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POLICE 2021/22 PROVINCIAL AND KEY STATION BUDGET ALLOCATIONS AND ALLOCATIONS TO ANTI-GANG AND FAMILY VIOLENCE, CHILD PROTECTION AND SEXUAL OFFENCES UNITS

CONTENTS

1.	INTRODUCTION.....	1
2.	POLICE MTEF PRIORITIES	1
3.	2021/22 BUDGET ALLOCATIONS	2
3.1	National budget versus provincial allocations	2
3.2	Method used to determine provincial allocations	2
3.3	Factors influencing apportionment of the budget	3
3.4	Police 2021/22 National Budget Allocation	3
3.5	Police 2021/22 Provincial Allocations and Expenditure at Key Police Stations	3
3.6	Anti-Gang Strategy	9
3.6.1	Additional provincial allocations in 2021/22 for Anti-gang units	10
4.	GIVING EFFECT TO GOVERNMENT PRIORITY TO FIGHT GENDER-BASED VIOLENCE AND FEMICIDE (GBVF)	10
4.1	CSPS Report on the Assessment of FCS Units 2019/20	11
4.2	Key findings	11
5.	IMPLEMENTATION OF THE FIREARMS CONTROL ACT, 2000	15
6.	ENFORCEMENT OF NATIONAL DISASTER LOCKDOWN REGULATIONS BY SAPS	19
7.	IMPLEMENTING THE COMMUNITY POLICING STRATEGY	20
8.	ALLOCATIONS FOR LITIGATION IN 2021/22.....	20
9.	CONCLUSION	20
10.	SOURCES	21

1. INTRODUCTION

The Select Committee on Security and Justice oversees the South African Police Services (SAPS), which tables its national budget vote (Vote 28: Police) in Parliament. SAPS is responsible for Outcome 3 (ensuring that all people are and feel safe) of the National Development Plan 2030, which *inter alia* emphasises building safer communities, fighting corruption and promoting accountability. Although the SAPS is a national department, it has provincial offices headed by Provincial Commissioners responsible for policing in provinces. This paper provides information on the 2021/22 allocation to provinces from the national Police budget. Provincial allocations are not included in the Estimates of National Expenditure (ENE) tabled in Parliament.¹ The provincial budget information is based on written responses from the SAPS to requests for provincial budget information received in March 2021; and should ideally be read together with the analyses of the provincial budgets of the Independent Police Investigative Directorate and Civilian Secretariat for Police, regarding compliance by SAPS.²

2. POLICE MTEF PRIORITIES

Over the Medium Term Expenditure Framework (MTEF), the Department of Police has identified the following priority areas:

- Enhance community safety.

¹ National Treasury (2018). Estimates of National Expenditure. Police Budget Vote 23.

² Provincial budget analyses by P Whittle. See also SAPS national budget (Vote 28) vote analysis by N van Zyl-Gous.



- Reduce violence against women and children: *Prioritise improving detection of crimes against women and children through enhanced detection capacity, improved forensic support and optimising the implementation of the Criminal Justice System (CJS) Revamp projects. Roll out the gender-based violence (GBV) Action Plan to ensure capacity at stations to provide victim-support services. The South Africa Connect project will provide broadband connectivity services to government facilities including schools, health facilities, police stations and post offices to assist in the roll out of the Integrated Case Docket Management System (ICDMS) and other digital policing tools.*³
- Target fraud and corruption in the public and private sectors through responsive investigations and specialised cybercrime capabilities.
- Mitigate the impact of baseline reductions.

3. 2021/22 BUDGET ALLOCATIONS

3.1 National budget versus provincial allocations

- Vote 28: Police budget is a national budget from which allocations are made to provinces.
- Internally, the police allocates budgets to different cost centres (“centres of financial responsibilities”) at national and provincial levels, which amounts for funds allocated to them by the accounting officer (National Commissioner).
- Uniforms, firearms, ammunition, facilities management expenditure, Capital Works, civil claims and related legal fees, as well as compensation of employees (excluding overtime) are included under the national cost centre.
- Provincial cost centres, however, do not have any financial accountability towards the provincial government.
- Provincial Commissioners have no control over national budget items or expenditure, and do not have any accounting functions over the following: the Internal Audit, Technology Management Services, Chemical services, Human Resource Development (training), railway policing, border policing, Specialised invention functions like special task force, air wing and National Intervention units, forensic services, including the Forensic Science Laboratories and the Criminal Record Centre and Crime Scene Management, Crime intelligence, the Directorate for Priority Crime, Investigation (DPCI), also known as the Hawks, and Protection Services.
- Covid-19 related expenditure is included as a national budget allocation.
- Provinces have decentralised budgets under Programme 1: Administration, Programme 2: Visible Policing and Programme 3: Detective Services - all functions within these programmes, except those specifically mentioned, are performed and funded at provincial level.

3.2 Method used to determine provincial allocations

- SAPS follows an internal apportionment of operational funding in consultation with all the cost centres in line with their concept budgets (based on a framework) submitted to National Office.
- The framework allows for differentiated inflationary adjustment, policy priorities, spending pressures and specific focus areas emanating from political direction, the Strategic Plan, Annual Performance Plan, Annual Operational Plans, changes in the functions, the State of

³ Justice and Security Research Cluster (2021). 2021/22 Budget Bulletin. Vol. 1 Issue 4. February 2021. Research Unit. Information and Knowledge Division. Parliament of South Africa



the Nation Address and specific provincial priorities, in relation to the combating and investigation of crime.

- An inflationary, adjusted budget process is followed in respect of current functions, similar to the National Treasury baseline planning process.
- Zero-based budgeting applies in respect of new functions or specific projects.
- Personnel numbers is based on a scientific methodology (not provided) in order to arrive at the fixed establishment per cost centre.

