



**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

# **SECTION 9(N) REPORT**

**April - 30 September 2016**



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## MINISTER'S FOREWORD

### IPID SECTION 9(n) REPORT

Since my appointment as the Minister of Police, I have had two meetings with the leadership of the Independent Police Investigative Directorate (IPID). During these meetings, I impressed upon IPID management the need to focus on doing their work impartially, independently and with integrity. IPID management has assured me of their commitment to always acting within the confines of the Constitution and the law.

It is important that all of us understand that police officers have a lot of power bestowed on them by various pieces of legislation. This power includes, but is not limited to, the power to stop citizens, the power to search persons, the power to enter premises, the power to arrest, to use force as well as the power to seize property. The Constitution has provided for the establishment of the Independent Police Investigative Directorate (IPID) to check these wide-ranging powers of the police.

Equally, since IPID investigators have the same powers bestowed on police officers – they should use them carefully. I expect the IPID to investigate without fear, favour or prejudice. Such an approach will earn the IPID respect within the ranks of the police, who may be more inclined to cooperate, because they are treated with professionalism and without any malice.

Our society is getting less tolerant of criminality. We should all work together in the fight against crime to ensure that we leave a safer South Africa for our children.

This report covers a period well before my appointment. However, its tabling takes place after my appointment. The work reflected in this report is an account by IPID to Parliament and the people of South Africa for the period 1 April 2016 to 30 September 2016.

It is my pleasure to table this report.



**MR FA MBALULA**

MINISTER OF POLICE

## DEPUTY MINISTER'S FOREWORD

### IPID SECTION 9(n) REPORT

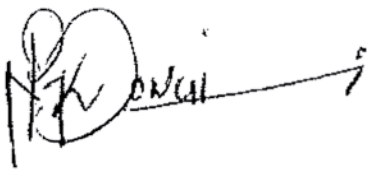
I have accompanied the Minister of Police on the two occasions that we met with the management of the Independent Police Investigative Directorate (IPID) in the past few weeks. We have received a briefing on the work of the IPID, including the high profile cases. We were made to understand from the management the challenges that this institution faces. We also undertook to work with the IPID to find solutions to some of these challenges. It is only through working together that we will be most successful in winning the fight against crime.

Ensuring that there is stability in the Criminal Justice Cluster is a key priority. This report highlights the work of the IPID in the first six months of the financial year 2016/2017 – well before my appointment.

This Ministry supports the work of the IPID and we will be monitoring how the IPID does under the oversight of the Minister of Police and myself.

We are committed to reducing crime and ensuring that criminals are where they belong – in jail.

I welcome the tabling of this report.

A handwritten signature in black ink, appearing to read 'BM Mkongi', with a long horizontal stroke extending to the right.

**MR BM MKONGI**

DEPUTY MINISTER OF POLICE

## FOREWORD BY THE EXECUTIVE DIRECTOR

During the period under review, the Independent Police Investigative Directorate (“IPID”) faced serious challenges with regard to having to fulfil its mandate without the requisite resources. In addition, the Executive Director of the IPID was on suspension by the Minister of Police. That suspension was declared unlawful and unconstitutional by both the North Gauteng High Court and the Constitutional Court on 4 December 2015 and 6 September 2016, respectively.

The judgements of the aforesaid courts, not only affirmed the need for independence for the IPID as enshrined in the Constitution. The courts also struck off unconstitutional provisions in the IPID Act as well as in the Public Service Act (“PSA”). Such a reality presents the IPID with an opportunity to amend the IPID Act in such a way that will ensure it is protected from any political interference, no matter who the Executive Director or the Executive Authority is.

We need to restore public trust in the institutions of justice by acting lawfully without fear, favour or prejudice. It is through seeing our actions, that the public will have trust in the criminal justice system.

The IPID finds itself having to contend with budget cuts, even as its workload has increased. Over the past financial years, the IPID has experienced numerous budget cuts, this reality has put considerable pressure on the few human resources who have to deal with the heavy workload. To implement its mandate of independence, the IPID should ideally have developed its own capacity to fully investigate cases, including the technical, forensic and ballistic side of its investigations. This has also been recommended by the Farlam Commission. However, due to limited resources, the IPID relies on the South African Police Service (“SAPS”) for this expertise, a function observed by the Farlam Commission. This may impact on the integrity of the investigations and IPID’s independence. The IPID has nine (9) provincial offices and nine (9) smaller district offices. This situation makes it difficult to reach all complainants and scenes of alleged police criminality. Vast distances make it difficult to respond swiftly to crime scenes and investigations. In some provinces, it is near impossible to preserve the integrity of crime scenes due to the long distances travelled by IPID investigators to reach those crime scenes. One such example was the Marikana Cases. As a result, investigators spend most of their time travelling rather than investigating. This situation affects the effectiveness of investigations negatively.

This report contains the work of the IPID over the past six (6) months. It can be observed that 3 313 cases were reported to the IPID during the reporting period. Of these, 1 857 were assault cases, 714 were complaints of the discharge of official firearm(s), 207 were cases of deaths as a result of police action as well as 154 cases of deaths in police custody.

We must all strive to uphold the rule of law and show our commitment to the ideals that our forebears fought and died for, by always acting with due regard to the laws of our country and the Constitution, which all office bearers swore to uphold. We should never find ourselves undermining Constitutionalism by being involved in unlawful actions.

The IPID is a key player in ensuring that the police are held accountable for the exercise of their power. This report reflects the work which went into attempts to do precisely that with the constraints of limited resources.



**MR RJ MCBRIDE**

EXECUTIVE DIRECTOR

## DEFINITIONS AND ABBREVIATIONS

### Definitions

**Acquitted (Criminal)** – means a member was found not guilty of a criminal offence and discharged.

**Acquitted (Departmental)** - means a member was found not guilty of departmental misconduct.

**Active Workload** – means reported cases that are still under investigations.

**Backlog** – means cases carried over from previous financial years

**Brought Forward (B/F)** – means a date by which a file must be submitted to a supervisor for evaluation of compliance with the directives, as per “E” clip on the case file.

**Case Intake** – cases reported and allocated for investigations.

**Closed as Referred** – means the manner in which cases that fall outside the mandate (Section 28 of the IPID Act) are closed as per ED guidelines;

**Closure of a case** – means the final disposal of a case where investigation, court processes and disciplinary processes have been concluded and the ED/PH is able to conclude that the file can be closed as Acquitted (Departmental/Criminal), Convicted (Departmental/Criminal), Declined, Dismissed, Closed as Referred, Unsubstantiated and Withdrawn by the Complainant/victim/referral authority or the Prosecutor; after which the file is ready for archiving;

**Closure Report** – means the report of a case where the investigation, court processes and disciplinary processes have been concluded and the ED/PH/DI is able to conclude that the file can be closed as Acquitted, Convicted, Declined, Discharged, Dismissed, Referred, Unsubstantiated and Withdrawn, after which the file is ready for archiving.

**Completed investigation** – means an investigation which involves a comprehensive effort to interview the complainant, the victim, witnesses and suspect SAPS/MPS member, the identification, location and acquiring of relevant physical evidence and upon which the conclusion is based on the evidence obtained, excluding technical reports.

**Convicted (Criminal)** – means a member has been found guilty of a criminal offence.

**Convicted (Departmental)** – means a member has been found guilty of departmental misconduct.

**Death in police custody** – means death whether natural or unnatural, which occurred while the deceased was in the custody of the SAPS or MPS;

**Death as a result of police action** – means an unnatural death resulting from the action (omission) by a member of the SAPS/MPS whether they were on or off duty (on duty refers to the member of the SAPS reporting for duty and off duty refer to the person acting in his private capacity).;

**Declined** – means a decision taken by the DPP, SAPS or MPS not to institute criminal or disciplinary proceedings against the member;

**Member** – means an official appointed in terms of the South African Police Service Act 68 of 1995, as amended, and includes a member of the MPS.

**Misconduct** – includes any act or omission by a member which constitutes a violation of rules, regulations, and standing orders, code of conduct and national orders.

**MPS** – means a Municipal Police Service established under section 64A of the South African Police Service Act 68 of 1995.

**Referred** – means a case that is referred to the most appropriate organisation or institution by the Executive Director/Provincial Head.

**SAPS** – refers to the South African Police Service as contemplated in the South African Police Service Act 68 of 1995;

**Systemic corruption** - Systemic corruption is an institutionalised endemic manipulation of a system by individuals or networks or organisations, taking advantage of weakness in the process and systems for illicit gains, where there are leadership deficiencies, collusion and abuse of power.

**Torture** – means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or her or a third person information or a confession, punishing him or her for an act that he, she or a third person has committed or is suspected of having committed, or intimidating or coercing him or her or a third person, or for any reason based on discrimination of any kind, whether such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising from, inherent or incidental to lawful sanctions.

**Unsubstantiated** – means there is no evidence to support the allegations contained in the case and IPID cannot make a recommendation of wrongdoing against any member.

**Withdrawn by prosecutor** – means the prosecutor has decided not to continue with criminal prosecution.

**Withdrawn by complainant/victim/referral authority** – means the complainant/victim/referral authority indicated that he or she is no longer interested in proceeding with the case.



## ABBREVIATIONS

<b>APP</b>	Annual Performance Plan
<b>Assault GBH</b>	Assault with intent to do Grievous Bodily Harm
<b>DPP</b>	Director of Public Prosecution
<b>ICD</b>	Independent Complaints Directorate
<b>IPID</b>	Independent Police Investigative Directorate
<b>NPA</b>	National Prosecuting Authority of South Africa
<b>NPS</b>	National Prosecuting Service
<b>MPS</b>	Metro Police Services
<b>SAPS</b>	South African Police Service
<b>SPP</b>	Senior Public Prosecutor
<b>SOP</b>	Standard Operating Procedure

### *Full references to legislation*

Constitution of the Republic of South Africa Act 108 of 1996

Criminal Procedure Act 51 of 1977

Independent Police Investigative Directorate Act, Act 1 of 2011

South African Police Service Act 68 of 1995

## 1. INTRODUCTION

The purpose of this report is to outline the investigative activities of the Independent Police Investigative Directorate for the first six (06) months of the 2016/2017 financial year. The report details the number and type of cases investigated; the recommendations made as well as the outcome of those recommendations, in accordance with Section 9(n) of the IPID Act. This report seeks to present a factual analysis of cases reported in terms of Section 28 of the IPID Act and the recommendations made to address same.

## 2. THE MANDATE OF THE IPID IN RESPECT OF INVESTIGATIONS AND RECOMMENDATIONS

In terms of Section 28(1) of the IPID Act, Act 1 of 2011, the IPID is obligated to investigate the following matters:

- a. any deaths in police custody;
- b. deaths as a result of police actions;
- c. any complaint relating to the 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 while that person is 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 on his or her own, or after the receipt of a complaint from a member of the public, or referred to the Directorate by the Minister, an MEC or the Secretary, as the case may be; and
- h. any other matter referred to it as a result of a decision by the Executive Director, or if so requested by the Minister, an MEC or the Secretary as the case may be, in the prescribed manner.

In terms of Section 28(2) of the IPID Act 1 of 2011, the IPID may investigate matters relating to systemic corruption involving the police.

In addition to the above provision of the IPID Act 1 of 2011, Section 29 of the Act places an obligation on members of the South African Police Service (SAPS) and Municipal Police Service (MPS), to report all matters referred to in Section 28(1) (a) to (g) to the IPID immediately upon becoming aware of such a matter and within 24 hours, forward the said report in writing to the IPID. After investigation the IPID makes appropriate recommendations to the SAPS/MPS which in turn must initiate disciplinary proceedings in compliance with Section 30 of the Act. The SAPS is required in terms of Section 30 to report to the Minister of Police on the recommendations forwarded to it by the IPID. The IPID is further required in terms of Section 7 of the Act to refer recommendations to the National Prosecuting Authority (NPA) and report to the Minister of Police on such recommendations and the outcome thereof.

## 3. SECTION A: CASE INTAKE IN TERMS OF THE IPID MANDATE

The following is a statistical breakdown of the cases the Directorate received, during the period 1st April 2016 to 30th September 2016 .

A total of 3 313 cases were reported to the IPID during the reporting period. The majority of the cases reported are within Section 28(1) (a) to (h). Of these, 1 857 were assault cases, 714 were cases of complaint of the discharge of official firearm(s), 207 were cases of deaths as a result of police action and followed by 154 cases of death in police custody.

Table 1(a) below depicts the total number of the cases reported in the period under review:

<b>Table 1(a): Intake for the period under review</b>	<b>Incident(s)</b>
Section 28(1)(a)-deaths in police custody	154
Section 28(1)(b)-deaths as a result of police action	207
Section 28(1)(c)-complaint of the discharge of official firearm(s)	714
Section 28(1)(d)-rape by police officer	51
Section 28(1)(e)-rape in police custody	7
Section 28(1)(f)-torture	61
Section 28(1)(f)-assault	1 857
Section 28(1)(g)-corruption	66
Section 28(1)(h)-other criminal matter	96
Section 28(1)(h)-misconduct	63
Section 28(2)-systemic corruption	3
Non-compliance with Section 29 of IPID Act	34
<b>Total</b>	<b>3 313*</b>

\*These numbers refer to cases against both the SAPS and MPS

Table 1(b) shows an increase in the number of cases reported when comparing with the previous half yearly report of 2015/2016. There was an increase in misconduct (950%), other criminal matters (134%), systemic corruption (100%), complaint of the discharge of official firearm (53%), deaths in police custody (50%), corruption (50%), non – compliance with IPID Act (42%), deaths as a result of police action (30%) and assault (6). A decrease was noted in terms of cases relating to rape in police custody (53%), rape by police officer (16%) and torture (16%).

