

*all times during their term of office.”*³⁷ This includes “*static protection at all official and private residences*”.³⁸

47. Costs of the provision of physical security measures are carried by the Department of Public Works and Infrastructure.³⁹ Costs related to relevant personnel are carried by the National Security Services, which includes the South African Police Service, the State Security Agency and the South African National Defence Force.⁴⁰

48. The **Presidential Protection Service** (“*the PPS*”) is an entity of the South African Police Service and falls under the command and control of its National Commissioner. Its mandate includes my protection, that of my immediate family, the protection of the Deputy President and his family, the protection of all former Presidents and Deputy Presidents – both in and outside South Africa – and the protection of visiting heads of state and government when they are in South Africa. This is reflected in the South African Police Service annual reports.⁴¹ In the most recent annual report of the South African Police Service, static protection and security breaches at what is termed ‘VIP residences’ are listed as performance indicators of the PPS.⁴²

Facts relevant to the charge

49. When I was appointed Deputy President of the Republic, I made the decision not to have dedicated security, provided to me by the PPS, assigned to my house at Phala Phala, notwithstanding that it falls within the definition of “*Private residence*” as defined in the Presidential Handbook. This was because it is not my primary residence and I felt it would be a waste of state resources to do so. General Rhooode confirms this in his statement annexed hereto marked “**MCR 13**”, at paragraph 7. Since the housebreaking and theft, however, and as late as 2020, physical security is provided at Phala Phala. Security

³⁷ Presidential Handbook clause 12.1

³⁸ Presidential Handbook clause 12.3.11

³⁹ Presidential Handbook clause 13.1

⁴⁰ Presidential Handbook clause 13.3 read with the Definitions in clause 1

⁴¹ See SAPS 2020/2021 Annual report page 256, available online at https://www.saps.gov.za/about/stratframework/annual_report/2020_2021/annual_report_2020_2021.pdf

⁴² SAPS 2020/2021 Annual report page 253

Personnel are posted there. Their accommodation at Phala Phala was built at my personal expense. No physical security measures, which would be carried by the Department of Public Works and Infrastructure, have ever been installed at Phala Phala.

Response to the charge

50. It is relevant to the allegations made against me in this charge that I also indicate my commitment to ensuring efficient, cost-effective and economic use of public funds.

51. Where my personal security is concerned, my inclination has always been towards limiting any excessive state expenditure. I realised, after the housebreaking and theft at my private residence at Phala Phala, that I may have been overly conservative in this regard. The risk to my and my family's safety, from anyone gaining unlawful access to my private space, was made plain to me.

52. On the allegations contained in charge 3:

52.1. This charge seems to contain 3 separate allegations:

52.1.1. That I exposed myself to a situation involving a risk of a conflict between my official responsibilities and private interests in having the PPS tasked with ensuring security at my farm;

52.1.2. That I exposed myself to a situation involving a risk of a conflict between my official responsibilities and private interests in having the head of the PPS attend to a burglary, which presented no threat to my "life and limb"; and

52.1.3. That I exposed myself to a situation involving a risk of a conflict between my official responsibilities and private interests in giving an unlawful direction to the head of the PPS.

52.2. The relevant prescripts govern the mandate of the PPS and this includes security of private residences of a person in my position. There can be no violation of the Constitution in the PPS fulfilling its assigned mandate. In any event, it is important to state that the PPS was not providing such security at the farm at the time of the housebreaking and theft.

52.3. I am perplexed by the assertion made by the ATM that unknown persons gaining unlawful access to my private space cannot be a potential threat to my “life and limb”. It is suggested that a housebreaking at my private residence is not a threat to my life. The fact that unknown persons may get inside my private residence is inevitably an indication of a possible threat to me personally. Breaking into my house surely gives them an opportunity to do all manner of things some of which can be dangerous, such as planting devices of whatever nature that may pose a threat to my safety and security on my return to the residence.

52.4. Security of my private residence is intrinsically linked to my position as President of the Republic and any security breach which I experience should properly be reported to Major-General Rhooode. The reporting of the housebreaking and theft to Major-General Rhooode was to ensure that he could properly fulfil his functions and was not in any way an instruction to investigate the matter beyond what was required for him to make a determination with regard to my safety and security and that of my private residence and my family.

52.5. As the ATM itself highlights,⁴³ the housebreaking and theft at my property is not reflected in the SAPS annual reports⁴⁴ because, at the time of the theft, my residence at Phala Phala was not under the protection of the PPS. This was not for nefarious purposes, as the ATM claims.⁴⁵ From the time I was appointed Deputy President I felt it was necessary to limit state expenditure at a private residence I rarely spent time in.

52.6. I have no knowledge of any ‘illegal team’ as claimed by the EFF⁴⁶ conducting illegal investigations. The only information I became aware of in the last 2 months can be found in paragraphs 11 and 12 of **MCR 13** from General Rhooode.

⁴³ IP20, para 69, p 1354

⁴⁴ IP16, para 3.3, p 425

⁴⁵ IP20, para 70, p 1354

⁴⁶ IP12 at para 7.3

52.6.1. General Rhoode attests in his affidavit⁴⁷ to the preliminary questioning of my staff that he conducted, in order to address the extent of the security breach and the threat to my property and that of my family.

52.6.2. No money was paid by me or anyone employed by Ntaba Nyoni or by General Rhoode to anyone in relation to the theft, let alone to conceal the crime as alleged.⁴⁸

52.6.3. The affected domestic worker has not been reinstated to Ntaba Nyoni's employ as alleged by the EFF.⁴⁹ She was in any event a temporary worker at the time of the theft and not in permanent employment.

52.6.4. In relation to the allegations of the detention and torture of people at Phala Phala, I have no knowledge whatsoever of such activities. Major-General Rhoode has confirmed that the allegations of detention and torture of people at Phala Phala, are untrue.

53. As regards the findings of the **Western Cape High Court** in their **judgment** of 9 September 2022, while it is unclear to me how these relate to 'charge 3' as asserted by the ATM, I wish to point out the following:

53.1. The ATM claims that this charge is supported by a judgment of the Western Cape High Court delivered on 9 September 2022.

53.2. It states that the court found that I "*acted in bad faith and was conflicted*" in my decision to suspend Adv Mkhwebane as Public Protector. It quotes paragraph 157 of the judgment.

53.3. The ATM claims that this "*constitutes irrefutable evidence*" that I exposed myself to the risk of a conflict between my official duties and my private interests.

⁴⁷ See IP19, paras 21 to 27, pp 1325 and 1326; and MCR 12

⁴⁸ IP12 at para 7.5, p 346

⁴⁹ IP12 at para 7.4, p346

53.4. The judgment is subject to confirmation by the Constitutional Court. The Constitutional Court is meant to hear argument in this matter later this month.

53.5. The very same bench of the Western Cape High Court found, in a judgment of 11 October 2022 annexed marked “**MCR 14**”, in an application in terms of section 18(1) and 18(3) of the Superior Courts Act 10 of 2013 by the suspended Public Protector, stated that –

“... the Constitutional Court makes the final decision whether the conduct of the President is unconstitutional. No order to this effect by any other court has any force until the Constitutional Court has pronounced on the issue.”⁵⁰

...

The judgment cannot be suspended. Nor can it be operationalized or executed simply because there is nothing that can operate or upon which execution can be levied. The relevant orders have not been confirmed and, irrespective of the wording used, there is nothing that can be suspended. The judgment has no independent existence but is conditional upon confirmation by the Constitutional Court.”⁵¹

54. I understand the reference made to the Western Cape High Court judgment of 9 September 2022 to be an unauthorised attempt to add charges to those approved by the Speaker and referred to the Panel. It ought to be deemed irrelevant. In any case, its contents have no bearing on the provision of security by the PPS as a result of the security breach at my private residence.

55. To the extent that it is alleged that during argument, in the matter referred to above that was heard in the **Western Cape High Court**, my counsel conceded that Major-General Rhooode investigated a matter pertaining to my private affairs, this is denied.

⁵⁰ *The Public Protector of South Africa v Speaker of the National Assembly and others*, Case no 8500/2022, handed down on 11 October 2022, at para 55

⁵¹ *Ibid.* para 75

CHARGE 4***The Allegation***

56. In terms of what is labelled '**charge 4**', it is alleged that I am guilty of serious misconduct *"by violation of section 96(2)(b) read with section 83(b) of the Constitution"* in that I allegedly gave Major - General Rhooode an unlawful instruction to investigate the burglary on my private farm, and that this *"shows dishonesty and constitutes misconduct and unlawfulness"* on my part. The basis for this allegation is also the content of the tweet by my office published on 2 June 2022, referred to in the above two paragraphs.

Applicable law

57. Section 96(2)(b) of the Constitution stipulates that I may not act in any way that is inconsistent with my office, or expose myself to any situation involving the risk of a conflict between my official responsibilities and private interests.

58. Section 83(b) enjoins me to uphold, defend and respect the Constitution as the supreme law of the Republic.

Facts relevant to the charge

59. As detailed in paragraph 16 above, I reported a security breach to Major-General Rhooode. I informed Major-General Rhooode that there was a theft at my residence at Phala Phala. I requested Major-General Rhooode to attend to this incident insofar as it was within his roles and responsibilities to do so.

60. Major-General Rhooode subsequently told me that he had been instructed by the then Deputy National Commissioner of Police, Lt. Gen. Mfazi, to conduct a preliminary enquiry with a focus on my safety and threats to me, and thereafter to report back to him whereafter he would take over the case. General Rhooode speaks to this in his statement, marked "**MCR 13**".

Response to the charge

61. On the allegations contained in charge 4:

- 61.1. I gave no unlawful instruction to General Rhooode.
- 61.2. Contrary to the ATM's assertions that General Rhooode contradicted my statements in the National Assembly,⁵² the quote from his affidavit relates to the first instance I informed him of the break-in. He goes on to speak to my alerting him of the theft at a later date.⁵³
- 61.3. My instruction to the person responsible for my and my family's security was to look into a housebreaking, and determine the risk to our safety and security. This can hardly constitute "*misconduct and unlawfulness*" as alleged. As such, my instruction to General Rhooode falls squarely within his responsibilities and the mandate of the PPS.
- 61.4. It is clear that, by reporting the security breach and the theft to Major-General Rhooode, who holds the rank of major-general in SAPS, and by specifically requesting that Major-General Rhooode should attend to the matter, I had no intention of concealing the crime from the SAPS, or at all.
62. Furthermore, I did not 'hunt' for the perpetrators of the theft, as alleged,⁵⁴ nor did I give any instructions for this to take place.
63. Regarding the plethora of videos and photographs that are annexed to the EFF and ATM's submissions, and which are meant to relate to the theft on the farm:
- 63.1. Save for 2 of these, as will appear below, I have no knowledge of who took these, when they were taken, and in many cases, who the people are in the photos.
- 63.2. I did not instruct General Rhooode to recoup the lost money. I know nothing of any attempts to do so, by whom these might have been made or how they may have gone about it. I therefore have no knowledge of the arrests depicted.

⁵² IP16, para 3.2, p 425

⁵³ IP19, paras 16 to 20, pp 1323 and 1324

⁵⁴ IP12 at para 25, p 352

63.3. I can confirm that IP23 is an accurate depiction of the sign at the entrance of the farm.

63.4. I can also confirm the contents of video 1 as depicting my private residence on the farm and being taken from one of my security cameras.

63.5. General Rhooode can confirm that the photos contained in IP26 were taken when he was at the farm asking questions of employees present. I refer to his statement marked **MCR 13**.

63.6. Videos 2, 3, 4 and 5 are not depictions of my private residence or taken anywhere on Phala Phala, and videos 6 and 7 are evidently dramatized compilations of some of the other videos, including in video 6 portions of video 1, the only video that is, in fact, taken at Phala Phala.

63.7. The so-called “topographical image fence” in IP22 is not a map of Phala Phala Wildlife.

CONCLUSION

64. Based on the above, I respectfully submit that all of the ‘charges’ I have been called to answer are without any merit. In addition to the ‘charges’, several baseless allegations are made against me in the documents handed over to the Panel as set out in the bundle provided to me. Those which do not relate to the ‘charges’ or which on the face of it I deem not to have a bearing on the charges, I have not addressed in this response. The focus of this response has been to respond to the ‘charges’.

65. The complaints of the ATM, the UDM and the EFF are based on hearsay allegations. With respect, no evidence, let alone sufficient evidence, has been presented to prove that I committed any violation, let alone a serious violation of the Constitution or law, or serious misconduct as set out in the Constitution.

66. I ask that the Panel conclude that this matter ought not to be taken any further.

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a checkmark-like flourish.

Mr Matamela Cyril Ramaphosa
President of the Republic of South Africa



This is to certify that

I Sylvester Ndlovu

Received a sum of \$ 580 000 US Dollars from Mr Hazim

on 25 December 2019 at Phala Phala Wildlife for the payment of 20 Buffaloes from

Camp 6.



Signed
Date: 25 December 2019

**STATEMENT TO THE INDEPENDENT PANEL APPOINTED IN TERMS OF RULE 129D OF THE
NATIONAL ASSEMBLY RULES**

I, the undersigned

BEJANI CHAUKE

do hereby state under oath that:

1. I am an adult male currently employed as Special Adviser to President Matamela Cyril Ramaphosa (*"the President"*), in the Presidency.
2. The facts to which I depose are within my personal knowledge, except where it is apparent from the context that they are not.
3. I have been shown the letter dated 23 June 2022 by Mr Arthur Fraser contained in the Independent Panel's bundle as IP13. I deny every allegation contained therein that relates to me being involved in illegal activities. Specifically –
 - 3.1. I have never brought foreign currency into South Africa illegally, for myself or for the President. I travel internationally as part of my work for the President, as his special envoy. Since my appointment as Special Adviser to the President on 1 June 2019 (for a period linked to the term of the President), my role is focused on political matters and on numerous occasions, the President has asked me to be his envoy to meet the heads of state or their representatives of various countries to discuss issues of national security or matters of a political nature. Since my appointment into the office, in addition to those countries that I have visited with the President and other

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countries I have visited on invitation from their heads of state, I have travelled to Chad, Namibia, Saudi Arabia, the Democratic Republic of Congo, the Central African Republic, Equatorial Guinea, Russia, Guinea Conakry, Togo, Kenya and Mozambique as the President's envoy;

3.2. I never concealed any amount of cash of any denomination in any couches or other furniture in my home or anywhere else, or participated in the transfer of furniture to the President's private residence;

3.3. The Mercedes Benz that Mr Fraser refers to in his statement is owned by one of my businesses, which is a restaurant and entertainment business in Limpopo;

3.4. I am the youngest of my siblings so reference to a younger sister of mine is pure fabrication;

3.5. I do own a home a Hyde Park but I never instructed a person named Themba Rikhotso to perform the renovations that I had undertaken;

3.6. I do not know Mr Zahir Vallie;

3.7. As a public servant I welcome a public audit being conducted into my affairs;

3.8. While I have met some of the persons referred to in paragraph 5.18 of Mr Fraser's letter, I deny the allegations relating to my participating in any investigation of the theft that took place at Phala Phala farm in February 2020;

3.9. I paid no money to anyone in relation to such an investigation.

4. I trust the Panel will take the above into account in its consideration of the motion in terms of section 89 of the Constitution that the President is called on to answer.