3.3 Factors influencing apportionment of the budget

- Budget allocations are as contained in the ENE. National Treasury has imposed budget restrictions in respect of compensation of employees, earmarked amounts and specifically and exclusively allocated amounts.
- The SAPS Annual Performance Plan (APP) targets, especially organisational priorities like high-crime stations (top 30 police stations).
- Baseline allocations to cost centres in the preceding financial year.
- Functions shifted between provincial and national offices, as well as boundary changes.
- Affordable, inflationary increases, per category of spending.
- Reprioritisation by cost centres, within existing baselines.
- Spending proposals by cost centres that cannot be accommodated within the baseline.
- Equitable share of financial resources in terms of personnel numbers, especially provinces' approved fixed establishment.
- Weighting analysis of unit cost of personnel versus the operational budget allocation, as well as the number of vehicles per province.
- Analysis of the status of the vehicle fleet.
- Priorities as indicated by the Accounting Officer / Executive Authority.

3.4 Police 2021/22 National Budget Allocation

In 2021/22, R96.35 billion is allocated to the Police.⁴ The allocation represents a nominal decrease of 3.6% compared to the previous financial year. Almost 80% of the Police budget, at the start of the financial year, goes to compensation of employees (managed at national level).

3.5 Police 2021/22 Provincial Allocations and Expenditure at Key Police Stations

- The remainder of the Police national budget (approximately 20%) is used for baseline allocations to (a) provinces and national competencies, (b) specifically and exclusively allocated amounts, and (c) amounts earmarked by National Treasury.
- In total, 56% of baseline allocations were allocated to provinces in 2021/22 (excluding national competencies situated in and supporting provinces funded by national), compared to 54% in 2020/21 and 55% in 2019/20.
- The baseline is expected to increase over the MTEF, taking into account the shifting of functions between national and provincial levels.
- Overtime, goods and services (day-to-day maintenance of police stations, running costs of vehicles and maintenance of vehicle fleets, travel and subsistence and telecommunication

⁴ Representing 50.1% of the R208.6 billion budget allocation of the entire Peace and Security Cluster.



expenditure) and capital asset procurement (including procurement of vehicles and accessories, equipment and furniture) are controlled at provincial level.

- All operational funds including goods and services are controlled at station level, while overtime is controlled at district level. Certain capital asset procurement are concluded at station level after approval by the Provincial Resource Committee. Vehicle procurement is controlled at provincial level but distributed to police stations.
- The total personnel expenditure controlled by Provincial Commissioners represents approximately 60% of the total Police Budget when adding the compensation of employees and operational funding, of which only the operational portion is allocated to provinces.

In 2021/22, provinces receive a total allocation of R54.4 billion.⁵

Provinces	2021/22 Provincial Budget Allocation	Provincial Expenditure at 22 February 2021	2021/22 Budget allocations of key stations	Expenditure at key stations at 31 January 2021
EASTERN CAPE	R898 702 000	R779 201 663	East London R12 251 071 Mount Road R11 188 979 Homewood R5 824 998 Mthatha R10 731 101 Cambridge R6 311 866	East London R9 872 600 Mount Road R9 687 000 Homewood R3 712 100 Mthatha R11 708 900 Cambridge R4 508 700
FREE STATE	R498 363 000	R374 272 019	Fouriesburg R1 316 386 Cornelia R1 045 018 Rest of police stations R255 182 322	Fouriesburg R1 328 779 Cornelia R1 256 536 Rest of police stations R171 436 707
GAUTENG	R1 443 290 000	R1 159 309 711	Johannesburg Central R15 787 391 Hillbrow R9 788 262 Tembisa R8 808 786 Honeydew R10 694 467 Alexandra R9 247 948	Johannesburg Central R13 334 833 Hillbrow R7 565 679 Tembisa R5 518 680 Honeydew R10 134 552 Alexandra R7 228 032
KWAZULU-NATAL	R1 140 562 000	R890 838 373 000	Umlazi R10 899 000 Inanda R13 312 000 Plessislaer R7 239 000 Durban Central R17 393 000 Phoenix R9 598 000	Umlazi R7 862 000 Inanda R8 570 000 Plessislaer R6 049 000 Durban Central R14 729 000 Phoenix R6 714 000



Provinces	2021/22 Provincial Budget Allocation	Provincial Expenditure at 22 February 2021	2021/22 Budget allocations of key stations	Expenditure at key stations at 31 January 2021
LIMPOPO	R566 244 000	R424 507 137	Polokwane R10 679 609 Mankweng R6 680 706 Thohoyandou R10 279 584 Seshego R7 449 268 Mahwelereng R4 997 944	Polokwane R6 630 075 Mankweng R4 816 333 Thohoyandou R6 968 719 Seshego R4 509 026 Mahwelereng R3 672 768
MPUMALANGA	R480 531 000	R433 989 415	Witbank R11 565 941 Nelspruit R9 471 387 Middelburg R16 235 516 Vosman R6 816 674 Ermelo R9 915 891	Witbank R10 394 197 Nelspruit R8 089 977 Middelburg R13 741 690 Vosman R5 807 157 Ermelo R8 931 010
NORTHERN CAPE	R347 163 000	R303 444 473	Kimberley R18 593 000 Roodepan R2 770 000 Kagisho R2 195 000 Kuruman R7 032 000 Springbok R7 956 000	Kimberley R23 234 000 Roodepan R2 947 000 Kagisho R2 119 000 Kuruman R7 317 000 Springbok R9 348 000
NORTH WEST	R527 347 000	R453 449 009	Rustenburg R20 461 658 Mahikeng R12 085 969.00 Brits R10 673 085.00 Klerksdorp R15 904 802.00 Potchefstroom R11 741 403.00	Rustenburg R15 834 368 Mahikeng R10 238 973.00 Brits R10 338 308.00 Klerksdorp R13 661 902.00 Potchefstroom R10 228 683.00
WESTERN CAPE	R811 905 000	R673 206 247	Cape Town Central R12 528 800.00 Mitchells Plain R8 974 000.00 Nyanga R8 562 500.00 Khayelitsha R8 437 100.00 Kraaifontein R6 910 400.00	Cape Town Central R7 840 947.00 Mitchells Plain R6 696 324.00 Nyanga R5 884 363.00 Khayelitsha R6 424 766.00 Kraaifontein R5 297 307.00