<b>Table 1(b): Intake comparisons</b>	<b>2015-2016</b>	<b>2016-2017</b>	<b>Percentage changes</b>
Section 28(1)(a)-deaths in police custody	103	154	50%
Section 28(1)(b)-deaths as a result of police action	159	207	30%
Section 28(1)(c)-complaint of the discharge of official firearm(s)	468	714	53%
Section 28(1)(d)-rape by police officer	61	51	-16%
Section 28(1)(e)-rape in police custody	15	7	-53%
Section 28(1)(f)-torture	73	61	-16%
Section 28(1)(f)-assault	1 745	1 857	6%
Section 28(1)(g)-corruption	44	66	50%
Section 28(1)(h)-other criminal matter	41	96	134%
Section 28(1)(h)-misconduct	6	63	950%
Section 28(2)-systemic corruption	-	3	100%
Non-compliance with Section 29 of IPID Act	24	34	42%
<b>Total</b>	<b>2 739</b>	<b>3 313</b>	<b>21%</b>

The IPID received 62 cases which involves the MPS and 3 251 cases involving the SAPS.

<b>Table 1(c): Intake for the period under review</b>	<b>SAPS</b>	<b>MPS</b>
Section 28(1)(a)-deaths in police custody	154	-
Section 28(1)(b)-deaths as a result of police action	196	11
Section 28(1)(c)-complaint of the discharge of official firearm(s)	689	25
Section 28(1)(d)-rape by police officer	50	1
Section 28(1)(e)-rape in police custody (11 is for civilians)	7	-
Section 28(1)(f)-torture	60	1
Section 28(1)(f)-assault	1 836	21
Section 28(1)(g)-corruption	63	3
Section 28(1)(h)-other criminal matter	96	-
Section 28(1)(h)-misconduct	63	-
Section 28(2)-systemic corruption	3	-
Non-compliance with Section 29 of IPID Act	34	-
<b>Total</b>	<b>3 251</b>	<b>62</b>

From the above statistics it is evident that 98% of the cases reported to the IPID involved SAPS members and 2% involved MPS members. Figure 1 shows the comparison of the cases reported.

**Figure 1**

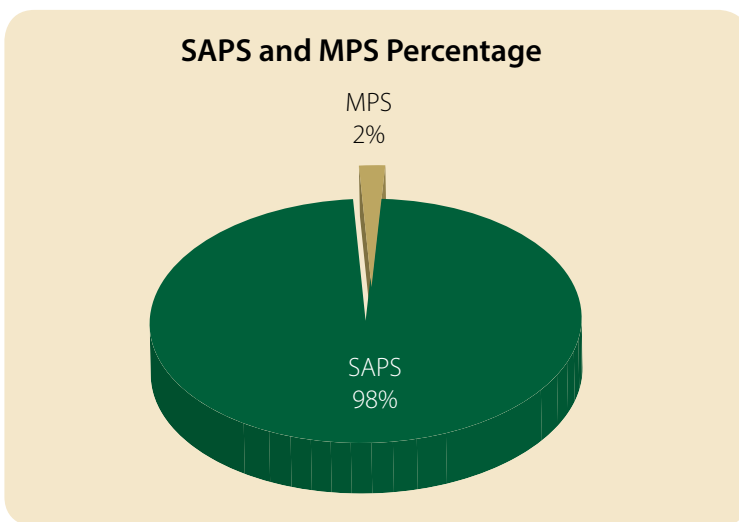


Figure 2 below shows the percentage of cases reported as per section 28 and 33 of the IPID Act . Most cases reported were related to allegations of assault, followed by complaints of discharge of an official firearm, death as a result of police action and death in police custody. This means that the Directorate spent a lot of time and resources investigating assault.

Figure 2

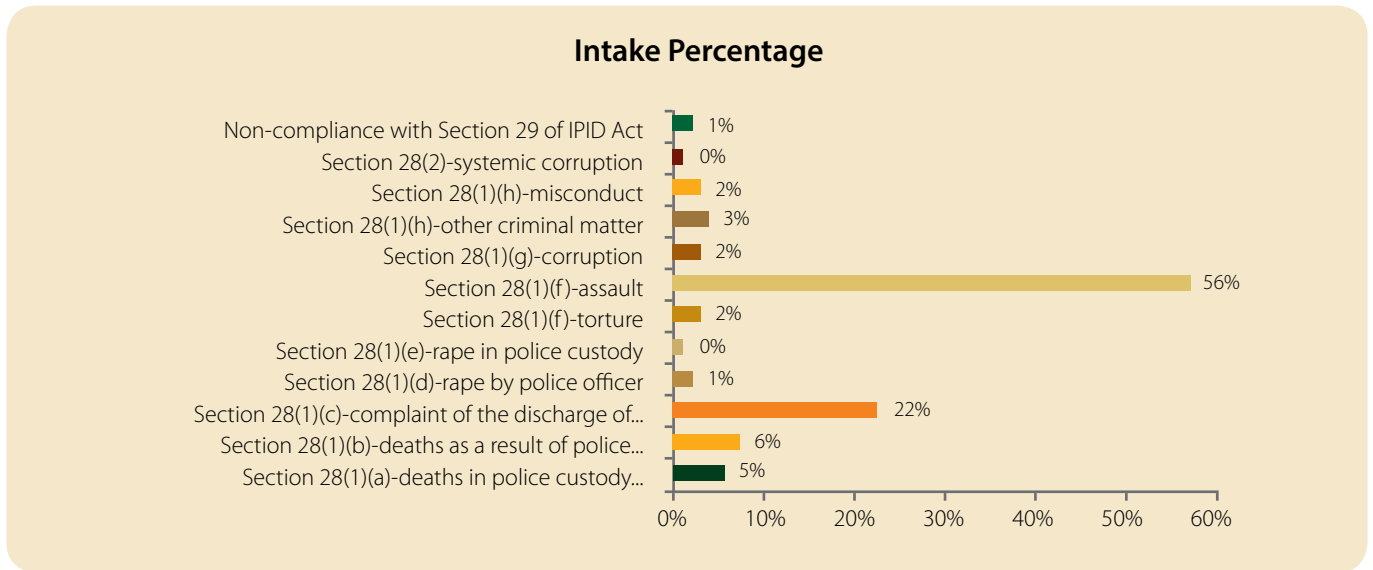


Table 2 shows the total number of cases reported per province and per category for the period under review. The Western Cape reported the highest number of cases (617), followed by KwaZulu-Natal (531) and Gauteng (503).

The majority of the intake are assault cases (1 857) and cases related to discharge of an official firearm (714), were mostly reported in the Western Cape and KwaZulu-Natal (425 for assault cases in Western Cape and 149 for discharge of an official firearm in KwaZulu-Natal).

In terms of death cases 361 cases were reported (both in police custody and as a result of police action), Gauteng accounted for most cases reported with 86 cases followed by KwaZulu-Natal with 77 cases and Eastern Cape with 64 cases.

Province	Deaths in police custody	Deaths as a result of police action	Discharge of official firearm(s)	Rape by police officials	Rape in police custody	Torture	Assault	Corruption	Other criminal matters/misconduct	Systemic corruption	Non-compliance with IPID Act	Total
Eastern Cape	22	42	148	7	-	2	195	8	18	-	16	458
Free State	25	9	45	3	1	11	282	6	37	1	2	422
Gauteng	27	59	120	15	1	6	203	13	57	-	2	503
KwaZulu-Natal	26	51	149	7	1	24	230	30	12	1	-	531
Limpopo	11	5	37	2	1	2	122	1	1	-	3	185
Mpumalanga	17	12	22	3	1	11	112	3	11	1	1	194
North West	13	5	23	2	-	4	163	4	12	-	2	228
Northern Cape	3	4	23	2	-	1	125	1	10	-	6	175
Western Cape	10	20	147	10	2	-	425	-	1	-	2	617
<b>Total</b>	<b>154</b>	<b>207</b>	<b>714</b>	<b>51</b>	<b>7</b>	<b>61</b>	<b>1 857</b>	<b>66</b>	<b>159</b>	<b>3</b>	<b>34</b>	<b>3 313</b>

### 3.1. INTAKE AS PER SECTION 28(1)(a) AND (b) – DEATHS IN POLICE CUSTODY AND DEATHS AS A RESULT OF POLICE ACTION

Table 3(a) below shows the number of incidents of death in police custody and death as a result of police action reported per province for the period under review as well as percentage contribution. It is evident that deaths as a result of police action have contributed more to the total amount of incidents of death. Gauteng is the largest recipient with 59 (29%) cases, followed by KwaZulu-Natal with 51 (25%) cases and Eastern Cape with 42 (20%) cases.

Table 3 (a): Incidents of deaths in police custody and as a result of police action						
Province	Incidents of deaths in police custody		Incidents of deaths as a result of police action		Total incidents	
	Number	Percentage	Number	Percentage	Number	Percentage
Eastern Cape	22	14%	42	20%	64	18%
Free State	25	16%	9	4%	34	9%
Gauteng	27	18%	59	29%	86	24%
KwaZulu-Natal	26	17%	51	25%	77	21%
Limpopo	11	7%	5	2%	16	5%
Mpumalanga	17	11%	12	6%	29	8%
North West	13	8%	5	2%	18	5%
Northern Cape	3	2%	4	2%	7	2%
Western Cape	10	7%	20	10%	30	8%
<b>Total</b>	<b>154</b>	<b>100%</b>	<b>207</b>	<b>100%</b>	<b>361</b>	<b>100%</b>

Table 3(b) below compares the number of incidents of death in police custody reported during the period under review to the same period in the previous financial year.

Most provinces experienced an increase of deaths in police custody except Western Cape which experienced a decrease of 17%. The overall increase is 50%.

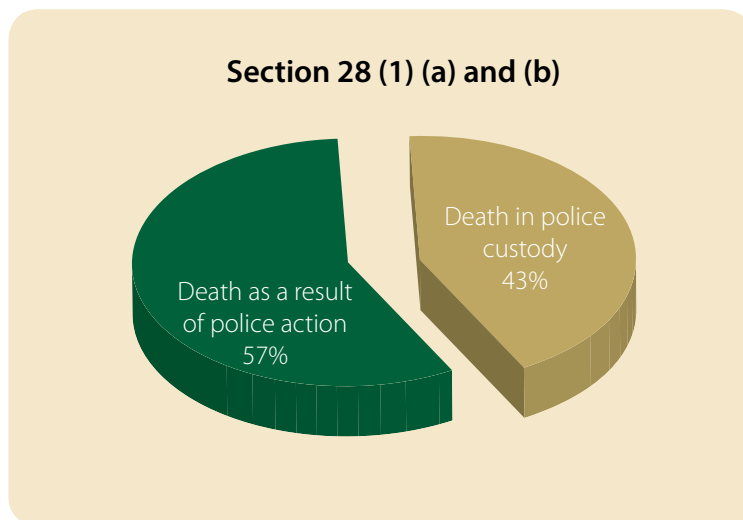
Table 3(b): Deaths in police custody			
Province	2015/2016	2016/2017	Percentage changes
Eastern Cape	16	22	38%
Free State	9	25	178%
Gauteng	23	27	17%
KwaZulu-Natal	17	26	53%
Limpopo	8	11	38%
Mpumalanga	14	17	21%
North West	1	13	1200%
Northern Cape	3	3	0%
Western Cape	12	10	-17%
<b>Total</b>	<b>103</b>	<b>154</b>	<b>50%</b>

Table 3(c) below compares the number of incidents of death as a result of police action reported during the period under review to the same period in the previous financial year. Most provinces had an increase in deaths as a result of police action namely, Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Mpumalanga, Northern Cape and Western Cape while Limpopo and North West experienced a decrease.

Table 3(c): Deaths as a result of police action			
Province	2015/2016	2016/2017	Percentage changes
Eastern Cape	20	42	110%
Free State	3	9	200%
Gauteng	45	59	31%
KwaZulu-Natal	48	51	6%
Limpopo	8	5	-38%
Mpumalanga	10	12	20%
North West	6	5	-17%
Northern Cape	2	4	100%
Western Cape	17	20	18%
<b>Total</b>	<b>159</b>	<b>207</b>	<b>30%</b>

Figure 3 below shows that deaths in police custody contributed 43% while deaths as a result of police action contributed 57%.

Figure 3



Incidents of death as a result of police action might have more than one victim like incidents of business robbery and hijacked vehicles. Table 4 shows the total number of incidents of deaths as a result of police action and the number of deceased per province for the period under review.

