

# **INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE (IPID) ACCESS TO INFORMATION MANUAL IN TERMS OF SECTION 14(1) OF THE PROMOTION FOR ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)**

## **1. INTRODUCTION**

The Constitution of the Republic of South Africa 1996, stipulates that everyone has the right of access to any information held by the State and any information that is required for the exercise of protection of any rights, and that national legislation must be enacted to give effect to this right.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”), came into operation on 09 March 2001. This Act gives effect to Section 32 of the Constitution. The Act allows the individuals to obtain information including copies of records held by both Public and Private Bodies. In order for the public to make informed choices, which in turn should yield a more accountable and efficient Government, access to information held by the State is the key. The Independent Police Investigative Directorate, as a Public Institution in compliance with Section 14(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”) has compiled this manual to assist the members of the public to have meaningful access to information which is in possession of the Department of Independent Police Investigative Directorate, whether automatically available or not, which the affected member of the public may require.

## **2. PURPOSE OF THIS MANUAL**

This manual has been developed to give effect to the provisions of Section 14(1) of the Act and to foster a culture of transparency and accountability whilst giving effect to the right of any person to access information.

The manual also seeks to actively promote a culture in which persons seeking information from the IPID may apply for and receive information to which they are entitled as provided in the Constitution. It seeks to assist persons who seek access to the records kept by the IPID to follow the specific procedures. The manual sets out those procedures and also provides the requesters with guidance as to how to exercise their rights in terms of the Act.

## **3. THE MANDATE AND STRUCTURE OF THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

### **3.1 Vision**

To promote proper police conduct in accordance with the principles of the Constitution.

### **3.2 Mission**

An effective, independent and impartial investigating and oversight body that is committed to justice and acting in the public interest while maintaining the highest standards of integrity and excellence.

### **3.3 Values**

The IPID aspires to adhere to the highest standards of ethical behaviour, integrity and the continuous application of our values. The following values are the core from which we operate and respond:

---

*Mutual respect and trust*  
*Integrity and honesty*  
*Transparency and openness*  
*Equity and fairness*  
*Courtesy and commitment*

---

### **3.4 MINISTER**

The IPID is headed by the Minister of Police who is appointed by the President in terms Section 91(2) of the Constitution 1996, (the Constitution) as amended.

### **3.5 ADMINISTRATION**

At the functional level, the IPID is managed by the Executive Director who is nominated by the Minister of Police in terms of section 6 of the Independent Police Investigative Directorate Act, Act No.1 of 2011. The Executive Director is appointed subject to the laws governing the public service.

The Executive Director is assisted by the Chief Financial Officer and the three Programme Managers who head the Administration, Investigations and Information Management and Legal Services.

The Executive Director is the designated Information Officer. The details of the Information Officer and Deputy Information Officers are as contained in the Section below.

The IPID approved structure is attached as “**Annexure A**” of this Manual.

### **3.6 INFORMATION OFFICER**

The Executive Director is the designated Information Officer, as contemplated under the definition of information officer in the Act.

**3.6.1.** The Information Officer's contact details are as follows:

#### **POSTAL ADDRESS**

The Executive Director (Information Officer)  
Independent Police Investigative Directorate  
Private Bag X 941

**PRETORIA**

0001

#### **STREET ADDRESS**

The Executive Director  
City Forum Building  
114 Madiba (Vermeulen) Street

**PRETORIA**

0001

TELEPHONE NUMBER: 012 399 0000

FAX NUMBER: 012 399 0144

WEBSITE: [www.ipid.gov.za](http://www.ipid.gov.za)

**The Programme Managers as well as the Provincial Heads are the designated Deputy Information Officers as contemplated in section 17(1) of the Act. The details of the Deputy Information Officers are as follows:**

