

Vote 22

Independent Complaints Directorate

	2005/06 To be appropriated			2006/07	2007/08
MTEF allocations of which:	R49 522 000			R56 192 000	R60 702 000
	<i>Current payments</i>	<i>Transfers</i>	<i>Capital payments</i>		
	R48 293 000	R149 000	R1 080 000		
Statutory amounts	-			-	-
Responsible minister	Minister for Safety and Security				
Administering department	Independent Complaints Directorate				
Accounting officer	Executive Director of the Independent Complaints Directorate				

Aim

The aim of the Independent Complaints Directorate is to investigate complaints of misconduct and criminality allegedly committed by members of the South African Police Service and Municipal Police Services and to make appropriate reactive and proactive recommendations to reduce the incidence of the behaviour that gives rise to such complaints.

Programme purpose and measurable objective

Programme 1: Administration

Purpose: Provide for the overall management, policy development and organisation of the Independent Complaints Directorate, in line with government prescripts and policy.

Programme 2: Investigation of Complaints

Purpose: Investigate deaths in police custody and as a result of police action, and any complaints about misconduct, criminality and corruption allegedly committed by a police officer.

Measurable objective: Contribute to maintaining the integrity of independent oversight and inculcating a human rights ethic in policing through continuous investigations aimed at holding the police accountable in the exercising of their powers.

Programme 3: Information Management and Research

Purpose: Receive, register and process complaints of misconduct, criminality and corruption by a police officer as well as notifications of police-related deaths. Monitor the implementation of the Domestic Violence Act (1998) by the South African Police Service and the Municipal Police Services. Manage all information, and recommend solutions to inherent policing problems.

Measurable objective: Contribute to the human rights focus in policing service delivery, through managing a current complaints register and continuously analysing it to produce recommendation reports, including on the Domestic Violence Act (1998).

Strategic overview and key policy developments: 2001/02 – 2007/08

The legal mandate of the Independent Complaints Directorate (ICD) requires it to investigate all cases of deaths in police custody and as a result of police action, and criminal offences allegedly committed by members of the South African Police Service (SAPS) and the Municipal Police Services (MPS). It also investigates cases of poor service delivery, misconduct and corruption by police officers.

Vision 2005

When it was first set up, the ICD could not fully execute its mandate of investigating all deaths in custody and as a result of police action. Complaints of a serious nature were investigated by the ICD while others of a less serious nature were investigated by the SAPS and monitored by the ICD. Through its vision for 2005, the ICD has committed itself to become a fully fledged investigative body. This ambitious vision was adopted because of increased budgetary provisions since 2002/03. Through the additional allocation of R17 million over the MTEF period, the ICD has been fully funded to meet this challenge.

The Anti-Corruption Command (ACC), tasked with investigating all corruption complaints registered against the SAPS and MPS, was established in 2004/05. Staffing the ACC is challenging, as the ICD needs credible, experienced and skilled investigators. Technical equipment has been secured and successfully deployed in various operations, and full-time technical support staff will be appointed. The ACC should be fully operational at the beginning of 2005/06.

Capacity

The development of internal capacity is critical, and most vacant posts for 2004/05 are likely to be filled by the end of March 2005. Retaining trained quality and committed staff is also essential for achieving organisational objectives and improving service delivery to communities.

Co-operation with policing bodies

The ICD attributes its success to strong links and good co-operation with the SAPS and the MPS. The approved national protocol for the ICD, the SAPS, the MPS and the Department of Transport (at the time responsible for training traffic officers) documents the relationship between these agencies and their compliance with their respective mandates, and is continuously being updated.

Proactive interventions

International trends indicate that without proactive interventions, overseeing the police cannot be effective, and there is increased emphasis on making recommendations about proactive interventions aimed at altering and curbing errant police behaviour. These interventions contribute to strengthening a human rights culture in the SAPS and the MPS.

A new proactive oversight unit will be established from April 2005 and will carry out targeted research on operations and systems, undertake trend and case analyses, and formulate strategy and policy. To do this, R1 million was allocated to the ICD within the additional allocations in 2005/06, rising to R2 million in 2007/08.

The Domestic Violence Act

The ICD's continued monitoring of the implementation of the Domestic Violence Act (1998) improves public confidence in the SAPS' ability to deal with such cases. There has been an increase of 4,9 per cent in reported domestic violence cases – from 122 complaints in the second half of 2002/03 to 128 during the same period in 2003/04 – probably because of an awareness campaign.