BEJANI CHAUKE

The deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at JOHANNESBURG on this 4TH day of November 2022, and that it is, to the best of the deponent's knowledge, both true and correct and that he has no objection to taking the prescribed oath, and that the Regulations in Government Notice R.1258 of 21 July 1972 having been complied with.


COMMISSIONER OF OATHS

MUNIER ISMAIL
BA LLB (WITS)
Commissioner of Oaths Ex Officio
Practising Attorney RSA
3rd Floor, 1 Bompas Road
Dunkeld West, Johannesburg

MEDIA STATEMENT BY SHANDUKA EXECUTIVE CHAIRMAN
19 DECEMBER 2012

Shanduka Executive Chairman Cyril Ramaphosa said today:

"As a consequence of my election to the position of ANC Deputy President at the ANC's 53rd National Conference in Mangaung, I have initiated a review of my interests in business.

"This is necessary to address any potential conflicts of interest, and to ensure that I can adequately perform the responsibilities of this position.

"In consultation with the ANC national officials, I am undertaking a process of engagement with several stakeholders on the implications of my election to this post.

"This will include a review of existing positions, responsibilities and obligations. It is intended that this process result in an arrangement that removes the possibility of any conflict of interest.

"I will make further public statements at the appropriate time."

ENDS

For more information:

Steyn Speed
Corporate Communications
Shanduka Group
sspeed@shanduka.co.za
011 305 8900
082 572 7304

Thabo Leshilo
Fleishman-Hillard
082 466 8140
Thabo.leshilo@fleishman.co.za



Shanduka and Pembani combine to create a new black-controlled natural resources and industrial group

26 May 2014

Pembani and the majority shareholders in Shanduka, comprising Mr Cyril Ramaphosa's family trust, Jadeite Limited and Standard Bank, amongst others, announced today that they have entered into an agreement to combine their interests and create a new black-controlled natural resources and industrial holding group ("Group") (the "Proposed Transaction").

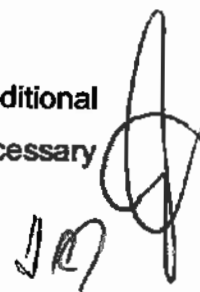
The Proposed Transaction will enable Mr Cyril Ramaphosa to exit his business interest in Shanduka to focus on his responsibilities in government, and ensure that his family's business interests do not conflict with his functions in government or fall within the ambit of any state-regulated sectors.

The Group will have a gross asset value in excess of R13.5 billion, which will give it significant scale with liquidity to pursue value creating opportunities in sub-Saharan Africa. The Group will be managed by a strong management team and board, chaired by Mr Phuthuma Nhleko, co-founder and Chairman of Pembani.

Mr Ramaphosa commented: *"This transaction is the culmination of a review of my business interests that I initiated soon after my election as ANC Deputy President in December 2012. Following a process of engagement with various stakeholders, we have arrived at an agreement that addresses the strategic objectives of all parties, bringing together two excellent organisations to create a new large black-controlled natural resources and industrial holding group. It enables me to leave Shanduka and eliminate any conflicts of interest confident that its founding vision of value creation, empowerment and transformation will continue through the new entity."*

Mr Nhleko commented: *"The Proposed Transaction creates an African champion. The combined entity will benefit from a strong capital base and it will continue to build on the individual platforms created by Shanduka and Pembani in the past. The shared long term vision and investment sector focus of the two entities makes the fit a very logical one."*

The Proposed Transaction is subject to the conclusion of a number of additional agreements and the fulfilment of conditions precedent, including the necessary

Handwritten signature and initials, likely of Mr Phuthuma Nhleko, located at the bottom right of the page.

regulatory approvals and consents of various third parties. It is anticipated that the Proposed Transaction will be implemented and completed before the end of 2014.

Pembani is an investment holding company that is co-founded and controlled by Mr Nhleko, currently Chairman and previously CEO of MTN Group. Pembani holds numerous investments in resources and industrial companies such as Engen, BHP Billiton Energy Coal South Africa, Exxaro and AfriSam.

Shanduka was founded in 2001 as a black-owned investment holding company. It is invested in a diverse portfolio of listed and unlisted companies, with key holdings in the resources, food and beverage industries. Shanduka is also invested in the financial services, energy, telecommunications, property and industrial sectors. The group has investments in South Africa, Mozambique, Mauritius, Ghana and Nigeria.

Jadeite Limited is a wholly-owned subsidiary of CIC International, which is controlled by China Investment Corporation.

The Standard Bank of South Africa Limited is acting as investment bank and facilitator to the Proposed Transaction.

Rand Merchant Bank, a division of FirstRand Bank Limited, and Werksmans Attorneys are acting as advisers to Pembani.

Bowman Gilfillan is acting as adviser to Shanduka's majority shareholders.

Standard Chartered Bank (Hong Kong) Limited and Baker & McKenzie are acting as advisers to Jadeite Limited.

A handwritten signature, possibly 'A. N.', followed by the initials 'L/A'.

Media enquiries:**For Pembani:**

Brunswick

Rob Pinker:

Tel: +2711 502 7300

Email: rpinker@brunswick.co.za

Georgie Armstrong:

Tel: +2711 502 7300

Email: garmstrong@brunswick.co.za

Lufuno Makhari +2711 783 6210

For Shanduka's majority shareholders:

Fleishman-Hillard

Thandi Moticoe

Tel: +2711 548 2041

Cell: +2771 600 2429

Email: thandi.moticoe@fleishman.co.za

A handwritten signature in black ink, appearing to be 'JA' followed by a stylized flourish.



THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA (L)



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MAIN MENU

Statement by Deputy President Ramaphosa on management of his business interest‏

26 May 2014 - 12:00am

I Deputy President Cyril Ramaphosa, on Monday announced a transaction that will result in my divestment from Shanduka Group.

Shanduka's majority shareholders have entered into an agreement that will, among other things, result in my complete divestment from the Group. In the interim, my family's interests will be held in blind trusts.

Over the course of the last 17 months, I have stepped down from the boards of several companies on which I served and resigned as Shanduka Group executive chairman.

This is the culmination of a review of my business interests that I initiated soon after my election as ANC Deputy President in December 2012. It was intended to remove the potential for any conflict of interest and enable me to effectively perform the functions of my position.

In the course of the next few weeks, I will take any further practical steps necessary to ensure that I comply with requirements of the Executive Ethics Code and uphold the integrity of my office.

I will continue to be involved in the Shanduka Foundation, a non-profit organisation that works in the areas of school development, skills development and enterprise development.

Enquiries: Thabo Masebe on 082 410 8087

Issued by: The Presidency
Pretoria

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	Director General & Secretary of Cabinet Phindile Baleni (/profiles/director-general-and-secretary-cabinet-phindile-baleni)		
	Former Principals (/content/former-principals)		



DEPUTY PRESIDENT: REPUBLIC OF SOUTH AFRICA
Private Bag 31000, Pretoria 0001

24 July 2014

Mr Jacob Zuma
President: Republic of South Africa
The Presidency
Private Bag X 1000
CAPE TOWN
0001

Dear Mr President,

As you may be aware, following my appointment to the position of Deputy President, I initiated a process to dispose of those business interests that may give rise to a conflict of interest with respect to the performance of my functions.

That process is currently underway and is expected to be completed shortly.

I therefore request an extension of the period in which I am required to dispose of such interests or place the administration of the interests under the control of an independent and professional person or agency be granted in terms of rule 3.5 of the Executive Ethics Code, 2000.

I anticipate that a period of four months from the date of 25 July 2014 would be sufficient.

In the interim, I hereby make a provisional declaration of my interests.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C. Ramaphosa', written over a horizontal line.

MR CYRIL RAMAPHOSA

Handwritten initials in black ink, possibly 'JD' or 'JH', located at the bottom right of the page.

81/172455

(Z 18E)

**PRESIDENT'S ACT NO. 218**

In terms of Paragraph 3.6 of the Executive Ethics code, published under Proclamation No. R41 in the Government Gazette No. 21399 of 28 July 2000, I hereby determine a Four (4) months period, with effect from 25 July 2014, for Mr C.M Ramaphosa to dispose of any financial or business interests that may give rise to a conflict of interest when performing his functions as a Deputy President of the Republic of South Africa or place the administration of such interests under the control of an independent and professional person or agency.

Given under my Hand at PRETORIA on this 15th day of AUGUST, Two thousand and Fourteen.

A handwritten signature in black ink, appearing to read "Jacob Zuma".

PRESIDENT

A handwritten signature in black ink, appearing to read "Jacob Zuma".



DEPUTY PRESIDENT: REPUBLIC OF SOUTH AFRICA
Private Bag X1000, Pretoria, 0001

25 November 2014

Mr Jacob Zuma
President: Republic of South Africa
The Presidency

Dear Mr President,

My correspondence of 24 July 2014, in which I requested an extension of the period in which I am required to dispose of business interests that may give rise to a conflict of interest in terms of rule 3.6 of the Executive Ethics Code, 2000, refers.

Please be advised that I have today informed the Secretary of Cabinet that I have consequently disposed of my shareholding in Shanduka Group, an investment holding company with assets in a number of 'regulated' industries. Certain elements of the disposal are dependent on regulatory approval. I have taken all the steps required for this to materialise and have every faith the relevant transactions will be approved.

Although not a requirement of the Executive Ethics Code, I have decided to place my remaining business interests in a trust managed by independent and professional persons. Guided by the Executive Ethics Code, I will not give any instructions with respect to the management of these interests for the duration of my term in office, save for the purposes of complying with a legal requirement or to give instructions to sell such interest.

I will update my disclosure of financial interests with the Secretary of Cabinet accordingly.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C. Ramaphosa', written over a horizontal line.

CYRIL M RAMAPHOSA

A handwritten signature in black ink, appearing to be 'J. M.', written in a cursive style.

MCR 8



DEPUTY PRESIDENT: REPUBLIC OF SOUTH AFRICA
Private Bag X1000, Pretoria, 0001

25 November 2014

Dr Cassius Lubisi
Secretary to Cabinet
The Presidency

Dear Dr Lubisi,

As you may be aware, on 24 July 2014 I wrote to the President requesting an extension of the period in which I am required to dispose of business interests that may give rise to a conflict of interest in terms of rule 3.6 of the Executive Ethics Code, 2000.

The President granted me an extension of four months from the date of 25 July 2014.

Please be advised that I have consequently disposed of my shareholding in Shanduka Group, an investment holding company with assets in a number of 'regulated' industries. These interests could have given rise to a conflict of interest.

Certain elements of the disposal are dependent on regulatory approval.

Although not a requirement of the Executive Ethics Code, I have decided to place my remaining business interests, all in 'unregulated' sectors, in a trust managed by independent and professional persons. Guided by the Executive Ethics Code, I will not give any instructions with respect to the management of these interests for the duration of my term in office, save for the purposes of complying with a legal requirement or to give instructions to sell such interest.

I will update my disclosure of financial interests accordingly.

Yours sincerely,

CYRIL M RAMAPHOSA

**MEDIA RELEASE****RAMAPHOSA DIVESTS FROM SHANDUKA**

26 November 2014. Shanduka Group today announced a restructuring of the group that sees the complete divestment of its founder and former Chairman, Deputy President Cyril Ramaphosa. This marks the completion of a process that Mr Ramaphosa initiated soon after his appointment as Deputy President to remove the potential for any conflict of interest.

In effecting Mr Ramaphosa's exit, Shanduka has disposed of certain assets in 'non-regulated' sectors to Mr Ramaphosa. These include properties and McDonald's South Africa. Shanduka Group will retain the bulk of its assets, predominantly in resources and energy.

Shanduka's new shareholding comprises Mabindu Trust (49.5%), a non-profit entity set up in 2002 and financed by Shanduka to promote enterprise development, the China Investment Corporation (33.6%) and Standard Bank (16.9%).

A proposed transaction announced earlier this year that would have seen a merger of the assets of Shanduka and Pembani Group was not successful, but discussions between CIC, Standard Bank, Pembani and other interested parties are ongoing.

Shanduka Group CEO Phuti Mahanyele said: "Shanduka is a successful and established investment holding company. Since our formation 13 years ago, we have built up a capable and experienced leadership team and skilled professionals. We will continue to pursue our vision of a black-owned and -managed company creating value for all our stakeholders."

#ENDS#

Contact:
Mmabatho Maboya
Shanduka Group
Email: mmaboya@shanduka.co.za
Tel: +27 11 305 8900/ 27 82 885 3804

A handwritten signature in black ink, appearing to be "M. Maboya", located at the bottom right of the page.



Thandi Moticoe
FleishmanHillard
Email: thandi.moticoe@fleishman.co.za
Tel: 011 548 2041/071 600 2429

About Shanduka Group

Shanduka Group is a black-owned and managed investment holding company established in 2001.

For more information on Shanduka, please visit our website at: www.shanduka.co.za

About Mabindu Trust

Mabindu Trust is a non-profit entity established in 2002 to hold a stake of 2.5% of the Shanduka Group. It was established to support small business development. In 2010 the trust's beneficiaries were extended to include education initiatives. Shanduka Black Umbrellas and Shanduka Black Pages are supported under Mabindu Trust. Mabindu Trust now owns 49.5% of the Shanduka Group.

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TAKE 1660 - STARTS AT 17:08

QUESTION 18 - THE PRESIDENT OF THE REPUBLIC

SUPPLEMENTARY QUESTIONS, IN THE NAMES OF Mr V ZUNGULA, Ms TM JOEMAT-PETTERSSON, THE LEADER OF THE OPPOSITION AND Mr JS MALEMA, STANDING OVER FROM TUESDAY, 30 AUGUST 2022, ON QUESTION 11 TO BE DEALT WITH IN TERMS OF THE RESOLUTION OF THE HOUSE AS AGREED TO ON TUESDAY, 27 SEPTEMBER 2022

Question 11:

The SPEAKER: Thank you, hon President. Hon members, that brings us to the end of the questions which were scheduled for 29 September. Hon members, we now proceed to Question 11 and I would like to make the following statement.

Hon members, while it is the responsibility of the Speaker or any presiding officer to regulate proceedings in the House, it is not for the Speaker to prescribe how the President should respond to a question or make a political judgement on how a question has been responded to in the House.

The issue of responses to outstanding supplementary questions has been widely canvased in both the Chief Whips Forum and the National Assembly Programme Committee. Earlier this week this House agreed to a motion to schedule supplementary questions in respect of Question 11 of 30 August. The President responded to the initial question posed by hon Zungula on 30 August. Should a member not be satisfied with that response, there is now an opportunity to pose supplementary questions in the agreed order, and notwithstanding this, there are also further opportunities provided by the process of posing written questions.

Hon members, having clarified the matter, I will proceed to recognise members to ask supplementary questions as agreed by the programming structures and the House. Now, hon members, I have the following members and I will first start with hon Zungula who will raise the first supplementary question.

Mr V ZUNGULA: Speaker, firstly I need to correct you in your attempt to provide some misguided clarity. In the last session on 30 August when the President was asked this question, he responded and stated that he has been advised not to answer.

