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# Foreword by the Minister of Police

The strategic goal of government led by the African National Congress (ANC) as the leading party in government remains the creation of a united, non-racial, non-sexist, democratic, peaceful, secure and prosperous South Africa. All our actions and policies are aimed towards achieving this goal.

The fight against crime is therefore part of an integrated approach in an effort to accomplish this goal of a better life for all. In dealing with the issues of crime, government proceeds from a premise that improving quality of life also means improvement in the safety and security of the people within their homes, communities and places of work.

As the Justice, Crime Prevention and Security cluster we have been tasked with ensuring that **“all people in South Africa are and feel safe.”** We have welcomed the task placed before us and remain convinced that together with the support of the communities, business, various civic organizations and other role-players we shall succeed.

Over the last 18 months we have appointed a new leadership to take charge of the South African Police Service. Under this leadership we have been able to achieve significant successes during this period, both administratively and strategically.

In keeping with our legislative mandate, we are rapidly moving policing in a new direction. This is based on a constitutional mandate that the Republic shall have a single police service. The transformation of the police must across the country, focus on the type of Police Service we want to see. It must ensure that our Police Service at all levels is reflective of the society together with polices and the values we wish to promote within our society.

To give impetus to this mandate, we have tasked the Secretariat for Police to investigate the feasibility of implementing this constitutional imperative of a Single Police Service in the country. The process has already begun but cautiously we are under no illusion that this is going to be a protracted process.

The central role that must be played by crime intelligence and the development of a more disciplined and professional Force, is an urgent imperative. That is precisely why we have also reinforced our intelligence arm and emphasized the pivotal role that this component needs to play in the fight against crime.

The Directorate for Priority Crime Investigations (DPCI), also known as ‘The Hawks’ have already scored successes in a number of fields in their short existence. Over the same period our detective services have grown to 20 022 and this contributed to the department exceeding our target for cases being referred to court by more than 10%.

During the 2009/10 festive season we launched ‘Operation Duty Calls’. As part of this campaign the department embarked on various policing operations countrywide, interacting with communities, business and various organised structures with an objective of intensifying our fight against crime.

In addition, cross border criminal networks are involved in a variety of crimes including vehicle hijacking, drug and human trafficking. In dealing with the illicit regional trade in vehicles, we are further enhancing our co-operation with other regional police agencies to strengthen the implementation of regional protocols and agreements.

The feedback we received from businesses, communities and the media was overwhelmingly positive.



Minister of Police  
EN Mthethwa

We experienced significant decline in various crimes including cash-in-transit robberies, armed robberies, house robberies/break-ins and business robberies, particularly mall robberies.

Critical in fighting crime is the campaign to weed out elements within the criminal justice system who are engaged in various acts of crime, including corruption. Both within and outside these institutions, the department exposed and dealt with such networks forthrightly and without fear or favour.

Sadly, for the fiscal under review we have unfortunately lost some of our members while on duty. These committed men and women dedicated their lives to the noble cause of protecting our society. To us although they may have departed, we shall forever hold dear their contribution in the betterment of our society's safety.

When this new police administration spoke about the new way of doing things, we did so bearing in mind that we need to look at all the challenges holistically. This approach is in line with President Jacob Zuma's call to do things differently. Right from our operational resources to capacitating our Force, this is a new era and we remain confident that this new way of thinking, will help us in our goals. This is also a new kind of culture of working harder and smarter.

It remains our firm and achievable belief that while there is still significant work to be done in ensuring our people are and feel safe, we have shown that we are certainly up to the task and are capable of addressing the challenges that lie ahead.



Hon. EN Mthethwa, MP  
Minister of Police

# Foreword by the National Commissioner of the South African Police Service

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It is in the spirit of unison, team work, professionalism, commitment, dedication, bravery and determination that I introduce the Annual Report for the South African Police Service for 2009/10.

This Annual Report provides an in-depth account of the performance of the SAPS during 2009/10 in relation to the policing priorities and elementary objectives determined for this period and taking into consideration the resources utilized by the SAPS in achieving desired and focused driven results.

The performance accounted for in this Annual Report would not have been possible had it not been for the selfless and dedicated efforts of the men and women in blue and the civilian employees who comprise this police force. It is therefore this ideology and doctrine that informs our slogan, SAPS Members, My Family – Together Pushing Back the Frontiers of Evil.