Table 4: Comparison of deaths as a result of police action - Incidents and the number of deceased				
Province	Incidents of death		Number of deceased	
	2015/2016	2016/2017	2015/2016	2016/2017
Eastern Cape	20	42	21	52
Free State	3	9	3	10
Gauteng	45	59	52	62
KwaZulu-Natal	48	51	50	58
Limpopo	8	5	8	5
Mpumalanga	10	12	10	15
North West	6	5	6	6
Northern Cape	2	4	2	4
Western Cape	17	20	17	22
<b>Total</b>	<b>159</b>	<b>207</b>	<b>169</b>	<b>240</b>

Table 5(a) show the total of deaths per circumstance which resulted to deaths in police custody in the first six month of the financial year 2016/17. Most deaths in police custody can be attributed to natural causes with a number of 55 cases, followed by suicide with 40 cases and injuries sustained prior to custody (Vigilantism) with 32 cases.

<b>Table 5(a): Intake per circumstances - Deaths in custody</b>	<b>Incident(s)</b>
<b>Injuries sustained in custody (Inmates)</b>	<b>6</b>
Assaulted	6
<b>Injuries sustained prior to custody (Civilian)</b>	<b>4</b>
Assaulted	2
Shot with service firearm	1
Shot with private firearm	1
<b>Injuries sustained prior to custody (crime related)</b>	<b>3</b>
Assaulted	2
Burning	1
<b>Injuries sustained prior to custody (SAPS)</b>	<b>7</b>
Assaulted	1
Suffocation	1
Shot with service firearm	5
<b>Injuries sustained prior to custody (Vigilantism)</b>	<b>32</b>
Assaulted	32
<b>Natural Causes</b>	<b>55</b>
Natural Causes	55
<b>Suicide</b>	<b>40</b>
Suicide (hanging)	40
<b>Injuries sustained prior to custody (Suicide)</b>	<b>3</b>
Suicide (Accidental suicide or other)	2
Suicide (Shooting)	1
<b>Injuries sustained in custody (Escape)</b>	<b>1</b>
Shot with service firearm	1
<b>Injuries sustained in custody (suicide)</b>	<b>3</b>
Suicide (Accidental suicide or other)	1
Burning	1
Poisoning	1
<b>Total</b>	<b>154</b>



Table 5(b) below shows the extent of incidents of suicide in police custody per province. An analysis of suicide by hanging revealed that most incidents were reported in KwaZulu-Natal (32%), Gauteng (18%) and Free State (13%).

Table 5(b): Suicide-hanging		
Province	Suicide (Hanging)	Percentages
Eastern Cape	3	7%
Free State	5	13%
Gauteng	7	18%
KwaZulu-Natal	13	32%
Limpopo	1	3%
Mpumalanga	3	7%
North West	4	10%
Northern Cape	1	3%
Western Cape	3	7%
<b>Total</b>	<b>40</b>	<b>100%</b>

Table 5(c) shows a comparison of suicide by hanging which compares the previous half yearly report with the current financial year. Five provinces namely KwaZulu-Natal, Mpumalanga, Free State, North West and Limpopo experienced an increase in the number of victims who committed suicide while in police custody. However, Western Cape, Eastern Cape and Gauteng experienced a decrease in number of suicide by hanging.

Table 5(c): Suicide (Hanging)			
Province	2015/2016	2016/2017	Percentage change
Eastern Cape	4	3	-25%
Free State	2	5	150%
Gauteng	9	7	-22%
KwaZulu-Natal	3	13	333%
Limpopo	-	1	100%
Mpumalanga	1	3	200%
North West	-	4	100%
Northern Cape	1	1	0%
Western Cape	7	3	-57%
<b>Total</b>	<b>27</b>	<b>40</b>	<b>48%</b>

Table 6 below shows the circumstances in which deaths as a result of police action occurred during the six (06) months period. The analysis of circumstances surrounding death as a result of police action reveals that most deaths occurred during police operations which include response to a crime, arrest, deaths associated with domestic violence and negligence handling of official vehicles.

Table 6: Intake per circumstances-deaths as a result of police action		Incident(s)
<b>A suspect died during the course of a crime</b>		<b>81</b>
Shot with private firearm		1
Shot with service firearm		79
Suicide (Shooting)		1
<b>A suspect died during the course of an escape</b>		<b>2</b>
Shot with service firearm		2
<b>A suspect died during the course of an investigation</b>		<b>7</b>
Assaulted		2

<b>Table 6: Intake per circumstances-deaths as a result of police action</b>	<b>Incident(s)</b>
Shot with service firearm	4
Suffocated	1
<b>A suspect died during the course of arrest</b>	<b>60</b>
Assaulted	4
Shot with private firearm	1
Shot with service firearm	55
<b>An innocent bystander died during commission of a crime</b>	<b>4</b>
Shot with service firearm	3
Struck by police official (pedestrian accident)	1
<b>An innocent bystander died during the cause of an escape</b>	<b>1</b>
Shot with service firearm	1
<b>Crowd Management incidents</b>	<b>4</b>
Shot with service firearm	4
<b>Domestic Violence deaths</b>	<b>16</b>
Suicide (Shooting)	1
Shot with service firearm	15
<b>Negligent handling of a firearm leading to death(s)</b>	<b>5</b>
Suicide (Shooting)	2
Shot with service firearm	3
<b>Negligent handling of private vehicle leading to death(s)</b>	<b>2</b>
Struck by police official (pedestrian accident)	2
<b>Negligent handling of an official vehicle leading to death(s)</b>	<b>16</b>
Struck by police official (pedestrian accident)	11
Vehicle collision while in police operated vehicle	5
<b>Private capacity deaths</b>	<b>9</b>
Assaulted	1
Shot with service firearm	8
<b>Total</b>	<b>207</b>

Table 7 below shows places where deaths occurred. Most deaths occurred on the crime scene (174), of those deaths most were shooting incidents and vigilante deaths, followed by (107) deaths occurred in hospital/clinic and (74) deaths occurred in police cells..

<b>Table 7: Places where deaths occurred</b>	<b>Incident(s)</b>
<b>Places</b>	
Ambulance	3
Court Cell	1
Crime Scene	174
Hospital/Clinic	107
Police Cells	74
Police Vehicle	2
<b>Total</b>	<b>361</b>

### 3.2. INTAKE AS PER SECTION 28(1)(c) – COMPLAINT OF THE DISCHARGE OF OFFICIAL FIREARM(S)

The total number and the percentages of cases reported in relation to cases of a complaint of discharge of an official firearm per province are depicted in Table 8 below. The majority of incidents were reported in KwaZulu-Natal (149) followed by Eastern Cape (148) and Western Cape (147).

**Table 8 (a): Complaint of the discharge of an official firearm(s)**

Province	Incident(s)	Percentages
Eastern Cape	148	21%
Free State	45	6%
Gauteng	120	17%
KwaZulu-Natal	149	21%
Limpopo	37	5%
Mpumalanga	22	3%
North West	23	3%
Northern Cape	23	3%
Western Cape	147	21%
<b>Total</b>	<b>714</b>	<b>100%</b>

A further analysis of complaints on the discharge of official firearm(s) was done. A comparison was made between the 1<sup>st</sup> half of the previous financial year 2015/2016 and the current financial year 2016/2017. It was evident that there was an increase of reports of the discharge of an official firearm(s) cases nationally.

**Table 8 (b): Complaint of the discharge of an official firearm(s)**

Province	2015/2016	2016/2017	Percentages
Eastern Cape	85	148	74%
Free State	53	45	-15%
Gauteng	38	120	216%
KwaZulu-Natal	58	149	157%
Limpopo	56	37	-34%
Mpumalanga	46	22	-52%
North West	18	23	28%
Northern Cape	20	23	15%
Western Cape	94	147	56%
<b>Total</b>	<b>468</b>	<b>714</b>	<b>53%</b>

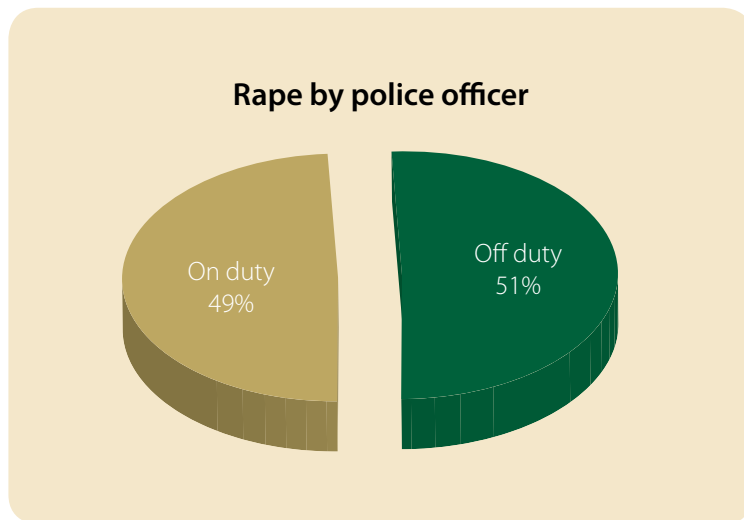
### 3.3. INTAKE AS PER SECTION 28(1)(d) – RAPE BY POLICE OFFICER(S)

Table 9 (a) below shows the incidents of rape by the police officer(s), whilst on or off duty, per province. Gauteng reported most incidents (8) of rape while members were off duty, followed by KwaZulu-Natal and Western Cape with four (4) incidents (4) respectively

Province	On duty	Off duty	Incident(s)
Eastern Cape	5	2	7
Free State	2	1	3
Gauteng	7	8	15
KwaZulu-Natal	3	4	7
Limpopo	-	2	2
Mpumalanga	2	1	3
North West	-	2	2
Northern Cape	-	2	2
Western Cape	6	4	10
<b>Total</b>	<b>25</b>	<b>26</b>	<b>51</b>

It was noted that most incidents of rape occurred while police officer(s) were off duty (51%) as depicted by figure 4 below.

**Figure 4**



A further analysis of rape by police officer(s) on duty was done. A comparison was made between the 1<sup>st</sup> half of the previous financial year 2015/2016 and the period under review. It is noted with a concern that there is 4% increase of rape by member(s) while on duty

<b>Table 9 (b): Rape by police officer(s) – on duty</b>			
<b>Province</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>Percentages</b>
Eastern Cape	4	5	25%
Free State	2	2	0%
Gauteng	6	7	17%
KwaZulu-Natal	6	3	-50%
Limpopo	1	-	-100%
Mpumalanga	2	2	0%
North West	-	-	-
Northern Cape	1	-	-100%
Western Cape	2	6	200%
<b>Total</b>	<b>24</b>	<b>25</b>	<b>4%</b>

Also further analysis of rape by police officer(s) off duty was done. It is encouraging to note that there is a decrease of rape by police officer(s) while off duty when comparing the two financial years.

<b>Table 9 (c): Rape by police officer(s) – off duty</b>			
<b>Province</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>Percentages</b>
Eastern Cape	5	2	-60%
Free State	5	1	-80%
Gauteng	7	8	14%
KwaZulu-Natal	7	4	-43%
Limpopo	2	2	0%
Mpumalanga	-	1	100%
North West	4	2	-50%
Northern Cape	-	2	100%
Western Cape	7	4	-43%
<b>Total</b>	<b>37</b>	<b>26</b>	<b>-30%</b>

### 3.4. INTAKE AS PER SECTION 28(1)(e) – RAPE IN POLICE CUSTODY

Table 10(a) below shows the incidents of rape in police custody per province. Western Cape reported the 2 cases, Free State, Gauteng, KwaZulu-Natal, Limpopo and Mpumalanga reported 1 case each.

<b>Table 10(a): Rape in police custody</b>			
<b>Province</b>	<b>Civilians</b>	<b>Police Officer(s)</b>	<b>Incident(s)</b>
Eastern Cape	-	-	-
Free State	1	-	1
Gauteng	1	-	1
KwaZulu-Natal	1	-	1
Limpopo	1	-	1
Mpumalanga	-	1	1
North West	-	-	-
Northern Cape	-	-	-
Western Cape	1	1	2
<b>Total</b>	<b>5</b>	<b>2</b>	<b>7</b>

A further analysis of rape in police custody has been done by comparing the previous financial year and the current financial year. It is encouraging to note that there is a decrease of rape in police custody when comparing the two financial years.

<b>Table 10(b): Rape in police custody</b>			
<b>Province</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>Percentages</b>
Eastern Cape	1	-	-100%
Free State	-	1	100%
Gauteng	3	1	-67%
KwaZulu-Natal	-	1	100%
Limpopo	3	1	-67%
Mpumalanga	2	1	-50%
North West	1	-	-100%
Northern Cape	-	-	-
Western Cape	5	2	-60%
<b>Total</b>	<b>15</b>	<b>7</b>	<b>-53%</b>

### 3.5. INTAKE AS PER SECTION 28(1)(f) – TORTURE / ASSAULT

Table 11(a) below shows the total number and the percentage of cases reported in relation to torture and assault per province. The highest intake of such cases was in Western Cape (425) followed by Free State (293) and KwaZulu-Natal (254).

<b>Table 11(a): Torture or assault</b>				
<b>Province</b>	<b>Torture</b>	<b>Assault</b>	<b>Total</b>	<b>Percentages</b>
Eastern Cape	2	195	197	10%
Free State	11	282	293	15%
Gauteng	6	203	209	11%
KwaZulu-Natal	24	230	254	13%
Limpopo	2	122	124	6%
Mpumalanga	11	112	123	6%
North West	4	163	167	9%
Northern Cape	1	125	126	7%
Western Cape	-	425	425	22%
<b>Total</b>	<b>61</b>	<b>1 857</b>	<b>1 918</b>	<b>100%</b>

The total number and the percentage of cases reported in relation to torture and assault per description is shown in Table 11(b) below. The highest number of cases were assault common (82%), followed by assault GBH (13%) and torture (3%).