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Now, you can't come here, Speaker, and make it as if we were prescribing or we wanted you to prescribe how the President answers whereas, in his own words, he stated that he has been advised not to answer. That is one thing I wanted to clarify, but let me proceed with the supplementary question.

Mr President, when you joined government in 2014 you stated that you will hand over your business interests to a blind trust where you will not have any sight of your investments and the operations of the business interests. If this is the case, why were you the go-to person to take action in the Phala-Phala case by assigning the head of your protection unit to deal with the matter? Whoever the manager was when the crime was committed in Phala-Phala would have been the relevant person to take action. However, in this case it was yourself. It is you who confirmed to the House that you reported the case to the head of your protection unit.

The second question is why you have such intricate details ...

[Interjections.]

The SPEAKER: No, hon member. Hon member ... [Interjections.]

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IsiXhosa:

... haayi kaloku yimani.

English:

Order! Order! You may not ask more than one question as a supplementary question.

Mr V ZUNGULA: Speaker, it is one question. It is one question, Speaker.

The SPEAKER: Hon members ... [Interjections.]

Mr V ZUNGULA: Speaker?

The SPEAKER: Yes?

Mr V ZUNGULA: It is one question.

The SPEAKER: Okay, continue.

Mr V ZUNGULA: Thank you. Mr President, why do you have such intricate details such as money lost and the clients yet your business interests are supposedly held in a blind trust where

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you have no sight? Are you currently involved in any businesses wherein you buy and sell merchandise while at the same time you are the President of the country? Thank you.

The SPEAKER: Thank you, hon member. Yes, hon Dlakude?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you very much, hon Speaker. I think we should not move away from our Rules. Our Rules are clear, hon Speaker. A person is allowed to ask only one follow up question and not two. So, we must not set a precedent that we allow people to ask three questions. That is against the Rules, Speaker. Thanks.

The SPEAKER: Thank you, hon Dlakude. Hon Zungula, I am sure you are aware of this in terms of Rule 142. Yes, hon MkhaliPhi?

Ms H O MKHALIPHI: Speaker, it will be fair of you to leave hon Zungula because it is his question. So, just leave him ...

[Interjections.]

The SPEAKER: No, hon MkhaliPhi, is it a point of order?

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Mr H O MKHALIPHI: Yes, Speaker, it is a point of order. I am saying to you leave him to ask the question the way that satisfies him because this is his original question that was postponed because of your intervention. Secondly, the incoming president of South Africa, Julius Malema, is muted. So, can you unmute him Speaker so that he can do his follow up question? Thank you, Speaker.

The SPEAKER: Thank you. You may be seated. The hon the President.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. The question was why the report was done by myself. Soon after it happened I was informed that theft had been committed and my manager informed me and I immediately informed General Rhooode as we were travelling and in Addis Ababa.

When things such as these happen I am informed like when a car overturns and there is an accident I am informed. Not that I will immediately be able to take somebody to hospital or whatever but I am informed because I am interested party on what happened. So, that is why I was informed and I was then

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able to inform a General of the police service who at the time was traveling with me in Addis Ababa.

With regard to all these interests I have declared, as I have said, my farming activities and my great passion for cattle farming and so on. I have declared the agricultural aspects or activities that I am involved in. That has been declared firstly here in Parliament and thereafter, when I became President, also to the secretary of the Cabinet. In addition, some properties that I personally own have also been disclosed.

I must say that initially the intention was to set up a blind trust, but then I did say that I do not intend to be in any other form of business other than the agricultural sector which I have declared. That is why in the end no such trust was formed because this is the sum total of what I get involved in. Do I sell and buy merchandise? No. Does the entity buy and sell cattle and animals? Yes, that is what it does. Why does it do so? Because they multiply and you either have to cull them or whatever, and that is the situation that we are in. Thank you, hon Speaker.

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The SPEAKER: Thank you, hon President. The second supplementary question will be asked by the hon T M Joemat-Pettersson.

Ms T M JOEMAT-PETTERSSON: Thank you very much, hon President. Hon President, the questions that you are being asked right now are actually a little bit outdated and they are not that important because, respectfully hon President, we welcome your commitment to co-operate with any and all investigations, and this is what you are doing. So, why are we nit-picking on something which you have already agreed to do? It is actually just repeating the very same thing over and over again.

It is important to assert the rule of law, which is what you have done. You have accepted due processes and accountability. This is what a good and true leader ... [Interjections.]

The SPEAKER: Order! Hon members ... Yes, hon member, I am sorry?

Mr B A RADEBE: Hon Speaker, we are allowed to hackle in the House but we cannot drown a speaker on the platform, please.

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The SPEAKER: Thank you. You may proceed hon ...

[Interjections.]

Ms H O MKHALIPHI: Speaker, can you protect us from German cut?

No man.

The SPEAKER: No, hon Mkhaliphi, don't do that please. Please don't do that. Hon President, please take your seat, hon Joemat is still on the floor.

Ms T M JOEMAT-PETTERSSON: Hon President ... [Interjections.]

The SPEAKER: No, hon Mkhaliphi, you are the most senior leader of your party who is here today. You are the Deputy Chief Whip you said a few minutes ago. I am not going to allow you to conduct yourself in that way. I expect ... [Interjections.]
No, you can't be hackling. Yes, you are. You are drowning the speaker, at least if you were not drowning the speaker. Now, please ... [Interjections.]

IsiXhosa:

... khawume kancinci sisi.

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English:

Please, point of order? Yes, what is the point of order?

Ms R N KOMANE: Thank you Speaker. I am raising a point of order on you, Speaker. Can you please be fair and consistent with all members of this House? You cannot treat members of the EFF as if they are step-children in this House. Whenever they raise their hands to raise their issues you suppress them, but whenever members of the ANC are hackling you are ...

[Inaudible.] [Interjections.]

The SPEAKER: Thank you very much ... [Interjections.]

Ms R N KOMANE: ... so, I am calling an order on you, Speaker.

[Interjections.]

The SPEAKER: ... please take a seat. [Interjections.]

An HON MEMBER: Point of order, please. I have been ...

[Interjections.]

The SPEAKER: Hon member, you know ... all of you, please just lower your hands. Lower your hands. Judith, lower your hand.

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Hon MkhaliPhi, please lower your hand! Will you please lower your hands! Lower your hands! Hon members, these supplementary ... [Inaudible.] ... hon Tina, khawume [wait.] I am addressing all of you. I am saying lower your hands. You had 45 minutes and you have already taken 15 minutes on this question. You have exactly 45 minutes on this. Stop wasting time, hon members, please. Thank you. Continue, hon Tina.

Ms T M JOEMAT-PETTERSSON: Hon President, would you update the House on your interactions with various state institutions such as the Public Protector, the South African Reserve Bank and the Directorate of Priority Crimes Investigations without compromising any confidence? Thank you.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. As I said earlier, there are up to eight institutions that have been processing this matter and conducting thorough going investigations and I have been co-operating. In some instances they have asked questions of clarification which I have provided. I have been saying, to myself, that the process has been very thorough and I am actually impressed with the manner in which questions and supplementary questions have been raised to a point where I cannot fault them. I would not even

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say that there has been any form of bias against me because they have been very tough and thorough. So, my co-operation which, I articulated right at the beginning, has been solid and continues. They have also been interviewing many people around this and I have continued to say that I will co-operate in whatever manner that they deem necessary. So, I have not held back on this and that's what I believe is good for governance and accountability. Thank you, hon Speaker.

The SPEAKER: Thank you, hon President. Hon members, before I proceed to invite the next speaker on the supplementary question, I think this is the third time you have referred to hon Radebe as 'German cut'. Yes, hon members, he has done a German cut but his name is not German cut. Please, hon Radebe. Please, hon member. Please, I am making a plea. Hon members, you have a way of just distracting us from what we are doing. Whether it is German cut or boy cut or whatever but there is a cut done and that is not the name of the hon member ...

[Interjections.]

An HON MEMBER: Order, Speaker. Speaker is out of order.

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The SPEAKER: Hon member, please, let us not keep on referring to things which are not assisting us to move forward. Thank you. The third supplementary question will be asked by the hon the Leader of the Opposition.

The LEADER OF THE OPPOSITION: Thanks very much. Mr President, you actually divulged that you are entitled to private interest and I have seen your register and they have been declared and that goes beyond the question. The real question however is that in terms section 96 of the Constitution it says that you must act in a way and to avoid or expose yourself to any situation involving a risk of a conflict between your official responsibility and your private interest. Very clear about that, you may have private interests but there mustn't be conflict. Mr President, you said you reported the crime to General. The presidential protection unit is provided to you because you are the head of state and the President. It is a privilege you gain from your official title and not your business interests. I would advance Mr President that it is a conflict of interest for you to use General Wally Rhooode to go and recover debt that accrued into your private business interest using state resources. It should have been done through a police station

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for a case to be opened. I will advance Mr President to ask you, do you believe there is a conflict of interest? Thank you.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. On this matter I honestly do not believe that I have exposed myself to a situation where there is a conflict of interest and to the extent that there could be that type of assertion ...

[Interjections.]

The SPEAKER: Mr President, I am really sorry, will you please raise your voice.

The PRESIDENT OF THE REPUBLIC: Oh, sorry. I am saying that to the extent that there could be that assertion. I know that the matter that you are referring to is being processed within the internal confines of the South African Police Service as to what General Rhoope did and what he did not do. In my own conclusion, there hasn't been a conflict of interest of the nature that you are talking about. That is why I have been saying that this matter does need to be fully ventilated through the various institutions, and once the institutions have ventilated this matter this is the issue that would then

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arise. As I am concerned, no, there has not been a conflict of interest and the matter is currently being looked into in that context by the South African Police Service. Thank you, hon Speaker.

Mr J S MALEMA: Thank you very much, Speaker. Mr President, I just want to ask, which procedure were you following by reporting to the General who is your main protector, because we are all equal before the law? What makes you think that somehow you are so special that you can report crime to some General? Crime gets reported at the charge office. The example you gave of a car that overturns, when a car has overturned they don't call you to call an ambulance, the people who are in that car that has overturned are the ones who call an ambulance. The person who called you to inform you about the crime that took place at Phala-Phala is the one that should have called the police or go to the police station to report the matter. Please accept that you abused your power and you thought there was something special about you, which is why you didn't take the Mma Malema approach who, when her chickens are stolen, goes to the Seshego police station and report the case. Because she is an ordinary person and you see yourself above and that is why you report crime to generals and not to

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the charge office. You abused your power as the President of the Republic and you ought to accept. There is no such a procedure. The person who called you ... you are a law student and people like calling you a lawyer but you are not a lawyer but a graduate of law. You know how crime gets reported. They taught you that at school - Law 101: How crime gets reported. You did not follow any of the things they taught you at school in dealing with this matter because ... [Interjections.]

The SPEAKER: Order, hon members.

Mr J S MALEMA: ... so please don't ... You have abused your office by reporting the matter to a General without following any of the prescripts ... [Interjections.]

The SPEAKER: Thank you, hon member. Thank you. The hon the President.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. I am glad that hon Malema corrected himself. He initially said I am a law student ... [Interjections.] ... No, no, no I will correct you as well. Hon Malema I went beyond being a student;

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I am a law graduate. I did graduate with a law degree. You are right, yes, and I did my articles ... [Interjections.]

The SPEAKER: Order, hon members. Please, we are at the tail end of everything you will soon be out.

The PRESIDENT OF THE REPUBLIC: If you want me to explain - I did my articles and I started off with a small firm and I ended up with a big firm. I wrote my board exam and you can mark something negative about me but I passed the written part and I failed the oral. Soon thereafter I got approached by the Council of Unions of South Africa who said to me we want you to come and work for us ... [Interjections.]

Mr V ZUNGULA: That was not the question kodwa [though.]
Speaker ... [Interjections.]

The PRESIDENT OF THE REPUBLIC: No, no, no I am coming. Hon Zungula. [Interjections.]

The SPEAKER: Hon members, order! Order, hon Kekana ...
[Interjections.]

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The PRESIDENT OF THE REPUBLIC: I am giving you the context because ... [Interjections.]

The SPEAKER: No, hon President, please I think people are tired. Will you please just respond to this question and we close the session? Thank you, hon President, you may continue.

The PRESIDENT OF THE REPUBLIC: There are some members who would like to hear the story. So, let me regale them with the story. I then got approached by the Council of Unions of South Africa and then I made the choice to pursue the union route rather than to pursue the other one. So, in the end I never qualified as an attorney. I want to make that clear. I did not qualify as an attorney, I am however a law graduate.

Once the theft had occurred I was informed as I said. I guess I may be repeating myself but I also need to answer that. I don't believe I abused my power because I am surrounded by police officials and when I informed the General I was informing a police official. Even at the time, on the farm, my manager interacted with police officials who were involved with the whole process. I want to dispute the argument that I abused my power. I am not the type of person who will abuse my

position or my power. So I did not, and having reported it to the police official I did believe that they will do what they need to do to ensure that this matter is properly handled. That is the extent to which I was able to handle this matter. So, in my book, hon Speaker, it was reporting the crime to the police when I informed a police General. Thank you very much.

The SPEAKER: Thank you, hon President. That concludes questions to the President. I thank the hon the President and that concludes the business of the day. The House is adjourned.

The House adjourned at 17:36.

ANNEXURE IP81697 MCR 12



THE PRESIDENTIAL HANDBOOK

NOVEMBER 2015

ANNEXURE IP82 1699



THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA

THE PRESIDENTIAL HANDBOOK

On support for the President, his or her spouse and dependent children,
and the Deputy President and his or her spouse.

ANNEXURE IP82 1700

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ANNEXURE IP82 1701

PREFACE

This Presidential Handbook provides guidelines for the administrative, logistical, security and general support services to be rendered by the state to the President, his or her spouse and dependent children, and the Deputy President and his or her spouse.

The objective of the Handbook is threefold:

- i. To ensure the provision of reliable and consistent support required for the President and Deputy President.
- ii. To provide a concise operational guide to relevant government departmental staff with clearly indicated responsibilities and duties, and by implication, lines of accountability.
- iii. To provide the authority for the relevant civil servants to make decisions and to empower departmental staff with respect to what is approved, permissible and what may fall outside of the level of support required to be given to the President and Deputy President.

In respect of this Handbook, matters of interpretation, clarification and/or decision are vested in the Secretary of Cabinet who may consult with Cabinet, if so required.

All public servants who provide services in terms of this Handbook are expected to acquaint themselves thoroughly with the provisions contained herein.

The Handbook may be reviewed triennially or whenever necessary.