3.5.1 Provincial spending at 22 February 2021, and spending at “key stations” at 31 January 2021⁶

- **The table above shows that although there was a level of underspending in certain provinces and key stations, for the most part, spending was at acceptable levels.**
- **Lower than expected spending** was largely due to delays in contracts and the procurement of goods and services due to the closure of certain businesses and government departments during the Covid-19 lockdown period. Lower than expected expenditure at certain “key stations” was due to outstanding deliveries on contract items like bullet-resistant vests, furniture and gymnasium equipment, and the fact that fewer police officials were at work due to staff rotation, sick leave and self-isolation.
- **Covid-19 had a major impact on the budgets.** Travel and subsistence expenditure was lower due to restrictions on movement and the use of virtual meeting platforms, and lower fuel and oil prices. Nevertheless, the delivery of vehicles and other capital procurement items was expected to proceed.
- **Overspending in the Northern Cape** was on overtime payments due to an increase in public unrest (especially in Kimberley) that required crowd management and additional visible policing activities, which in turn resulted in more overtime claims. In Kuruman, flooding had caused damage to road infrastructure and the bad road conditions resulted in higher fuel and vehicle fleet service expenditure. In Springbok, the transportation of detainees to prison facilities elsewhere contributed to higher spending on fuel and vehicle maintenance, as well as on vehicles and subsistence claims. The Northern Cape was affected by non-delivery of vehicle. It was nonetheless on course to utilise its full vehicle allocation by the end of 2020/21.
- In the **Western Cape**, underspending was due to the use of video conferencing facilities and a decrease in travel requirements.
- In the **Free State**, the detention of an increasing number of illegal immigrants from Lesotho at police stations due to the Disaster Management Act Regulations accounted for the increase in food expenditure for detainees. In Cornelia, additional reservists were deployed to help control the movement of people during hard lockdown. At other key stations that spent slightly below the benchmark, this was mostly because goods and services could not be procured for the first few months of 2020/21 due to the closure of certain businesses.
- In the **Eastern Cape**, the enforcement of Covid-19 lockdown Regulations and increased deployment resulted in increased expenditure on travel and subsistence, and prioritisation of vehicle repairs to ensure availability of vehicles.
- In **KwaZulu-Natal**, slower than anticipated spending at Umlazi, Inanda and Phoenix was due to a high volume of outstanding commitments, with a “potentially large carry over and high volume of financial authorities for vehicle and equipment-related items”. The delayed issuing of a range of operational items from national and provincial stores had a negative impact on service delivery, while “cumbersome procurement processes...resulted in delayed goods and services. The turnaround time of vehicles in the garage had a negative impact on expenditure, open job cards [and] outstanding commitments”
- **Mpumalanga’s** highest overspending was in respect of fleet services, including fuel, vehicle services and repairs, tyres and tubes, and batteries and towing. Large numbers of detainees were remanded in custody, causing higher expenditure on meals for detainees.
- **Limpopo’s** lower expenditure at police stations was due to lower fuel prices, less fuel being used and lower vehicle repair and running costs. Because of movement restrictions, fewer

⁶ SAPS (2021)



meetings were held and training interventions, events and imbizos could not take place. Fewer staff members were on duty due to Covid-19 Regulations. Payment and delivery of furniture was delayed as the contract was only finalised at the end of October and factories were closed in December 2020 and January 2021.

- **Gauteng** did not have any funding challenges. Nevertheless, it had high vehicle repair costs and service delivery challenges due to the reduced compensation and overtime baselines that “constrained the effectiveness of after hour operations or supplementing manpower, due to absenteeism caused by the COVID-19 pandemic”.
- Expenditure in the **North West** was within acceptable levels.

Equitable resourcing of police stations and crime statistics

- SAPS’s resourcing of police stations with high crime rates have been raised in a number of forums over the years, including in Parliament.
- Information presented to the 2014 Khayelitsha Commission of Inquiry into the breakdown in the relationship between the Police and the community of Khayelitsha, showed that “*predominantly white areas with very low contact [crime] rates have far more police officers...than poor, predominantly black areas with high contact crime rates*”.⁷
- The Social Justice Coalition together with the Nyanga Community Policing Forum subsequently challenged the SAPS Theoretical Human Resource Requirement system in the Equality Court, on the grounds that it perpetuated discrimination nationally, and failed to take into account factors like under-reporting when allocating human resources.⁸
- At the time, Nyanga, was one of the top 10 stations with the highest crime rates in South Africa) per 1 000 people, and a police to population ratio of 1:623 compared to Cape Town Central police station’s 1:59 (for every 100 000 people), but received fewer resources compared to Cape Town Central.⁹
- When using crime rate as an indicator, police resources (human and other resources) were allocated to police stations with lower crime rates in predominantly white areas, compared to predominantly poor, black communities with very high crime rates, as shown in the comparison between Nyanga and Cape Town Central police stations in the table below.

SERIOUS CONTACT CRIMES	POLICE TO POPULATION RATIO	
	Nyanga 1: 623	Cape Town Central 1: 59
Murder	281	11
Sexual offences	356	47
Attempted murder	183	9
Assault GBH	1071	190
Robbery with aggravating circumstances	1498	657

- **Although murder in Nyanga decreased substantially in the past few years and it no longer occupies the top spot for murder in the country, Nyanga remains one of the top 10 murder stations in South Africa.** In April 2021, SAPS deployed 200 police officers in the Western Cape that were seconded from

⁷ Social Justice Coalition (2018).

⁸ Social Justice Coalition (2018).

⁹ Social Justice Coalition (2018).



national to act as “force multipliers in violence-laden hotspots across Cape Town”, particularly in Khayelitsha, Delft, Kraaifontein, Nyanga, Harare and Philippi East (listed under the top 30 police stations with the most contact crimes like murder, attempted murder, aggravated robbery and sexual offences). The deployment includes visible policing, crime intelligence, forensics and detective services.