Expenditure estimates

Table 22.1: Independent Complaints Directorate

Programme	Expenditure outcome			Adjusted appropriation	Revised estimate	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome			2005/06	2006/07	2007/08
R thousand	2001/02	2002/03	2003/04	2004/05				
1. Administration	8 407	12 009	12 236	12 930	12 930	15 559	16 244	16 957
2. Investigation of Complaints	11 177	13 855	16 948	20 103	20 103	23 149	25 866	28 059
3. Information Management and Research	7 131	5 902	7 807	9 081	9 081	10 814	14 082	15 686
Total	26 715	31 766	36 991	42 114	42 114	49 522	56 192	60 702
Change to 2004 Budget estimate				-	-	3 000	6 000	8 000
Economic classification								
Current payments	23 970	28 698	31 072	40 689	39 841	48 293	54 692	59 340
Compensation of employees	16 782	19 289	20 520	29 362	28 514	35 926	39 900	42 826
Goods and services	7 188	9 409	10 552	11 327	11 327	12 367	14 792	16 514
of which:								
Consultants and contractors	729	1 046	1 209	1 243	1 243	1 282	1 318	1 358
Travel and subsistence	1 878	3 520	3 482	3 650	3 650	3 805	3 963	4 139
Communication	1 379	1 735	1 681	1 739	1 739	1 808	1 874	1 944
Computer services	1 076	990	1 328	1 364	1 364	1 432	1 482	1 536
Transfers and subsidies to:	79	74	80	89	89	149	153	158
Provinces and municipalities	47	53	57	60	60	113	115	118
Departmental agencies and accounts	32	21	23	29	29	36	38	40
Payments for capital assets	2 666	2 994	5 839	1 336	2 184	1 080	1 347	1 204
Buildings and other fixed structures	219	-	-	366	416	-	-	-
Machinery and equipment	1 711	2 712	5 339	850	1 648	955	1 213	1 065
Software and other intangible assets	736	282	500	120	120	125	134	139
Total	26 715	31 766	36 991	42 114	42 114	49 522	56 192	60 702

Expenditure trends

Expenditure on the department is expected to continue to grow strongly, increasing from R26,7 million in 2001/02 to an expected R60,7 million in 2007/08, an average annual increase of 14,7 per cent. Much of this expenditure is on compensation of employees, rising from R29,4 million in 2004/05 to an expected R42,8 million in 2007/08, an annual average increase of 13,4 per cent. All the subprogrammes see growth over the next three years, with *Information Management and Research* growing the fastest.

In the 2005 Budget, additional allocations were made of R3 million for 2005/06, R6 million for 2006/07 and R8 million for 2007/08. These will enable the ICD to continue to build its internal capacity to investigate all complaints received, including doing specialised corruption investigations.

Departmental receipts

Revenue generated by the ICD is not significant, relating mainly to parking fees, commissions on insurance deductions, bursary debt and stale warrant vouchers. Due to the projected increase in personnel, a slight increase in revenue is anticipated between 2004/05 and 2007/08.

Table 22.2: Departmental receipts

	Receipts outcome			Adjusted appropriation	Medium-term receipts estimate		
	Audited	Audited	Preliminary outcome				
R thousand	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Sales of goods and services produced by department	10	12	94	30	36	39	41
Financial transactions in assets and liabilities	96	295	–	–	–	–	–
Total	106	307	94	30	36	39	41

Programme 1: Administration

Administration encompasses the overall management of the ICD, including the programme managers, the policy-formulation responsibilities of senior management, the appropriate organisation of the ICD, administrative office support, human resources management, asset security and financial management services.

Expenditure estimates

Table 22.3: Administration

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome				
R thousand	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Minister ¹	–	–	–	–	–	–	–
Management	2 153	3 351	2 976	3 349	5 887	6 202	6 490
Corporate Services	6 254	8 658	9 260	9 581	9 672	10 042	10 467
Total	8 407	12 009	12 236	12 930	15 559	16 244	16 957
Change to 2004 Budget estimate				366	2 193	2 000	2 001

¹ Minister for Safety and Security. Salary provided on Safety and Security Vote.

