

Vote 22

Independent Complaints Directorate

R thousand	2006/07 To be appropriated	2007/08	2008/09
MTEF allocations	65 906	73 891	83 367
<i>of which:</i>			
Current payments	64 034	72 314	81 598
Transfers and subsidies	72	42	44
Payments for capital assets	1 800	1 535	1 725
Statutory amounts	-	-	-
Executive authority	Minister for Safety and Security		
Accounting officer	Executive Director of the Independent Complaints Directorate		

Aim

The aim of the Independent Complaints Directorate is to investigate complaints of misconduct, corruption 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 purposes

Programme 1: Administration

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

Programme 2: Investigation of Complaints

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

Programme 3: Information Management and Research

Receive, register and process complaints of misconduct, criminality and corruption committed 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 Municipal Police Services. Manage all information. Recommend solutions to inherent policing problems.

Strategic overview and key policy developments: 2002/03 – 2008/09

The legal mandate of the Independent Complaints Directorate (ICD) is to investigate all deaths in police custody and as a result of police action, as well as criminal offences allegedly committed by members of the South African Police Service (SAPS) and the Municipal Police Services (MPS). This includes investigating misconduct, corruption and poor service delivery.

Vision 2005

When it was first set up, the ICD could not fully execute its mandate: the most serious complaints were investigated by the ICD, while others were investigated by the SAPS and monitored by the ICD. Through its vision for 2005, the ICD committed itself to becoming a fully-fledged investigative body, investigating all complaints received. This ambitious vision was adopted because of increased budgetary provisions since 2002/03. The ICD reviewed its strategic objectives in 2004/05 to address backlogs in complaints about deaths in police custody or as a result of police action, criminality, and service-related complaints. It decided to no longer investigate less serious forms of misconduct, leaving this to the secretariat for safety and security. The ICD's ultimate aim is to permanently transfer the responsibility for investigating these cases to the secretariat to ensure that police management fulfil their role as custodians of discipline over their members.

Capacity

Developing internal capacity and retaining good staff are still critical.

Four provincial head positions at director level will be created in 2006/07, and more satellite offices will be opened in areas where there are the greatest number of complaints.

The integrity strengthening unit, established towards the end of 2004/05, was instrumental in developing a code of ethics which led to a confidential ethics telephone hotline and e-mail facility for whistle-blowing by employees.

Additional funding of R24 million over the medium-term expenditure framework (MTEF) period will allow for the appointment of 14 additional investigators in 2006/07 and a further 20 and 29, in 2007/08 and 2008/09, respectively. The ICD anti-corruption command, tasked with investigating all corruption complaints registered against the SAPS and MPS, was established in 2004/05.

There has been an increased emphasis on proactive interventions to change and curb errant police behaviour. A new proactive oversight unit was established in April 2005, which carries out targeted research on operations and systems, and undertakes trend and case analyses.

The Domestic Violence Act

The ICD continues to monitor the implementation of the Domestic Violence Act (1998). There has been a decrease of 45 per cent in reported cases of both non-compliance with the act and domestic abuse perpetrated by police officials.

Co-operation with policing bodies

The ICD maintains relations 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 how they relate to each other and compliance with their respective mandates.

Expenditure estimates

Table 22.1 Independent Complaints Directorate

Programme	Audited outcome			Adjusted appropriation	Revised estimate	Medium-term expenditure estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	
R thousand								
1. Administration	15 826	16 525	17 801	22 132	22 132	22 717	24 094	25 460
2. Investigation of Complaints	13 855	16 948	20 103	22 132	22 132	29 094	34 955	42 324
3. Information Management and Research	5 902	7 807	9 080	10 527	10 527	14 095	14 842	15 583
Total	35 583	41 280	46 984	54 791	54 791	65 906	73 891	83 367
Change to 2005 Budget estimate				5 269	5 269	9 714	13 189	19 660