- **The table on page 5 of this paper shows that Nyanga police station receives R8 562 500.00 in 2021/22, whereas Cape Town Central receives R12 528 800.00.** What is the reason for the lower allocation to Nyanga compared to Cape Town Central police station?
- **Fourth quarter crime statistics (for the period 1 January to 30 March 2021) released on 15 May 2021, showed that crime decreased nationally by 14.4%, but murder and attempted murder increased nationally by 8.4% and 8.74%, respectively.**¹⁰ In this period, 4 976 people were murdered - 387 more than the 4 589 murders in the same period in 2019/20. Eleven murders were on farms and smallholdings.
- **Provincially, murder increased in the Eastern Cape by a worrying 21.5%, followed by a 16.9% increase in Kwa-Zulu Natal,** while murder figures for Mpumalanga, Limpopo, the Free State and the Northern Cape remained unchanged compared to the corresponding period in 2019/2020. The Western Cape and KwaZulu-Natal accounted for “multiple murders” per incidence, often gang-related.¹¹
- **The Western Cape had the third highest number of murders,** although the increase was only 2.7%.¹²
- Overall, there has been a decline in sexual offences in the fourth quarter of 2020/21. However, **a disturbing 9 518 rapes were reported in the fourth quarter of 2020/21. Gauteng was the province with the most rapes, while Lusikisiki police station in the Eastern Cape, displaces Inanda in KwaZulu-Natal, as the police station with the most reported rapes in the country.**
- Nationally, assault and assault GBH decreased by 9.3%, but the more than 75 000 assaults and the 2 855 incidents of assault GBH, raises concern over the increasing violence in our country, in which the consumption of alcohol plays a major contributing factor.¹³
- **Gauteng and the Western Cape recorded the highest number of assaults during the fourth quarter of 2020/21.**
- In 2018, SAPS indicated that it would allocate more resources to police stations as follows: (a) reduction in the compensation budget would not affect allocated staff establishment at police stations; (b) staff establishment was expected to grow, through the implementation of regionalisation, to 65% in 2021 through increased annual intake for basic police trainees and abolishing certain management posts, through work reorganisation; (c) annual enlistment would replace annual staff losses due to natural attrition; (d) 7 000 vacant posts at police stations caused by the re-establishment of specialised units would be filled; and (e) approximately 6 000 members from decentralised national units would be placed under the command of station or cluster commanders of inter alia the Railway Police, identified Ports of Entry and Crime Intelligence.¹⁴
- According to the 2021/22 budget process information SAPS provided, **one of the factors that influence the apportionment of the budget is the equitable share of financial resources in terms of personnel numbers, especially provinces (approved fixed establishment). However, SAPS did not provide information on the “scientific methodology” used to determine the fixed establishment of cost centres.**¹⁵
- SAPS also indicated that the **Integrated Resource Management Strategy was approved in 2019/20, the main objective of which is to “ensure resource allocation and re-allocation [particularly] at local**

¹⁰ BusinessTech (2021).

¹¹ SAPS (2021).

¹² SAPS (2021). Fourth Quarter Crime Statistics 2020/2021. Available at saps.gov.za. Accessed 16 May 2021.

¹³ BusinessTech (2021).

¹⁴ SAPS (2018). Response to request for information, 9 April 2018.

¹⁵ SAPS (2021)



level, in order to address resource deficiencies. This is an ongoing process and the recent reorganisation process also aims to enhance the redirection of resources to service delivery points”.¹⁶

- The following provinces and police stations that have shown a significant increase in crime, especially violent crime, including rape, murder, the trio- crimes and gangsterism, in the third quarter crime statistics, are prioritised in 2021/22 and over the MTEF:
 - KwaZulu-Natal, the Western Cape, Gauteng, the North West and the Eastern Cape.
 - SAPS identified the top 30 high crime rate police stations, nationally, in respect of the main crime categories, especially contact crime, sexual offenses, contact-related crime, property-related crime, and other serious crime.
 - SAPS also identified the national top 30 police stations for each of the contact crimes, as well as the top 10 police stations per province based on crime weight and the said crime categories.

3.6 Anti-Gang Strategy¹⁷

- The link between gangsterism and high contact crimes, especially murder, attempted murder and assault and the proliferation of drugs and illegal firearms is undeniable, and addressing these crime categories includes the implementation of an effective anti-gangsterism strategy.
- In 2016, Cabinet approved the National Anti-Gangsterism strategy currently being implemented in all provinces, with a specific focus on the Western Cape and the Eastern Cape (higher-risk provinces in terms of gang-related crime and violence).
- The National Intelligence Coordinating Committee (NICC) coordinated the process to develop an anti-gang strategy, with the support of the Civilian Secretariat for Police Services), SAPS, the DPCI (“the Hawks”), the Department of Justice, the National Prosecuting Authority (NPA), State Security Agency and the Department of Social Development.
- The anti-gang strategy is coordinated through the national and provincial joint operational and intelligence structures.
- A proactive and reactive approach is followed to address gang violence, with the use of multidisciplinary teams that are intelligence driven and conduct regular disruptive operations in the Western Cape, Free State, Gauteng, Eastern Cape and the North West.
- SAPS states that combating gang violence and gang-related crime is an operational priority, the funding of which comes from the functional budgets in Programmes 3 to 4 (including funding for crime prevention and visible policing from station to national level, and for specialised operational response services). Programme 3 provides for the investigation of crime and forensic services in support of the investigation of crime. Programme 4 provides for intelligence gathering, and crime and threat analysis in support of combating gang-related crime.

¹⁶ SAPS (2021)

¹⁷ SAPS (2021)



3.6.1 Additional provincial allocations in 2021/22 for Anti-gang units

The budget allocation for specialised units resides at provincial level.