ANNEXURE IP82 1702

I. DEFINITIONS

In this document, unless the context otherwise indicates:

Commercial aircraft	Any aeroplane or helicopter operated by an airline on regular routes used by the public
Constitution	The Constitution of the Republic of South Africa, 1996
Dependant child	A financially dependent child under the age of 18, and a financially dependent and unmarried child over the age of 18 but under 27 and studying full-time at a recognised secondary or tertiary institution
Approved independent international travel of the spouses	International travel of the spouses independent of the President or Deputy President but associated directly with government work or Government's Programme of Action and duly approved by the President
Intelligence agencies	The relevant units of the South African Police Service, the State Security Agency (SSA), and the South African National Defence Force
National Security Services	The South African Police Service (SAPS), the State Security Agency (SSA), and the South African National Defence Force (SANDF)
Official Residence	A state-owned residence designated by DPW for the use of the President or Deputy President
Private aircraft	Any aeroplane or helicopter not owned by the state or a registered airline
Private independent international travel of the spouses	International travel of the spouses independent of the President or Deputy President and not associated directly with government work or Government's Programme of Action
Private Residence	A privately owned house used by the President or Deputy President
Protector	A member of the SAPS Presidential Protection Service or SAPS VIP Protection Unit, allocated/appointed to provide security and/or driving services
Spouse	A person or persons legally married to the President or Deputy President by customary or civil marriage

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2. ABBREVIATIONS

DIRCO	Department of International Relations and Cooperation
DPW	Department of Public Works
NSS	National Security Services
Parmed	Parmed Medical Aid Scheme (for members of the National Assembly and delegates to the National Council of Provinces)
POBF	Political Office-Bearers Pension Fund (for members of the National Assembly and delegates to the National Council of Provinces)
SAMHS	SA Military and Health Services unit of the South African National Defence Force.
SANDF	South African National Defence Force
SAPS	South African Police Service
SSA	State Security Agency

ANNEXURE IP82 1704

3. INTRODUCTION

- 3.1. In terms of the Constitution, the President is the Head of State, Head of the National Executive, and Commander-in-Chief of the Defence Force.
- 3.2. The President may only be elected from amongst the members of the National Assembly.
- 3.3. Upon election, the President ceases to be a Member of the National Assembly.
- 3.4. The Deputy President is appointed by the President from amongst the members of the National Assembly and remains a member of the National Assembly after appointment.
- 3.4. The President assigns powers and functions to the Deputy President.
- 3.6. The Deputy President is a Member of Cabinet and must assist the President in the execution of the functions of government.
- 3.7. The President and Deputy President remain in authority at all times for the full duration of their terms of office.
- 3.8. By virtue of this fact the state inevitably makes demands on the President and Deputy President which intrude on their private lives and that of their spouses in particular.
- 3.9. In this context it is reasonable that the State has to ensure that the requirements and services are provided to the President and Deputy President for them to execute their respective constitutional obligations and duties at all times.
- 3.10. These will out of necessity include the provision of certain services to the spouses of the President and Deputy President, and in the case of the President, his or her dependent children.
- 3.11. The requirements and services provided by the state in 3.10 arise also from considerations of security requirements, cost efficiency, practicality, the personal well-being, convenience and comfort of the President and the Deputy President
- 3.12. This Handbook seeks to provide a concise but substantive procedural guideline for the administrative, logistical, security and general support services provided by the state to a serving President and Deputy President.

4. STATE RESPONSIBILITY

- 4.1. The state through its different Departments and Agencies is responsible for the provision of all the requirements, services and arrangements and related expenses of the President and Deputy President in the normal course of executing their respective responsibilities and roles.
- 4.2. The state ensures that these requirements, services and arrangements are provided and made with due consideration for security requirements, cost efficiency, practicality, the personal well-being, convenience and comfort of the President, Deputy President, their spouses and dependents as the case may be.

ANNEXURE IP82 1705

5. INTEGRITY

- 5.1. The President and Deputy President as members of the Cabinet and executive in terms of the Constitution, must act in accordance with the Executive Members Ethics Act (No 82 of 1998) and the Executive Ethics Code (28 July 2000).
- 5.2. In terms of these statutes the President and Deputy President have to ensure that the necessary declarations are lodged with the Secretary of the Cabinet.
- 5.3. The Deputy President as a member of the National Assembly has to ensure that the necessary declaration is made in terms of parliamentary procedure and rules.

6. REMUNERATION

- 6.1. The President and Deputy President are remunerated in terms of the Remuneration of Public Office Bearers Act (No 92 of 1998).
- 6.2. This remuneration is paid by the Presidency as a direct charge against the National Revenue Fund.

7. PENSION

- 7.1. The President upon assuming office, ceases to be a member of the National Assembly and consequently, ceases to be a member of the Political Office-Bearers Pension Fund (POBF) should he have been a member.
- 7.2. Whatever pension benefit is due to the President as a result of prior membership to the POBF is processed in terms of the rules of the fund.
- 7.3. The State does not contribute to a pension fund on behalf of the President whilst he or she is in office.
- 7.4. When the term of the President comes to an end through resignation or completion of the electoral term, the President is entitled to a pension benefit as determined by the National Assembly in terms of the Remuneration of Public Office Bearers Act.
- 7.6 The Deputy President, on the other hand, remains a member of the National Assembly on appointment as Deputy President.
- 7.7. Accordingly, the state continues to contribute to the POBF on behalf of the Deputy President in his capacity as a member of the National Assembly in terms of the rules of Parliament and the POBF.
- 7.8. No additional provision in terms of pension benefit is made by the State upon the end of the term of the Deputy President.

ANNEXURE IP82 1706

8. MEDICAL AND HEALTH CARE

- 8.1. Upon assuming office, and whilst in office, the President and his or her spouse and dependent children receive all medical and health care services from and at the cost of the Surgeon-General through the SA Military and Health Services (SAMHS) of the South African National Defence Force (SANDF).
- 8.2. Upon assuming office and whilst in office, the Deputy President receives medical and health care services from the Surgeon General and at the cost of the Surgeon General through SAMHS of SANDF.
- 8.3. The Deputy President remains a member of the National Assembly on appointment as Deputy President and in terms of the rules of Parliament remains a member of the Parmed Medical Aid Scheme to which the state continues to contribute.
- 8.4. The Surgeon-General provides emergency, general medical and health care services to the President and the Deputy President through a team of physicians and environmental health officers who accompany them on all engagements.
- 8.5. All costs related to the physicians and environmental health officers in the execution of their duties in this regard (except in respect of costs set out in 8.6 below) are borne by the Surgeon-General through SAMHS of SANDF.
- 8.6. Should there be the need for the Surgeon-General and/or other related personnel to be in close proximity over an extended period to the President or his or her spouse and his or her dependents or the Deputy President, the Department of Public Works (DPW) shall make available at its expense suitable accommodation for this purpose.

9. LEAVE

- 9.1. The President takes leave as may be required.
- 9.2. The Deputy President takes leave upon agreement with the President.

10. SHORT TERM INSURANCE

- 10.1. The insurance cover for all personal effects in state owned and private residences of the President and Deputy President is for the account of the President and Deputy President respectively.

11. LEGAL REPRESENTATION

- 11.1. Legal representation is provided to the President and Deputy President by the State as necessary in terms of the State Attorneys Act read with the Public Finance Management Act (1999) and its regulations.

ANNEXURE IP82 1707

12. SECURITY

- 12.1. The South African Police Service (SAPS) takes full responsibility for the protection and security of the President and Deputy President at all times during their term of office.
- 12.2. The SAPS and the intelligence agencies cause that regular and comprehensive security assessments are done with regard to the President and Deputy President.
- 12.3. Protection and security measures of the President and Deputy President include, but are not limited to:
 - i. Regular security assessments in conjunction with the intelligence agencies.
 - ii. Static protection at all official and private residences and office accommodation used from time to time during the term of office.
 - iii. In-transit protection during all domestic and international movements.
 - iv. Regular vetting of protectors, medical personnel and other staff,
 - v. Screening of service providers.
 - vi. Static protection of aircraft.
 - vii. Regular revision of ICT security systems.

13. COST OF SECURITY MEASURES

- 13.1. The cost of the provision, implementation and maintenance of physical security measures at official and private residences used during the term of the President and Deputy President shall be carried by DPW in terms of office of the relevant policies at DPW and government legislation and regulations, as advised by the intelligence agencies.
- 13.2. DPW shall determine the permissible costs related to the provision, implementation and maintenance of physical security measures at official and private residences used during the term of office of the President and the Deputy President after due consideration and consultation with the National Security Services (NSS).
- 13.3. The costs related to security personnel, communications security and information security are borne by the NSS.
- 13.4. The cost of procurement, maintenance and running costs of motor vehicles for the use of ground transport in South Africa for the President, Deputy President and their spouses is borne by the SAPS.

ANNEXURE IP82 1708

14. DOMESTIC TRANSPORT OF THE PRESIDENT AND DEPUTY PRESIDENT

- 14.1. Transport for the President and Deputy President in South Africa is the responsibility, and for the account, of the state.
- 14.2. Ground transport for the President and Deputy President in South Africa is the responsibility and for the account of the SAPS in terms of the relevant security planning.
- 14.3. Air transport for the President and Deputy President in South Africa is the responsibility and for the account of SANDF, who may use SANDF aircraft or any aircraft chartered by the SANDF for the purpose.
- 14.4. The cost of in-flight catering on board aircraft utilised by the President and Deputy President is for the account of the Presidency, except where exigencies dictate otherwise, in which case the costs thereof are borne by SANDF.
- 14.5. The President and Deputy President have the prerogative to invite passengers to accompany him or her, on the official aircraft designated for his or her use, provided that there is space to accommodate the additional passenger or passengers in addition to the security, medical and necessary Presidency staff.
- 14.6. Each invited guest passenger not employed by the state, shall indemnify the state from any loss suffered by the passenger due to injury or otherwise.
- 14.7. For official purposes, private or commercial aircraft may be utilised by the Deputy President only in special circumstances, and after consultation with NSS.. For private travel, private or commercial aircraft may be used after consultation with NSS.
- 14.8. For official purposes, private aircraft may be utilised by the President only in special circumstances, and after consultation with NSS.

15. INTERNATIONAL TRANSPORT OF THE PRESIDENT AND DEPUTY PRESIDENT

- 15.1. Transport for the President and Deputy President during travel outside of South Africa is the responsibility, and for the account of the state.
- 15.2. The SANDF shall provide aircraft or charter for the purpose, and bear the costs thereof for all international air transport of the President and Deputy President.
- 15.3. The President and Deputy President have the prerogative to invite passengers to accompany him or her, on the official aircraft designated for his or her use, provided that there is space to accommodate the additional passenger or passengers in addition to the security, medical and necessary Presidency staff.
- 15.4. Each invited guest passenger not employed by the state, shall indemnify the state from any loss suffered by the passenger due to injury or otherwise.
- 15.5. Ground transport for the President and Deputy President during travel outside of South Africa is the responsibility of Department of International Relations and Cooperation (DIRCO) and is subject to the approval of the NSS.

ANNEXURE IP82 1709

- 15.6. The costs of ground transport, where not provided for by the host, are borne by DIRCO.
- 15.7. The cost of in-flight catering on board SANDF aircraft utilised for the President and Deputy President is for the account of the Presidency, except where exigencies dictate otherwise, in which case the costs thereof are borne by SANDF.
- 15.8. For official purposes, private or commercial aircraft may be utilised by the Deputy President only in special circumstances, and after consultation with NSS. For private travel, private or commercial aircraft may be used after consultation with NSS.
- 15.9. Should the Deputy President decide to make use of private or commercial aircraft for travel abroad for private purposes, the total flight costs of the Deputy President and his or her spouse shall accrue to the Deputy President, while the costs related to security arrangements, medical assistance and/or officials of government who have to accompany the Deputy President out of necessity are borne by the state.
- 15.10. For official purposes, private aircraft may be utilised by the President only in special circumstances, and after consultation with NSS.

16. ACCOMMODATION AND INCIDENTAL EXPENSES ON OFFICIAL AND PRIVATE TRAVEL OF THE PRESIDENT AND DEPUTY PRESIDENT

- 16.1. Accommodation and incidental expenses of the President and Deputy President whilst on official domestic travel are for the account of The Presidency.
- 16.2. Accommodation and incidental expenses of the President and Deputy President whilst on all official journeys abroad is arranged through, and paid for by DIRCO.
- 16.3. Accommodation and incidental expenses of the President and Deputy President whilst on private domestic and international travel are for the account of the President and Deputy President respectively.
- 16.4. The Presidency is responsible for any other expenses of the President or Deputy President on official and private domestic and international travel, which include the costs related to Presidency officials who have to accompany the President and Deputy President out of necessity. Other government departments such as the SAPS are responsible for the expenses of their own officials.

17. RESIDENTIAL ACCOMMODATION

- 17.1. The state, through DPW, provides both the President and Deputy President with state-owned housing stock to utilise as official residences in Cape Town and Pretoria, and additionally in the case of the President, an official residence in Durban.
- 17.2. The cost of furnishing, maintenance (including soft services such as the provision of flowers) and upkeep of these official residences is for the account of DPW.
- 17.3. The President and Deputy President may make use of state-owned accommodation in the rest of South Africa where available and subject to the security requirements.

ANNEXURE IP82 1710

- 17.4. The Presidency shall employ or deploy household staff to provide household and other services at official residences, as may be necessary.

18. SPECIAL ADVISERS AND PARLIAMENTARY COUNSELLOR

- 18.1. The President and Deputy President may employ Special Advisers as needed. These will be for the account of The Presidency.
- 18.2. The Speaker of the National Assembly appoints a Parliamentary Counsellor in terms of the rules of Parliament, from amongst the membership of the National Assembly for the President and Deputy President respectively.

19. STATE FUNERALS

- 19.1. In the event that a serving President or Deputy President passes away, a state funeral shall be arranged in terms of the approved Policy on State and Official Funerals.
- 19.2. The President shall be accorded a State Funeral Category 1, while the Deputy President shall be accorded a State Funeral Category 2.

20. FUNCTIONS AND RECEPTIONS

- 20.1. The President and Deputy President in the normal course of their duties and responsibilities whilst in office, host official functions and receptions, the cost of which are borne by the State. In addition, the President also hosts State functions paid for by the State.
- 20.2. Depending on the nature and status of the function, costs are shared between The Presidency, DIRCO and/or DPW.
- 20.3. The President and Deputy President and their spouses may host such other functions which may be private in total or part. Depending on the nature and status of the function, costs may be apportioned between the President or Deputy President, The Presidency, and any other relevant government department.

21. ORGANISATION OF SUPPORT SERVICES TO THE PRESIDENT AND DEPUTY PRESIDENT

- 21.1. The Presidency shall establish such organisational structure and employ the necessary personnel to coordinate and provide all administrative, logistical and general support services to the President and the Deputy President in accordance with relevant legislation, government prescripts and directives.

ANNEXURE IP82 1711

22. SUPPORT FOR SPOUSES OF THE PRESIDENT AND DEPUTY PRESIDENT

- 22.1. The spouses of the President and Deputy President have no constitutionally defined roles, obligations and responsibilities and as such are not remunerated by the state.
- 22.2. There are however expectations that the spouse or spouses of the President, where possible, and if requested, provide support to a serving President in the execution of his or her duties, and specifically so at state or official functions and receptions.
- 22.3. In addition, a spouse of the President may fulfil official functions in support, and in the interest, of the Republic.
- 22.4. From time to time the spouse of the serving Deputy President may be requested to provide support at official functions and receptions.
- 22.5. The State will provide reasonable administrative, logistical and other support to the spouses of the President and Deputy President to enable them to meet the expectations related to the nature of office of the President and Deputy President in a manner that permits them actively to pursue their own careers and interests if they so desire.
- 22.6. The state provides reasonable support to the President and his or her spouse to assist with the day-to-day logistical arrangements of dependent school-going children.
- 22.7. The Presidency shall establish such organisational structure, and employ or deploy personnel, to coordinate and provide administrative and logistical services to spouses of the President or Deputy President in accordance with relevant legislation, government prescripts and directives.
- 22.8. Personnel capacity will include the employment of at least a dedicated Private Secretary to the spouse of the President.
- 22.9. Spousal support may include the necessary project management capacity to assist in, and coordinate, activities of the spouse which are in support of Government's Programme of Action.
- 22.10. The Presidency further will provide to the spouses any reasonable office equipment and stationery to enable them to fulfil activities related to the support of Government's Programme of Action.