Economic classification

Current payments	32 515	35 361	45 559	52 258	51 447	64 034	72 314	81 598
Compensation of employees	19 289	20 520	29 362	34 909	34 098	39 700	45 533	52 326
Goods and services	13 226	14 841	16 197	17 349	17 349	24 334	26 781	29 272
of which:								
Communication	1 735	1 681	1 352	1 428	1 428	1 695	1 786	1 875
Computer Services	990	1 328	1 572	1 660	1 660	1 960	2 067	2 171
Consultants, contractors and special services	1 046	1 209	792	837	837	1 007	1 062	1 115
Inventory	707	773	810	855	855	1 023	1 079	1 134
Operating leases	3 351	3 793	4 394	4 748	4 748	5 092	5 488	5 910
Travel and subsistence	3 285	3 482	3 995	4 219	4 219	5 135	5 418	5 688
Other	2 088	2 543	3 167	3 480	3 480	8 284	9 736	11 227
Transfers and subsidies	74	80	89	149	149	72	42	44
Provinces and municipalities	53	57	60	113	113	32	–	–
Departmental agencies and accounts	21	23	29	36	36	40	42	44
Payments for capital assets	2 994	5 839	1 336	2 384	3 195	1 800	1 535	1 725
Buildings and other fixed structures	–	–	366	575	575	–	–	–
Machinery and equipment	2 712	5 339	850	1 684	2 517	1 658	1 384	1 560
Software and other intangible assets	282	500	120	125	103	142	151	165
Total	35 583	41 280	46 984	54 791	54 791	65 906	73 891	83 367

Expenditure trends

Expenditure grows steadily over the seven years, increasing from R35,6 million in 2002/03 to R83,4 million in 2008/09, an average annual increase of 15,2 per cent. At least half of the expenditure is on compensation of employees, which rises from R34,9 million in 2005/06 to R52,3 million in 2008/09, at a rate of 14,4 per cent. Over the MTEF, all the programmes are expected to grow strongly, particularly *Information Management and Research* and *Investigation of Complaints*, the latter growing the fastest, at a rate of 24,1 per cent.

In the 2006 Budget, additional allocations were made of R4 million for 2006/07, R7 million for 2007/08 and R13 million for 2008/09. These will enable the ICD to continue to build its internal capacity to investigate all cases reported and to monitor the policing of domestic violence cases.

Departmental receipts

Revenue generated by the ICD is generally not significant, relating mainly to parking fees, commissions on insurance deductions, bursary debt and stale warrant vouchers. Following the clearing of suspense accounts and resultant payment of credits into revenue in 2002/03 and 2003/04, revenue generated by the ICD decreased in 2004/05. Due to the projected increase in personnel, an increase in revenue is anticipated between 2005/06 and 2008/09.

Table 22.2 Departmental receipts

R thousand	Audited outcome			Adjusted appropriation	Medium-term receipts estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Departmental receipts	307	94	28	36	42	45	50
Sales of goods and services produced by department	12	94	28	36	42	45	50
Financial transactions in assets and liabilities	295	-	-	-	-	-	-
Total	307	94	28	36	42	45	50

Programme 1: Administration

The *Administration* programme conducts the overall management of the department and provides centralised support services.

Expenditure estimates

Table 22.3 Administration

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
R thousand							
Management	3 351	2 976	3 349	5 887	6 314	6 649	6 981
Corporate Services	8 658	9 260	9 581	10 976	10 689	11 256	11 819
Property Management	3 817	4 289	4 871	5 269	5 714	6 189	6 660
Total	15 826	16 525	17 801	22 132	22 717	24 094	25 460
Change to 2005 Budget estimate				5 269	6 473	7 137	7 664

Economic classification

Current payments	14 517	14 419	17 183	20 536	22 446	23 829	25 182
Compensation of employees	6 601	6 507	8 783	11 547	12 789	13 466	14 139
Goods and services	7 916	7 912	8 400	8 989	9 657	10 363	11 043
<i>of which:</i>							
<i>Communication</i>	680	649	364	384	407	427	448
<i>Computer Services</i>	774	791	536	566	600	633	665
<i>Consultants, contractors and special services</i>	739	644	313	331	351	370	389
<i>Operating leases</i>	3 242	3 596	4 161	4 502	4 691	5 065	5 464
<i>Travel and subsistence</i>	629	715	852	900	954	1 006	1 056
Transfers and subsidies	41	43	51	71	50	42	44
Provinces and municipalities	20	20	22	35	10	-	-
Departmental agencies and accounts	21	23	29	36	40	42	44
Payments for capital assets	1 268	2 063	567	1 525	221	223	234
Buildings and other fixed structures	-	-	366	575	-	-	-
Machinery and equipment	1 228	1 926	170	919	190	190	199
Software and other intangible assets	40	137	31	31	31	33	35
Total	15 826	16 525	17 801	22 132	22 717	24 094	25 460