The following provinces receive additional funding for operational activities of Anti-gang Units:

- Eastern Cape: R6 million
- Free State: R4 million
- Gauteng: R6 million
- Western Cape : R6 million

In selected provinces, the allocation for established Anti-gang Units is included in the Organised Crime Investigation Unit structure:

- Eastern Cape: R14 000 000
- Gauteng: R14 234 664.00
- KwaZulu-Natal: R2 642 000.00
- North West: R460 000.00
- Western Cape: R6 000 000

4. **GIVING EFFECT TO GOVERNMENT PRIORITY TO FIGHT GENDER-BASED VIOLENCE AND FEMICIDE (GBVF)¹⁸**

- The Fourth Quarter crime statistics (for the period 1 January to 30 March 2021) showed that murder and attempted murder increased nationally by 8.4% and 8.74%, respectively, with the Eastern Cape and Kwa-Zulu Natal showing the most increases of 21.5% and 16.9% respectively. While there has been a decline in sexual offences in this period, the 9 518 rapes reported in the Fourth Quarter of 2020/21 is a serious concern. Most rapes occurred in Gauteng, followed by KwaZulu-Natal, the Eastern Cape and Western Cape. Lusikisiki police station in the Eastern Cape, displaces Inanda in KwaZulu-Natal, as the police station with the most reported rapes in the country.
- The Fourth Quarter crime statistics are alarming, especially for women who still comprise the majority of victims of murder, attempted murder, assault and sexual offences.
- The SAPS specialised unit, the Family Violence, Child Protection and Sexual Offences (FCS) Units, investigate crimes committed against women and children.
- In 2019/20, operational expenditure, including goods and services vehicle procurements, and other equipment, like cell phones to the value of R184 million, was incurred by FCS Units. FCS units were also involved in awareness campaigns to vulnerable groups and procured and distributed various evidence collection kits to police stations valued at R120 million, in 2020/21.
- Additional funding will be reprioritised towards these units and GBV.
- A National GBV Committee was established to provide strategic direction and monitor national performance in respect of the national procurement of goods and services, vehicles and other equipment.

¹⁸ SAPS (2021)



- The National GBV Action Plan was completed.
- Inspection of police stations, especially for compliance with the Domestic Violence Act, 2008 and the Criminal Law (Sexual Offences and Related Matters) Act, 2007), complaints-prevention planning relating to first responders, and the development of new GBV bills (currently before Parliament).
- A provincial GBV Steering Committee will be established and compliance inspections will be conducted.
- GBV desks will be established at police station level and efforts will be directed toward the capacity building of members.
- The SAPS did not receive any funding from the private-sector GBV and Femicide Response Fund.

4.1 CSPS Report on the Assessment of FCS Units 2019/20

- In 2019/20, the CSPS assessed the efficacy of Family Child and Sexual Offences (FCS) Units in implementing the Sexual Offences and Related Matters Act, 2007.¹⁹
- The focus areas of the assessment were (i) understanding and implementation of legislation, (ii) resourcing, (iii) training, (iv) partnerships / networks, (v) accessibility and (vi) response to crime.
- Thirty 36 FCS units (4 per province) out of 183 FCS units were assessed. In order to gauge accessibility to all communities, the FCS units were situated in (a) areas with high levels of GBVF, or (b) rural areas (not necessarily those with high crime rates).

Province	FCS Unit	Province	FCS Unit
EC	Mount Road, Mdantshane, Mthatha, Motherwell	MP	Nelspruit, KwaMhlanga, Pienaar, Secunda
FS	Seloshesha, Park Road, Thabong, Welkom	NC	De Aar, Kimberley, Upington, Kakamas
GP	Temba, Krugersdorp, Alexandra, Hillbrow	NW	Brits, Lehurutshe, Rustenburg, Mmabatho,
KZN	Plessislaer, Inanda, Pinetown, Newcastle	WC	Bellville, Bishop Lavis, Paarl, Vredenburg
LP	Groblersdal, Burgersfort, Mokopane, Polokwane		

Key findings

- **Management and resourcing of FCS Units**
 - FCS Units with high-ranking commanders received more resources.
 - However, there was inconsistency in the manner in which ranks of unit commanders were allocated, notwithstanding the number of police stations and distances between police stations the FCS is responsible for.

¹⁹ CSPS (2020). Report on the Assessment of Implementation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007. Project to monitor and assess the functionality of the FCS Units 2019/20.



- Two units (Groblersdal in Limpopo and Motherwell in the Eastern Cape) were managed by non-Commissioned Officers (Warrant Officers) which affects decision-making, while eight units did not have a management team.
- Rural units had fewer than 10 detectives. For e.g. De Aar, and Upington in the Eastern Cape and Vredenburg in the Western Cape, serviced 11 and 12 police stations respectively within between 200-300km radiuses but had fewer staff members compared to e.g. Temba and Krugersdorp in Gauteng that serviced five and seven stations, respectively but had 34 and 30 members respectively. This affected response times, the number of dockets carried by detectives and quality of investigation of cases.

- **Withdrawal of cases**

- Internal factors that contributed to the withdrawal of cases included availability of resources, poor quality of statements by first responders at Community Service Centre due to lack of training, high workload, low staff morale, failure to implement prosecutor and commander directives which impact negatively on finalisation of investigations and court-readiness of dockets.
- In addition to the victims themselves withdrawing cases, external factors that contributed to the withdrawal of cases include unavailability of witnesses, DNA results (some units waited between one and three years for DNA results) and Forensic Social Workers, as well as a lack of capacity among prosecutors and courts to prosecute FCS-related cases.

- **Workload and service delivery**

- **On average, detectives carried 60 dockets** (more than the recommended 35-40 dockets), while **one detective carried 135 dockets** (highest number).
- Due to a shortage of Forensic Social Workers, those based at provincial level serviced between one and five FCS units.
- There was a large backlog in assessments in cases involving children and persons with mental disabilities as not all Forensic Social Workers could speak the local languages.
- Forty-four percent (138 of 317 vehicles audited) were out of order or in the garage.

Comments

- **The Report recommends a “focal and designated FCS budget”, managed by the unit or provincial Commander in consultation with the unit commander.**
- **Allocated vehicles must be fit for purpose and terrain, taking population into account.**
- Ongoing training, refresher and wellness courses and regular debriefings must be prioritised for FCS Unit members.
- There is a need for an MOU between SAPS and the Department of Health in respect of victims referred to district surgeons for evidence collection and HIV-prevention treatments.