23. SECURITY SERVICES FOR SPOUSES OF THE PRESIDENT AND DEPUTY PRESIDENT

- 23.1. The SAPS takes full responsibility for all protection, security and related arrangements for the spouses of the President and Deputy President, both in South Africa and when abroad.
- 23.2. The costs of all security and planning arrangements, including personnel, for the spouses are carried by the SAPS.

ANNEXURE IP82 1712

24. INDEPENDENT TRAVEL AND TRANSPORT OF THE SPOUSES OF THE PRESIDENT AND DEPUTY PRESIDENT

- 24.1 The state may provide spouses of the President and Deputy President with a state-owned vehicle and a driver/protector for official and private use in South Africa.
- 24.2 The costs of procurement, maintenance and upkeep of these vehicles are carried by the SAPS.
- 24.3 The spouses of the President or Deputy President may make use of domestic commercial rail and air transport as and when necessary for their public or private purposes, the costs of which are borne by The Presidency.
- 24.4 A spouse of the President or Deputy President may travel abroad on state, official, or working visits of the President or Deputy President at the cost of The Presidency.
- 24.5 All independent international travel by spouses of the President or Deputy President for purposes of programmes supporting the work of the government is subject to the approval of the President. Such travel shall be budgeted for and managed in terms of the PFMA by the relevant organisational unit in The Presidency.
- 24.6 In respect of approved independent international travel by a spouse of the President or Deputy President, all costs will accrue to, and responsibilities for coordination of arrangements reside with, The Presidency, while DIRCO shall provide support with the normal protocol and related services and general assistance.
- 24.7 In respect of private independent international travel by a spouse of the President or Deputy President, all costs will accrue to the spouse or President or Deputy President as the case may be.
- 24.8 DIRCO may in such cases assist with the normal protocol and related services and assistance, while The Presidency may assist with the coordination of arrangements of the spouse.

ANNEXURE IP82 1713

ANNEXURE IP82 1714



THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA

**STATEMENT TO THE INDEPENDENT PANEL APPOINTED IN TERMS OF RULE 129D OF THE
NATIONAL ASSEMBLY RULES**

I, the undersigned

WALTHER PETER RHOODE

do hereby state under oath that:

1. I am an adult male currently employed at the South African Police Service ("SAPS"), as heads of the Presidential Protection Service ("*the PPS*") whose offices are situated in Sunnyside in Pretoria. I hold the rank of Major General in the SAPS and have led the PPS since 1 June 2018.
2. The facts to which I depose are within my personal knowledge, except where it is apparent from the context that they are not.
3. In my capacity as head of the PPS, I report directly to the National Commissioner of the SAPS. in addition I also report directly to the President, Matamela Cyril Ramaphosa.
4. My responsibilities include, but are not limited to, ensuring the physical, information and logistical security of the President, the Deputy President, all former Presidents and former Deputy Presidents, as well as their spouses. I am also responsible for the security of visiting heads of foreign states.

5. The purpose of this affidavit is to address certain facts pertinent to the motion in terms of section 89 of the Constitution of the Republic of South Africa that the President is called upon to answer.
6. I confirm that annexure IP 19 to the Independent Panel's bundle is indeed the affidavit that I submitted to the Public Protector of South Africa, in response to her investigation into allegations made by Mr Zungula, MP against the President. I have no idea how this document came to be in the possession of anyone other than my legal representatives and the office of the Public Protector.
7. I feel it necessary to repeat that I have attempted to convince the President, since my appointment as head of the PPS on 1 June 2018, to have PPS personnel and equipment installed at his farm. I deemed this part of my mandate as the head of his security. He has persistently refused. He insists that, because he is not always residing or staying on the farm, state resources ought not to be spent at this location. As a result, at the time of the house breaking and theft, the farm was not on the list of the President's official residences.
8. I have been shown photographs attached to the Independent Panel's bundle as IP26. I can confirm that these relate to the events I attest to in paragraph 23 of my affidavit, at page 1325 of the bundle.
 - 8.1. The first photograph is of Ms Joseph.

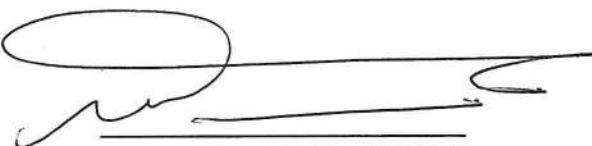
8.2. The second photograph pictures in a red T-shirt a person called Thomas. He was brought to the farm on 4 March 2020, while I was interviewing Ms Joseph's brother, by a man who introduced himself as 'Nick'. When Thomas arrived at the farm, his hands were tied behind his back with cable ties. I instructed Nick to remove the cable ties from Thomas.

8.3. In the third photograph Thomas can be seen without cable ties. It was taken after my instruction had been fulfilled.

9. I was not involved in any investigation following the theft, other than the preliminary inquiry I speak to in my affidavit (IP19). It is not my job to open criminal cases. I followed proper procedures according to my reporting and accountability lines. As indicated in my previous affidavit, the Deputy National Commissioner, Lt Gen Mfazi, instructed me to conduct a preliminary inquiry and determine if any threat existed to the President. Depending on its results, he would institute the full-scale investigation. He determined this procedure in the light of the fact that we were dealing with the office of the President. The purpose of the preliminary inquiry was to determine whether there was any immediate threat to the President's safety, which is within my remit. It was beyond the remit of my duties to conduct a criminal investigation or open a docket.

10. Any work that I did after the housebreaking and theft was in relation to the breach of security and to fulfil my responsibility to assess any threat to the President's safety or that of his family.

11. As far as I am aware, there was no other operation authorized in connection with this incident. On or about 10 or 11 March 2020, I was in Cape Town. While I was there, I received a call from a member of the PPS, Sgt Rekhoto, informing me that he had found out from certain sources that the perpetrators of the theft had bought new cars. He said the car had been bought from a dealership named Barons in Culemborg, Cape Town. I viewed this information worth assessing as my role was to determine whether the perpetrators or their actions represented a threat to safety and security of the President and his family.
12. Shortly after receiving this phone call, the sergeant picked me up at my office in Garmor house, opposite the Houses of Parliament. We drove to Barons and spoke to the manager, who confirmed that on 14 February 2020, a Mr Mukekeni had purchased a 2019 Ford Ranger, and he supplied further details in relation to the purchase of the vehicle. Sgt Rekhoto compiled a report of the information he gathered. He gave it to me and I in turn gave it to the deputy national commissioner, Lt Gen. Mfazi.



WALTHER PETER RHOODE

The deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at PRETORIA on this 04 day of November 2022, and that it is, to the best of the deponent's knowledge, both true and correct and that he has no objection to taking the prescribed oath, and that the Regulations in Government Notice R.1258 of 21 July 1972 having been complied with.



COMMISSIONER OF OATHS

WPR

Full names: TERBOGO MASIMINI
Address: NO 3 TROYE STREET, SUNNYSIDE
Capacity: CAPTAIN





**IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN**

Before:

The Honourable Mr Justice L G Nuku
The Honourable Mr Justice M Francis
The Honourable Mr Justice J D Lekhuleni

CASE NO: 8500/2022

In the matter between:

THE PUBLIC PROTECTOR OF SOUTH AFRICA

Applicant

and

THE SPEAKER OF THE NATIONAL ASSEMBLY

First Respondent

**THE CHAIRPERSON OF THE SECTION 194
COMMITTEE**

Second Respondent

**THE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA**

Third Respondent

**ALL POLITICAL PARTIES REPRESENTED
IN THE NATIONAL ASSEMBLY**

Fourth to Seventeenth Respondents

Date of hearing : *Friday 16 September 2022*

Date of Judgment : *Tuesday 11 October 2022*

JUDGMENT

THE COURT:

INTRODUCTION

- [1] The applicant has brought an application on an extremely urgent basis in terms of section 18(1) and section 18(3) of the Superior Courts Act 10 of 2013 ("the Superior Courts Act") to render the judgment of this Court delivered on 9 September 2022 ("the judgment") to be operational and executable, pending any application for leave to appeal or appeal delivered in respect thereof.
- [2] The detailed background to the facts of this dispute between the parties is set out in the judgment and we, therefore, do not intend reciting these facts herein in any great detail. Also, for the sake of convenience, we use the nomenclature for the parties as used in the judgment.
- [3] The parties cited in the application were the same as those cited in the Part B proceedings. The identities of the protagonists who actively participated changed somewhat. The first and second respondents did not participate in this application and filed notices to abide the decision of this court. The sixteenth respondent, the Pan Africanist Congress of Azania ("the PAC"), joined the tenth and eleventh respondents in their support of the Public Protector; all three respondents will be referred to hereinafter in this judgment as "the supporting respondents". The DA and the President opposed the application.

- [4] The judgment was delivered as a sequel to Part B of a two-part application. In Part A of the application, the applicant sought amongst other things an interim interdict and/or mandamus prohibiting the President from taking any steps to suspend her and the withdrawal of the letter in which the President sought representations regarding her possible suspension.
- [5] A full court, on 10 June 2022, dismissed all of the relief sought by the applicant in the Part A proceedings.
- [6] The President suspended the applicant a day earlier, on 9 June 2022.
- [7] In the Part B proceedings before this court, the applicant was granted leave to file an amended notice of motion which was a necessary consequence of the decision of the court in the Part A proceedings. Because the applicant was suspended, she now sought an order in terms of section 172(1) of the Constitution declaring the decision of the President to suspend her on 9 June 2022, to be irrational, unconstitutional, and invalid.
- [8] The parties filed a Joint Practice Note in which they listed the issues to be determined by this court.

- [9] After having considered the papers and having heard the arguments proffered by the legal representatives in relation to the issues to be determined, this Court granted an order which is reproduced verbatim below:

****Order***

[187] In the result the following order is made:

187.1 It is directed that the matter be heard as one of urgency and the normal rules are dispensed with in terms of Rule 6(12)(a);

187.2 The application to amend the notice of motion is granted;

187.3 The application for leave to challenge the authority of Seanego Attorneys Inc to represent the applicant is refused;

187.4 The relief sought in paragraphs 3.1, 3.4, 3.5, 3.6 and 5 of the amended notice of motion is dismissed;

187.5 The decision of the President to suspend the applicant is declared invalid,

187.6 The suspension of the applicant is set aside effectively from the date of this order;

187.7 Each party is to pay its costs."

- [10] After the judgment was delivered, the parties held widely differing views about the effect of the judgment.
- [11] The applicant was of the view that the judgment uplifted her suspension and reinstated her immediately so that she could resume her duties as Public Protector. The DA, on the other hand, was of the view that the judgment was of no force and effect until confirmed by the Constitutional Court. The attorneys for the DA conveyed this view to the applicant's attorneys less than 30 minutes after the judgment was delivered. Just over an hour later, the applicant's attorneys responded to the DA's attorneys in which it was disputed that it was necessary to refer this judgment to the Constitutional Court for confirmation. The DA's stance was said to be legally flawed and an attempt by it to frustrate the applicant's resumption of her duties as Public Protector. The applicant thereafter made public pronouncements about her reinstatement and her intention to return to work on Saturday, 10 September 2022, notwithstanding her ongoing section 194 impeachment inquiry.
- [12] Later in the evening of 9 September 2022, the DA delivered a "Notice of Appeal alternatively Notice of Application for Leave to Appeal" ("the appeal notice") directly to the Constitutional Court. An e-mail was then sent to the applicant's attorneys confirming that the aforesaid notice had been sent. It was also stated in the e-mail that the delivery of the appeal notice had the effect of ensuring that the applicant's suspension remained effective regardless of the applicant's view that the judgment

was not subject to confirmation by the Constitutional Court. As a consequence, the applicant launched this application.

- [13] The applicant brought this application as a matter of extreme urgency and on exceptionally truncated timeframes. The application was delivered by e-mail at approximately 17h00 on Saturday, 10 September 2022 in which the applicant sought an urgent hearing on Tuesday, 13 September 2022. The respondents were required to deliver any notice of intention to oppose on or before 10h00, on Sunday, 11 September 2022, and answering affidavits on or before 10h00 on Monday, 12 September 2022.
- [14] The President noted his intention to oppose the application on Sunday, 11 September 2022. He indicated, however, that he was not in a position to comply with the timeframe for delivering the answering affidavit. As it turned out, the full court could not be convened on Tuesday, 13 September 2022 and, instead, the date of 16 September 2022 was proposed, which date was acceptable to all the parties concerned.
- [15] Thereafter, the parties' legal representatives met virtually to agree to a revised timetable for the filing of papers. Provision was made for the applicant to file a supplementary affidavit, the filing of answering affidavits by the respondents, and the filing of a composite reply by the applicant.

[16] The President filed a notice of appeal to the Constitutional Court which was intended to be considered together with that court's confirmation of the judgment. He also filed a conditional application for leave to appeal directly to the Constitutional Court in the event that the Constitutional Court found that the judgment was not subject to confirmation.

[17] The Deputy Public Protector, Ms Nompilo Kholeka Gcaleka, who was appointed as the Acting Public Protector when the applicant was suspended, sought the leave of this court to intervene in this application and to join the main application as the eighteenth respondent. This application was opposed by the applicant.

ISSUES FOR DETERMINATION

[18] The parties filed a Joint Practice Note which listed the following issues to be determined by this court:

[18.1] Whether the matter justified the urgency with which it was brought;

[18.2] Whether in terms of sections 167(5) and 172(2)(a) of the Constitution, the Order has no force until it is confirmed by the Constitutional Court;

[18.3] If not, whether the applicant is nonetheless entitled to seek relief in terms of section 18(1) read with section 18(3) of the Act.

[18.4] If the applicant is entitled to seek relief in terms of section 18(1) read with section 18(3) of the Act, whether the applicant has made out a case for the order to be implemented pending the appeals that have been lodged.

[18.5] Regarding the question of costs:

[18.5.1] Whether the President and/or the DA should be ordered to pay costs on a punitive scale; and

[18.5.2] Whether the applicant should be ordered to pay the costs of the DA in her personal capacity and on a punitive scale.

[19] This judgment is structured as follows:

[19.1] Firstly, we deal with the preliminary issues of urgency and the application to intervene;

[19.2] Secondly, we summarise the parties' submissions on whether or not section 172 of the Constitution and/or section 18 of the Act applies to the matter at hand; and

[19.3] Finally, we discuss the parties' submissions in the context of the judgment and the applicable law.

PRELIMINARY ISSUES***URGENCY***

[20] The application was brought as one of extreme urgency with very truncated timelines.