Expenditure trends

Expenditure for the *Administration* programme increases at an annual average rate of 8,2 per cent between 2002/03 and 2008/09, with expenditure rising from R15,8 million in 2002/03 to R25,5 million in 2008/09. Expenditure increased from R17,8 million in 2004/05 to R22,1 million in 2005/06 to cater for the costs of upgrading programme managers' posts and additional appointments in the supply chain management, special programmes and service delivery units. Expenditure on compensation of employees comprises 56,3 per cent of the total programme expenditure in 2006/07 compared to 52,2 per cent in 2005/06. Relocation costs due to space shortages, contributed to the increase in 2004/05.

Over the 2006 MTEF, growth will normalise, but will increase to cover the costs of relocating three new satellite offices and installing new local area networks.

From 1 April 2006, costs for leases and accommodation charges will be devolved from the Department of Public Works to individual departments. The Department of Independent Complaints Directorate received the following amounts: R5,7 million is devolved to the department from the budget of Department Of Public Works in 2006/07, R6,2 million in 2007/08 and R6,7 million in 2008/09. Expenditure has been adjusted for 2002/03 to 2005/06.

Programme 2: Investigation of Complaints

The *Investigation of Complaints* programme provides for investigations into all deaths in police custody and allegedly as a result of police action. It also provides for investigation of allegations of criminality, corruption 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.

There are two subprogrammes:

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

Expenditure estimates

Table 22.4 Investigation of Complaints

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
R thousand							
Investigation of Complaints	13 135	16 139	19 182	21 107	27 271	33 035	40 308
Legal Services	720	809	921	1 025	1 823	1 920	2 016
Total	13 855	16 948	20 103	22 132	29 094	34 955	42 324
Change to 2005 Budget estimate				–	3 228	6 896	12 876

Economic classification

Current payments	12 800	14 728	19 684	21 627	28 380	34 235	41 454
Compensation of employees	8 812	10 276	14 031	15 485	18 809	23 536	29 230
Goods and services	3 988	4 452	5 653	6 142	9 571	10 699	12 224
<i>of which:</i>							
<i>Communication</i>	689	653	634	670	838	884	928
<i>Computer Services</i>	135	326	750	792	990	1 044	1 096
<i>Travel and subsistence</i>	2 306	2 139	2 599	2 745	3 431	3 620	3 801
<i>Other</i>	419	672	959	1 183	3 372	4 160	5 357

Table 22.4 Investigation of Complaints (continued)

R thousand	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Transfers and subsidies	24	27	27	53	16	–	–
Provinces and municipalities	24	27	27	53	16	–	–
Payments for capital assets	1 031	2 193	392	452	698	720	870
Machinery and equipment	977	2 021	340	400	633	650	790
Software and other intangible assets	54	172	52	52	65	70	80
Total	13 855	16 948	20 103	22 132	29 094	34 955	42 324

Expenditure trends

Expenditure on *Investigation of Complaints*, the largest programme, is expected to accelerate its rapid growth over the MTEF, rising from R13,9 million in 2002/03 to R22,1 million in 2005/06 and reaching R42,3 million in 2008/09, an average annual increase of 20,5 per cent. This reflects the ICD's growing emphasis on investigating complaints. Most expenditure is on compensation of employees, which grows by 21,5 per cent from 2005/06 to 2006/07, along with complementary expenditure on goods and services, which grows especially rapidly by 55,8 per cent. Additional funding of R24 million over the MTEF will allow for the appointment of 14 more investigators in 2006/07, 20 in 2007/08 and 29 in 2008/09, reflecting the ICD's emphasis on the timely investigation of complaints.