The following amounts have been allocated to FCS Units per province in 2021/22:²⁰

Province	2021/22 FCS allocation	Number of FCS units	FCS assessment	Key challenges
Eastern Cape	R10 185 000	26	All units operational and functional	Network infrastructure, especially in rural areas. Data capturing impacts performance. Shortage of human and physical resources and accommodation
Free State	R9 532 183	18	All units operational and functional	Vast distance between hospital and courts takes up much time
Gauteng	R28 727 019	22	Units operational	Growing population versus shortage of human and physical resources and accommodation. Outstanding assessment reports due to shortage of forensic social workers.
KwaZulu-Natal	R30 096 000	25	Best performing units are Brighton Beach, Empangeni and Howick. In-service training includes (a) multi-sectoral, (b) Victim Empowerment Programme (VEP) and (c) HPPB training. Cases, challenges and best practices are discussed at multi-sectoral meetings. Awareness campaigns and suspect raids done weekly and monthly. The Provincial DNA Task Team links and arrests outstanding suspects based on DNA evidence.	<ul style="list-style-type: none"> • Parents open cases when they discover their children are sexually active. • Victims uncooperative and refuse to give statements and submit to medical examination. • Pupils raped at school parties often cannot recall their perpetrators as they had consumed alcohol and are often too traumatised to submit statements and must be referred to counselling. The suspect cannot be arrested until the victim statement is obtained that links the suspect to the victim. • DNA results can take up to three weeks.
Limpopo	R15 380 246	16	All units have office accommodation within their districts. Makhado, Polokwane, Modimole and Lephalale have victim-friendly facilities	Mokopane and Tzaneen share offices with general detectives that are congested, not victim-friendly and has no privacy. As Visible Policing does not have unmarked vehicles for the transportation of juveniles, FCS investigators must collect juvenile awaiting trial detainees at various places of safety, which takes up much time. More vehicles are required because of long distances to courts. The Serial and Electronic Crime Investigation (SECI) Unit that operates across borders lacks capacity and resources. Backlog in reports as there is no designated sexual offences court and only one clinical psychologist in the province. Only 4 out of 9 forensic social worker posts are filled.

²⁰ SAPS (2021). Responses to budget questions. 23 March 2021



Province	2021/22 FCS allocation	Number of FCS units	FCS assessment	Key challenges
Mpumalanga	R 8 335 068	15	All units fully functional and performance satisfactory.	Lack of human resources due to resignations, service terminations, attrition. Physical and accommodation constraints FCS. Increasing workload difficult to manage. Office closure when FCS members self-isolate due to Covid-19 exposure.
Northern Cape	R8 085 501	16	FCS units have sufficient vehicles.	Shortage of office space at Hartswater, Calvinia, Hopetown, De Aar and Kuruman. Transportation vehicles for complainants and witnesses have high mileage (above 350 000km) and when boarded will affect efficacy of FCS units. Vast distances between police stations and poor state of mostly gravel roads due to lack of maintenance.
North West	R12 632 150	13	All units fully functional. Units are performing well in terms of detection, trial-ready and conviction rates. Thirty-one (31) new constables allocated to FCS helped to reduce the workload.	Four units do not have proper accommodation. One unit lost a commander due to Covid-19. Closure of offices due Covid-19 positive members being in quarantine, has a negative impact on performance.
Western Cape	R16 174 950	25	FCS units functioning reasonably well.	Extended mandate not implemented due to limited human and physical resources. Search and investigation of a missing child is labour intensive. Thirty-eight members were transferred to various units in 2020. Funded posts take very long to fill. Insufficient vehicles and vehicles in garage for repairs for long periods. Insufficient office space at Hermanus, Beaufort West and Caledon. No data lines at Paarl, Ceres, Milnerton and Muizenberg. Only three Xhosa-speaking forensic social workers to serve province.
Head Office	R2 655 000	—	—	—
Total	R141 813 118	176²¹		

Comments

- In 2020, the Western Cape Police Ombud (WCPO) presented the findings to the Western Cape Provincial Legislature into a complaint by Philisa Abafazi Bethu, an NGO working with women, in respect of the VEP at Caledon and Swellendam.²²
- In terms of the VEP Manual, SAPS services must comply with certain standards regarding the (a) treatment of victims and statement taking; (b) victims' rights, privacy and victim support; (c) feedback on cases; (d) training of staff and (e) Victim Friendly Rooms at police stations.

²¹ Each province also has one SECI Unit (nine in total).

²² WCPO (2020). SAPS Victim Empowerment Program Briefing to Standing Committee. 8 September 2020. Available at <https://mail.google.com/mail/u/0/?tab=rm&ogb#inbox?projector=1>. Accessed 15 May 2021.



- The WCPO found that the inefficiency of SAPS concerning VEP in the Western Cape was “palpable [and lent] itself to harming the victims of crime” and that there was a “[d]efinite deficit or lack of capacity in SAPS, poor investigation, lack of proper monitoring and evaluation”.²³
- The VEP “structure exists” but lacks implementation, resources, relationships with NGOs and dedicated VEP coordinators.
- The WCPO recommended that the SAPS Provincial Commissioner implement appropriate steps concerning the inefficiencies (a) identified by SAPS and (b) in the WCPO report in respect of the (i) uneven application of **National Instruction 2 of 2012 (Victim Empowerment)** which obliges SAPS to *inter alia* provide a victim-friendly service to victims, communicate in a language understood by victims and ensure the victim’s safety,, (ii) lack of training of SAPS officials, (iii) understanding between SAPS and the Department of Social Development and (iv) referral of victims to service providers.

5. IMPLEMENTATION OF THE FIREARMS CONTROL ACT, 2000²⁴

The Firearms Control Act, 2000 gives the Minister of Police the power to declare a firearm amnesty, if the holding of an amnesty may result in the reduction of the number of illegally possessed firearms in South Africa; and it is in the public interest to do so. In terms of the Act, amnesty indemnifies a person in possession of an unlicensed firearm and/or ammunition indemnity against prosecution for the unlawful possession of a firearm or ammunition if not used in a crime (an incentive to hand in illegal firearm). An amount of R6 million, was budgeted for the Firearms Amnesty that ended on 31 January 2021, of which R3 420 550 was spent, mainly on marketing and printing:²⁵

Firearms Amnesty that ended 31 January 2021

Budgeted Amount	Authorised Expenditure	Actual Expenditure
R6 000 000	R1 587 945 (Advertising: Marketing - budgeted for, but not yet spent)	R3 420 550 (Advertising: Marketing R2 878 729 ; Consumables: Government printing R457 125 ; Travel and subsistence accommodation R61 990 ; Travel and subsistence food and beverages R14 337 ; Travel and subsistence Incidental costs R8 369)

²³ WCPO (2021)

²⁴ South African Police Service (2018)

²⁵ SAPS (2021).