<b>Table 11(b): Torture and Assault</b>		
<b>Description</b>	<b>Incident(s)</b>	<b>Percentages</b>
Assault - common	1 570	82%
Assault - crowd management	27	2%
Assault - dog attack	1	0%
Assault - indecent	3	0%
Assault - sexual	3	0%
Assault - torture	61	3%
Assault - with intent to do grievous bodily harm (GBH)	253	13%
<b>Total</b>	<b>1 918</b>	<b>100%</b>

\*Percentages rounded off to the nearest decimal

### 3.6. INTAKE AS PER SECTION 28(1)(g) – CORRUPTION

During the period under review, the Directorate received 66 cases relating to corruption involving members of SAPS (63) and MPS (3). The highest number of cases was reported in KwaZulu-Natal (45%) and Gauteng (20%). See Table 12(a) below.

Table 12(a): Corruption				
Province	SAPS	MPS	Total cases	Percentages
Eastern Cape	8	-	8	12%
Free State	6	-	6	9%
Gauteng	13	-	13	20%
KwaZulu-Natal	27	3	30	45%
Limpopo	1	-	1	2%
Mpumalanga	3	-	3	4%
North West	4	-	4	6%
Northern Cape	1	-	1	2%
Western Cape	-	-	-	-
<b>Total</b>	<b>63</b>	<b>3</b>	<b>66</b>	<b>100%</b>

Table 12(b) depicts the number and the percentages of corruption per description. The analysis of cases reported indicates that the highest numbers of cases were extortion or soliciting bribes (68%), followed by sale, theft and/or destruction of police docketts (10%) and sale, theft of exhibits and abuse of informers' fees (8%).

Table 12(b): Corruption		
Description	Incident(s)	Percentages
Corruption - Abuse of informers' fees	5	8%
Corruption - Aiding escape from custody	2	3%
Corruption - Extortion or soliciting a bribe	45	68%
Corruption - Issuing of fraudulent documents	2	3%
Corruption - Sale, theft and/or destruction of police docketts	7	10%
Corruption - Sale, theft of exhibits	5	8%
<b>Total</b>	<b>66</b>	<b>100%</b>

### 3.7. INTAKE AS PER SECTION 28(1)(h) – OTHER CRIMINAL MATTERS AND MISCONDUCT

Other criminal matters and misconduct are matters that were referred to IPID by the Minister, MEC or Civilian Secretary for Police. They include matters where the Executive Director decides to investigate or by exercising his/her decision to investigate after being requested to do so by the SAPS or any other person having regard to the seriousness of the offence or misconduct.

Misconduct cases were investigated after IPID was satisfied that SAPS intervention at Provincial or National level did not satisfy the complainant and there were grounds to intervene in the interest of justice.

It is important to note that while Section 206(6) of the Constitution enjoins the IPID to investigate cases of misconduct and criminal offences, Section 28(1)(h) of the IPID Act enables the IPID to investigate all criminal matters and misconduct cases not provided for in Section 28(1)(a)-(g).

The IPID recorded a total of 96 incidents in respect of other criminal offenses, ranging from attempted murder, defeating the ends of justice and fraud to mention only a few. Table 13(a) shows the total number and the percentage of cases reported of other criminal matters per province. The largest recipient of such cases is Gauteng (32%), followed by Free State (20%) and Eastern Cape (16%).

<b>Table 13(a): Other criminal matters</b>		
<b>Province</b>	<b>Incident(s)</b>	<b>Percentages</b>
Eastern Cape	15	16%
Free State	19	20%
Gauteng	31	32%
KwaZulu-Natal	4	4%
Limpopo	-	-
Mpumalanga	4	4%
North West	12	13%
Northern Cape	10	10%
Western Cape	1	1%
<b>Total</b>	<b>96</b>	<b>100%</b>

Table 13(b) below indicates the total number and the percentage of cases reported in respect of other criminal matters per description. The breakdown of other criminal matters per type of offence indicates that the majority of the cases were defeating the ends of justice (27%), followed by attempted murder (16%) and other intimidation (12%).

<b>Table 13(b): Other criminal matters</b>		
<b>Description</b>	<b>Incident(s)</b>	<b>Percentages</b>
Attempted murder	15	16%
Defeating the ends of justice	26	27%
Fraud	6	6%
Harassment	5	5%
Intimidation	11	12%
Pointing of firearm	3	3%
Receiving stolen property	1	1%
Theft	10	11%
Robbery	4	4%
Drunken driving	1	1%
Drug related offences	2	2%
Crimen Injuria	6	6%
Reckless driving	2	2%
Malicious injury to property	4	4%
<b>Total</b>	<b>96</b>	<b>100%</b>



Table 13(c) below, indicates the total number and the percentages of cases of misconduct investigations reported per province. Gauteng (50%) recorded the highest number of misconduct cases followed by Gauteng (41%) and Free State (29%).

<b>Table 13(c): Misconduct</b>		
<b>Province</b>	<b>Incident(s)</b>	<b>Percentages</b>
Eastern Cape	3	5%
Free State	18	29%
Gauteng	26	41%
KwaZulu-Natal	8	13%
Limpopo	1	2%
Mpumalanga	7	11%
North West	-	-
Northern Cape	-	-
Western Cape	-	-
<b>Total</b>	<b>63</b>	<b>100%</b>

Table 13(d) indicates the types of misconduct complaints reported. The majority of the recorded misconduct cases were service delivery complaint (54%). In such cases, the IPID recommended that the concerned official be charged according to SAPS Regulation 20(a) – fails to comply with, or contravenes an Act, regulation or legal obligation.

<b>Table 13(d): Misconduct</b>		
<b>Description</b>	<b>Incident(s)</b>	<b>Percentages</b>
Misconduct referred	29	46%
Service delivery complaint	34	54%
<b>Total</b>	<b>63</b>	<b>100%</b>

### 3.8. INTAKE AS PER SECTION 28(2) – SYSTEMIC CORRUPTION

Section 28(2) of the IPID Act prescribes that the Directorate may investigate matters relating to systemic corruption involving the SAPS/MPS. Free State, KwaZulu-Natal and Mpumalanga reported 1 systemic corruption matter each.

<b>Table 14: Systemic corruption involving the police</b>		
<b>Province</b>	<b>Incident(s)</b>	<b>Percentages</b>
Eastern Cape	-	-
Free State	1	33%
Gauteng	-	-
KwaZulu-Natal	1	33%
Limpopo	-	-
Mpumalanga	1	33%
North West	-	-
Northern Cape	-	-
Western Cape	-	-
<b>Total</b>	<b>3</b>	<b>100%*</b>

\*The total is rounded off

### 3.9. INTAKE AS PER SECTION 33(1) (5) NON-COMPLIANCE WITH SECTION 29 OF THE IPID ACT

According to Section 29 of the Act, members of the SAPS and MPS should immediately notify the Directorate of any matters referred to in Section 28 (1) (a)-(f). They should, within 24 hours submit a written report to the Directorate and must provide their full cooperation in terms of the investigation, which includes, but is not limited to, arrangement of identification parades, availing members for affidavits and any other information required. The total number and percentages of cases opened by IPID in respect of non-compliance with the IPID Act per province is depicted in Table 14 below. The highest number of non-compliance cases were recorded in the Eastern Cape (47%), followed by Northern Cape (17%) and Limpopo (9%).

Province	Incident(s)	Percentages
Eastern Cape	16	47%
Free State	2	6%
Gauteng	2	6%
KwaZulu-Natal	-	-
Limpopo	3	9%
Mpumalanga	1	3%
North West	2	6%
Northern Cape	6	17%
Western Cape	2	6%
<b>Total</b>	<b>34</b>	<b>100%</b>

## 4. COMPARISON OF CASE INTAKE OVER TWO YEARS

A comparison of case intake for the first half-year of 2015/16 and the current financial year indicates an overall increase of 21% for the first half-year of 2016/17 nationally. Provinces which experienced an increase were Northern Cape, Gauteng, KwaZulu-Natal, Eastern Cape, Free State, North West and Western Cape while other provinces experience a decrease namely, Mpumalanga and Limpopo.

Table 15 reflect the percentage changes in intake for the period under review compared to the same period for the previous financial year.

Provinces	Intake for 1 <sup>st</sup> half-year of 2015/16	Intake for 1 <sup>st</sup> half-year of 2016/17	Percentage changes
Eastern Cape	289	458	58%
Free State	373	422	13%
Gauteng	378	503	33%
KwaZulu-Natal	368	531	44%
Limpopo	200	185	-8%
Mpumalanga	245	194	-21%
North West	174	228	31%
Northern Cape	114	175	54%
Western Cape	598	617	3%
<b>Total</b>	<b>2739</b>	<b>3313</b>	<b>21%</b>

## 5. ALLOCATED CASES PER PROVINCE

The Directorate's standard for allocating cases is 91% within 72 hours. This standard measures the time from which a case is registered by the Directorate until such time that it is allocated to an individual case worker for investigation. Table 16 shows the total number of cases that were allocated within 72 hours, by the respective provinces. IPID reported a total of 3 313 cases during the period under review and managed to allocate 2 501 cases within 72 hours. An allocation rate of 75% was therefore achieved.

**Table 16: Allocated cases within 72 hours**

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape while in police custody	Torture	Assault	Corruption	Systemic corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	14	23	80	4	-	2	118	5	-	5	7	2	260
Free State	22	8	38	3	1	9	222	6	-	-	16	11	336
Gauteng	20	45	103	14	1	5	147	13	-	1	20	20	389
KwaZulu-Natal	23	44	129	7	1	24	203	23	-	-	4	7	465
Limpopo	10	3	35	2	1	2	106	1	-	1	-	1	162
Mpumalanga	12	12	21	3	1	10	104	3	-	1	4	6	177
North West	9	3	18	2	-	4	139	3	-	1	8	-	187
Northern Cape	3	2	22	-	-	1	99	1	-	5	5	-	138
Western Cape	8	17	103	7	2	-	247	-	-	2	1	-	387
<b>Total</b>	<b>121</b>	<b>157</b>	<b>549</b>	<b>42</b>	<b>7</b>	<b>57</b>	<b>1 385</b>	<b>55</b>	<b>-</b>	<b>16</b>	<b>65</b>	<b>47</b>	<b>2 501</b>

All cases received are allocated to respective case workers. Table 17 shows the total number of cases that were not allocated within 72 hours, by the respective provinces. It is evident that 812 cases reported were allocated after 72 hours.

**Table 17: Allocated cases after 72 hours**

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systemic corruption	Non-compliance with IPID Act	Other criminal offence	Misconduct	Total
Eastern Cape	8	19	68	3	-	-	77	3	-	11	8	1	198
Free State	3	1	7	-	-	2	60	-	1	2	3	7	86
Gauteng	7	14	17	1	-	1	56	-	-	1	11	6	114
KwaZulu-Natal	3	7	20	-	-	-	27	7	1	-	0	1	66
Limpopo	1	2	2	-	-	-	16	-	-	2	0	0	23
Mpumalanga	5	-	1	-	-	1	8	-	1	-	0	1	17
North West	4	2	5	-	-	-	24	1	-	1	4	0	41
Northern Cape	-	2	1	2	-	-	26	-	-	1	5	0	37
Western Cape	2	3	44	3	-	-	178	-	-	-	0	0	230
<b>Total</b>	<b>33</b>	<b>50</b>	<b>165</b>	<b>9</b>	<b>-</b>	<b>4</b>	<b>472</b>	<b>11</b>	<b>3</b>	<b>18</b>	<b>31</b>	<b>16</b>	<b>812</b>

## 6. DECISION READY CASES

Decision ready refers to investigations where an investigator has conducted quality investigations and obtained all necessary evidence to enable the NPA to make a decision whether to prosecute or not. Table 18 below shows the total number and percentage of decision ready cases by the respective provinces. It can be observed that Northern Cape has completed 94% of their active workload in the first six (06) months, followed by North West (88%) and Limpopo (81%). The IPID nationally achieved an overall completion rate of 66% in the period under review. The Half yearly performance is indicative that the IPID is on course to achieve its performance target of 60% at the end of financial year.

**Table 18: Percentages of decision ready cases by the Provinces**

Provinces	Total workload	Total decision ready cases	Percentages of decision ready cases
Eastern Cape	458	324	71%
Free State	422	329	78%
Gauteng	498	333	67%
KwaZulu-Natal	536	125	23%
Limpopo	185	150	81%
Mpumalanga	194	120	62%
North West	228	200	88%
Northern Cape	175	164	94%
Western Cape	617	432	70%
<b>Total</b>	<b>3 313</b>	<b>2 177</b>	<b>66%</b>

The number and type of criminal cases reported and investigated in terms of Section 28 of the IPID Act 1 of 2011 differs from province to province. Table 19 below shows the number of decision ready cases by the respective provinces per category received and completed during the period under review. The highest category of decision ready cases was in respect of alleged assault (1 284) followed by discharge of official firearm (478) and deaths in police custody (114).