## **3.6.2 DEPUTY INFORMATION OFFICERS**

### **3.6.2.1 Chief Director: Corporate Services**

City Forum Building  
114 Madiba (Vermeulen) Street

**PRETORIA**

0001

Telephone No. 012 399 0039

Fax Number: 086 630 0277

### **3.6.2.2 Chief Director: Investigations and Information Management**

City Forum Building  
114 Madiba (Vermeulen) Street

**PRETORIA**

0001

Telephone No. 012 399 0048

Fax Number: 012 399 0169

### **3.6.2.3 Chief Director: Legal Services**

City Forum Building  
114 Madiba (Vermeulen) Street

**PRETORIA**

0001

Telephone No. 012 399 0054

Fax Number: 012 399 0193

### **3.6.2.4 Chief Financial Officer**

City Forum Building  
114 Madiba (Vermeulen) Street  
**PRETORIA**  
0001

Telephone No. 012 399 0024

Fax Number: 012 399 0135

## **3.7 PROVINCIAL OFFICES**

### **PHYSICAL ADDRESS: GAUTENG**

Gauteng Provincial Head  
20<sup>th</sup> Floor, Marble Towers Building  
No. 208-212 Jeppe Street  
Johannesburg

### **POSTAL ADDRESS**

P/BAG X 25  
Johannesburg  
2000

Telephone No. 011 220 1500

Fax Number: 011 333 2705

### **PHYSICAL ADDRESS: KWAZULU NATAL**

KwaZulu-Natal Provincial Head  
3<sup>rd</sup> Floor, The Marine Building

22 Dorothy Nyembe (Gardner) Street

Durban

**POSTAL ADDRESS**

P/BAG X 54303

Durban

4000

Telephone No. 031 310 1300

Fax Number: 031 305 8214

**PHYSICAL ADDRESS: WESTERN CAPE**

Western Cape Provincial Head

Fintrust Building

1<sup>st</sup> floor

Corner Petrusa and Mazzur Streets

Bellville

7530

**POSTAL ADDRESS**

P/BAG X 9173

Cape Town

8000

Telephone No. 021 941 4800

Fax Number: 021 949 3196

**PHYSICAL ADDRESS: LIMPOPO**

Limpopo Provincial Head  
2<sup>nd</sup> floor Femnic Building  
66 A Market Street  
Polokwane

**POSTAL ADDRESS**

P/BAG X 9525  
Polokwane  
0700

Telephone No. 015 291 9800  
Fax Number: 015 295 3409

**PHYSICAL ADDRESS: MPUMALANGA**

Mpumalanga Provincial Head  
1st Floor Nedbank Centre  
48 Brown Street  
Nelspruit  
1201

**POSTAL ADDRESS**

P/BAG X 11325  
Nelspruit  
1200

Telephone No. 013 754 1000  
Fax Number: 013 752 2602



**PHYSICAL ADDRESS: EASTERN CAPE**

Eastern Cape Provincial Head  
Mezzanine Floor  
Permanent Building  
42-44 Oxford Street, Corner Terminus Street  
East London  
5200

**POSTAL ADDRESS**

P/BAG X 9085  
East London  
5200

Telephone No. 043 706 6500  
Fax Number: 043 722 2889

**PHYSICAL ADDRESS: NORTH WEST**

North West Provincial Head  
No.1 Station Road  
Molopo Shopping Centre, 1<sup>st</sup> Floor  
Mafikeng

**POSTAL ADDRESS**

P/BAG X 2017  
Mafikeng  
2745

Telephone No. 018 397 2500

Fax Number: 018 381 1495

**PHYSICAL ADDRESS: FREE STATE**

Free State Provincial Head  
15 Cnr Andrew & Westburger Streets  
Ground Floor  
Standard Bank Building  
Bloemfontein

**POSTAL ADDRESS**

P/BAG X 20708  
Bloemfontein  
9300

Telephone No. 051 406 6800

Fax Number: 051 430 8852

**PHYSICAL ADDRESS: NORTHERN CAPE**

Northern Cape Provincial Head  
39 George Street  
Kimberly

**POSTAL ADDRESS**

P/BAG X 6105  
Kimberly  
8301

Telephone No. 053 807 5100

Fax Number: 053 832 5615

**4. MANDATE OF THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

The IPID's mandate is to conduct independent and impartial investigations of specified criminality committed by members of the South African Police Services (SAPS) and Municipal/Metro Police Services (MPS).