National Commissioner  
BH Cele

The positive contribution made by these men and women is fundamental to the continued developmental agenda of this country. I fully acknowledge and recognise the level of commitment and willingness to reverse the tide of negative perceptions and strive towards a common goal of excellence within the police force. Hence I am dedicating this Annual Report for 2009/10 to all members of the SAPS.

As the recently appointed National Commissioner of the SAPS, I am fully aware of the difficult and sometimes turbulent period through which the SAPS passed during 2009/10. The challenges that this organisation faced included the ever-present need to aggressively reduce crime specifically contact crimes, thereby improving safety and security for all people in South Africa and in conjunction with this, the tremendous responsibility of ensuring effective planning, resourcing and training of SAPS personnel in preparation for the securing of the 2010 FIFA World Cup. A political intellectual, Frantz Fanon argues in his book "**The Wretched of the Earth**" that "*the presence of an obstacle accentuates a tendency towards motion*". It is for this reason that challenges must help us to sharpen our swords going forward towards achieving desired results.

These key issues formed the backdrop for my appointment as National Commissioner during August 2009. While it is not easy for any large organization to deal with a change in leadership, my task was made easier by the dedicated, performance-driven individuals whom I encountered at every level of this organisation.

The performance of any organisation must build on the successes of the past and respond to the challenges of the future in order for it to be able to consider its performance as being positive. The SAPS' performance during 2009/10 can be described in these terms as five of the seven contact crime categories reduced by between -2.9% to -7.2%. The Police do not function alone in applying and ensuring the rule of law as it is an integral part of the broader Criminal Justice System (CJS). Substantial effort has been invested in improving the effectiveness of the CJS, for example an e-docket system has been introduced at 194 police stations countrywide to curb the loss of dockets.

In its application of a community-based approach to policing, the SAPS have achieved noteworthy successes in its efforts to promote and increase community participation in the fight against crime. To enhance the capacity at station level, 7 964 reservists were trained during 2009/10. The introduction of the Crime Line and the subsequent extension of this facility country-wide during 2009/10, has assisted the SAPS greatly in apprehending suspected criminals and recovering firearms, stolen goods

and contraband.

To address the proliferation of firearms, a total of 21 268 firearms were confiscated in day-to-day operations. The firearm amnesty declared by the Minister of Police resulted in the voluntary surrendering of 11 887 illegal firearms and 30 442 legal firearms. Integrated law enforcement operations, focusing on a number of priority areas to address the incidence of priority crimes resulted in 657 673 priority crime arrests, counting for 48% of the total arrests made.

These successes were assisted by an 8.3% increase in the budgetary allocation to the SAPS for 2009/10. The focus of this increase was the establishing of the Directorate for Priority Crime Investigation (DPCI), the employment of additional personnel, the improving of capital infrastructure and the modernisation of technology. The DPCI has, since its inception, achieved remarkable successes such as the arrest of 28 of the top 50 wanted criminals and will continue to be the SAPS' sharp point in the combating serious crime.

The growth in the SAPS' human resource capacity saw the staff establishment increase from 182 754 to 190 199 members as at the 31st of March 2010. It is essential that the staff establishment of the SAPS adequately reflect the demographics of this country.

The struggle for the emancipation of women in this organisation must continue to be the cornerstone of our existence. The practical empowerment of women has been and will continue to be aggressively pursued through the appointing of women in managerial positions and the capacitating of these women through focused skills development. Emphasis was also placed on the extending and upgrading of the SAPS' vehicle fleet by the purchase and deployment of an additional 6 479 vehicles.

The improvements to the SAPS' resource capacity described above are, however, dependant on the professionalism, discipline and integrity of every member of the SAPS. To this end, I, the Executive and Management of the SAPS, took the decision to refocus the emphasis that is placed on discipline, command and control, particularly at station level. The preparations for the introduction of a military rank structure were concluded and will be introduced during 2010/11. This return to the fundamentals of discipline were supported by the highlighting of employee wellness and fitness to ensure that all SAPS members are capable of responding to the challenges that they face, irrespective of where they work.