Comparison of latest and firearms previous firearms amnesty: firearms and ammunition handed in

PROVINCE	NUMBER OF LEGAL AND ILLEGAL FIREARMS AND AMMUNITION HANDED IN 2019/20 AND 2020/21				ROUNDS OF AMMUNITION HANDED IN 2019/20 AND 2020/21	
	Legal Firearms 2019/20	Legal Firearms 2020/21	Illegal Firearms 2019/20	Illegal Firearms 2020/21	Ammunition 2019/20	Ammunition 2020/21
Eastern Cape	223	357	2 072	2 835	14 505	13 583
Free State	662	443	3 301	3 057	4 128	11 502
Gauteng	3 281	4 405	12 486	10 577	70 637	129 120
KwaZulu-Natal	588	1 216	3 456	3 362	20 706	25 654
Limpopo	910	1 271	2 823	4 241	7 532	7 997
Mpumalanga	560	600	2 371	2 529	8 069	13 418
Northern Cape	466	635	1 251	1 607	4 558	3 623
North West	791	1 065	2 297	3 465	3 453	7 748
Western Cape	506	357	9 380	7 317	82 596	123 092
TOTAL	7 987	10 349	39 437	38 990	216 184	335 737

Comments / Questions

1. The above table reflects statistics provided by SAPS from the Operational Planning and Monitoring System (OPAM), generated as at 12 February 2021.
2. The statistics “are deemed provisional until the capturing process at provinces is concluded”.²⁶ Was this process completed? If so, SAPS should provide updated statistics to the Committee.
3. **In terms of the table, more ammunition and legal firearms were handed in during the amnesty that ended on 31 January 2021 (“latest amnesty” or “2020/21”) compared to the previous one, but fewer illegal firearms were handed during the latest amnesty compared to the previous one (2019/20).**
4. In total, **10 349 legal** firearms were handed in in 2020/21, compared to **7 987 legal firearms in 2019/20.**
5. The most legal firearms were handed in in Gauteng (4 405), followed by Limpopo (1 271), KwaZulu-Natal (1 216) and the North West (1 065).
6. In 2020/21, Gauteng also accounted for the most illegal firearms handed in (10 577), albeit it fewer than the 12 486 firearms handed in in 2019/20.

²⁶ SAPS (2021)



7. The Western Cape had the second largest number of illegal firearms handed in in 2020/21 (7317), which was also smaller than the 9 380 firearms handed in in 2019/20.
8. In 2020/21, Limpopo had the third highest number of illegal firearms handed in (4 241), a significant increase compared to the 2 823 firearms handed in in 2019/20.
9. **Most provinces experienced significant increases in the rounds of ammunition handed in in 2020/21 compared to the previous amnesty**, with the most reflected in Gauteng (129 120 compared to 70 637 in 2019/20), the Western Cape (123 092 compared to 82 596 in 2019/20), KwaZulu-Natal (25 654 compared to 20 706 in 2019/20), Mpumalanga 13 418 compared to 4 558 in 2019/20) and the Free State (11 502 compared to 4 128 in 2019/20).
10. According to SAPS, ammunition “is not serialised”.²⁷ What is the significance of this?

Successes noted in respect of the firearms amnesty that ended 31 January 2021:²⁸

- Firearms handed in for destruction will be permanently removed from circulation and possible involvement in illegal activities, while those handed in for re-licensing will enhance the database of the firearms system.

Challenges noted in respect of the firearms amnesty that ended 31 January 2021:²⁹

- Covid-19 was an impediment due to the regular closure of police stations, and restriction of movement. Members worked on a rotation basis, which impacted on the administration of the firearms amnesty. A large number of firearms were handed in during the last days of the firearms amnesty, causing long queues and complaints about service delivery. Many firearms were handed in for re-licensing.

Lessons learned from the most recent firearms amnesties:³⁰

- A vigorous awareness campaign must be embarked on prior and during the amnesty to reach all areas within the country (for maximum participation and to ensure that amnesty participants do not wait for the last week to hand in firearms but participate throughout the amnesty period).

Comments / Question

- SAPS mentions the need for a more vigorous marketing campaign, yet a substantial amount of the marketing budget was unspent at the end of the amnesty period. Why?
- **SAPS should ensure that it is better prepared for the eventuality that firearms will be handed in during the last week of the amnesty and ensure that additional manpower is available and other measures are in place to handle the increased intake and ensure a speedy process, thereby avoiding long queues and complaints about service delivery.**
- Implementation of the Firearms Control Act is funded from provinces’ operational budgets.
- According to SAPS, the vetting of members within the firearms environment is currently ongoing, and the Anti-Corruption Action Plan is being implemented.³¹

²⁷ SAPS (2021)

²⁸ SAPS (2021a)

²⁹ SAPS (2021a)

³⁰ SAPS (2021a)

³¹ SAPS (2021a)



5.1 Police officers arrested, criminally charged and dismissed for possession of illegal firearms or theft of SAPS firearms, bulletproof vests, uniforms, blue lights, police reflective vests, police vehicles and police vehicle branding³²

PROVINCE	NUMBER OF POLICE OFFICERS ARRESTED	NUMBER OF POLICE OFFICERS CRIMINALLY CHARGED	NUMBER OF POLICE OFFICERS DISMISSED
Eastern Cape	1	1	1 (Resigned)
Free State	0	0	0
Gauteng	1	1	1 Dismissed
KwaZulu-Natal	0	0	0
Limpopo	3	3	1 Dismissed 2 Departmental charges pending
Mpumalanga	0	0	0
Northern Cape	0	0	0
North West	0	0	0
Western Cape	0	0	0
TOTAL	5	5	1 Resignation 2 Dismissals 2 Departmental charges pending

