

REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS, ROADS AND TRANSPORT; COMMUNITY SAFETY, SECURITY AND LIAISON ON THE 2011/12 ANNUAL REPORT OF THE MPUMALANGA SOUTH AFRICAN POLICE SERVICE (SAPS)

1. INTRODUCTION

The Portfolio Committee on Public Works, Roads and Transport; Community Safety, Security and Liaison is mandated by Section 206(3) and (4) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) to monitor and oversee the effectiveness and efficiency of the police service, including receiving reports on the police service within the province.

The tabling of the 2010/11 Annual Report of the Provincial South African Police Services (the SAPS) to the Legislature is therefore in compliance of section 207(4) of the Constitution. Consequently the consideration of the annual report by the Portfolio Committee on Public Works, Roads and Transport; Community Safety, Security and Liaison (the Committee) was done as part of its oversight responsibility over the Department of Community Safety, Security and Liaison (the Department) as they have a responsibility over the provincial SAPS.

The scrutiny and deliberation on the annual report was to ascertain whether the SAPS had indeed ensured service delivery with the limited resources they were allocated from the main budget vote appropriated at the National level of Government.

2. METHOD OF WORK

Section 206 (9) and Rule 202(4) of The Rules and Orders of the Provincial Legislature empowers the Provincial Legislature to call the Provincial Commissioner to appear before it or any of its Committees to answer questions. The Committee met with the MEC for the Department of Community Safety, Security and Liaison, the Provincial Commissioner and Senior management of SAPS Mpumalanga on 31 January 2013 for

the deliberation on the 2011/12 Annual Report and further met on 19 March 2013 for the consideration of the draft report.

3. KEY POLICY PRIORITIES

The Department of Police and the South African Police Service (SAPS) are mandated by Section 205 of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996) to:

- Prevent, combat and investigate crime;
- Maintain public order;
- Protect and secure the inhabitants of the Republic and their property; and
- To uphold and enforce the law.

4. OVERVIEW BY THE MEC

The MEC, Hon VR Shongwe gave a broad overview of the Mpumalanga SAPS performance for the year under review.

The following points emerged from the overview presented:

- The Department of Community Safety, Security and Liaison in Mpumalanga is well known for its good relationship with the Mpumalanga SAPS, although the work of SAPS is a National competency;
- The MEC thanked the Committee for its continuous support to the department and Mpumalanga SAPS;
- He further indicated that the responsibility of SAPS is to protect the community, hence SAPS is directly linked to Outcome 3: “All people in South Africa are and feel safe”;
- The MEC expressed a concern of minimal resources in comparison with the amount of work that need to be done by SAPS;
- The MEC indicated that 25 Police Stations that need special resources have been identified during the current year and strong attention will be given to them;

- The MEC expressed an appreciation on the work that is done by the Provincial Commissioner and indicated that he takes the initiative of accompanying SAPS whenever there are operations that need to be performed.

After the overview by the MEC, the Committee raised the following issues:

- An appreciation on the manner SAPS presented themselves to the Committee and they were also encouraged to keep it up.
- A concern regarding the following:
 - i. Functioning of the CPFs in the province;
 - ii. Functioning of MAM structures.

The Committee resolved that these concerns will be sent to the office of the Honorable MEC.

5. PROGRESS REPORT ON THE IMPLEMENTATION OF HOUSE RESOLUTIONS – 2010/11 ANNUAL REPORT

Mpumalanga SAPS gave a presentation of progress made on the House Resolution emanating from the 2010/11 Annual Report (see Annexure A).

6. DEMOGRAPHIC PROFILE OF SAPS MPUMALANGA

Population	:	3 657 181
Land surface	:	79 495km ²
Regions	:	3
Clusters	:	15
Police Stations	:	86
Personnel strength	:	10 924
Police Act	:	8 836
Public Service Act	:	2 088

Police / Population ration : 1:414

The Committee sought clarity with regard to the population ratio of 1:414 on whether it included all members of the police force and whether it was a national accepted ratio. The SAPS Mpumalanga clarified that the ratio was calculated on the total number of the police strength instead of only those employed per the Police Act.

The Committee also enquired on how frequent the demarcation of clusters evaluation was conducted and questioned why Matsulu was under Pienaar Cluster and Kaapmuiden was under Tonga Cluster, while they are close to each other. SAPS responded to the concern and indicated that a study needs to be conducted to ensure proper demarcation of the clusters.