Economic classification

Current payments	7 921	10 700	10 130	12 312	15 267	15 948	16 656
Compensation of employees	5 139	6 601	6 507	8 783	11 547	12 259	12 815
Goods and services	2 782	4 099	3 623	3 529	3 720	3 689	3 841
of which:							
Consultants and contractors	504	739	644	650	660	665	670
Travel and subsistence	560	864	715	745	755	760	768
Communication	304	680	649	655	670	679	685
Computer services	410	774	791	800	840	860	880
Transfers and subsidies to:	47	41	43	51	71	75	80
Provinces and municipalities	15	20	20	22	35	37	40
Departmental agencies and accounts	32	21	23	29	36	38	40
Payments for capital assets	439	1 268	2 063	567	221	221	221
Buildings and other fixed structures	219	–	–	366	–	–	–
Machinery and equipment	220	1 228	1 926	170	190	190	190
Software and other intangible assets	–	40	137	31	31	31	31
Total	8 407	12 009	12 236	12 930	15 559	16 244	16 957

Expenditure trends

Administration has seen significant growth, but it has not been steady, being driven by the establishment of new units, step changes in capacity, and investment in equipment.

Expenditure rose from R8,4 million in 2001/02 to R12,0 million in 2002/03, due to the establishment of a supply chain management unit, a unit to deal with service delivery, and an increase in the capacity of the special programmes unit. The expenditure increases on goods and services were for refurbishing ICD House and upgrading security equipment and furniture. There is a similarly steep increase in 2005/06, due to the upgrading of programme managers' posts and additional appointments in the supply chain management, special programmes and service delivery units. Expenditure is expected to increase from R12,9 million in 2004/05 to R15,6 million in 2005/06.

Programme 2: Investigation of Complaints

Investigation of Complaints provides for investigations into all deaths in police custody and as a result of police action. It also provides for investigating other allegations of corruption, criminality and misconduct committed by members of the SAPS and the MPS, including allegations brought to the attention of the ICD by the Minister for Safety and Security or his provincial counterparts.

The programme is made up of two subprogrammes:

- *Investigation of Complaints* investigates all registered complaints of brutality, criminality, corruption and misconduct allegedly committed by members of the SAPS and the MPS.
- *Legal Services* provides legal advice to officials in the ICD.

Expenditure estimates

Table 22.4: Investigation of Complaints

Subprogramme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2005/06	2006/07	2007/08
R thousand	2001/02	2002/03	2003/04	2004/05			
Investigation of Complaints	10 632	13 135	16 139	19 182	22 124	24 785	26 920
Legal Services	545	720	809	921	1 025	1 081	1 139
Total	11 177	13 855	16 948	20 103	23 149	25 866	28 059
Change to 2004 Budget estimate				–	791	2 000	3 000

	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2005/06	2006/07	2007/08
R thousand	2001/02	2002/03	2003/04	2004/05			
Economic classification							
Current payments	10 317	12 800	14 728	19 684	22 644	25 441	27 615
Compensation of employees	7 473	8 812	10 276	14 031	16 502	18 356	19 868
Goods and services	2 844	3 988	4 452	5 653	6 142	7 085	7 747
<i>of which:</i>							
Travel and subsistence	1 172	2 306	2 139	2 246	2 358	2 476	2 600
Communication	679	689	653	686	720	756	794
Transfers and subsidies to:	21	24	27	27	53	53	53
Provinces and municipalities	21	24	27	27	53	53	53
Payments for capital assets	839	1 031	2 193	392	452	372	391
Machinery and equipment	839	977	2 021	340	400	313	329
Software and other intangible assets	–	54	172	52	52	59	62
Total	11 177	13 855	16 948	20 103	23 149	25 866	28 059

Expenditure trends

Expenditure on *Investigation of Complaints* is expected to continue its rapid growth, rising from R11,2 million in 2001/02 to R28,1 million in 2007/08, an annual average increase of 16,6 per cent. This reflects the increasing emphasis on the investigation of complaints by the ICD itself. The majority of expenditure is on compensation of employees, which along with expenditure on goods and services has grown rapidly. Over the next three years, additional personnel appointments will be made, primarily to perform specialised anti-corruption investigations and to increase investigative capacity in the smaller provincial offices. Expenditure on machinery and equipment increased on average by 55,2 per cent per year from 2001/02 to 2003/04, taking it to R2 million, mainly due to the procurement of IT and investigative equipment. It fell back to R340 000 in 2004/05, and stays at similar levels over the next three years.

Service delivery objectives and indicators

Recent outputs

Preliminary investigations into all 714 reported cases of deaths in police custody and as a result of police action were completed within the set target of 14 days. The 2003/04 target of 85 per cent for finalising the investigation reports of police criminality and misconduct within 180 days was also achieved.

The 2003/04 target of implementing 70 per cent provision of legal advisory services *Legal Services* was met.

Selected medium-term output targets

Investigation of Complaints

Measurable objective: Contribute to maintaining the integrity of independent oversight and inculcating a human rights ethic in policing through continuous investigations aimed at holding the police accountable in the exercising of their powers.