**Table 19: Classification of Decision ready cases**

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Any other matters referred and misconduct	Total
Eastern Cape	20	26	116	4	0	1	127	5	-	14	11	324
Free State	13	5	27	1	0	8	242	6	-	2	25	329
Gauteng	25	36	93	11	1	5	125	3	-	2	32	333
KwaZulu-Natal	12	5	39	3	1	0	59	6	-	0	0	125
Limpopo	11	3	25	2	1	1	104	0	-	2	1	150
Mpumalanga	15	3	11	2	1	6	74	2	-	1	5	120
North West	13	1	19	2	0	2	151	2	-	1	9	200
Northern Cape	1	4	22	2	0	1	120	1	-	6	7	164
Western Cape	4	9	126	7	2	-	282	0	-	2	0	432
<b>Total</b>	<b>114</b>	<b>92</b>	<b>478</b>	<b>34</b>	<b>6</b>	<b>24</b>	<b>1284</b>	<b>25</b>	<b>-</b>	<b>30</b>	<b>90</b>	<b>2 177</b>

Table 20: Classification of intake cases

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Any other matters referred and misconduct	Total
Eastern Cape	22	42	148	7	0	2	195	8	0	16	18	458
Free State	25	9	45	3	1	11	282	6	1	2	37	422
Gauteng	27	59	120	15	1	6	203	13	0	2	57	503
KwaZulu-Natal	26	51	149	7	1	24	230	30	1	0	12	531
Limpopo	11	5	37	2	1	2	122	1	0	3	1	185
Mpumalanga	17	12	22	3	1	11	112	3	1	1	11	194
North West	13	5	23	2	0	4	163	4	0	2	12	228
Northern Cape	3	4	23	2	0	1	125	1	0	6	10	175
Western Cape	10	20	147	10	2	0	425	0	0	2	1	617
<b>Total</b>	<b>154</b>	<b>207</b>	<b>714</b>	<b>51</b>	<b>7</b>	<b>61</b>	<b>1 857</b>	<b>66</b>	<b>3</b>	<b>34</b>	<b>159</b>	<b>3 313</b>

### 6.1 DECISION READY OF DEATHS IN POLICE CUSTODY AND AS A RESULT OF POLICE ACTION

The IPID is mandated to investigate all death in police custody and as a result of police action in terms of Section 28 (1)(a) and (b). Table 21 (a) below shows the workload versus decision ready cases in relation to deaths in police custody per province. For the period under review, IPID nationally achieved 74%.

Table 21: (a) Deaths in police custody

Province	Total workload	Total decision ready	Percentages
Eastern Cape	22	20	91%
Free State	25	13	52%
Gauteng	27	25	93%
KwaZulu-Natal	26	12	46%
Limpopo	11	11	100%
Mpumalanga	17	15	88%
North West	13	13	100%
Northern Cape	3	1	33%
Western Cape	10	4	40%
<b>Total</b>	<b>154</b>	<b>114</b>	<b>74%</b>

Table 21 (b) below shows the workload versus decision ready of deaths as a result of police action cases per provinces. The period under review, IPID nationally achieved 44%.

<b>Table 21 (b): Deaths as a result of police action</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	42	26	62%
Free State	9	5	56%
Gauteng	59	36	61%
KwaZulu-Natal	51	5	10%
Limpopo	5	3	60%
Mpumalanga	12	3	25%
North West	5	1	20%
Northern Cape	4	4	100%
Western Cape	20	9	45%
<b>Total</b>	<b>207</b>	<b>92</b>	<b>44%</b>

## 6.2 DECISION READY CASES SECTION 28(1) (c) - (g) OF IPID ACT

Table 22(a) below shows the workload of discharge of an official firearm versus the number of decision ready matters. IPID finalised a total of 478 cases during the period under review, which equates to 67% of decision ready cases.

<b>Table 22(a): Complaints of discharge of an official firearm(s)</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	148	116	78%
Free State	45	27	60%
Gauteng	120	93	78%
KwaZulu-Natal	149	39	26%
Limpopo	37	25	68%
Mpumalanga	22	11	50%
North West	23	19	83%
Northern Cape	23	22	96%
Western Cape	147	126	86%
<b>Total</b>	<b>714</b>	<b>478</b>	<b>67%</b>

Table 22(b) below shows the workload of rape by police officer versus the number of decision ready matters. IPID finalised a total of 34 cases during the period under review, which equates to 67% decision ready cases.

<b>Table 22(b): Rape by police officer</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	7	4	57%
Free State	3	1	33%
Gauteng	15	11	73%
KwaZulu-Natal	7	3	43%
Limpopo	2	2	100%
Mpumalanga	3	2	67%
North West	2	2	100%
Northern Cape	2	2	100%
Western Cape	10	7	70%
<b>Total</b>	<b>51</b>	<b>34</b>	<b>67%</b>

Table 22(c) below shows the workload of rape in police custody versus the number of decision ready matters. IPID completed a total of 6 cases during the period under review, which equates to 86% decision ready cases.

<b>Table 22(c): Rape in police custody</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	-	-	-
Free State	1	0	0%
Gauteng	1	1	100%
KwaZulu-Natal	1	1	100%
Limpopo	1	1	100%
Mpumalanga	1	1	100%
North West	-	-	-
Northern Cape	-	-	-
Western Cape	2	2	100%
<b>Total</b>	<b>7</b>	<b>6</b>	<b>86%</b>

Table 22(d) below shows the workload of torture cases versus the number of decision ready cases. IPID finalised a total of 24 cases during the period under review, which equates to 39% decision ready cases.

<b>Table 22(d): Torture</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	2	1	50%
Free State	11	8	73%
Gauteng	6	5	83%
KwaZulu-Natal	24	0	0%
Limpopo	2	1	50%
Mpumalanga	11	6	55%
North West	4	2	50%
Northern Cape	1	1	100%
Western Cape	-	-	-
<b>Total</b>	<b>61</b>	<b>24</b>	<b>39%</b>

Table 22(e) below shows the workload of assault versus the number of decision ready matters. IPID finalised a total of 1 284 cases during the period under review, which equates to 69% decision ready cases.

<b>Table 22(e): Assault</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	195	127	65%
Free State	282	242	86%
Gauteng	203	125	62%
KwaZulu-Natal	230	59	26%
Limpopo	122	104	85%
Mpumalanga	112	74	66%
North West	163	151	93%
Northern Cape	125	120	96%
Western Cape	425	282	66%
<b>Total</b>	<b>1 857</b>	<b>1 284</b>	<b>69%</b>

Table 22(f) below shows the workload of corruption cases versus the number of decision ready matters. IPID finalised a total of 25 cases during the period under review, which equates to 38% decision ready.

<b>Table 22(f): Corruption</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	8	5	63%
Free State	6	6	100%
Gauteng	13	3	23%
KwaZulu-Natal	30	6	20%
Limpopo	1	0	0%
Mpumalanga	3	2	67%
North West	4	2	50%
Northern Cape	1	1	100%
Western Cape	-	-	-
<b>Total</b>	<b>66</b>	<b>25</b>	<b>38%</b>

Table 22(g) below shows the workload of other criminal matter versus the number of decision ready matters. IPID finalised a total of 90 cases during the period under review, which equates to 57% decision ready.

<b>Table 22(g): Other criminal matters and misconduct (Section 28(1) (h))</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	18	11	61%
Free State	37	25	68%
Gauteng	52	32	62%
KwaZulu-Natal	17	0	0%
Limpopo	1	1	100%
Mpumalanga	11	5	45%
North West	12	9	75%
Northern Cape	10	7	70%
Western Cape	1	0	0%
<b>Total</b>	<b>159</b>	<b>90</b>	<b>57%</b>

Table 22(h) below shows the workload of non-compliance with the IPID Act versus the number of decision ready matters. IPID finalised a total of 30 cases during the period under review, which equates to 88% decision ready.

<b>Table 22(h): Non-compliance with the IPID Act (Section 33)</b>			
<b>Province</b>	<b>Total workload</b>	<b>Total decision ready</b>	<b>Percentages</b>
Eastern Cape	16	14	88%
Free State	2	2	100%
Gauteng	2	2	100%
KwaZulu-Natal	-	-	-
Limpopo	3	2	67%
Mpumalanga	1	1	100%
North West	2	1	50%
Northern Cape	6	6	100%
Western Cape	2	2	100%
<b>Total</b>	<b>34</b>	<b>30</b>	<b>88%</b>



Table 22(i) below shows the workload for backlog cases versus the decision ready backlog cases. IPID finalised a total of 1 122 backlog cases during the period under review, which equates to 45% decision ready.

Provinces	Backlog workload	Backlog decision ready cases	Percentages
Eastern Cape	175	151	86%
Free State	57	52	91%
Gauteng	461	164	36%
KwaZulu-Natal	547	92	17%
Limpopo	71	61	86%
Mpumalanga	257	153	60%
North West	43	28	65%
Northern Cape	5	5	100%
Western Cape	881	416	47%
<b>Total</b>	<b>2 497</b>	<b>1 122</b>	<b>45%</b>

## 7. ATTENDANCE OF CRIME SCENES AND POST MORTEMES

The IPID has a responsibility to attend scenes of crime (where possible or practical) as well as post mortems. These forms part of the investigation process and play a pivotal role in the completion of case investigation. Table 23 shows both the total number of crime scenes attended and not attended within 24 hours per province. Nationally, IPID attended 56% of the crime scenes within 24 hours of those being reported. During the period under review IPID was unable to attend 159 crime scenes. It should be noted that in some instances victims passed away in hospital, as a result crime scenes could not be attended, and the same applies to cases of discharge of official firearms.

Provinces	Number of scene attended		Number of scene not attended		Totals			Percentages of scenes attended
	Deaths in custody	Deaths as a result of police action	Deaths in custody	Deaths as a result of police action	Scenes attended	Scenes not attended	Grand total	
Eastern Cape	11	33	11	9	44	20	64	69%
Free State	25	9	0	0	34	0	34	100%
Gauteng	6	31	21	28	37	49	86	43%
KwaZulu-Natal	12	28	14	23	40	37	77	52%
Limpopo	7	4	4	1	11	5	16	69%
Mpumalanga	4	3	13	9	7	22	29	24%
North West	3	3	10	2	6	12	18	33%
Northern Cape	3	4	0	0	7	0	7	100%
Western Cape	3	13	7	7	16	14	30	53%
<b>Total</b>	<b>74</b>	<b>128</b>	<b>80</b>	<b>79</b>	<b>202</b>	<b>159</b>	<b>361</b>	<b>56%</b>

Table 24 shows the total number of post mortems attended and the total number of post mortems not attended per province. Nationally the IPID attended 53% of the post mortems.

Table 24: Post mortems attended and not attended								
Provinces	Number of post-mortems attended		Number of post-mortems not attended		Totals			Percentages of post mortems attended
	Deaths in custody	Deaths as a result	Deaths in custody	Deaths as a result	Total attended	Total not attended	Grand total	
Eastern Cape	15	42	7	16	57	23	80	71%
Free State	25	9	0	1	34	1	35	97%
Gauteng	8	22	19	40	30	59	89	34%
KwaZulu-Natal	8	20	18	38	28	56	84	33%
Limpopo	10	5	1	0	15	1	16	94%
Mpumalanga	6	9	11	6	15	17	32	47%
North West	7	5	6	1	12	7	19	63%
Northern Cape	1	4	2	0	5	2	7	71%
Western Cape	3	9	7	13	12	20	32	38%
<b>Total</b>	<b>83</b>	<b>125</b>	<b>71</b>	<b>115</b>	<b>208</b>	<b>186</b>	<b>394</b>	<b>53%</b>

Table 25 indicates the total number of 39 criminal scenes attended by IPID Provincial Offices.

Table 25: Criminal scenes attended									
Province	Complaint of a discharge of an official firearm(s)	Rape by police office	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Other criminal offence	Total
Eastern Cape	32	-	-	-	-	-	-	-	32
Free State	-	-	-	-	-	-	-	-	-
Gauteng	1	-	-	-	-	-	-	-	1
KwaZulu-Natal	2	1	1	-	-	-	-	-	4
Limpopo	-	-	-	-	-	-	-	-	-
Mpumalanga	-	1	-	-	-	-	-	-	1
North West	1	-	-	-	-	-	-	-	1
Northern Cape	-	-	-	-	-	-	-	-	-
Western Cape	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>36</b>	<b>2</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>39</b>

## 8. CRIMINAL RECOMMENDATIONS TO NPA AND THE OUTCOME

After the completion of an investigation, recommendations are referred to the NPA who, based on the evidence at hand, will make a decision whether or not to institute criminal proceedings against the suspect(s).

Table 26(a) shows the total number of recommendations referred to the NPA by the respective provinces for the period under review. A total of 508 criminal recommendations were made to the NPA for decision, comprising of 30 cases which were death, 59 cases of complaints of the discharge of an official firearm(s), 3 cases of rape by a police officer, 367 cases of assault, 9 cases of corruption, 19 cases of non-compliance with IPID Act and 21 cases relating to other criminal offences. No cases of rape in police custody, torture and systemic corruption were forwarded to the NPA.