7. OVERALL PERFORMANCE, ORGANISATION ENVIRONMENT AND BUDGET EXPENDITURE

7.1. Overall Performance

On overall performance, SAPS Mpumalanga reported that:

- The management of SAPS Mpumalanga renewed their focus on service delivery by ensuring after hour visits to Police Stations by senior managers and proper feedback to complains;
- Public unrest that is based on service delivery increased in the province during the year, this posed a challenge in the services rendered by SAPS. Mpumalanga SAPS further indicated that in 2012, the province did not experience public unrest in 2 days only, and that is on Christmas day and on New Year's Eve;
- Policing of the Ports of entry became a provincial responsibility with the Ports of Entry resorting under the Provincial Commissioner while it was previously the responsibility of the National Office.

7.2. Organizational Environment

In terms of the organizational environment, it was reported that:

- Mpumalanga SAPS is divided into Visible Policing, Detective Services and the Support components;
- Mpumalanga managed to train 5 915 members during the 2011/12 financial year in various courses ranging from Street Survival and Firearm competency, computer software and SAPS systems, Domestic Violence, Crime Prevention, Detective courses as well as management and leadership courses presented on local and National level;
- 25 new posts for detectives were filled and another 41 members previously trained as detectives (but not working in the environment anymore) were placed back in the detective environment;
- The province was also allocated 56 entry level posts and 62 Public Service Act posts of which 100% were filled. 21 vacant funded posts were identified and 12 of these posts were filled;
- The province managed to fill 2 positions with people with disabilities;
- The province experienced the killing of 8 police members during the year under review.

7.3. Budget Expenditure

Table 1 below shows the spending by the Mpumalanga SAPS during the year under review:

Table 1: Expenditure per program for 2011/12 Financial Year

Program	Final Appropriation R' 000	Actual Expenditure R' 000	Over / Under Expenditure
Program 1: Administration	28, 479	39, 553	139%
Program 2: Visible Policing	274, 479	284, 296	103.57%
Program 3:	74, 277	100, 761	135.65%

Detective Services			
Program 4: Crime Intelligence	14, 786	19, 736	133.47%
Total	392, 021	444, 346	113%

It was reported that the budget reflected on the above table, was the initial budget that was allocated per program. In addition it was mentioned that the SAPS was mainly assisted by grants as the appropriated budget was not enough. The Commissioner raised a concern about the discrepancy on the allocation of funds, as they are appropriated less funds when compared to other provinces that are regarded as the same as Mpumalanga like Limpopo and Free State Province. Mpumalanga SAPS spent 99.93% of the budget (after taking the additional funding into account) during the year under review.

8. PRIORITY CRIME OVERVIEW

The table below shows the increase / decrease in priority crimes that were reported during the year under review.

Table 2: Increase / decrease in priority crimes reported during the year

CRIME CATEGORY	NUMBER OF COMPLAINTS REPORTED		
Contact Crime			
	2010/12	2011/12	% Increase or decrease
Murder	722	729	1
Attempted murder	820	773	-5.7
Robbery with aggravating circumstances	5 550	5 720	3.1
Common Robbery	3 546	3 379	-4.7
Assault GBH	14 436	13 123	-9.1
Common Assault	10 340	9 266	-10.4
Sexual Offences	4 442	4 092	-7.9
Contact Related Crime			
Arson	405	335	-17.3
Malicious damage to property	7 205	6 590	-8.5
Property Related Crime			
Burglary at non-residential premises	5 235	5 490	4.9

Burglary at residential premises	18 115	18 239	0.7
Theft of motor vehicle and motorcycle	2 752	2 730	-0.8
Stock theft	2 907	2 912	2.0
Crime detected as a result of police action			
Illegal possession of firearms and ammunition	544	705	29.6
Drug related crime	3 178	4 153	30.7
Driving under the influence of alcohol	2 698	3 757	39.3%

- SAPS reported that during the year under review, a total of 121 026 serious crime cases were registered in the province, compared to the 121 493 serious crimes cases that were registered during 2010/11. This resulted to a decrease of 0.4% cases;
- Based on the statistics presented on the above table, it is evident that the province has managed to decrease contact crimes by 7%;
- The Province has managed to reduce the serious crime reported but the increase in murder and robbery with aggravating circumstances indicates there is still a lot that needs to be done to ensure the safety and security of the people in the province.

9. ANALYSIS OF MAIN PROGRAMMES

9.1. PROGRAMME 1: ADMINISTRATION

The strategic objective of this program is to regulate the overall management of the Mpumalanga SAPS and provide centralized support services. With regards to Programmed 1, a budget of R 28 479 million was allocated and there was an expenditure amounting to R 39 553 million which was an over-expenditure of R 11 074 million.