Subprogramme	Output	Measure/Indicators	Target
Investigation of Complaints	Investigated complaints of criminality or misconduct by the SAPS and MPS	Proportion of investigations finalised within 180 days	85% in 2005/06
		Proportion of police officer conduct reports accepted and implemented by the National Commissioner of the SAPS and the National Director of Public Prosecutions	85% in 2005/06
Legal Services	Legal advice	Proportion of recommendations implemented	80% in 2005/06

Programme 3: Information Management and Research

Information Management and Research receives and registers complaints from the community and the Minister for Safety and Security, and the relevant MEC. It also oversees the investigation of any cases it refers to the SAPS, and monitors the implementation of the Domestic Violence Act (1998), by both the SAPS and the MPS.

The programme comprises two subprogrammes:

- *Monitoring and Research* monitors cases under investigation and provides a proactive research function.
- *Information Management System* maintains a database system which serves as a register for all registered complaints and manages IT.

Expenditure estimates

Table 22.5: Information Management and Research

Subprogramme	Expenditure outcome				Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome			2005/06	2006/07	2007/08
R thousand	2001/02	2002/03	2003/04	2004/05				
Monitoring and Research	336	566	349	1 469	1 571	1 652	1 727	
Information Management System	6 795	5 336	7 458	7 612	9 243	12 430	13 959	
Total	7 131	5 902	7 807	9 081	10 814	14 082	15 686	
Change to 2004 Budget estimate				(366)	16	2 000	3 000	

R thousand	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2005/06	2006/07	2007/08
	2001/02	2002/03	2003/04	2004/05			
Economic classification							
Current payments	5 732	5 198	6 214	8 693	10 382	13 303	15 069
Compensation of employees	4 170	3 876	3 737	6 548	7 877	9 285	10 143
Goods and services	1 562	1 322	2 477	2 145	2 505	4 018	4 926
<i>of which:</i>							
Travel and subsistence	146	350	628	659	692	727	771
Communication	396	366	379	398	418	439	465
Inventory	127	217	372	391	411	432	458
Transfers and subsidies to:	11	9	10	11	25	25	25
Provinces and municipalities	11	9	10	11	25	25	25
Payments for capital assets	1 388	695	1 583	377	407	754	592
Machinery and equipment	652	507	1 392	340	365	710	546
Software and other intangible assets	736	188	191	37	42	44	46
Total	7 131	5 902	7 807	9 081	10 814	14 082	15 686

Expenditure trends

Expenditure over the next three years sees strong growth, rising from R9,1 million in 2004/05 to R15,7 million in 2007/08, an annual average growth rate of 20 per cent.

There was a fall in expenditure in 2002/03, due to a moratorium on filling vacancies put in place in August 2002. There was significant investment in capital assets, with investment in both machinery and equipment and software.

Service delivery objectives and indicators

Recent outputs

The ICD registered 5 903 complaints in 2003/04, an increase of 32,9 per cent on the 4 443 complaints recorded in 2002/03. Reports on deaths in police custody or as a result of police action numbered 714 in 2003/04, an increase of 35,2 per cent compared to 2002/03, when a total of 528 cases were recorded. The number of criminal offences allegedly committed by members of the SAPS and the MPS increased from 1 002 in 2002/03 to 1 473 in 2003/04, an increase of 47 per cent. Incidents of misconduct reported to the ICD increased by 27,6 per cent, from 2 913 in 2002/03 to 3 716 in 2003/04.

All cases related to the Domestic Violence Act (1998) where the SAPS submitted legally accepted explanations for not proceeding with investigations or prosecutions were finalised within 24 hours. In seven of the nine offices the target of registering and allocating all new cases within two working days during 2003/04 was met. Two offices did not meet the target due to increased workload and vacancies. The target of updating 72 per cent of registered cases monthly was also not met in 2003/04 due to vacancies and increased workload.

The ICD produced four reports: on the use of excessive force by members of the SAPS and on the conference on policing and civilian oversight in Africa.

The target of reports on domestic violence was met. Since January 2003, two reports have been compiled and will tabled before Parliament.

Selected medium-term output targets

Information Management and Research

Measurable objective: Contribute to the human rights focus in policing service delivery, through managing a current complaints register and continuously analysing it to produce recommendation reports, including on the Domestic Violence Act (1998).