[21] According to the applicant, the application was brought on such an urgent basis due to the actions of the DA. The applicant was of the view that the judgment reinstated her immediately and that the DA's action of filing the appeal notice was designed to prevent her return to work. As she had been away from work for some three months, she considered it imperative that she resume her duties as soon as possible. The applicant stated that she had no option but to bring this application to restore the effect of the judgment.

[22] Furthermore, the applicant submitted that her dignity, privacy, and reputation rights were implicated which necessitated this application being dealt with swiftly. The DA had launched an application for leave to appeal within hours of the judgment being handed down and could not, therefore, legitimately claim that the matter should not be dealt with on an urgent basis. In addition, this matter has been dealt with on an urgent basis in both the Part A and Part B proceedings. Finally, the applicant contended that the nature of the matter is such that it cannot be heard in due course and the public interest and the interests of justice dictate that the matter be heard as a matter of extreme urgency.

[23] While conceding that this matter ought to be heard on an urgent basis, both the DA and the President opined that the matter did not have to be heard on an extremely urgent basis.

[24] We do not deem it necessary to engage with those submissions in opposition to this application being heard on an urgent basis. It cannot be denied that this is a matter that is of great importance to all the parties concerned and the public. It involves the head of a chapter 9 institution and the President who is the head of state and of the national executive of the government of the country. We are of the view that there is a clear public interest element that demands the finalisation of this matter without delay. Crucially, in recognition of the parties before it and the nature of the dispute, all the courts that have hitherto been seized with this dispute have dealt with it on an urgent basis and, in our view, this application should be treated no differently. The status and position of the applicant is a live dispute that requires urgent resolution by an appropriate appellate court. The issues raised in the judgment are weighty and a speedy resolution is in the interests of all concerned and, above all, in the interests of justice. It does not assist anyone to have the matter delayed unnecessarily or to be heard in the ordinary course which may be some months down the line. The parties involved are familiar with the issues, filed comprehensive papers with extensive heads of argument, and none appeared to have been unduly fettered in the presentation of their case despite the inconvenience of the truncated timelines they had agreed

upon. Accordingly, we are satisfied that the relief sought ought to be considered on an extremely urgent basis and not in the ordinary course.

- [25] In the circumstances, the court does not find any substance in the point *in limine* relating to urgency.

APPLICATION TO INTERVENE

- [26] According to the Deputy Public Protector, no issue is taken with any of the parties over the lawfulness or otherwise of the applicant's suspension. Intervention is sought, however, for the purpose of "putting the true facts accurately" before this court about the performance of the office of the Public Protector currently and during the time that the applicant has been on suspension. This is necessitated by the fact that, in her affidavit in support of this application, the applicant made certain factual allegations with regard to the impact that her suspension has had on the performance of the office of the Public Protector in relation to amongst other things the Phala Phala investigation and the general work of the office.

- [27] The Deputy Public Protector's application for leave to intervene was only opposed by the applicant. No opposing affidavit was delivered and legal argument was presented during the hearing on why the intervention application should be dismissed. In essence, it was argued that the Deputy Public Protector failed to establish a sufficient legal interest in this application or the main application. It was

also contended that the Deputy Public Protector was conflicted in that the only interest that she had in the matter was to stay in the post of the applicant as a Public Protector. The longer she stays in the post the longer she holds the office of Acting Public Protector.

[28] The requirements that an applicant has to meet in order to apply to intervene in legal proceedings are well known. Such an applicant must demonstrate a direct and substantial interest in the subject matter of the proceedings and must make such allegations that will show that he or she at least has a *prima facie* case that would entitle him or her to relief¹.

[29] The SCA has set out the test to intervene as follows:

*"[T]he issue in our matter, as it is in any non-joinder dispute, is whether the party sought to be joined has a direct and substantial interest in the matter. The test is whether a party that is alleged to be a necessary party has a legal interest in the subject-matter, which may be affected prejudicially by the judgment of the court in the proceedings concerned."*²

[30] The SCA went on to state that:

"This has found to mean that if the order or judgment sought cannot be

¹ *SA Riding for the Disabled Association v Regional Land Claims Commissioner* 2017 (5) SA 1 (CC) at para [9].

² *Gordon v Department of Health, Kwazulu-Natal* 2008 (6) SA 522 (SCA) at para 9. See also, *Judicial Service Commission v Cape Bar Council* 2013 (1) SA 170 (SCA) at para 12.

*sustained and carried into effect without necessarily prejudicing the interests' of a party or parties not joined in the proceedings, then that party or parties have a legal interest in the matter and must be joined."*³

- [31] The Deputy Public Protector will have to demonstrate that she has a legal interest in the subject matter of this application and the main application that may be prejudicially affected by the judgment of the court. This also means that she must show that she has a right adversely affected or likely to be adversely affected by the order sought⁴. The Part B application, in so far as it is relevant to the Deputy Public Protector, dealt with the applicant's suspension and the events preceding that application. In this application, the applicant seeks the immediate enforcement of the judgment which amongst other things declared her suspension to have been unlawful. By her own admission, the Deputy Public Protector does not take issue with the lawfulness or otherwise of the applicant's suspension. While, at a general level, she may well have an interest in protecting the organisation, being functionally in charge of the office of the Public Protector in the absence of the applicant, this does not rise to the level of a legal interest in the subject matter of the litigation before the court in the Part B proceedings or the issues in dispute in this application. As it will become clearer later in this judgment, neither the Deputy Public Protector in her personal capacity or the office of the Public Protector are affected prejudicially by the judgment in this matter.

³ *Gordon ibid* at para 9.

⁴ *SA Riding for the Disabled Association v Regional Land Claims Commissioner op. cit* at 4G-5A.

- [32] It follows, therefore, that the application to intervene must thus fail. The applicant did not seek a costs order in the event that the application to intervene was dismissed. In any event, the application appears to be motivated by a genuine concern on the part of the Deputy Public Protector and cannot be said to have been instituted frivolously or vexatiously. Accordingly, the application to intervene is dismissed with no order as to costs.

PARTIES' SUBMISSIONS

- [33] Before we briefly describe the submissions of the parties, it is expedient to set out the wording of the relevant statutory enactments in full:

[33.1] **Section 167(5) of the Constitution**

"The Constitutional Court makes the final decision whether an Act of Parliament, a provincial Act or conduct of the President is constitutional, and must confirm any order of invalidity made by the Supreme Court of Appeal, the High Court of South Africa, or a court of similar status, before that order has any force".

[33.2] **Section 172 of the Constitution - Powers of courts in constitutional matters**

"(1) When deciding a constitutional matter within its power, a Court-

(a) must declare that any law or conduct that is inconsistent with the Constitution is invalid to the extent of its inconsistency; and

(b) may make any order that is just and equitable, including-

(i) an order limiting the retrospective effect of the declaration of invalidity; and

(ii) an order suspending the declaration of invalidity for any period and on any conditions, to allow the competent authority to correct the defect.

(2)(a) The Supreme Court of Appeal, the High Court of South Africa or a court of similar status may make an order concerning the constitutional validity of an Act of Parliament, a provincial Act or any conduct of the President, but an order of constitutional invalidity, has no force unless it is confirmed by the Constitutional Court.

(b) A court which makes an order of constitutional invalidity may grant a temporary interdict or other temporary relief to a party, or may adjourn the proceedings, pending a decision of the Constitutional Court on the validity of that Act or conduct.

(c) National legislation must provide for the referral of an order of constitutional invalidity to the Constitutional Court.

- (d) *Any person or organ of state with a sufficient interest may appeal, or apply, directly to the Constitutional Court to confirm or vary an order of constitutional invalidity by a court in terms of this subsection."*

[33.3] Section 18 of the Superior Courts Act – Suspension of decision pending appeal

- "(1) Subject to subsections (2) and (3), and unless the court under exceptional circumstances orders otherwise, the operation and execution of a decision which is the subject of an application for leave to appeal or of an appeal, is suspended pending the decision of the application or appeal.*
- (2) Subject to subsection (3), unless the court under exceptional circumstances orders otherwise, the operation and execution of a decision that is an interlocutory order not having the effect of a final judgment, which is the subject of an application for leave to appeal or of an appeal, is not suspended pending the decision of the application or appeal.*
- (3) A court may only order otherwise as contemplated in subsection (1) or (2), if the party who applied to the court to order otherwise, in addition proves on a balance of probabilities that he or she will suffer irreparable harm if the*

court does not so order and that the other party will not suffer irreparable harm if the court so orders."

[34] In her notice of motion and founding affidavit, the applicant seeks an order declaring the judgment to be operational and executable in terms of section 18(1) and 18(3) of the Act. The legal submissions advanced by the applicant were expanded in her supplementary founding affidavit and a more detailed exposition of her case was provided in her composite reply. The submissions advanced in her reply was a response to the submissions of the DA and the President in their answering affidavits. The applicant also "adopted" some of the legal submissions made by the supporting respondents in their answering affidavits. We will only deal with those aspects of the parties' submissions that are immediately relevant to the Court's decision in this matter.

[35] The applicant requests this Court to declare that the following parts of the Order are immediately executable in terms of section 18 of the Act:

[35.1] *"187.5 The decision of the President to suspend the applicant is declared invalid ("the 187.5 order"); and*

[35.2] *187.6 The suspension of the applicant is set aside effectively from the date of this order" ("the 187.6 order").*

- [36] The applicant submitted that the 187.5 order and the 187.6 order (which are collectively referred to hereinafter as "the relevant orders") were not made in terms of section 172(2)(a) of the Constitution and are, therefore, not subject to confirmation by the Constitutional Court. As such, the relevant orders are, in general terms, executable in the interim provided a successful application is made in terms of section 18(1) and (3) of the Act.
- [37] According to the applicant, the relevant orders are to be read disjunctively as they are self-standing orders and should be interpreted as separate orders.
- [38] The applicant submitted that the 187.5 order refers to the President's "decision" and not his "conduct" and, in the context of this matter, this distinction is not merely a matter of semantics. In the notice of motion, the applicant specifically prayed for an order "setting aside the conduct and/or decisions" of the President in terms of section 172(1) of the Constitution. This, according to the applicant, shows that even at that stage it was always the intention of the applicant to distinguish between the President's "decision" and "conduct". In line with this logic and the structure of the prayers, this court has declared as invalid the "decision" of the President to suspend the applicant.
- [39] The applicant contended that the 187.6 order is akin to a review decision. It is either an ordinary common law order or a just and equitable order as contemplated in section 172(1)(b) of the Constitution. The impugned decision of the President,

so it was argued, was specifically pleaded on the basis of the common law ground of bias and/or of a reasonably apprehended bias, and separately upon a constitutional ground of a conflict of interest in terms of section 96(2)(b) of the Constitution. Both challenges are, in effect, premised on the failure of the decision-maker to bring an independent mind to bear in respect of the decision made.

[40] According to the applicant, whatever the position is in relation to the declaration of invalidity, the 187.6 order has nothing to do with section 172(2). It constitutes a just and equitable remedy in terms of section 172(1)(b) and/or the findings based on the common law. It is a self-standing order which is not dependent on the declarator contained in the 187.5 order.

[41] It was further argued that the order in paragraph 187.6 incorporates two distinct constituent parts or sub-orders, namely the order setting aside the suspension, and the effective date of the implementation of the order, being 9 September 2022. It was submitted that the order setting aside the suspension is an "ordinary" order which is based on findings of actual and/or reasonably apprehended bias in terms of the common law and a conflict of interest. The order imposing an effective date is clear and unambiguous and was just and equitable relief that was of immediate effect until the DA served its appeal notice.

[42] The applicant submits that even if section 172(2)(a) applies, it does not follow that section 18 of the Act does not apply. This is so because section 18 of the Superior

Courts Act applies to a decision which is the subject of an application for leave to appeal or of an appeal. In this matter, both the DA and the President have lodged an appeal in terms of section 172(2)(d) of the Constitution. Secondly, the word "appeal" in section 18 is not qualified or restricted to exclude a section 172(2)(d) appeal and is, therefore, applicable to the present matter. Thirdly, this court is any event entitled in terms of section 172(2)(b) to grant "other temporary relief" to a party, pending a decision of the Constitutional Court on the invalidity of the President's conduct, and the other temporary relief necessarily includes the relief envisaged in section 18. Fourthly, if the relevant orders still have to be confirmed by the Constitutional Court, they are interim in nature and are not final in effect and, therefore, these orders fall to be dealt with as interlocutory orders under section 18(2). As such, the relevant orders are not suspended by the application for leave to appeal or an appeal and take effect immediately unless an aggrieved party applies in terms of section 18(3) to suspend the orders.

- [43] The applicant submitted that section 18 of the Superior Court's Act applies and that she has discharged the heavy onus imposed by section 18 before leave to execute may be granted. These statutory requirements are exceptional circumstances, irreparable harm on the part of the victorious party, and no irreparable harm on the part of the losing party⁵. The applicant submits that she also satisfied the additional requirement of prospects of success⁶.

⁵ *Knoop NO v Gupta (Execution)* 2021 (3) SA 135 (SCA).

⁶ See, *Minister of Social Development Cape v Justice Alliance of South Africa* [2016] ZAWCHC 34 (1 April 2016).

[44] The supporting respondents aligned themselves with the applicant's submission that the applicable orders must be viewed as self-standing orders and must be interpreted disjunctively. They submitted that this Court declared the President's decision to suspend the applicant invalid as required in section 172(1)(a) of the Constitution. This part of the declaration of invalidity is subject to confirmation by the Constitutional Court. However, this court then limited the order of invalidity to operate prospectively and the 187.6 order was granted as a just and equitable order in terms of section 172(1)(b). They contended that the 187.6 order is not an order of constitutional invalidity but it is a just and equitable interlocutory order granted in terms of section 172(1)(b) and is not suspended by an application for leave to appeal in terms of section 18 of the Act. Such an order, so it was argued, is not subject to confirmation because it is granted to mitigate the effects of an order of constitutional invalidity granted under section 172(1)(a) pending confirmation of that order by the Constitutional Court. If the 187.6 order is to be suspended pending confirmation by the Constitutional Court, this would defeat the purpose of the just and equitable order and entrenches the very unjust and iniquitous conduct that the order seeks to remedy.

[45] In the alternative, the supporting respondents argued that the 187.6 order constitutes "other temporary relief" envisaged in section 172(2)(b) of the Constitution which the court making the order of constitutional invalidity has a discretion to grant, even of its own accord, in order to mitigate the effects of the unconstitutional suspension of the applicant.