**Table 26(a): Criminal Recommendations referred to NPA-2016/2017**

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systemic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	-	3	18	1	-	-	58	1	-	8	4	<b>93</b>
Free State	-		11	-	-	-	61	4	-	-	7	<b>83</b>
Gauteng	-	5	5	-	-	-	26	1	-	-	-	<b>37</b>
KwaZulu-Natal	-	11	5	1	-	-	30	1	-	-	1	<b>49</b>
Limpopo	1		6	-	-	-	13	-	-	-	1	<b>21</b>
Mpumalanga	-	1	3	-	-	-	32	1	-	3	-	<b>40</b>
North West	-	4	7	-	-	-	61	1	-	1	3	<b>77</b>
Northern Cape	1	3	2	-	-	-	29	-	-	7	4	<b>46</b>
Western Cape	-	1	2	1	-	-	57	-	-	-	1	<b>62</b>
<b>Total</b>	<b>2</b>	<b>28</b>	<b>59</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>367</b>	<b>9</b>	<b>-</b>	<b>19</b>	<b>21</b>	<b>508</b>

Every recommendation forwarded to the NPA will be evaluated and based on the evidence presented; and a decision made on the case. Table 26(b) shows the details on the outcomes of the recommendations made to the NPA.

**Table 26(b): Outcome of Criminal Recommendations made to the NPA**

Province	Awaiting for response	Declined to prosecute	Prosecute	NPA requested more information	Total
Eastern Cape	93	-	-	-	<b>93</b>
Free State	81	-	2	-	<b>83</b>
Gauteng	37	-	-	-	<b>37</b>
KwaZulu-Natal	49	-	-	-	<b>49</b>
Limpopo	21	-	-	-	<b>21</b>
Mpumalanga	40	-	-	-	<b>40</b>
North West	77	-	-	-	<b>77</b>
Northern Cape	40	3	3	-	<b>46</b>
Western Cape	62	-	-	-	<b>62</b>
<b>Total</b>	<b>500</b>	<b>3</b>	<b>5</b>	<b>-</b>	<b>508</b>

## 9. DISCIPLINARY RECOMMENDATIONS

Part of the mandate of the IPID is to make disciplinary recommendations to the SAPS after a complaint was investigated and the investigation was completed. Table 27(a) shows the total number of relevant disciplinary recommendations referred by the respective provinces to SAPS. A total number of 577 disciplinary recommendations were referred to SAPS during the period under review.

**Table 27(a): Disciplinary Recommendations referred to SAPS-2016/2017**

Province	Deaths in police custody	Deaths as a result of police action	Complaint of discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	1	7	15	1	-	-	48	4	-	6	4	<b>86</b>
Free State	-	-	13	-	-	-	70	3	-	-	4	<b>90</b>
Gauteng	1	4	5	5	-	-	22	1	-	2	2	<b>42</b>
KwaZulu-Natal	-	-	7	-	-	-	12	1	-	1	2	<b>23</b>
Limpopo	-	2	5	2	-	-	15	-	-	-	-	<b>24</b>
Mpumalanga	-	3	4	-	-	-	40	1	-	2	3	<b>53</b>
National Division	-	1	3	2	-	-	8	3	-	-	1	<b>18</b>
North West	1	4	5	1	-	-	64	1	-	5	5	<b>86</b>
Northern Cape	1	3	4	2	-	-	27	-	-	8	4	<b>49</b>
Western Cape	3	5	3	4	1	-	90	-	-	-	-	<b>106</b>
<b>Total</b>	<b>7</b>	<b>29</b>	<b>64</b>	<b>17</b>	<b>1</b>	<b>-</b>	<b>396</b>	<b>14</b>	<b>-</b>	<b>24</b>	<b>25</b>	<b>577</b>

In terms of Section 30 of the IPID Act, IPID refers the disciplinary recommendation to SAPS on which SAPS has 30 days to respond on the disciplinary process implemented. Table 27(b) indicates the status of the disciplinary recommendations referred to SAPS from 1 April to 30 September 2016.

Province	Outcomes of disciplinary matters						Unresolved disciplinary matters		Grand Total
	Awaiting Response	Not guilty	Guilty	Withdrawn by complainant	Service Termination	Disciplinary hearing in process	No disciplinary steps taken	Disciplinary investigation initiated	
Eastern Cape	53	-	1	-	-	-	3	29	<b>86</b>
Free State	57	-	3	-	-	-	3	27	<b>90</b>
Gauteng	21	-	-	-	-	-	1	19	<b>42</b>
KwaZulu-Natal	16	-	1	-	-	-	1	6	<b>23</b>
Limpopo	19	-	-	-	-	-	-	5	<b>24</b>
Mpumalanga	36	2	8	1	-	-	2	4	<b>53</b>
Division	15	-	2	-	-	-	-	1	<b>18</b>
North West	51	-	4	-	-	-	-	31	<b>86</b>
Northern Cape	27	-	3	-	-	-	2	17	<b>49</b>
Western Cape	80	1	-	-	-	-	-	25	<b>106</b>
<b>Total</b>	<b>375</b>	<b>3</b>	<b>22</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>12</b>	<b>164</b>	<b>577</b>

## 10. CONVICTIONS AND ACQUITTALS

### 10.1. DISCIPLINARY CONVICTIONS

Table 28 shows the total number of disciplinary convictions that were reported by the respective provinces during the period under review, this includes the conviction of the recommendations that were referred to SAPS/MPS in previous financial year. A total number of 86 disciplinary convictions were reported.

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence and misconduct	Total
Eastern Cape	-	1	-	-	-	-	-	-	-	-	-	1
Free State	-	-	1	-	-	-	2	-	-	2	-	5
Gauteng	-	1	-	-	-	-	-	-	-	-	-	1
KwaZulu-Natal	-	-	3	-	-	-	4	-	-	-	1	8
Limpopo	-	-	2	-	-	-	1	-	-	2	-	5
Mpumalanga	-	-	3	-	-	-	16	1	-	4	2	26
North West	2	-	-	-	-	1	10	1	-	1	2	17
Northern Cape	-	2	1	-	-	-	7	-	-	6	-	16
Western Cape	1	-	-	2	1	-	3	-	-	-	-	7
<b>Total</b>	<b>3</b>	<b>4</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>43</b>	<b>2</b>	<b>-</b>	<b>15</b>	<b>5</b>	<b>86</b>

Table 29 details the disciplinary convictions against members of the SAPS.

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
1	2015100526 EC	Lukholweni	Murder*	1	Dismissed from service
2	2016010299 FS	Bothaville	Non-compliance with section 29 of IPID Act	1	Written warning
3	2016010018 FS	Reddersburg	Assault-Common	1	Written warning
4	2016030160 FS	Viljoenskroon	Discharge of an official firearm	1	Written warning
5	2016010313 FS	Steynsrus	Assault-Common	1	Written warning
6	2016020119 FS	Viljoenskroon	Non-compliance with section 29 of IPID Act	1	Corrective counselling
7	2015040411 GP	Langlaagte	Murder*	1	Dismissed from service
8	2014050462 KZN	Margate	Assault-Common	1	Dismissed from service
9	2014050180 KZN	Phoenix	Assault-Common	1	Verbal warning
10	2014100316 KZN	Emanguzi	Discharge of an official firearm	1	Suspension without pay for 2 months
11	2013040086 KZN	Pinetown	Attempted murder	1	Fined R500
12	2015120115 KZN	Cramond	Discharge of an official firearm	1	Fined R500
13	2015100206 KZN	Sydenham	Discharge of an official firearm	1	Fined R500

**Table 29: Details of disciplinary convictions**

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
14	2015030090 KZN	Mountain Rise	Assault-Common	1	Suspended for 6 months
15	2015070435 KZN	Greytown	Assault-Common	3	Fined R500
16	2016010254 LP	Maake	Non-compliance with section 29 of IPID Act	1	Written Warning
17	2015120390 LP	Tzaneen	Non-compliance with section 29 of IPID Act	1	Written Warning
18	2015040274 LP	Bolobedu	Discharge of an official firearm	4	Written warning
19	2015110325 LP	Seshego	Assault-Common	1	Written warning
20	2014060201 LP	Tzaneen	Discharge of an official firearm	1	Suspension without salary for 2 months
21	2015120354 MP	Kanyamazane	Corruption	1	Fined R500
22	2014020521 MP	Kriel	Non-compliance with section 29 of IPID Act	4	Written warning
23	2014120304 MP	Bushbuckridge	Assault-Common	2	Fined R500
24	2015050424 MP	Kanyamazane	Assault-Common	1	Written warning
25	2015030342 MP	Embalenhle	Non-compliance with section 29 of IPID Act	4	Written warning
26	2014070237 MP	Masoyi	Non-compliance with section 29 of IPID Act	2	Written warning
27	2015080351 MP	Hendrina	Assault-Common	1	Written warning
28	2015080360 MP	Hendrina	Assault-Common	1	Written warning
29	2015090521 MP	Standerton	Assault-Common	1	Verbal warning
30	2015090326 MP	Mhluzi	Assault-Common	1	Written warning
31	2015100347 MP	Leslie	Discharge of an official firearm	1	Suspension without remuneration for 2 months
32	2015090103 MP	Barberton	Discharge of an official firearm	1	Written warning
33	2016020081 MP	Lothair	Assault-Common	3	Written warning
34	2015110488 MP	Bushbuckridge	Assault-Common	2	Written warning
35	2016030017 MP	Nelspruit	Assault-Common	1	Written warning
36	2015080263 MP	Kabokweni	Assault-Common	1	Fined R300
37	2016010214 MP	Standerton	Defeating the ends of Justice	1	Written warning
38	2016020101 MP	Bushbuckridge	Assault-Common	2	Written warning
39	2014120300 MP	Bushbuckridge	Non-compliance with section 29 of IPID Act	5	Written warning
40	2015080375 MP	Kwaggafontein	Assault-Common	2	Written warning
41	2016010526 MP	Witbank	Misconduct-Improper performance of duty	1	Written warning
42	2016030412 MP	Mhluzi	Assault-Common	1	Written warning
43	2015080260 MP	Graskop	Discharge of an official firearm	1	Written warning
44	2016070402 MP	Ermelo	Assault-Common	1	Written warning
45	2016060569 MP	Hendrina	Assault-Common	1	Written warning
46	2016060552 MP	Witbank	Assault-Common	1	Written warning
47	2009050033 NW	Mmabatho	Corruption	3	Written warning

Table 29: Details of disciplinary convictions

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
48	2009110607 NW	Lomanyameng	Misconduct-Improper performance of duty	1	Written warning
49	2012020429 NW	Mmabatho	Assault-Common	2	Written warning
50	2011010314 NW	Mmabatho	Misconduct-Improper performance of duty	1	Written warning
51	2011040086 NW	Mafikeng	Assault-GBH	1	Written warning
52	2012110378 NW	Kanana	Murder**	2	Reprimand
53	2016010121 NW	Mmabatho	Torture	1	Written warning
54	2014100223 NW	Ikageng	Assault-Common	1	Verbal warning
55	2013070108NW	Mmabatho	Assault-Common	1	Verbal warning
56	2015090210 NW	Phokeng	Assault-Common	1	Verbal warning
57	2014080425 NW	Mogwase	Assault-Common	8	Written warning
58	2016020579 NW	Mogwase	Assault-GBH	1	Written warning
59	2016020444 NW	Mogwase	Non-compliance with section 29 of IPID Act	1	Verbal warning
60	2016030048 NW	Klerksdorp	Assault-Common	2	Written warning
61	2016040288 NW	Atamelang	Assault-Common	1	Verbal warning
62	2013040444 NW	Phokeng	Murder**	1	Written warning
63	2016070228 NW	Ipelegeng	Assault-Common	1	Written warning
64	2016080152 N C	Deben	Assault -Common	2	Written warning
65	2016070166 NC	Douglas	Assault- Common	1	Corrective counselling
66	2016060173 NC	Richmond	Discharge of an official firearm	1	Written warning
67	2016060079 NC	Sutherland	Non-compliance with section 29 of IPID Act	2	Written warning
68	2016060047 NC	Hopetown	Non-compliance with section 29 of IPID Act	1	Corrective counselling
69	2016050551 NC	Warrenton	Non-compliance with section 29 of IPID Act	1	Written warning
70	2016050293 NC	Pampierstad	Murder*	1	Corrective counselling
71	2016050274 NC	Marydale	Non-compliance with section 29 of IPID Act	1	Written warning
72	2016050134 NC	Roodepan	Non-compliance with section 29 of IPID Act	1	Written warning
73	2016050117 NC	Kimberley	Assault-Common	1	Corrective counselling
74	2016050111 NC	Roodepan	Murder*	1	Corrective counselling
75	2016050036 NC	Keimoes	Assault -Common	1	Corrective counselling
76	2016040506 NC	Keimoes	Non-compliance with section 29 of IPID Act	1	Verbal warning
77	2016040415 NC	Upington	Assault -Common	1	Corrective counselling
78	2016080584 NC	Calvinia	Assault-Common	1	Written warning
79	2016090020 NC	olifantshoek	Assault-Common	1	Written warning
80	2012010122 WC	Nyanga	Murder**	4	Suspended dismissal for 6 months and fined R500
81	2016010101 WC	Caledon	Rape	1	Final written warning

**Table 29: Details of disciplinary convictions**

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
82	2013110248 WC	Paarl East	Assault-Common	1	Corrective counselling
83	2016050186 WC	Ashton	Rape	1	Suspended dismissal for 6 months
84	2016010166 WC	Saldanha	Rape*	1	Dismissed from service
85	2016050053 WC	Porterville	Assault-Common	1	Dismissed from service
86	2016050153 WC	Porterville	Assault-GBH	1	Dismissed from service
<b>Total</b>				<b>125</b>	

Murder\*-death as a result of police action

Murder\*\*-death in police custody

Rape-by police office on/off duty

Rape\*- in police custody

## 10.2. DISCIPLINARY ACQUITTALS

Table 30 shows the total number of disciplinary acquittals that were reported by the respective provinces during the period under review. A total of 87 disciplinary acquittals were reported.