**5. TYPES OF MATTERS INVESTIGATED BY THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE:**

5.1 Section 28(1) of the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011) provides that the IPID must investigate;

- a) Any death in police custody
- b) Death as result of police action
- c) Complaints relating to a discharge of an official firearm by any police officer
- d) Rape by a police officer, whether the police officer is on or off duty
- e) Rape of any person in police custody
- f) Any complaint of torture or assault against a police officer in the execution of his or her duties
- g) Corruption matters within the police initiated by the executive director, or after a complaint from a member of the public or referred to the Directorate by the minister, a MEC or the secretary for the police service
- h) Any other matter referred to the IPID as a result of a decision by the executive director, the minister, a MEC or the Secretary for the police service.

Section 28 (2) further provides that the Directorate may investigate matters relating to systemic corruption involving the police.

## **6. ACCESS TO INFORMATION HELD BY THE IPID**

- 6.1 Any person who wishes to have access to information held by the IPID can contact either the Information Officer or the Deputy Information Officers.
- 6.2 The information in the possession of the IPID can be accessed by making a request in the prescribed form, which is available from all Provincial Offices of the IPID and addressed for the attention of the Information Officer or Deputy Information Officer at the addresses mentioned in paragraph 3 above.
- 6.3.1 The requester of the information must complete all the details in the form to enable the Information Officer/ Deputy Information Officer to identify the information so requested. The requester should clearly identify:
- 6.3.1.1 the record or records requested;
  - 6.3.1.2 whether the information requested is personal to the requester;
  - 6.3.1.3 the age of the requester;
  - 6.3.1.4 if the requester is being assisted in obtaining the information; and
  - 6.3.1.5 whether the records relate to the physical health of the requester; and
  - 6.3.1.6 whether the requester is being assisted or the request is made on requester's behalf.
- 6.4 A requester seeking access to a record containing personal information about the requester is not required to pay the request fee. Other requesters are required to pay the request fee.
- 6.5 The fees and charges prescribed in part 2 of notice No. 187 in the Government Gazette of 15 February 2002 are payable. The fees are payable as set out in the Government Gazette from time to time.

- 6.6 The Information Officer is required as soon as reasonably possible but within thirty (30) days after receipt of request to decide in accordance with the Act whether to grant the request and notify the requester of the decision. In the event that it is reasonably possible to do so the Information Officer will endeavour to inform the requester of the decision in the manner in which he requested to be notified.
- 6.7 The information in the possession of the IPID can be accessed by making a request in the prescribed form, which is available from all Provincial Offices of the IPID and addressed for the attention of the Information Officer or Deputy Information Officers at the address mentioned in paragraph 3 above.
- 6.8. The requester of the information must complete all the details in the form so as to enable the Information Officer/ Deputy Information Officer to identify the information so requested. The requester should clearly identify:
- 6.8.1 the record or records requested;
  - 6.8.2 whether the information requested is personal to the requester;
  - 6.8.3 the age of the requester;
  - 6.8.4 if the requester is being assisted in obtaining the information proof of capacity in which the person is assisting the requestor; and
  - 6.8.5 whether the records relate to the physical health of the requester and whether the requester is being assisted or the request is made on requester's behalf.
  - 6.8.6 In a case where the requestor is illiterate or is unable to make a request by means of filling the request form, the request may be made verbally.

## **7. THE TYPE OF INFORMATION HELD BY THE IPID**

### **7.1 INFORMATION WITH THE CHIEF DIRECTOR: CORPORATE SERVICES**

Personnel information of all its officials and this include:

Personal information;

Employment history and health records provided by the IPID personnel;

Press releases;

Strategic Plans

Department's Annual Reports; and

The leaflets, newsletters and booklets issued by the Department.