The SAPS continues to play a leading role in international and regional law enforcement. It has been my privilege to serve as the chairperson of the South African Regional Police Chiefs Coordinating Committee (SARPCCO) and I commit the SAPS to continued participation in regional and international policing and law enforcement.

It is with a deep sense of humility and respect that SAPS management acknowledge the ultimate sacrifice that has been paid by the police men and women who have perished in the line of duty. The performance that has been achieved by the SAPS cannot be attributed to the efforts of individuals but these few must be acknowledged for the contribution that they have made.

As National Commissioner I have personalised my response to these heroes by visiting and consoling grieving families and ensuring the aggressive pursuance of the criminals who dare to attack and murder our brothers and sisters.

The SAPS management will intensify strategies going forward by aggressively focusing on improved infrastructure at police station level, focused recruitment, training and skilling, improved wellness of personnel and technology advancement to mention a few.

This Annual Report clearly shows that the SAPS has made significant progress in its efforts to ensure a safe and secure South Africa, and will serve as a beacon for future performance by this organisation within the priorities set by Government and the expectations of the Community.

The efforts and selfless sacrifices by our men and women in blue will not go unnoticed - **'We Are because You Are'** in Zulu we say **Umuntu Ngumuntu Ngabantu.**

I repeat, SAPS Members, My Family – Together Pushing Back the Frontiers of Evil



National Commissioner  
BH Cele

**National Commissioner**  
Bheki Cele

# *Information on the Ministry of Police*

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In terms of section 206 (1) of the Constitution of the Republic of South Africa, 1996, the Minister of Police is responsible for policing in general, and is required to account to Cabinet and Parliament on all matters relating to policing. Important features of the Minister's responsibility include determining national police and providing civilian oversight.

Institutions that report to the Minister of Police:

## **The South African Police Service**

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

## **The Secretariat for Police**

Purpose: To provide support to the Minister in performing his duties.

## **The Independent Complaints Directorate**

Purpose: An independent police complaints body that investigates the alleged misconduct of or alleged offences committed by a member(s) of the SAPS.

## **The Private Security Industry Regulatory Authority**

Purpose: A statutory authority to provide for the regulation of the Private Security Industry. The Authority is accountable to the Minister of Police and the Minister has supervisory powers over the Authority.

## **Legislation**

The President promulgated the Second Hand Goods Act, 2009 (Act No. 6 of 2009) on 1 April 2009 and the Act is in the process of implementation. The South African Police Service published draft Regulations for the accreditation of dealers' associations in the Government Gazette on 16 October 2009 for consultation purposes and consultations with relevant entities are ongoing. It is envisaged that the accreditation regulations will be promulgated soon and that the Act will be put into operation in phases from early 2011.

The Portfolio Committee on Police finalised phase 1 of the Criminal Law (Forensic Procedures) Amendment Bill on 23 March 2010. This entails the establishment of an inter-connectivity of fingerprint databases of the relevant Cluster Departments, in order to enhance the use of fingerprints to investigate crime. The second phase of the Bill will deal with the aspect of DNA.

## **Administration of legislation**

The Department monitors the listings of individuals or entities that are listed by the United Nations Security Council as suspected members of Al Qaida and the Taliban or that are suspected of having links with these organisations. The Department also prepares Proclamations for the President for publication in the Government Gazette. The Proclamations must, in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004), be published in the Government Gazette. The complete updated consolidated list of the United Nations Security Council Resolution 1267 Committee has been published and additions, deletions or

amendments are published once a press statement in this regard has been issued by the Security Council of the United Nations.

Proclamations in terms of section 25 of the above Act were published on the following dates:

- 3 February 2009
- 4 February 2009
- 23 March 2009
- 30 April 2009
- 8 July 2009
- 16 September 2009
- 5 November 2009
- 18 December 2009
- 5 March 2010

In terms of the above Act all such Proclamations must be tabled in Parliament for such action as Parliament may deem fit. Proclamations were tabled in Parliament in terms of section 26 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004).

## International instruments

### Police Cooperation Agreements

One police donor assistance agreement was signed in the reporting period, namely the “Agreement on German Funding regarding Development Assistance Programme – DRC”.

### Official visits abroad

Date	Destination	Reason
2010-02-27 – 2010-03-06	United Kingdom	To strengthen the existing cordial and fruitful relations between the two countries at various levels.