Service delivery objectives and indicators

Recent outputs

The 2004/05 target of finalising 85 per cent of investigation reports on police criminality and misconduct within 180 days was not achieved, due to staff shortages. However, in this year, preliminary investigations into the 652 reported cases of deaths in police custody and as a result of police action were completed within the department's internal target of 14 days.

The 2004/05 target of implementing 80 per cent of recommendations made by the *Legal Services* subprogramme has been met.

Selected medium-term output targets

Investigation of Complaints

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

Subprogramme	Output	Measure/Indicator	Target
Investigation of Complaints	Investigated complaints of criminality or misconduct by the SAPS and MPS	Percentage of internal investigations into deaths finalised within 180 days	60% of investigations
		Percentage of autopsy/ post mortem examinations at an identified location attended	70% of examinations
		Percentage of preliminary investigations into deaths finalised within 30 days	70% of preliminary investigations
		Frequency of written/oral feedback on all complaints	Every 30 days
Legal Services	Recommendations to ICD officials	Proportion of recommendations implemented	85% of recommendations

Programme 3: Information Management and Research

The *Information Management and Research* programme receives, registers and processes complaints from the community, the Minister for Safety and Security, and the relevant members of the provincial executive councils (MECs). 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.

There are two subprogrammes:

- *Monitoring and Research* monitors cases being investigated and does proactive research.
- *Information Management System* maintains a database which serves as a register for all complaints, and manages IT.

Expenditure estimates

Table 22.5 Information Management and Research

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
R thousand							
Monitoring and Research	566	349	1 469	1 571	1 665	1 753	1 840
Information Management System	5 336	7 458	7 611	8 956	12 430	13 089	13 743
Total	5 902	7 807	9 080	10 527	14 095	14 842	15 583
Change to 2005 Budget estimate				–	13	(844)	(880)
Economic classification							
Current payments	5 198	6 214	8 692	10 095	13 208	14 250	14 962
Compensation of employees	3 876	3 737	6 548	7 877	8 102	8 531	8 957
Goods and services	1 322	2 477	2 144	2 218	5 106	5 719	6 005
<i>of which:</i>							
<i>Communication</i>	366	379	354	374	450	475	499
<i>Computer Services</i>	81	211	286	302	370	390	410
<i>Consultants, contractors and special services</i>	132	234	202	213	290	306	321
<i>Inventory</i>	217	372	311	328	410	433	455
<i>Travel and subsistence</i>	350	628	544	574	750	792	831
Transfers and subsidies	9	10	11	25	6	–	–
Provinces and municipalities	9	10	11	25	6	–	–
Payments for capital assets	695	1 583	377	407	881	592	621
Machinery and equipment	507	1 392	340	365	835	544	571
Software and other intangible assets	188	191	37	42	46	48	50
Total	5 902	7 807	9 080	10 527	14 095	14 842	15 583

Expenditure trends

Expenditure over the 2006 MTEF continues to grow strongly, rising from R10,5 million in 2005/06 to R15,6 million in 2008/09, an average annual rate of 14 per cent, compared to 21,3 per cent from 2002/03 to 2005/06.

Expenditure on goods and services increases by 130 per cent from 2005/06 to 2006/07. This is to support more travelling for research projects. There is also a significant increase of 128,8 per cent in machinery and equipment from 2005/06 to 2006/07 in support of the increase in the number of investigations. Both the *Monitoring and Research* and *Information Management System* subprogrammes are expected to grow strongly over the medium term, the latter growing the fastest at a rate of 15,3 per cent.

Service delivery objectives and indicators

Recent outputs

The 2004/05 target of producing two reports on preventing problems with domestic violence and four reports on systemic problems in policing was not met.

There were 652 reports in 2004/05 on deaths in police custody or as a result of police action, a decrease of 9 per cent from 2003/04. The number of criminal offences allegedly committed by members of the SAPS and the MPS increased to 1 731 in 2004/05, 18 per cent more than in 2003/04. Incidents of misconduct reported to the ICD decreased by 8 per cent from 2003/04. Overall the ICD registered 2 per cent less complaints than in the previous year. The ICD met the 2004/05 target of registering 70 per cent of all cases in 24 hours.