Comments / Questions

- The 2021/22 Budget Review and Recommendations Report of the Portfolio Committee on Police (“the Portfolio Committee”) recommended that SAPS (a) “capacitates the [Central Firearms Registry] with the necessary personnel as soon as possible to reduce backlogs and to strengthen the CFR”, (b) prioritise “all licence and renewal applications two years and over” and (c) consider implementing a shift system at the CFR.³³
- On 15 May 2021, during an oversight visit to the CFR in Pretoria, the Portfolio Committee learnt to its dismay that the SAPS still occupied the unsafe Veritas building and urged SAPS to engage with the Department of Public Works in this regard.³⁴ The SAPS headquarters was supposed to have moved to the Telkom Towers after it was bought, but it is not clear why SAPS had still not taken occupation of the new headquarters. Regarding the Firearms Control Register, the Portfolio Committee was reportedly “not impressed by the backlogs and proposed a fully-digitised application system instead of the current system which was found to be

³² SAPS (2021a)

³³ Parliament of South Africa (2021). Report of the Portfolio Committee on Police on the 2021/22 Budget Vote 28, Annual Performance Plan (APP) of the Department of Police (SAPS), dated 12 May 2021. ATC No.61-2021. 14 May 2021

³⁴



laborious and inefficient” with SAPS indicating that “a process of modernisation [was underway] and that a bid has already been advertised to computerise the firearm licence application system to make it possible for citizens to renew their licences online”.³⁵

6. ENFORCEMENT OF NATIONAL DISASTER LOCKDOWN REGULATIONS BY SAPS

Funding

- SAPS did not receive any allocation for lockdown regulations enforcement in 2021/22.
- Funding was received 2020/21, which is not yet all spent.
- Should this finding remain unspent at the end of 2020/21, the police will approach the National Treasury to roll over some of the funding.

Police members who contravened lockdown regulations

- In the Western Cape, 90 cases were registered against 116 SAPS members for contravening lockdown regulations: 30 cases are still pending and 60 cases were finalised with the following sanctions:
 - (i) Guilty verdict: Dismissal 21 members.
 - (ii) Suspended without pay for a month, eight members.
 - (iii) Suspended without pay for two months: 10 members.
 - (iv) Final written warning: six members.
 - (v) Written warning: seven members.
 - (vi) Verbal warning: 1 member.
 - (vii) Not guilty verdict: nine members. No steps were taken against seven members, one of which passed away before the disciplinary hearing, while the other six members resigned prior to the disciplinary hearings.

Training

- In 2021/22 the Division: Human Resource Development, Training Provisioning Plan anticipates to spend R273 755 to train 310 officials in the Human rights in policing programme.

Sale of alcohol and trading time for restaurants, shebeens and licenced liquor outlets

- Initiatives to enforce compliance with lockdown regulations include:
 - Compliance inspections at liquor outlets
 - Joint, integrated operations involving liquor boards and other law enforcement agencies
 - Established provincial teams to monitor compliance
 - Activate compliance hotlines for communities to report contraventions
 - Monitor social media for advertising of events at liquor establishments
 - Identify and conduct operations at Covid-19 hot spots.

Police members implicated in the sjambok and water cannon incidents

- At 23 March 2021, SAPS indicated that a misconduct hearing was pending against the implicated police officers. Has this now been concluded? If not, why not? If so, what was the outcome?

³⁵ Shange, N (2021). Portfolio committee on police shocked to find SAPS members still working in unsafe Veritas building. 16 May 2021. Timeslive. Available at <https://www.timeslive.co.za/news/south-africa/2021-05-16-portfolio-committee-on-police-shocked-to-find-saps-members-still-working-in-unsafe-veritas-building/>. Accessed 16 May 2021.



Comment / Question

- **IPID recently announced its finding into the water cannon incident that occurred at the SASSA offices in Bellville on 15 January 2021, which exonerates the SAPS of all wrongdoing.**
- Notwithstanding the IPID finding, has SAPS given any consideration on how to address similar situations in future, especially other non-violent options besides water cannons or pepper spray, where persons queue for services at government departments and do not conform to the definition of a “crowd” for which Public Order Policing (POP) is intended? If not, why not? If so, please provide details.

7. IMPLEMENTING THE COMMUNITY POLICING STRATEGY

- The Community Policing Strategy is aimed at building partnerships between communities and the police. SAPS plans to make more resources available for policing and improving communication between the police and communities about crime prevention.
- The R630 000 operational budget for the Division: Visible Policing and Community Engagement will be partly utilised to implement the Community Policing Strategy.
- Community Policing does not have a separate budget allocation.
- In the provinces, community-policing related matters is funded from the visible policing budgets.

8. ALLOCATIONS FOR LITIGATION IN 2021/22

SAPS estimates that R300 million will be spent on litigation on claims against the SAPS and other elements of litigation in the human resource environment in 2021/22.

9. CONCLUSION

In 2021/22, the SAPS allocation to provinces makes up almost 20% of the national budget, after the deduction of compensation of employees. Overall, provinces' spending and spending at key stations were within acceptable levels, although there were challenges due to delays in contracts and delivery of goods and services due to businesses closing during lockdown.

The Fourth Quarter crime statistics show that more needs to be done at station level to resource police stations in high crime stations, and to capacitate specialised units like the FCS and Anti-Gang Units. SAPS has indicated an Integrated Resource Management Strategy was approved in 2019/20. It will be crucial for Parliament to monitor the implementation thereof, especially in respect of budget allocations and human and physical resources to identified priority crime police stations.

Criminality within SAPS and misconduct remain a concern, and SAPS should do more to ensure that those members that are disciplined, are not let off the hook with minor charges and light sanctions. SAPS should also do more to ensure compliance with IPID recommendations and recommendations by the Civilian Secretariat of Police Service in respect of non-compliance with Domestic Violence Act, 2008 prescripts at police stations.



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