# *Vision, Mission, Values and Core Objectives of the South African Police Service*

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## **The Vision of the South African Police Service is to –**

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

## **The Mission of the South African Police Service is to –**

- prevent and combat anything that may threaten the safety and security of any community;
- investigate all crimes that threaten the safety and security of any community;
- ensure offenders are brought to justice; and
- participate in efforts to address the root causes of crime.

## **The Values of the South African Police Service are to –**

- protect everyone's rights and to be impartial, respectful, open and accountable to the community;
- use the powers given to us in a responsible way;
- provide a responsible, effective and high-quality service with honesty and integrity;
- evaluate our service continuously and make every effort to improve on it;
- ensure the effective, efficient and economic use of resources;
- develop the skills of all members through equal opportunity; and
- cooperate with all communities, all spheres of Government and other relevant role players.

## **Core Objectives based on Constitutional and other Legislative and Functional Mandates**

The Constitutional mandate of the Department of Police and the South African Police Service (SAPS) is reflected in section 205 of the Constitution of the Republic of South Africa, 1996. The Objects of Policing, in terms of section 205, are 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.

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

- South African Police Service Act, 1995 (Act No. 68 of 1995), as amended by the South African Police Service Amendment Act, 2008 (Act No. 57 of 2008)
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)
- Firearms Control Act, 2000 (Act No. 60 of 2000)
- Explosives Act, 1956, (Act No. 26 of 1956)
- Tear-gas Act, 1964 (Act No. 16 of 1964)
- Dangerous Weapons Act, 1968 (Act No. 71 of 1968)
- Control of Access to Public Premises and Vehicles Act, 1985 (Act No. 53 of 1985)
- National Key Points Act, 1980 (Act No. 102 of 1980)
- Intimidation Act, 1982 (Act No. 72 of 1982)
- Second-hand Goods Act, 1955 (Act No. 23 of 1955)
- The Private Security-Industry Regulation Act, 2001 (Act No. 56 of 2001)

The South African Police Service is responsible for preventing, combating and investigating any crime contained in both the common law and a plethora of Statutes.

The SAPS derives its main powers from the following key Acts:

- The South African Police Service Act, 1995 (Act No. 68 of 1995) as amended by the South African Police Service Act, 2008 (Act No. 57 of 2008)
- The Criminal Procedure Act, 1977 (Act No. 51 of 1977)
- The Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act No. 70 of 2002)
- The National Strategic Intelligence Act, 1994 (Act No. 39 of 1994)
- The Domestic Violence Act, 1998 (Act No. 116 of 1998)
- The Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004)

# South African Police Service Code of Ethics

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The Code of Ethics of the SAPS underpins the way in which every member of this organisation should behave, irrespective of whether they are on duty or not. This Code has the specific purpose of providing a standard of police behaviour that does not allow any leniency for poor service delivery or corrupt activities by the members of this organisation and must therefore be applied by all members in their daily tasks.

The Code of Ethics is as follows:

- **Integrity** – Employees of the SAPS regard the truth as being of the utmost importance. We, as the employees of the SAPS, continually strive to uphold the mission, values, ethical principles and ethical standards of the SAPS. We will behave in a manner, which is consistent with these values. We will act honestly and responsibly in all situations. We will always tell the truth, perform our duties with noble motives and set an example in the communities we serve.
- **Respect for diversity** – Employees of the SAPS acknowledge the diversity of the people of our country and treat every person with equal respect. In performing our duties, we will always show respect for the cultural and other diversities in the community. We will treat every person with equal respect and honour their rights as inhabitants of South Africa. We will not unlawfully discriminate against any person.
- **Obedience to the law** – Employees of the SAPS respect and uphold the law at all times. Our duties mainly involve enforcing the law, and in our application of the law we will always stay within the law and Constitution of our country. We will, at all costs, avoid any conduct which would make us violators of the law. We will protect the inhabitants of South Africa against unlawful actions.
- **Service excellence** – Employees of the SAPS work towards service excellence. We will, at all times, perform our duties to the best of our abilities. Our conduct will bear the mark of professionalism. Our conduct and appearance will be proof of our commitment to service excellence.
- **Public approval** – Employees of the SAPS always work with and for the approval of the community. We will serve the best interest of the community, seeking the approval of the broad community in everything we do.