**Table 30: Disciplinary acquittals**

Provinces	Deaths in police custody	Deaths as a result of police action	Discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	-	-	1	-	-	-	-	-	-	-	-	1
Free State	-	-	-	-	-	-	20	-	-	-	-	20
Gauteng	-	-	-	-	-	-	-	-	-	-	-	-
KwaZulu-Natal	-	1	1	1	-	-	9	1	-	-	-	13
Limpopo	-	2	2	-	1	-	18	-	-	-	-	23
Mpumalanga	2	2	-	-	-	-	8	-	-	1	-	13
North West	-	-	-	-	-	-	2	-	-	-	1	3
Northern Cape	-	-	-	-	-	-	10	-	-	1	1	12
Western Cape	-	-	-	-	-	-	2	-	-	-	-	2
<b>Total</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>69</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>87</b>



Table 31 sets out the details of disciplinary acquittals in which SAPS members were found not guilty.

Table 31: Details of disciplinary acquittals					
No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
1	2015050111 EC	Mdantsane	Discharge of an official firearm	1	Acquitted
2	2016010517 FS	Viljo enskroon	Assault-Common	1	Acquitted
3	2016010293 FS	Maokeng	Assault-Common	1	Acquitted
4	2016020076 FS	Wesselsbron	Assault-Common	1	Acquitted
5	2016010229 FS	Tseseng	Assault-Common	1	Acquitted
6	2016040461 FS	Thabong	Assault-Common	1	Acquitted
7	2016010026 FS	Vrede	Assault-Common	1	Acquitted
8	2016010043 FS	Bronville	Assault-Common	1	Acquitted
9	2016020435 FS	Odendaalsrus	Assault-Common	1	Acquitted
10	2016010441 FS	Viljoenskroon	Assault-Common	1	Acquitted
11	2016040037 FS	Bothaville	Assault-Common	1	Acquitted
12	2016030097 FS	Clarens	Assault-GBH	1	Acquitted
13	2016020093 FS	Parkroad	Assault-Common	1	Acquitted
14	2016040033 FS	Thaba Nchu	Assault-Common	1	Acquitted
15	2016040194 FS	Theunessin	Assault-Common	1	Acquitted
16	2016020080 FS	Ladybrand	Assault-Common	1	Acquitted
17	2016010319 FS	Steynsrus	Assault-Common	1	Acquitted
18	2016030024 FS	Welkom	Assault-Common	1	Acquitted
19	2016030155 FS	Parys	Assault-Common	1	Acquitted
20	2016020401 FS	Namahadi	Assault-Common	1	Acquitted
21	2016010017 FS	Koppies	Assault-Common	1	Acquitted
22	2014040176 KZN	Empangeni	Assault-Common	6	Acquitted
23	2014030370 KZN	Osizweni	Assault-Common	2	Acquitted
24	2012050536 KZN	Durban Central	Assault-Common	4	Acquitted
25	2014100229 KZN	Inchanga	Assault-Common	1	Acquitted
26	2013100061 KZN	Pietermatrizburg	Assault-Common	1	Acquitted
27	2014090395 KZN	Bhekithemba	Rape	4	Acquitted
28	2013020293 KZN	Durban Central	Corruption	5	Acquitted
29	2015070136 KZN	KwaDabeka	Assault-GBH	2	Acquitted
30	2014100382 KZN	KwaMashu	Assault-GBH	1	Acquitted
31	2015050103 KZN	Mtubatuba	Murder*	1	Acquitted
32	2014100384 KZN	Verulam	Assault-Common	2	Acquitted
33	2014090280 KZN	Ezingoleni	Assault-Common	1	Acquitted
34	2014011732 KZN	Umlazi	Discharge of an official firearm	4	Acquitted
35	2014030238 LP	Vaalwater	Discharge of an official firearm	1	Acquitted
36	2015040145 LP	Tubatse	Assault-Common	1	Acquitted
37	2014120480 LP	Gilead	Culpable Homicide*	1	Acquitted
38	2015080190 LP	Modimolle	Assault-Common	1	Acquitted
39	2015080401 LP	Vaalwater	Assault-Common	5	Acquitted
40	2015090024 LP	Polokwane	Assault-Common	2	Acquitted
41	2015100404 LP	Tubatse	Assault-Common	6	Acquitted
42	2015100553 LP	Saselamani	Assault-Common	8	Acquitted
43	2015080404 LP	Rankis Pass	Assault-Common	2	Acquitted
44	2014080296 LP	Mankweng	Assault-Common	3	Acquitted
45	2016010481 LP	Mokopane	Rape*	1	Acquitted
46	2015040207 LP	Gilead	Discharge of an official firearm	1	Acquitted

**Table 31: Details of disciplinary acquittals**

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
47	2014110578 LP	Mahwelereng	Assault-Common	1	Acquitted
48	2015070098 LP	Bela Bela	Assault-Common	1	Acquitted
49	2015070101 LP	Bela Bela	Assault-Common	1	Acquitted
50	2015090004 LP	Polokwane	Assault-Common	3	Acquitted
51	2014120112 LP	Polokwane	Assault-GBH	2	Acquitted
52	2015080164 LP	Mahwelereng	Murder*	1	Acquitted
53	2015110092 LP	Lebowakgomo	Assault-Common	2	Acquitted
54	2016010199 LP	Dennilton	Assault-GBH	1	Acquitted
55	2016050031 LP	Rooiberg	Assault-GBH	1	Acquitted
56	2016050086 LP	Mahwelereg	Assault-GBH	1	Acquitted
57	2016050369 LP	Tshaulu	Assault-GBH	3	Acquitted
58	2012110483 MP	Pienaar	Assault-Common	1	Acquitted
59	2015030327 MP	Balfour	Assault-Common	4	Acquitted
60	2015040497 MP	Pienaar	Assault-Common	2	Acquitted
61	2013120449 MP	Schoemansdal	Murder**	1	Acquitted
62	2014080185 MP	Amersfoort	Assault-Common	2	Acquitted
63	2015040337 MP	Barberton	Murder*	1	Acquitted
64	2015040215 MP	Amsterdam	Assault-Common	4	Acquitted
65	2013100549 MP	Mhluzi	Non -compliance with section 29 of IPID Act	3	Acquitted
66	2015100410 MP	Standerton	Assault-Common	1	Acquitted
67	2015070360 MP	Kwamhlanga	Murder**	1	Acquitted
68	2015100240 MP	Ermelo	Assault-Common	2	Acquitted
69	2016050628 MP	Greylingstad	Assault-Common	1	Acquitted
70	2016050604 MP	Grootvlei	Murder*	1	Acquitted
71	2014110084 NW	Mmabatho	Assault-Common	1	Acquitted
72	2012100030 NW	Ikageng	Attempted murder	1	Acquitted
73	2015070464 NW	Mooinooi	Assault-Common	1	Acquitted
74	2016060400 NC	Kathu	Non -compliance with section 29 of IPID Act	1	Acquitted
75	2016050391 NC	Upington	Assault-Common	3	Acquitted
76	2016040540 NC	Postmasburg	Assault-Common	1	Acquitted
77	2016040179 NC	Keimoes	Assault-Common	2	Acquitted
78	2016040123 NC	Poffader	Assault-Common	2	Acquitted
79	2016030303 NC	Kimberley	Assault-Common	1	Acquitted
80	2016030286 NC	Poffader	Assault-Common	2	Acquitted
81	2016030077 NC	Upington	Assault-Common	2	Acquitted
82	2016030076 NC	Upington	Assault-Common	3	Acquitted
83	2016030054 NC	Colesberg	Defeating the ends of Justice	3	Acquitted
84	2016020598 NC	Roodepan	Assault-Common	2	Acquitted
85	2016020191 NC	Kakamas	Assault-Common	3	Acquitted
86	2014060242 WC	Woodstock	Assault-Common	1	Acquitted
<b>87</b>	<b>2014060132 WC</b>	<b>Athlone</b>	<b>Assault-Common</b>	<b>1</b>	<b>Acquitted</b>
<b>Total</b>				<b>158</b>	

Murder\*-death as a result of police action

Murder\*\*-death in police custody

Rape-by police office on/off duty

Rape\*- in police custody

### 10.3. CRIMINAL CONVICTIONS

The IPID is dedicated to investigating acts of criminality allegedly perpetrated by members of the SAPS/MPS and bring these members to justice. Once the investigation is completed and recommendations are forwarded to the NPA, the court procedure takes over where the role of IPID is to provide the court with enough evidence to make an appropriate ruling on the case at hand. Sometimes the case does result in a conviction. Table 32 shows the total number of criminal convictions that have been reported by the respective provinces during the period under review.

**Table 32: Criminal convictions**

Provinces	Deaths in police custody	Deaths as a result of police action	Complaint of discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence	Total
Eastern Cape	-	-	1	-	-	-	1	-	-	-	-	2
Free State	-	1	-	-	-	-	1	-	-	-	1	3
Gauteng	-	2	-	-	-	-	1	-	-	-	-	3
KwaZulu-Natal	-	1	-	-	-	-	1	-	-	-	1	3
Limpopo	-	3	1	1	-	-	1	-	-	-	1	7
Mpumalanga	-	1	-	-	-	-	-	-	-	-	1	2
North West	-	1	-	-	-	-	1	1	-	-	-	3
Northern Cape	-	1	-	-	-	-	2	1	-	-	-	4
Western Cape	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	-	<b>10</b>	<b>2</b>	<b>1</b>	-	-	<b>8</b>	<b>2</b>	-	-	<b>4</b>	<b>27</b>

The IPID, as indicated, brings suspects before courts and presents the court with evidence of the alleged criminal offence that they have investigated. Table 33 sets out the details of convictions for criminal offences in which SAPS and MPS members were found guilty.

**Table 33: Details of criminal convictions**

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
1	2013070313 EC	Steytlerville	Assault-Common	1	Sentenced to 12 months imprisonment suspended for 5 years.
2	2015030481 EC	Kwazakhele	Discharge of an official firearm	1	Fined R1000 or 120 days imprisonment, wholly suspended for 5 years
3	2015070470 FS	Boithuso	Attempted murder	1	Sentenced to 2 years imprisonment suspended for 4 years and declared unfit to possess a firearm
4	2015010280 FS	Mangaung	Murder*	1	Sentenced to 12 years imprisonment
5	2015020020 FS	Brandfort	Assault-GBH	1	Fined R4000 or 24 months imprisonment and declared unfit to possess firearm
6	2015050023 GP	Diepkloof	Murder*	1	Sentenced to 12 years of which 5 years were suspended.
7	2015040411 GP	Langlaagte	Murder*	1	Sentenced to 5 years imprisonment and declared unfit to possess a firearm

**Table 33: Details of criminal convictions**

No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
8	2014070449 GP	Tembisa South	Assault GBH	1	Fined R10 000 or 50 months imprisonment wholly suspended and declared unfit to possess firearm
9	2014030093 KZN	Prestbury	Murder*	1	Sentenced to 5 years imprisonment
10	2013080146 KZN	Umlazi	Assault-Common	1	Fined R800 or 80 days imprisonment
11	2015070231 KZN	Marianhill	Fraud	2	Fined of R10 000 or 10 months imprisonment
12	2015080164 LP	Mahwelereng	Murder*	3	Sentenced to 20 years imprisonment
13	2012080074 LP	Tinmyne	Murder*	1	Sentenced 3 years imprisonment suspended 3 years.
14	2008120414 LP	Polokwane	Rape	1	Sentenced 5 years imprisonment
15	2015040145 LP	Tubatse	Assault-GBH	1	Sentenced to 12 months imprisonment, wholly suspended for 3 years
16	2010110628 LP	Mankweng	Corruption	2	Fined R20 000 or 6 years imprisonment
17	2014110059 LP	Mecklenburg	Murder*	1	Sentenced to 18 years imprisonment
18	2014100540 LP	Tshitale	Discharge of an official firearm	1	Sentenced to 4 years imprisonment
19	2015030411 MP	Bushbuckridge	Murder*	1	Sentenced to 18 years imprisonment
20	2015090103 MP	Barberton	Attempted murder	1	Fined R2 000 or 12 months imprisonment of which R1 000 or 6 months suspended for 5 years
21	2013030366 NW	Lomanyaneng	Assault-GBH	1	Sentenced to 5 years imprisonment wholly suspended for 5 years
22	2009080508 NW	Brits	Corruption	1	Sentenced to 8 years imprisonment of which 3 years is suspended.
23	2014010260 NW	Brits	Murder*	1	Sentenced to 20 years imprisonment
24	2015050284 NC	Kagisho	Assault-GBH	1	Fined R4 000 or 8 months imprisonment
25	2015090148 NC	Kammieskroon	Assault-GBH	1	Sentenced to 2 years imprisonment suspended for 5 years
26	2009110535 NC	Steinkopf	Murder*	1	Sentenced to 8 years imprisonment
27	2011060456 NC	Mothibistad	Corruption	1	Fined R8 000 or 12 Months imprisonment
<b>Total</b>				<b>31</b>	

Murder\*-death as a result of police action

Murder\*\*-death in police custody

Rape-by police office on/off duty

Rape\*- in police custody

#### 10.4. CRIMINAL ACQUITTALS

Table 34 indicates the total number of criminal acquittals that have been reported by the respective provinces during the period under review. A total of twenty-five (25) criminal acquittals were reported for this period.