### **7.2 INFORMATION HELD BY THE CHIEF DIRECTOR: INVESTIGATIONS AND INFORMATION MANAGEMENT**

Cases that are investigated by the IPID, Statistics, and Research Reports.

### **7.3 INFORMATION HELD BY THE CHIEF DIRECTOR: LEGAL SERVICES**

Policies and guidelines that inform the standard operating procedures in support of the IPID mandate; regulatory and legislative prescripts.

### **7.4 INFORMATION HELD BY THE CHIEF FINANCIAL OFFICER**

Records of budgets, expenditure and projections for the Department.

## 7.5 INFORMATION WITH INTERNAL AUDIT AND CORPORATE GOVERNANCE UNITS

Records of risks plans;  
Risks assessment reports;  
Annual audit plans;  
Audit committee meetings;  
Records of prevention plans; and  
Audit findings and reports.

## 7.6 GENERAL INFORMATION

Policies and procedures in relation to:

Acquisition, procurement, and purchasing;  
Investigations; and all information on the website of the Department.

**Requesters must note that the Act authorises, and in some instances requires the IPID to refuse certain requests for access to some records and information.**

## 8. SERVICES OFFERED BY THE IPID

Receiving, register and investigate matters as provided in section 28 of the IPID Act, 2011, against the members of the South African Police Service and Municipal/Metro Police Service.

These services are available at each of the Provincial Offices of the Department, situated in nine (9) Provinces.

## **9. PARTICIPATION IN POLICY FORMULATION**

Any member of the public is allowed to participate and influence the formulation of policy, and generally, have a say in the exercise of powers and performance of duties within the IPID by:

- (a) directly communicating with the Minister at the address provided;
- (b) making representation to the Parliamentary Portfolio Committee on Police; and
- (c) Commenting on the proposed legislation.

## **10. REMEDIES IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE DEPARTMENT**

In the event that a requester for information is aggrieved by the Department's failure to provide the information requested, the requester may:

- (i) Lodge an internal appeal in terms of section 74 and 75 (1) of the Act against the decision of the Information Officer within sixty (60) days of the date of refusal.
- (ii) The appeal should:

Be delivered to the Information Officer;

Identify the subject of the internal appeal and state the reasons for the internal appeal and any other relevant information;



Be accompanied by the prescribed fee for such internal appeal;  
and contain the contact details of the requester.

- (iii) apply to a Court in terms of section 82 of the Act;
- (iv) lodge a complaint with the Human Rights Commission, or
- (v) lodge a complaint with the Public Protector.

**11. GUIDE OBTAINABLE FROM THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION (SAHRC)**

The South African Human Rights Commission is required to compile a guide in all official languages of South Africa to assist all people who wish to exercise the right of access to information, which such persons may need in the exercise of their rights. This guide is obtainable from the Information Officer of the SAHRC at the following address:

**The Information Officer**

Postal Address:

South African Human Rights Commission  
Private Bag X 2700  
HOUGHTON  
2041

STREET ADDRESS:

Braampark Forum 3, 33 Hoofd Street, Braamfontein

TELEPHONE NUMBER: (011) 877 3600 (Switchboard)

FAX NUMBER :( 011) 484 1360

WEBSITE [www.sahrc.org.za](http://www.sahrc.org.za) or

[info@sahrc.org.za](mailto:info@sahrc.org.za)

## 12. **GENERAL**

Any person who is uncertain of anything contained herein may approach the Information Officer or his Deputies or any of the Provincial Offices of the Department for assistance.

### **UPDATING OF THE MANUAL**

IPID may if necessary update and publish its manual referred to in section 14(1) of the Act at intervals of not more than a year.

\_\_\_\_\_  
Mr RJ McBride  
Executive Director  
Date: \_\_\_\_\_