9.1.1. Employee equity ratios in terms of race and gender

The Table below shows equity ratios in terms of race and gender.

Table 3: Employee equity ratios in terms of race and gender

Salary level 1-7:		
	2010/11	2011/12

Race: (Black / White)	92 / 8	92 / 8
Gender: (Male / Female)	65 / 35	64 / 36
Salary level 8 and above		
	2010/11	2011/12
Race: (Black / White)	78 / 22	78 / 21
Gender: (Male / Female)	64 / 36	65 / 35
People with disabilities	1.29%	1.1%

The Committee noted with concern that the SAPS Mpumalanga had not reached the 50/50 representation on gender and race. SAPS reported that the target was not achieved due to the fact that at salary level 1-7, certain race groups were not applying for the posts. The Committee also noted that the target for the appointment of people with disabilities was not achieved. SAPS indicated that the appointment of people with disabilities depends on the type of the position being advertised. If it is a functional position, people with disabilities are disadvantaged. The Provincial Commissioner assured the Committee that the recruitment of people with disabilities is prioritized during recruitment.

9.1.2. Voluntary Counseling and Testing (VCT)

SAPS reported that a total of 1, 841 (16.85%) of SAPS members participated in VCT during the year, in comparison with only 463 (4.36%) in the previous year. The Committee noted and appreciated the improvement on the number of police officers that participated in VCT during the year under review.

9.1.3. Legal Services

The Committee noted with concern that civil claims against the police increased during the year under review from 419 claims in 2010/11 financial year to a total of 820 claims during the year under review. SAPS reported that the problem was that members of the police tend to give out information to lawyers. In many cases when investigations are conducted, sometimes the investigation reveals that people did not want to put a civil claim.

9.1.4. Supply Chain Management

Vehicle strength

SAPS reported that their vehicle strength has increased to 2 656 during the year under review (2 259 in 2010/11). The Committee raised a concern on the types of vehicles that are allocated to police stations as well as the long period that vehicles stay in the state garage. Mpumalanga SAPS reported that the challenge was the difference in the time the vehicles were taken to the garage and the time the state garage started working on them. The Provincial Commissioner assured the Committee that this process is being closely monitored by SAPS currently to ensure that vehicles do not stay long at the state garage. He further indicated that the supply of vehicles to police stations was a national competency, but now it is the responsibility of the Province. Mpumalanga SAPS will monitor the types of vehicles being allocated to Police stations.

Infrastructure

With Regards to infrastructure, the Committee raised the following concerns made during the Committee's oversight visits:

- Pilgrims Rest Police Station that is not fenced;
- The structure at Amersfoort is dilapidated and the dockets are stored in a caravan.

The Provincial Commissioner responded that their Internal Audit section was busy visiting all police stations taking pictures of all dilapidated stations. Furthermore Mpumalanga SAPS has developed a plan to deal with all worse-off stations during the 2013/14 financial year and the Department of Public Works will also be brought on board.

Number of SAPS firearms lost / stolen

SAPS reported that only 50 firearms were lost / stolen during the year under review in comparison to a total of 176 firearms lost or stolen in the 2010/11 financial year. The

Committee noted and appreciated that there has been a decrease in SAPS firearms lost or stolen.

Invoices captured within 14 days

During the year under review SAPS Mpumalanga has managed to capture 98% of invoices within 14 days (2010/11: 92, 7% invoices were captured within 14 days). SAPS further indicated that the late receipt of invoices from suppliers contributed to the non-achievement of 100% target.

9.2. PROGRAMME 2: VISIBLE POLICING

The strategic objective of this program is to discourage all crimes by providing a proactive and responsive policing service that will reduce the levels of priority crimes. The program had a budget allocation of R 327 194million. An amount of R 284 296 million had been spent during the year under review, which resulted to an under spending of R 42 898million.

9.2.1. Visits to farms

The Committee raised a concern on the brutality of farmers against farm workers. The Committee made an emphasis on the Piet Retief area, where even a television program did an investigation. SAPS responded that communication officers were sent to retrieve the cases; however when the investigations were done, not enough evidence was acquired as the farmers used other black people as witnesses. The Committee was dissatisfied with the response given by SAPS as people were killed and the farmers were not arrested. In an effort to help the community, the Committee resolved that the report that was produced by the television program should be retrieved and also that the police should involve the constituency office to assist in the investigations. In addition, the Committee resolved that other NGOs like the Legal Resource Centre must be utilized.