- [46] In tandem with the applicant, the supporting respondents also submitted that because an order granted under section 172(2)(b) is a temporary order, it is not susceptible to section 18(1) of the Act. This order, by its nature, provides temporary relief to mitigate the effects of an order of invalidity pending the decision of the Constitutional Court and confirmation proceedings. An application for leave to appeal, therefore, does not suspend an order granted under section 172(1)(b), alternatively section 172(2)(b) of the Constitution, on the basis that such orders are interlocutory and, therefore, fall within the ambit of section 18(2) of the Act.
- [47] The supporting respondents further contended that even if the court was not in agreement with the aforesaid submissions, it did not follow that section 18 of the Act did not apply. This section applies to a decision which is the subject of an application for leave to appeal or of an appeal. In this matter, both the DA and the President lodged appeals in terms of section 172(2)(d) of the Constitution. According to the applicant, the word "appeal" in section 18 is not qualified or restricted to exclude a section 172(2)(d) appeal. Section 18 is, therefore, applicable to the present situation.
- [48] According to the DA, this Court declared the President's decision to be invalid because it was contrary to the constitutional principle of legality and section 96(2)(b) of the Constitution. The DA submits that section 18 of the Act cannot be employed to enforce and execute the judgment of this Court. Because the order of invalidity concerns the conduct of the President, the judgment must be confirmed

by the Constitutional Court in terms of section 172(2(a) read with section 167(5) of the Constitution. Until such time as the Constitutional Court has pronounced on this issue, the Order has no force or effect and, accordingly, the court has no jurisdiction to grant the relief sought by the applicant.

[49] The DA submitted that, in any event, even if the enforcement mechanism expressed in section 18 of the Supreme Courts Act was theoretically available to the applicant, she has failed to meet the jurisdictional requirements that are necessary for the immediate enforcement and execution of the judgment. There are no exceptional circumstances that warrant the departure from the default position in relation to the ordinary effect of the appeal processes that the full court's order is suspended. On the contrary, so it was argued, there are several courts which have previously, in circumstances similar to that of the applicant, held that there are exceptional circumstances to in fact justify the enforcement of suspension pending the appeal⁷. Furthermore, the applicant will suffer no irreparable harm if the judgment is not enforced. On the other hand, the DA and the public interest will suffer irreparable harm if this court's judgment is enforced.

[50] The President's submissions were aligned with the arguments advanced by the DA. To the extent that there were variations in their submissions, it was more a matter of emphasis rather than any difference of substance.

⁷ See, for example, *Democratic Alliance v South African Broadcasting Corporation SOC Ltd & Others* 1All SA 530 (WCC), and *Ntlemenza v Helen Suzman Foundation and Another* 2017 (5) SA 402 (SCA).

DISCUSSION

[51] The framework for the hierarchy and jurisdiction of courts in South Africa is prescribed in Chapter 8 of the Constitution. In terms of the applicable legislative scheme, the Constitutional Court occupies a special place in this framework. It is the highest court of the Republic and the ultimate guardian of the Constitution and its values⁸.

[52] In *Pharmaceutical Manufacturers Association of South Africa*⁹, the Constitutional Court commented on section 172(2)(a) of the Constitution and noted that: *"The section is concerned with the law-making acts of the legislatures at the two highest levels, and the conduct of the President who, as head of State and the head of the Executive, is the highest functionary within the State. The use of the words "any conduct" of the President shows that the section is to be given a wide meaning as far as the conduct of the President is concerned. The apparent purpose of the section is to ensure that this Court, as the highest Court in constitutional matters, should control declarations of constitutional invalidity made against the highest organs of State. That purpose would be defeated if an issue concerning the legality of conduct of the President, which raises a constitutional issue of considerable importance, could be characterised as not falling within*

⁸ Section 167(3)(a) of the Constitution. See also, *President of the Republic of South Africa and Others v South African Rugby Football Union and Others – Judgment on recusal application 1999 (4) SA 147 (CC)* at para 72.

⁹ *Pharmaceutical Manufacturers Association of South Africa: In re Ex Parte President of the Republic of South Africa 2000 (2) SA 674 (CC)* at para 56.

s172(2)(a), and thereby removed from the controlling power of this Court under that section"

- [53] The Constitutional Court has repeatedly confirmed that its special role is necessary to preserve the comity between the judicial branch and the executive and legislative branches of government¹⁰.
- [54] The Constitutional Court in *Von Abo*¹¹ noted that sections 167(5) and 172(2)(a) of the Constitution serve separate but complimentary purposes. Section 172(2)(a) confers constitutional jurisdiction on the Supreme Court of Appeal ("SCA") and the High Court subject to the express oversight of the Constitutional Court in relation to orders on the constitutional validity of national and provincial legislation and the conduct of the President. On the other hand, section 165(5) delineates the power of the Constitutional Court in relation to the same class of orders of constitutional invalidity made by the SCA and the High Court. Both provisions serve the vital purpose of ensuring that orders of invalidity directed at the appropriate class of the President's conduct have no force unless confirmed by the Constitutional Court.
- [55] It follows that the Constitutional Court makes the final decision whether the conduct of the President is unconstitutional. No order to this effect by any other court has any force until the Constitutional Court has pronounced on the issue. In other

¹⁰ See, for example, *Economic Freedom Fighters v Speaker of the National Assembly; Democratic Alliance v Speaker of the National Assembly* 2016 (3) SA 586 (CC), and *President of the Republic of South Africa and Others v South African Rugby Football Union and Others – Judgment on recusal application op cit.*

¹¹ *Von Abo v President of Republic of South Africa* 2009 (5) SA 345 (CC) at para 31.

words, a High Court order declaring the conduct of the President to be inconsistent with the Constitution has to be confirmed before it can be of any force or effect. As the Constitutional Court stated in *Sibiya*, such an order is inchoate – it is a valid order but has no effect¹².

[56] Section 172(2)(c) of the Constitution further requires national legislation to provide for the referral of an order of constitutional invalidity to the Constitutional Court. The Superior Courts Act and the Constitutional Court's Rules provide the procedure and mechanism for doing so.

[56.1] Section 15(1)(a) of the Superior Courts Act provides that whenever the High Court "*declares ... conduct of the President invalid as contemplated in section 172(2)(a) of the Constitution, that court must, in accordance with the rules, refer the order of constitutional invalidity to the Constitutional Court for confirmation*".

[56.2] That must be read with Rule 16(1) of the Constitutional Court's Rules which provides: "*The Registrar of a court which has made an order of constitutional invalidity as contemplated in section 172 of the Constitution shall, within 15 days of such order, lodge with the Registrar of the Court a copy of such order.*"

¹² *Sibiya and Others v Director of Public Prosecutions: Johannesburg High Court and Others* 2005 (3) SA 315 (CC) at para [43].

[56.3] The Registrar of the Court, therefore, has an obligation to refer the matter for confirmation, independent of any action that any of the parties may take. Obviously, the Court will have to direct the Registrar to refer the matter.

[57] The fate of this application hinges on the interpretation of the judgment. The basic principles applicable to construing documents also apply to the construction of a Court's judgment or order.¹³ As to the proper approach in this regard, the Constitutional Court in *Parsons*¹⁴ stated that *"the starting point is to determine the manifest purpose of the order. In interpreting a judgment or order, the court's intention is to be ascertained primarily from the language of the judgment or the order in accordance with the usual well-known rules relating to the interpretation of documents. As in the case of a document, the judgment or order and the court's reasons for giving it must be read as a whole in order to ascertain its intention"*.

[58] In *Capitec Bank Holdings Ltd and Another*¹⁵, the SCA quoted with approval its earlier judgment in *Natal Joint Municipal Pension Fund*¹⁶ and reiterated that when interpreting a contract, the language used, the context in which it is used, and the purpose of the provision should be taken into consideration. In *casu*, Unterhalter AJA further stated: *"Most contracts, and particularly commercial*

¹³ *HLB International (South Africa) v MWRK Accountants and Consultants* (113/2021)[2022] ZASCA 52 (12 April 2022).

¹⁴ *Eke v Parsons* 2016 (3) SA 37 (CC) at para 29.

¹⁵ *Capitec Bank Holdings Ltd and Another v Coral Lagoon Investments 194 (Pty) Ltd and Others* 2022 (1) SA 100 (SCA).

¹⁶ *Natal Joint Municipal Pension Fund v Endumeni Municipality* 2012 (4) SA 593 (SCA) para 18.

*contracts, are constructed with a design in mind, and their architects choose words and concepts to give effect to that design. For this reason, interpretation begins with a text and its structure. They have a gravitational pull that is important. The proposition that context is everything is not a license to contend for meanings unmoored in the text and its structure. Rather, context and purpose may be used to elucidate the text*¹⁷. This comment is apposite to the type of iterative process engaged in by a court when crafting its judgment and the interpretive exercise that must be engaged in when considering the judgment.

[59] If on a reading of the judgment or order as a whole, the meaning of the judgment or order is clear and unambiguous, no extrinsic fact or evidence is admissible to contradict, vary, or qualify, or supplement it¹⁸.

[60] As noted, the judgment is a consequence of the Part B proceedings instituted by the applicant. In paragraph 1 of the judgment, the court noted what the application was all about and stated in this regard:

"[1] The applicant applies to this court in terms of the provisions of section 172(1) of the Constitution for orders declaring certain conduct and/or decisions ("the impugned conduct or decisions") of the first, second and third respondents to be irrational, unconstitutional and invalid, as well as for consequential relief of a just and equitable remedy."

¹⁷ *Capitec Bank Holdings Ltd and Another* *ibid* para [51]

¹⁸ *Department of Transport v Tasima (Pty) Ltd* 2018 JDR 1122 (CC) at para [43].

[61] In so far as the impugned conduct or decision of the President is concerned, paragraph 4 of the judgment records that:

"[4] The impugned conduct and/or decisions in respect of the (the President) relate to his decision to suspend the applicant as well as the preliminary steps he took leading up to the suspension."

[62] The parties filed a Joint Practice Note prior to the hearing in which they listed the issues to be determined by this Court. In so far as the President is concerned, the issues to be determined as agreed by the parties is reflected in paragraph 35.6 of the judgment which reads:

"35.6 Whether the impugned conduct of the President ought to be declared to be irrational and/or inconsistent with the Constitution in terms of section 172(1)(a) of the Constitution because:

35.6.1 it was premature and/or ultra vires as the proceedings envisaged in section 194(3)(a) of the Constitution had not started as at 17 March 2022, 9 June 2022, or at all;

35.6.2 it was tainted by actual or reasonably apprehended conflicts of interests emanating out of six different and identified investigations;

35.6.3 of alleged breaches of section 96 of the Constitution,”

- [63] Paragraph 35.7 of the judgment also records that this court was to determine “*the just and equitable remedies that ought to be granted in terms of section 172(1)(b) of the Constitution.*”
- [64] The question that arises is whether the President’s decision to suspend the Public Protector can properly be characterised as “conduct of the President” under sections 172(2)(a) and 167(5) of the Constitution. The applicant has sought to draw a distinction between the decision and conduct and submits that it is only conduct and not decisions that fall to be referred to the Constitutional Court for confirmation. No authority was provided for this submission, which is not surprising.
- [65] The Constitutional Court in a number of instances has characterised a “decision” of the President as constituting “conduct” of the President, the invalidity of which required confirmation by the Constitutional Court. Thus, for example, in ***Democratic Alliance***¹⁹, the Constitutional Court held that the decision of the SCA that the President’s decision to appoint the National Director of Public Prosecutions was invalid, was “conduct of a President” subject to confirmation under section 172(2)(a).

¹⁹ *Democratic Alliance v President of South Africa* 2013 (1) SA 248 (CC) at para 3. See also *Corruption Watch NPC v President of the Republic of South Africa* 2018 (2) SACR 442 (CC) at para 4, *Kruger v President of the Republic of South Africa* 2009 (1) SA 417 (CC), and *Association of Regional Magistrates of Southern Africa v The President of the Republic of South Africa* *op cit*.

[66] The contention by the applicant that the declaration of the President's suspension of the applicant as being unlawful is rooted in the common law and does not fall under the rubric of "conduct of the President" in terms of section 172(2)(a) of the Constitution, misstates the law and is a gross mis-characterisation of the reasons underpinning the court's finding in this regard. The suspension of the applicant was based on the exercise of a constitutional duty to consider the suspension of the applicant once the section 194 (or impeachment) inquiry commences. In other words, the authority to suspend the applicant is granted to the President in terms of a constitutional provision (section 194(3)(a)) and when he suspended the applicant, the President was exercising a public power conferred on him by the Constitution.

[67] As the DA correctly pointed out, the court's finding is based on the principle of legality and the President's breach of a constitutional duty not to involve himself in a decision where there may be a conflict of interest. This is made abundantly clear in paragraph 161 of the judgment which bears repeating:

"[161] More importantly, the President as a servant of the Constitution, is under an obligation to obey its commands. He is enjoined to uphold, defend, and respect the Constitution. The President had a duty to exercise his public power within the parameters of the law. It is trite that the exercise of public power must comply with the Constitution and the doctrine of legality. To this end, we share the views expressed by the Full Court, where the court noted

that the principle of legality, being an incident of the rule of law, dictates that those who exercise public power, including the President, must comply with the law. The Full Court noted that the role of the rule of law as a form of constitutional control on the exercise of public power was given expression in Affordable Medicines Trust and another v Minister of Health and another, where Ncgobo CJ stated:

"[49] The exercise of public power must therefore comply with the Constitution, which is the supreme law, and the doctrine of legality, which is part of the law. The doctrine of legality, which is an incident of the rule of law, is one of the constitutional controls through which the exercise of public power is regulated by the Constitution. It entails that both the Legislature and the Executive 'are constrained by the principle that they may exercise no power and perform no function beyond that conferred upon them by law'. In this sense the Constitution entrenches the principle of legality and provides the foundations for the control of public power." (footnotes omitted)

- [68] Given the forgoing comments and analysis of the judgment, there cannot be any doubt that what this Court was dealing with in the Part B proceedings was in the nature of a constitutional matter. Having decided that the President's conduct was inconsistent with the Constitution, the court was obliged to declare such conduct invalid. This is reflected in the 187.5 order. Having made a declaration of invalidity,

the court went on further to make a just and equitable order in terms of section 172(1)(b) of the Constitution as it was quite entitled, but not obliged, to do. This is reflected in the 187.6 order: Indeed, the parties had agreed that the just and equitable relief to be granted was an issue to be determined by this court.

[69] Given the remit of the issues to be determined by this court, the order of the court is a composite one and the orders granted in respect of the President must be interpreted conjunctively rather than as stand-alone orders as contended for by both the applicant and the supporting respondents. This court was requested to determine a constitutional matter involving the President's conduct. Once it made a pronouncement on this issue, it then made a just and equitable order setting aside the suspension but limited its retrospective effect. The court's reasoning in respect of the just and equitable remedy granted is reflected in paragraphs 172 to 175 of the judgment. In essence, the court decided that the suspension should apply prospectively because if it was applied retrospectively, this would have no practical positive effect but would risk disrupting the affairs of the office of the Public Protector. It is as simple as that.

[70] Even if the applicant did not request an order of just and equitable relief, once the court decided to set-aside the suspension, it may well have been obliged to indicate whether the order of suspension should apply retrospectively or

prospectively. As the Constitutional Court noted in *National Coalition for Gay and Lesbian Equality*²⁰:

[87] ...All courts competent to make declarations of constitutional validity have the power to make an appropriate order under s 172(1)(b)(i) if such order, in the circumstances of a particular case, is 'just or equitable'. This was in fact so held in *S v Ntsele*. The real issue is whether, in the circumstances of this case, an order limiting the retrospectivity of the declaration of invalidity would indeed be just and equitable, on a proper construction of that concept in the context of the section and the Constitution as a whole.