**Table 34: Criminal acquittals**

Provinces	Deaths in police custody	Deaths as a result of police action	Complaint of discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence and misconduct	Total
Eastern Cape	-	-	-	2	-	-	2	-	-	-	-	<b>4</b>
Free State	-	-	-	-	-	-	3	1	-	-	-	<b>4</b>
Gauteng	-	-	-	-	-	-	-	-	-	-	-	-
KwaZulu-Natal	-	-	1	-	-	-	1	-	-	-	-	<b>2</b>
Limpopo	-	1	-	-	-	-	5	-	-	-	-	<b>6</b>
Mpumalanga	-	2	-	-	-	-	3	-	-	-	-	<b>5</b>
North West	-	-	-	-	-	-	-	-	-	-	-	-
Northern Cape	-	-	-	-	-	-	-	-	-	-	-	-
Western Cape	-	-	-	1	-	-	3	-	-	-	-	<b>4</b>
<b>Total</b>	-	<b>3</b>	<b>1</b>	<b>3</b>	-	-	<b>17</b>	<b>1</b>	-	-	-	<b>25</b>

The IPID, as indicated, brings suspects before the court and present the evidence of the alleged criminal offences. Table 35 below sets out the details of acquittals for criminal offences in which SAPS members were found not guilty.

<b>Table 35: Details of criminal acquittals</b>					
No.	CCN	Station	Nature of complaint	Number of members charged	Sentence / Sanction
1	2015030314 EC	Vulindlela	Rape	1	Acquitted
2	2015110434 EC	Galvandle	Rape	1	Acquitted
3	2015050112 EC	Mdantsane	Assault-Common	1	Acquitted
4	2015120152 EC	East London	Assault-Common	1	Acquitted
5	2015080219 FS	Maokeng	Assault-Common	3	Acquitted
6	2015060001 FS	Ventersburg	Corruption	1	Acquitted
7	2016020076 FS	Wesselsbron	Assault-Common	1	Acquitted
8	2016020169 FS	Parys	Assault-Common	1	Acquitted
9	2014090295 KZN	Umlazi	Discharge of an official firearm	1	Acquitted
10	2015090179 KZN	Isipingo	Assault-Common	1	Acquitted
11	2015060353 LP	Lephalale	Assault-Common	1	Acquitted
12	2015050087 LP	Tubatse	Assault-Common	3	Acquitted
13	2015060387 LP	Tubatse	Assault-GBH	1	Acquitted
14	2012090064 LP	Nebo	Murder*	1	Acquitted
15	2015020048 LP	Seshego	Assault-Common	2	Acquitted
16	2015080404 LP	Rankis Pass	Assault-Common	2	Acquitted
17	2013070387 MP	Val	Murder*	2	Acquitted
18	2015040337 MP	Barberton	Murder*	1	Acquitted
19	2014080185 MP	Amersfoort	Assault-Common	2	Acquitted
20	2013090308 MP	Ermelo	Assault-Common	2	Acquitted
21	2015110167 MP	Calcutta	Assault-Common	3	Acquitted
22	2014090416 WC	Table View	Assault-Common	2	Acquitted
23	2013080313 WC	Belhar	Assault-GBH	1	Acquitted
24	2013080508 WC	Mitchells Plain	Rape	1	Acquitted
25	2012050548 WC	Beaufort West	Assault-GBH	1	Acquitted
<b>Total</b>				<b>37</b>	

Murder\*-death as a result of police action

Murder\*\*-death in police custody

Rape-by police office on/off duty

Rape\*- in police custody

## 11. THE ARREST OF SAPS/MPS MEMBERS

In terms of Section 24 of the IPID Act, the IPID investigators are entitled to perform duties of peace officers as per the Criminal Procedure Act and are expected to execute warrants and to arrest suspects as per Section 24 (2)(f) of the IPID Act, 1 of 2011. Table 36 below sets out the details of SAPS/MPS members that were arrested. A total of 64 SAPS/MPS members were arrested for various crimes. Some of the arrests were made by SAPS before IPID investigators arrived at the crime scene or took over the investigation.

**Table 36: Number of arrest per province, per charge**

Province	Month	CCN	Station	Charges	Number of arrest(s)
Gauteng	April	2016040212	Pretoria Central	House Robbery and Assault-Common	3
Gauteng	May	2016010345	Klipton	Murder and defeating the ends of justice	2
Gauteng	May	2015100204	Ivory Park	Assault GBH	2
Gauteng	May	2016050468	Springs	Sexual Assault	1
Eastern Cape	April	2015100593	Aliwal North	Assault-Common	2
Eastern Cape	April	2015120152	East London	Assault-Common	1
Eastern Cape	April	2015100593	Moletswai	Assault-Common	4
Eastern Cape	April	2015030440	Aliwal North	Assault-Common	2
Eastern Cape	July	2016070232	Umsobomvu	Murder	1
Eastern Cape	July	2015100388	Gonubie	Assault-Common	3
Eastern Cape	July	2016030499	East London	Assault-Common	1
Eastern Cape	July	2015010053	Cabega	Assault-Common	4
Eastern Cape	July	2015040293	Cambridge	Murder	1
Eastern Cape	August	2015010060	Mdantsane	Discharge	1
Eastern Cape	August	2013120260	Algoa Park	Rape	4
Eastern Cape	August	2016090174	Indwe	Murder	1
Eastern Cape	August	2015120350	Peddie	Rape	1
Free State	April	2015090421	Brandfort	Assault-Common	1
Free State	April	2016010035	Bultfontein	Assault GBH	2
Free State	April	2015100134	Wesselsbron	Assault-Common	3
Free State	April	2014120416	Bloemspruit	Assault-Common	3
Free State	April	2016020093	Parkroad	Assault-Common	1
Free State	July	2012120253	Selosesha	Attempted murder	2
Free State	July	2016030472	Meloding	Assault-Common	3
Free State	July	2016050021	Tierpoort	Discharge of firearm	1
Free State	July	2016030157	Wepener	Assault-Common	1
Free State	July	2016060336	Kopanong	Assault-Common	1
Free State	September	2015030310	Jacobsdal	Assault-Common	2
Free State	September	2015030027	Kagisanong	Assault-Common	1
Free State	September	2016110377	Luckhoff	Assault GBH	1
Gauteng	June	2014110617	Mamelodi East	Assault GBH	3
Gauteng	July	2016070225	Norwood	Defeating the end of justice	2
Gauteng	August	2016080524	Lenasia	Rape	1
Gauteng	September	2016050133	Bekkersdal	Assault-Common	1
Gauteng	September	2013030278	Brooklyn	Assault-Common	1
<b>Total</b>					<b>64</b>

## 12. THE CASES ON COURT ROLLS

The amount of cases that are on the court roll reflects cases where the investigation was of such a nature that the NPA accepted the IPID's recommendation pertaining to the institution of criminal prosecution. Table 37 shows the total number of cases that each province has on the court roll. A total of 805 cases are on the court roll

**Table 37: Court roll matters**

Row Labels	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	North West	Northern Cape	Western Cape	Grand Total
Assault and Kidnapping	-	-	-	-	-	-	-	-	1	1
Assault and Robbery	-	-	-	-	-	-	-	-	1	1
Assault Common	34	63	13	7	16	34	27	13	113	320
Assault GBH	6	23	34	9	16	4	14	4	2	112
Assault GBH and Sexual Assault	-	-	-	-	-	-	-	-	1	1
Attempted Murder	11	10	11	15	3	7	11	2	6	76
Bribery	-	-	-	1	-	-	1	-	1	3
Contravention of Section 29 of IPID Act	-	-	1	-	1	-	-	3	-	5
Corruption	1	5	-	6	1	2	4	-	-	19
Culpable Homicide	-	-	-	-	1	-	-	-	3	4
Defeating the ends of Justice	-	-	1	-	1	-	-	-	1	3
Discharge of an official firearm	-	8	11	1	1	2	4	3	2	32
Fraud	-	-	-	-	-	1	-	-	-	1
Inquest	-	-	-	2	-	-	-	-	5	7
Murder	12	9	26	30	16	16	9	3	21	142
Negligent handling of firearm	-	-	-	-	1	-	-	-	-	1
Pointing of firearm	-	-	-	-	-	-	-	1	-	1
Rape	5	4	16	8	2	1	4	9	19	68
Sexual Assault	-	-	-	5	-	-	-	-	-	5
Statutory rape	-	-	-	1	-	-	-	-	-	1
Theft	-	1	-	-	-	-	-	-	-	1
Torture	-	-	-	-	-	-	-	-	1	1
<b>Grand Total</b>	<b>69</b>	<b>123</b>	<b>113</b>	<b>85</b>	<b>59</b>	<b>67</b>	<b>74</b>	<b>38</b>	<b>177</b>	<b>805</b>



### 13. MANNER OF CLOSURE

The manner of closure can be influenced by the type of case being investigated as well as the complexity of the said case. The manner of closure of cases per category in the period under review is detailed in table 38(a) below. The cases closed during the period under review comprises of assault (853), followed by complaint of discharge of an official firearm (473) and death in police custody (120).

Six hundred and twenty-six (626) cases were closed as unsubstantiated, 619 cases closed as declined, 61 cases closed as duplicate, 52 closed as acquitted, 48 cases closed as unfounded, 47 cases closed as indeterminate, 46 cases closed with convicted, 28 cases closed as withdrawn, 15 closed as dismissed, 3 cases closed as change of section and 2 cases closed as resolved satisfactorily.

**Table 38(a): Manner of disposal, per category**

Manner of disposal	Deaths in police custody	Deaths as a result of police action	Complaint of discharge of an official firearm(s)	Rape by a police officer	Rape in police custody	Torture	Assault	Corruption	Systematic Corruption	Non-compliance with IPID Act	Other criminal offence and misconduct	Total
Acquitted	3	3	9	1	-	-	34		-	-	2	52
Change of Section	-	-	1	-	-	-	-	1	-	-	1	3
Close as Duplicate	4	5	10	1	-	-	37	1	-	-	3	61
Convicted	6	5	5	3	-	-	12	5	-	1	9	46
Declined	7	17	66	16	-	10	452	10	1	6	34	619
Dismissed	2	1	3	2	-	-	-	1	-	-	-	15
Indeterminate	2	-	9	-	-	3	24	7	-	-	2	47
Referred	46	24	68	3	3	-	59	13	1	-	27	244
Resolved satisfactorily	-	-	-	-	-	-	1		-	-	1	2
Unfounded	3	-	11	3	-	1	21	5	-	-	4	48
Unsubstantiated	47	18	284	8	2	6	195	23	-	4	39	626
Withdrawn	-	-	7	3	-	-	12	2	-	-	4	28
<b>Total</b>	<b>120</b>	<b>73</b>	<b>473</b>	<b>40</b>	<b>5</b>	<b>20</b>	<b>853</b>	<b>68</b>	<b>2</b>	<b>11</b>	<b>126</b>	<b>1791</b>

Table 38(b) provides details of the manner of closure per province and it indicates that 1 791 cases were closed in the period under review. Most unsubstantiated cases were closed in KwaZulu-Natal with 210 cases followed by Western Cape and Gauteng with 154 and 112 cases respectively.

**Table 38(b): Manner of closed case per province**

Provinces	Acquitted	Change of Section	Close as Duplicate	Convicted	Declined	Dismissed	Indeterminate	Referred	Resolved satisfactorily	Unfounded	Unsubstantiated	Withdrawn	Total
Eastern Cape	-	1	1	-	14	-	1	9	-	-	38	-	64
Free State	19		4	13	106	2		39	1	1	46	5	236
Gauteng	2	1	9	2	22	5	4	79	-	23	112	2	262
KwaZulu-Natal	9	-	14	19	147	4	40	84	-	24	210	10	561
Limpopo	8	-	3	2	102	-	-	17	-	-	14	5	151
Mpumalanga	-	1	2	3	48	-	-	5	-	-	25	-	84
North West	3	-	2	2	21	-	-	2	1	-	10	4	45
Northern Cape	7	-	-	4	110	3	-	5	-	-	17	2	148
Western Cape	4	-	26	1	49	1	2	4	-	-	154	-	241
<b>Total</b>	<b>52</b>	<b>3</b>	<b>61</b>	<b>46</b>	<b>619</b>	<b>15</b>	<b>47</b>	<b>244</b>	<b>2</b>	<b>48</b>	<b>626</b>	<b>28</b>	<b>1791</b>









## Head Office

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Physical Address: City Forum Building, 114 Madiba (Vermeulen) Street

Postal Address: Private Bag x 941, Pretoria, 0001

Tel: 012 399 0000

Fax: 012 326 0408

E-mail: [complaints@ipid.gov.za](mailto:complaints@ipid.gov.za)

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

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