The Committee also raised a concern that in other areas like Perdekop, members of the police service were not allowed to visit farms and urged SAPS to investigate this matter.

9.2.2. Border Policing

The committee enquired on whether there is any collaboration between Mpumalanga SAPS with Mozambique and Swaziland in conducting border policing. SAPS responded that there is a forum where the Provincial Commissioner meets with Police Commissioners of Swaziland and Mozambique. He admitted that Swaziland has a lot of stripped cars and that the Department of Transport must also be brought on board to manage the registration of cars.

9.2.3. 10111 number

The Committee raised a concern on the operation of the 10111 number. It was indicated that the number takes long to be answered and although it used to work, it doesn't seem to be effective anymore. Mpumalanga SAPS reported that 25 members have been taken for training on ensuring that the 10111 services are effective and that a call waiting message has also been introduced.

9.2.4. Victim Support Centers (VSC)

With regard to VSC, the Committee enquired on whether there was a Memorandum of Understanding with the Department of Social Development in place, in an effort of ensuring that victims are kept safe. The Committee further raised a concern on the non-functioning of VSC in other police stations and that VSC are not led by females. SAPS reported that the functioning of the VSC rely only on volunteers. SAPS together with the Department of Community Safety, Security and Liaison (DCSSL) are looking into the funding of this operation. The Provincial Commissioner admitted that about 17 police stations in the province do not have VSC.

9.2.5. Community Police Forums (CPF)

According to the presentation made by Mpumalanga SAPS, out of the 86 police stations, 85 have active CPF structures. The Committee requested the name of the

police station that does not have an active CPF structure. The Committee also raised a concern of the non-payment of a stipend to members of the CPF. SAPS reported that only the Pienaar Police station does not have a functional CPF. With regards to payment of a stipend to members of the CPF, SAPS reported that the National Commissioner has established a Task Team, and the Provincial CPF chairperson is also part of that task team which will be looking into the payment of a stipend to members of the CPF.

9.2.6. Reservists

The Committee raised a concern that in other police stations visited, reservists were not wearing bullet proof vests. SAPS reported that as reservists are not permanent members of the workforce, bullet proofs are not permanently allocated to them. They are only provided with bullet proof vests when they report for duty and they sign for them.

9.3. PROGRAMME 3: DETECTIVE SERVICES

The strategic objective of the program was to contribute to the successful prosecution of crime, by investigating, gathering and analyzing evidence, thereby increasing the detection rate of priority crime. The program had a budget allocation of R 74 277 million, an amount of R 100 761 million was spent during the year. There was an over spending of R 26 484 million.

9.3.1. Overall performance

The Committee noted with concern that the Detective services regressed to position 4 during the year under review from position 2 in 2010/11. SAPS responded to the concern and reported that there is no foundation to sustain the performance of the detectives. Mpumalanga SAPS is in the process of developing Key Performance Arrears (KPAs) that will help them maintain their performance and also help them improve.

9.3.2. Arresting of Known Suspects

The Committee noted with concern that only 54, 570 known suspects were arrested from 129, 504 cases opened. SAPS responded that although suspects are known, the police do not always have enough proof to arrest the suspects. Proper investigations need to be conducted before suspects can be arrested.

9.3.3. Rhino Poaching

Mpumalanga SAPS reported that during the year under review, 176 cases of rhino poaching were reported (all within the Kruger National Park) and 49 arrests were made. In addition, 14 people were convicted for rhino poaching and sentenced to an average of 3-5 years in prison.

9.4. PROGRAMME 4: CRIME INTELLIGENCE

The strategic objective of the programme is to contribute to the neutralizing of crime by gathering, collating and analyzing intelligence that leads to an actionable policing activity. The programme had a total budget allocation of R 14 786 million. An amount of R 19 736 million was spent. The programme had an overspending of 33%.

9.4.1. Performance of the Programme

SAPS Mpumalanga reported that during the year under review, 88 repeat offenders were identified, as compared to the 226 repeat offenders who were identified during the 2010/11 year. SAPS reported that the non-achievement of the target was as a result of a challenge regarding suspects using false names and addresses when being arrested. Cross border crimes were also committed within the provincial borders and this also impacted on the target not being achieved.