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	Human rights culture in the SAPS and the MPS	Number of recommendation reports addressing systemic human rights problems in policing	At least 6 per year
	Implementation of the Domestic Violence Act (1998) by the SAPS	Proportion of registered cases of non-compliance with the act ratified by SAPS for internal prosecution	75%
Information Management System	Comprehensive and reliable information on reported cases	Proportion of cases registered within 24 hours of receipt	75%

Annexure

Vote 20: Correctional Services

Table 20A: Summary of expenditure trends and estimates per programme and economic classification

Table 20B: Summary of personnel numbers and compensation of employees

Table 20C: Summary of expenditure on training

Table 20D: Summary of official development assistance expenditure

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

Programme	Appropriation		Audited outcome	Appropriation			Revised estimate
	Main	Adjusted		Main	Additional	Adjusted	
R thousand	2004/05		2004/05	2005/06			2005/06
1. Administration	12 564	17 801	17 801	15 559	6 573	22 132	22 132
2. Investigation of Complaints	20 103	20 103	20 103	23 149	(1 017)	22 132	22 132
3. Information Management and Research	9 447	9 081	9 080	10 814	(287)	10 527	10 527
Total	42 114	46 985	46 984	49 522	5 269	54 791	54 791

Economic classification

	41 055	45 560	45 559	48 293	3 965	52 258	51 447
Current payments							
Compensation of employees	29 728	29 362	29 362	35 926	(1 017)	34 909	34 098
Goods and services	11 327	16 198	16 197	12 367	4 982	17 349	17 349
Transfers and subsidies	89	89	89	149	-	149	149
Provinces and municipalities	60	60	60	113	-	113	113
Departmental agencies and accounts	29	29	29	36	-	36	36
Payments for capital assets	970	1 336	1 336	1 080	1 304	2 384	3 195
Buildings and other fixed structures	-	366	366	-	575	575	575
Machinery and equipment	850	850	850	955	729	1 684	2 517
Software and intangible assets	120	120	120	125	-	125	103
Total	42 114	46 985	46 984	49 522	5 269	54 791	54 791

Table 22.B Summary of personnel numbers and compensation of employees

	Audited outcome			Adjusted appropriation	Medium-term expenditure estimates		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
A. Permanent and full-time contract employees							
Compensation (R thousand)	19 289	20 520	29 362	34 909	39 700	45 533	52 326
Unit cost (R thousand)	148	163	177	201	172	176	177
Compensation as % of total	99.8%	99.8%	99.8%	99.8%	99.8%	99.8%	99.8%
Personnel numbers (head count)	130	126	166	174	231	259	296
C. Interns							
Compensation of interns (R thousand)	40	50	60	74	80	84	88
Unit cost (R thousand)	2	2	2	2	2	2	2
Number of interns	20	25	30	37	40	42	44
Total for department							
Compensation (R thousand)	19 329	20 570	29 422	34 983	39 780	45 617	52 414
Unit cost (R thousand)	129	136	150	166	147	152	154
Personnel numbers (head count)	150	151	196	211	271	301	340

Table 22.C Summary of expenditure on training

	Audited outcome			Adjusted appropriation	Medium-term expenditure estimates		
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Training and staff development							
Expenditure (R thousand)	234	183	292	308	327	345	362
Number of employees trained (head count)	52	112	53	63	77	91	100
Bursaries (employees)							
Expenditure (R thousand)	91	62	100	106	113	120	127
Number of employees (head count)	23	20	42	49	53	56	59
Total	325	245	392	414	440	465	489
Number of employees	75	132	95	112	130	147	159

Table 22.D Summary of official development assistance expenditure

Donor	Project	Cash/ kind	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
			2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
R thousand									
Foreign									
CWCIF	Conference: Policing Oversight in Africa	Cash	-	300	75	-	-	-	-
Total			-	300	75	-	-	-	-