Subprogramme	Output	Measure/Indicator	Target
Monitoring and Research	Culture of and respect for human rights in the SAPS and the MPS	Number of recommendation reports on systemic problems in policing	At least 6 per year
	Implementation of the Domestic Violence Act (1998) by the SAPS	Proportion of registered cases of alleged misconduct of non-compliance with the Act, ratified for internal prosecution by the SAPS	75% in 2005/06
Information Management System	Comprehensive and reliable information on cases reported	Proportion of cases registered within 24 hours of receipt	75% in 2005/06

Annexure

Vote 22: Independent Complaints Directorate

Table 22.A: Summary of expenditure trends and estimates per programme and economic classification

Table 22.B: Summary of personnel numbers and compensation of employees per programme

Table 22.C: Summary of expenditure on training per programme

Table 22.D: Summary of information and communications technology expenditure per programme

Table 22.E: Summary of official development assistance expenditure

Table 22.A: Summary of expenditure trends and estimates per programme and economic classification

Programme	Appropriation		Preliminary outcome	Appropriation			Revised estimate
	Main	Adjusted		Main	Additional	Adjusted	
R thousand	2003/04			2004/05			
1. Administration	14 054	14 083	12 236	12 564	366	12 930	12 930
2. Investigation of Complaints	17 167	17 387	16 948	20 103	–	20 103	20 103
3. Information Management and Research	5 612	5 573	7 807	9 447	(366)	9 081	9 081
Total	36 833	37 043	36 991	42 114	–	42 114	42 114
Economic classification							
Current payments	33 309	33 834	31 072	41 055	(366)	40 689	39 841
Compensation of employees	23 666	23 741	20 520	29 728	(366)	29 362	28 514
Goods and services	9 643	10 093	10 552	11 327	–	11 327	11 327
Transfers and subsidies	80	80	80	89	–	89	89
Municipalities	56	56	57	60	–	60	60
Departmental agencies and accounts	24	24	23	29	–	29	29
Payments for capital assets	3 444	3 129	5 839	970	366	1 336	2 184
Buildings and other fixed structures	–	–	–	–	366	366	416
<i>Buildings</i>	–	–	–	–	–	366	416
Machinery and equipment	3 355	3 040	5 339	850	–	850	1 648
<i>Transport equipment</i>	–	–	452	–	–	–	774
<i>Other machinery and equipment</i>	3 355	3 040	4 887	850	–	850	874
Software and intangible assets	89	89	500	120	–	120	120
Total	36 833	37 043	36 991	42 114	–	42 114	42 114

Table 22.B: Summary of personnel numbers and compensation of employees per programme¹

Programme	2001/02	2002/03	2003/04	2004/05	2005/06
1. Administration	54	57	62	57	64
2. Investigation of Complaints	54	67	70	74	81
3. Information Management and Research	39	38	40	55	58
Total	147	162	172	186	203
Total personnel cost (R thousand)	16 782	19 289	20 520	29 362	35 926
Unit cost (R thousand)	114	119	119	158	177

¹ Budgeted full-time equivalent**Table 22.C: Summary of expenditure on training per programme**

Programme	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate		
	Audited	Audited	Preliminary outcome		2005/06	2006/07	2007/08
R thousand	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
1. Administration	318	158	171	181	191	202	212
2. Investigation of Complaints	50	137	148	157	166	176	185
3. Information Management and Research	35	55	59	63	66	70	74
Total	403	350	378	401	423	448	471

Table 22.D: Summary of information and communications technology expenditure per programme

R thousand	Expenditure outcome			Adjusted appropriation	Medium-term expenditure estimate			
	Audited	Audited	Preliminary outcome		2004/05	2005/06	2006/07	2007/08
	2001/02	2002/03	2003/04					
1. Administration	231	100	1 227	1 197	1 129	1 197	1 257	
Technology	231	100	1 227	1 197	1 129	1 197	1 257	
2. Investigation of Complaints	130	150	1 302	1 401	1 356	1 437	1 509	
Technology	130	150	1 302	1 401	1 356	1 437	1 509	
3. Information Management and Research	210	545	1 045	773	604	640	672	
Technology	210	545	1 045	773	604	640	672	
Total	571	795	3 574	3 371	3 089	3 274	3 438	

Table 22.E: Summary of official development assistance expenditure

Donor	Project	Cash/ kind	Outcome			2004/05	Medium-term expenditure estimate		
			2001/02	2002/03	2003/04		2005/06	2006/07	2007/08
Foreign									
CWCIF	Conference: Policing Oversight in Africa	Cash	-	-	300	75	-	-	-
British High Commissioner	Conference: Policing Oversight in Africa	Cash	-	-	-	-	-	-	-
Total			-	-	300	75	-	-	-