10. MEASURES IMPLEMENTED TO DEAL WITH PROBLEMATIC STATIONS

In order to deal with stations that were regarded as problematic, the following measures have been put in place:

- Renewed focus on service delivery through after hour visits to police stations by senior management;
- Inspections of dockets to ensure proper investigation and that feedback is given to complainants;
- Specific focus was placed on crime generators by focusing on liquor premises and drug related offences to decrease crime;
- Overtime remunerations was channelled to problematic stations to ensure that more members are on duty on a specific period (members on rest days were placed on duty);
- Problem specific inspections and visits to stations are conducted;
- FCS Units were established per Cluster to reduce workload from station detectives and to ensure that sexual offences are investigated by specialized police officials.

11. CHALLENGES

SAPS Mpumalanga reported that the following challenges were experienced during the financial year under review:

- Shortage of personnel at smaller stations;
- Filling of vacant posts;
- Public protests;
- Lack of High Courts, Forensic Laboratory, State Attorneys in the province causes members to travel far which adds to the budget constraints;
- Absence of video conferencing in the province;
- Lack of impounding facilities;
- Only one place of safety for children;

- Lack of probation officers;
- Lack of training facilities and shooting ranges.

12. FINDINGS

After the deliberations, the Committee made the following findings:

- 12.1. Mpumalanga SAPS has managed to decrease serious crime during the year under review by 0.4%;
- 12.2. At the end of the 2011/12 financial year, the detectives regressed from position 2 to position 4 on national assessment;
- 12.3. SAPS Mpumalanga has not reached the national target employment of 2% people with disabilities;
- 12.4. There is still a lot of work to be done by SAPS Mpumalanga to ensure the safety of people living in farms;
- 12.5. The CPF for Pienaar Police Station is not functional;
- 12.6. A total of 15 police stations in the province do not have Victim Support centres;
- 12.7. Escapes from police custody increased by 118,2% during the year under review;
- 12.8. SAPS Mpumalanga is still experiencing difficulties in ensuring the 50/50 representation on gender and race;
- 12.9. SAPS Mpumalanga managed to capture 98% invoices within 14 days;
- 12.10. The construction of the Tweefontein Police Station will be finalised on 31 March 2013.

13. RECOMMENDATIONS

After the deliberations, the Committee recommends that:

- 13.1. Mpumalanga SAPS together with the Department of Community Safety, Security and Liaison must ensure that all structures within the police services are functional and properly supported in an effort to decrease crime ;

- 13.2. SAPS Mpumalanga must come up with a plan that will ensure that the performance of the detectives is improved. The plan should be submitted to the Provincial Legislature;
- 13.3. SAPS Mpumalanga must prioritise the employment of people with disabilities to reach the national target of 2%;
- 13.4. SAPS Mpumalanga must prioritise the safety of people living in farms and ensure that cases reported are properly investigated;
- 13.5. Mpumalanga SAPS must ensure that the CPF structure of the Pienaar Police station is established and properly functioning. The Department of Community Safety, Security and Liaison must also be brought on board to ensure that the structure is properly resourced;
- 13.6. Mpumalanga SAPS together with the Department of Community Safety, Security and Liaison must ensure that all the police stations that do not have VSC are provided with VSCs. In addition SAPS together with the department must finalise the funding of these centres and ensure that the Department of Social Development is brought on board;
- 13.7. SAPS Mpumalanga must ensure that measures are put in place in order to avoid the high number of escapes from police custody;
- 13.8. SAPS Mpumalanga must adhere to Employment Equity Act and ensure that women are mentored for the required ranks;
- 13.9. SAPS Mpumalanga must maintain the processing of invoices within 14 days;
- 13.10. Mpumalanga SAPS must ensure that the construction of the Tweenfontein Police Station is finalised on the set date.

14. CONCLUSION

In conclusion, the Chairperson would like to thank the Honourable Members of the Portfolio Committee on Public Works; Roads and Transport; Community Safety, Security and Liaison, the MEC of the Department of Safety, Security and Liaison, the Provincial Commissioner and his team and the support staff for their availability, dedication and commitment shown during the deliberations.

This Committee report on the 2011/12 Annual Report of the Mpumalanga South African Police Service (SAPS) is tabled to this House with a request to adopt the report with its recommendations for implementation by the Department and report back by the MEC to the Honorable Speaker of the Legislature by no later than 31 May 2013 and thereafter, on quarterly basis..

HON. JL MAHLANGU

**CHAIRPERSON: PORTFOLIO COMMITTEE ON
PUBLIC WORKS, ROADS AND TRANSPORT;
COMMUNITY SAFETY, SECURITY AND LIAISON**

DATE