[88] To the extent that a Court of first instance has this power, such Court must grapple with its exercise. This is necessary because in a given case it might be necessary to receive evidence in order to decide whether, and in what manner, such power should be exercised. It is essential that the Court of first instance receive and if necessary adjudicate on such evidence, and not a Court of appeal or this Court on confirmation. The importance of following such a procedure has been stressed by the Court in similar contexts on a number of occasions." (footnotes omitted)

²⁰ *National Coalition for Gay and Lesbian Equality v Minister of Justice* 1999 (1) SA 6 (CC) at para 87-88.

- [71] Thus, when the court stated in paragraph 187.6 of the judgment that the order was to apply from the date of “this judgment”, all it meant was that the judgment would not apply retrospectively. The court’s reasoning in this regard would then be before the Constitutional Court when the latter court considers the confirmation of this judgment.
- [72] The just and equitable order (the 187.6 order) was not intended to provide “temporary relief” in terms of section 172(2)(b) as contended by both the applicant and the supporting respondents. Nowhere in the judgment does the issue of temporary relief arise; this is not surprising as no such relief was requested and no argument was presented to that effect.
- [73] As noted, the relevant orders are not self-standing and do not exist separately and independent of each other. The section 187.6 order is ancillary to, and a consequence of, the section 187.5 order. In any event, even if the orders were stand-alone orders and the order granting just and equitable relief was not a consequential or an ancillary order, both orders still have to be referred for confirmation. This was made clear by the Constitutional Court in *Dawood*²¹ when it stated that:

“It is not only the direct order of unconstitutionality itself that must be

²¹ *Dawood and Another v Minister of Home Affairs and Others; Shalabi and Another v Minister of Home Affairs and Others; Thomas and Another v Minister of Home Affairs and Others* 2000 (3) SA 936 (CC) at para [18] (“*Dawood*”).

confirmed but all the orders made by the High Court that flowed from that finding about unconstitutionality. If this court were to find that the High Court's conclusion that a section 25(9)(b) (of the Aliens Control Act 96 of 1999) is inconsistent with the Constitution is incorrect, none of the orders made consequent upon that finding would stand."

[74] Since the Constitutional Court makes the final decision whether or not the conduct of the President is constitutional, it follows that this Court's order declaring the President's decision to be inconsistent with the Constitution has to be confirmed before it can be of any force or effect. The judgment, while valid, is inchoate and has no effect. Of course, the judgment had not yet been referred to the Constitutional Court when this application was brought. We refer further to this issue later in this judgment.

[75] The judgment cannot be suspended. Nor can it be operationalised or executed simply because there is nothing that can operate or upon which execution can be levied²². The relevant orders have not been confirmed and, irrespective of the wording used, there is nothing that can be suspended. The judgment has no independent existence but is conditional upon confirmation by the Constitutional Court. This being the case, on a purely textual basis, section 18 of the Superior Courts Act does not apply.

²² See the comments of Harms JA in a similar context in *MV Snow Delta: Serva Ship LTD v Discount Tonnage Ltd* 2000 (4) SA 746 (SCA) at para 752 A-B.

[76] Section 18(1) of the Superior Courts Act suspends the operation and *execution* of a decision that is the subject of an appeal. The term "execution" has been held to mean the "carrying out" or the "giving effect" to the judgment in a manner provided by law such as by a specific performance sequestration, and the ejection from premises²³. "Execution" is the process for enforcing the judgment and it is only available when the claim or *l/s* has been judicially resolved²⁴. Section 18, therefore, contemplates a binding decision²⁵. The default position is that the execution of a binding judgment is suspended pending the decision of the application for leave to appeal or appeal.

[77] That section 18(1) of the Superior Courts Act cannot apply to a judgment that is of no force or effect is a logical consequence of a textual interpretation of the aforesaid section. The wording of section 18(1) of the Act signifies that in the absence of an application for leave to appeal or an appeal, the judgment in question is not suspended and is in fact deemed final. The noting of an appeal suspends the execution of a judgment appealed against which logically means that in the absence of such an appeal, the judgment is not suspended and is in fact deemed executable and, thus, final. This means that if section 18(1) applied to an order in terms of section 172(2)(a) of the Constitution that required confirmation by the Constitutional Court, and if no appeal is noted or lodged, such an order will have immediate effect. This conclusion flies in the face of the wealth of

²³ *Reid and Another Godart and Another* 1938 AD 511.

²⁴ Herbstein and Van Winsen *The Civil Practice of the High Courts of South Africa*, 5th edition, V2 by Cilliers, Loots and Nel.

²⁵ See, the comments of Navsa JA in *Ntlemenza v Helen Suzman Foundation and Another op. cit.*, para [25].

Constitutional Court authorities to the effect that a judgment that has to be referred to the Constitutional Court for confirmation has no force or effect until confirmed. The applicability of section 18(1) will also be destructive of, and undermine, the supervisory role of the Constitutional Court in matters dealing with Presidential conduct.

[78] Both the applicant and the supporting respondents invoked section 18 of the Superior Courts Act and, in this regard, made much of the fact that the DA and the President lodged appeals and conditional applications for leave to appeal. It was submitted that this triggered section 18 of the said Act. Perhaps, not surprisingly, neither the applicant nor the supporting respondents could offer any relevant legal authority to support this submission. Indeed, their submissions in this regard were long on sophistry but short on legal authority.

[79] During oral argument, Counsel for the applicant sought to rely on the judgment of Masuku AJ in the matter of *Uitzig*²⁶ in support of the submission that section 18 of the Act applies to all appeals of decisions and orders regardless of the nature of the matter, the court from which the judgment emanates, or the court in which the appeal is lodged. However, *Uitzig* does not deal with the appeal of a judgment requiring confirmation by the Constitutional Court. *Uitzig* dealt with the issue of whether section 18(1) of the Superior Courts Act applied to all decisions and orders

²⁶ *Uitzig Secondary School Governing Body v MEC for Education, Western Cape* 2020 (4) SA 618 (WCC).

including those that had been unsuccessful in the court *a quo* and not only those that were granted.

[80] Section 172(2)(d) of the Constitution regulates the situation where an appeal relating to an order of constitutional invalidity is lodged. This section confers on any person with a sufficient interest an automatic right to appeal directly to the Constitutional Court in respect of an order of constitutional invalidity granted by a Court. Leave to appeal is not required as is the case with ordinary appeals lodged in terms of the Superior Courts Act²⁷. Indeed, section 16 of the Act, which applies to appeals generally, expressly states that this section is "(s)subject to section 15(1), the Constitution or any other law" (own emphasis).

[81] Accordingly, the fact that the DA and President lodged appeals is of no consequence to the referral by this court of the judgment to the Constitutional Court for confirmation. The referral is quite independent of any appeals that may be lodged. In *Dawood*²⁸, the Constitutional Court confirmed that notwithstanding the withdrawal of appeals, it was nevertheless, in terms of the constitutional scheme, bound to determine the order of invalidity. Once the matter is referred to the Constitutional Court, that court is obliged to determine the constitutionality of any order referred to it. In substance, the noting of an appeal in terms of s 172(2)(d) of the Constitution is merely an indication of the DA and the President of their intention to oppose the confirmation of the order of constitutional invalidity. Such

²⁷ See section 16 of the Superior Court's Act.

²⁸ Op. cit, para [18]

an appeal cannot have the effect of rendering final and binding a decision that is by operation of law not final and binding.

[82] This court has rejected the argument that the part of the order relating to just and equitable relief is a temporary order that fell to be dealt with in terms of section 172(2)(b) of the Constitution. A further related submission was made principally by the supporting respondents that the order relating to just and equitable relief is not suspended by noting an appeal or the filing of an application for leave to appeal because it is an order contemplated in section 18(2) of the Superior Courts Act as it is in the nature of an interlocutory order. This being so, it was argued, the default position in terms of section 18(2) applies. Such an order takes effect immediately and is not capable of being suspended pending the decision on the application for leave to appeal or an appeal, unless an application is made in terms of section 18(3) that such an order be stayed pending the application for leave to appeal or an appeal. This submission is without substance.

[83] Quite simply, section 18(2) of the Superior Courts Act cannot apply since the order relating to just and equitable relief (that is, the 187.6 order) was not intended to be a temporary or interlocutory order. As to what constitutes an interlocutory order, Corbett JA in *South Cape Corp (Pty) Ltd*²⁹ stated the following:

"In a wide and general sense the term 'interlocutory' refers to all orders

²⁹ *South Cape Corp (Pty) Ltd v Engineering Management Services (Pty) Ltd* 1997 (3) SA 534 (AD) at 549G.

pronounced by the court, upon matters incidental to the main dispute, preparatory to, or during the progress of, the litigation."

- [84] Having regard to what is considered to be an interlocutory order, the judgment is anything but interlocutory. It is a valid judgment on all the issues in dispute *albeit* that the judgment is of no force and effect and is conditional on confirmation by the Constitutional Court.
- [85] Given the conclusion reached, especially in connection with the non-applicability of section 18 of the Superior Courts Act to the matter at hand, it is not necessary to consider the merits of the application and determine if the applicant has discharged the onus for the grant of an order for the immediate operation and enforcement of the judgment.
- [86] In terms of rule 16 of the rules of the Constitutional Court, the Registrar of the Court which made the order of constitutional invalidity must, within 15 days of such order, lodge with the Registrar of the Constitutional Court a copy of such order. In terms of section 15(1) of the Superior Courts Act, it is the court that must, in accordance with the rules, refer the order of constitutional validity to the Constitutional Court for confirmation. The referral of a judgment to the Constitutional Court for confirmation thus appears to be an administrative task performed by the Registrar of the relevant court on the direction of the Court whose judgment is subject to confirmation.

[87] There is no injunction making it obligatory for a court to include in its order a direction to the Registrar to refer a judgment to the Constitutional Court for confirmation. One would normally expect that, having identified the issues to be determined, the parties will be aware when a dispute entails a declaration of constitutional invalidity that requires confirmation by the Constitutional Court. But, perhaps, this places too much reliance on the parties to apply their common sense. It may, therefore, be a salutary practice to include an order in all such matters directing the Registrar of the court to refer the matter to the Constitutional Court for confirmation. Such an approach may well limit the issues in dispute. In this case, however, given the fractious nature of the relationship between the parties, it is unlikely to have deterred the resultant legal skirmish – especially, if regard is had to the manner in which the applicant framed her case.

[88] The judgment of this court was delivered on Friday, 9 September 2022 at approximately 14h30. In the ordinary course, the court would have directed the Registrar of the High Court to refer this matter to the Constitutional Court after the intervening weekend. As it turned out, less than an hour after the Court had granted its judgment, there was an exchange of correspondence which initiated a flurry of activity that eventually culminated in the hearing of this application. This court, thus, had no option but to deal with the application and the ensuing litigation.

[89] In summary, the court concludes that:

- [89.1] The decision of the President to suspend the Public Protector amounts to “conduct of the President” for the purposes of section 172(2) of the Constitution;
- [89.2] The declaration of constitutional invalidity by this court in relation to the President’s conduct had to be referred to the Constitutional Court for confirmation, and the referral is independent of any steps taken by any of the parties;
- [89.3] Paragraphs 187.5 and 187.6 of the judgment are composite, not self-standing, orders, and must be referred to the Constitutional Court;
- [89.4] Section 172(2)(b) of the Constitution has no application to the judgment; and
- [89.5] Section 18 of the Superior Courts Act has no application to this matter.

COSTS

- [90] The applicant sought costs on a punitive scale against the DA and the President in his personal capacity. A similar order was sought by the DA against the applicant in her personal capacity. In his answering affidavit, the President sought an order for costs including the costs of three counsel. It is unclear if the cost order sought was against the applicant in her personal capacity. In any event, in the Joint Practice Note agreed to by all the parties, no costs order is sought by the President.

[91] In this matter, the DA has been substantially successful and this Court does not see any reason why costs should not follow the course. We do not believe, however, that the applicant should be mulct with costs in her personal capacity. The applicant and her legal representatives laboured under an erroneous impression that the 187.6 order was operative from 9 September 2022. However, it does not appear that the application was pursued recklessly or frivolously or vexatiously or in bad faith. Indeed, it appears that the DA and the President, too, may well have harboured some degree of uncertainty on the proper interpretation of the judgment. Thus, the DA, despite having raised the issue that the relevant orders required confirmation by the Constitutional Court and that it had an automatic right of appeal in terms of section 172(2)(d) of the Constitution, still considered it necessary to file an application for leave to appeal directly to the Constitutional Court in the event that it was wrong that it was entitled to an automatic appeal. The President filed a similar application to appeal directly to the Constitutional Court, going even further by filing a conditional appeal to the SCA.

[92] Unfortunately, this matter was unnecessarily burdened by voluminous and irrelevant documentation submitted as part of the record. The DA conceded that a significant portion of its answering affidavit (343 pages) was filed in error. There is no reason why the DA should gain any benefit from its own burdensome conduct. In the circumstances, the DA cannot recover any costs associated with the delivery of the irrelevant and unnecessary documentation filed as part of the record.

ORDER

[93] In the result, the following order is granted:

[93.1] The application to intervene by the Deputy Public Protector is dismissed with no order as to costs.

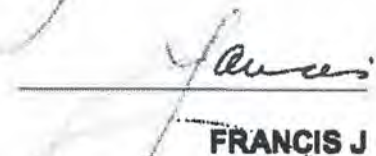
[93.2] The applicant's application is dismissed.

[93.3] The Public Protector is directed to pay the costs of the DA and such costs are to include the costs of two counsel where so employed.

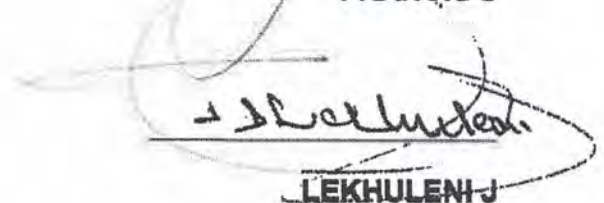
[93.4] The costs awarded to the DA in terms of paragraph [93.3] above shall exclude any and all costs associated with the delivery of the documents attached as pages 290-382, pages 425-530, and pages 565-711 to its answering affidavit.



NUKU J



FRANCIS J



LEKHULENI J

APPEARANCES

For the Applicant	Advocate D Mpofu, SC Advocate B Shabalala Advocate H Mathlape
Instructed by	Seanego Attorneys Inc (ref: TNS/PUB1/0028)
For the 1 st & 2 nd Respondents	Advocate A Breitenbach, SC Advocate U Naldoo Advocate A Toefy
Instructed by	Office of the State Attorney, Cape Town (ref: Mr L Manuel)
For the 3 rd Respondent	Advocate G Budlender SC Advocate K Pillay, SC Advocate M Adhikari Advocate N Luthuli
Instructed by	Office of the State Attorney, Cape Town (ref: Mr M Owen)
For the 5 th Respondent	Advocate S Budlender, SC Advocate M Bishop
Instructed by	Minde Shapiro & Smith Attorneys (ref: Ms E Jonker)
For the 10 th & 11 th Respondents	Advocate V Ngaiwana SC Advocate T Masuku, SC Advocate M Simelane
Instructed by	Ntanga Kkuhlu Inc (ref: Mr Ntanga/U0007/22)