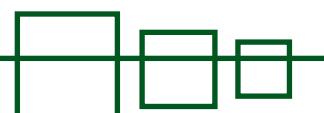


# ANNEXURE 1

## LIST OF ABBREVIATIONS

AHRC - African Human Rights Commission  
APT - Association for the Prevention of Torture  
DPP - Director of Public Prosecutions  
DVA - Domestic Violence Act  
FBI - Federal Bureau of Investigations  
GBH - Grievous Bodily Harm  
GCIS - Government Communication and Information System  
HRM - Human Resource Management  
IACOLE - International Association for Civilian Oversight of Law Enforcement  
ICD - Independent Complaints Directorate  
IDTT - Inter-Departmental Training Team  
IT - Information Technology  
JMPD - Johannesburg Metro Police Department  
KZN - KwaZulu Natal  
LOGIS - Logistical Information System  
MEC - Member of the Executive Council  
MPS - Municipal Police Service  
PFMA - Public Finance Management Act  
PSCBC - Public Service Coordinating Bargaining Council  
PSR - Public Service Regulations  
SABC - South African Broadcasting Corporation  
SAHRINGON - Southern African Human Rights Non-Governmental Organizations Network  
SAPS - South African Police Service  
SMME - Small Medium Micro Enterprise  
SMS - Senior Management Service  
SOP - Standard Operating Procedure  
SP - Special Programmes  
SPR - Special Programme Representatives  
USA - United States of America  
VIN - Vehicle Identification Numbers  
WAN - Wide Area Network  
WPTPS - White Paper on the Transformation of the Public Service



# ANNEXURE 2

## MANAGEMENT REPORT For the year ended 31 March 2002

Report from the Accounting Officer to the Executive Authority and the Parliament of the Republic of South Africa.

### 1. General review of the state of financial affairs

Amongst the challenges facing the ICD in the execution of its mandate, is the effective execution of the additional mandate in respect of the civilian oversight over the various Municipal Police Services and, in respect of the monitoring of the implementation of the Domestic Violence Act (DVA) by the South African Police Service.

The spending trend of the ICD has been indicative of the investigative priorities determined by the ICD as well as towards the thrust to change to an investigative authority, away from a monitoring oversight body.

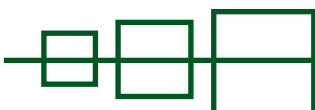
### 2. Services rendered by the ICD

The services rendered by the ICD are required by the following legislation:

Section 222 of the Interim Constitution (Act 200 of 1993) provided for the establishment of an independent mechanism under civilian control, with the object of ensuring that complaints in respect of offences and misconduct allegedly committed by members of the police service are investigated in an effective and efficient manner.

Section 53 (2) of the South African Police Service Act (Act no 68 of 1995) stipulates that the Independent Complaints Directorate:

- (a) May mero motu or upon receipt of a complaint, investigate any misconduct or offence allegedly committed by a member, and may, where appropriate, refer such investigation to the Commissioner concerned;
- (b) Shall mero motu or upon receipt of a complaint, investigate any death in police custody or as a result of police action; and
- (c) may investigate any matter referred to the Directorate by the Minister or member of the Executive Council.



Section 18 of the Domestic Violence Act, Act No.116 of 1998 stipulates that:

- 4(a) Failure by a member of the South African Police Service to comply with an obligation imposed in terms of this Act or the National Instructions referred to in subsection (3), constitutes misconduct as contemplated in the South African Police Service Act, 1995, and the Independent Complaints Directorate, established in terms of that Act, must forthwith be informed of any such failure reported to the South African Police Service.
- 4(b) Unless the Independent Complaints Directorate directs otherwise in any specific case, the South African Police Service must institute disciplinary proceedings against any member who allegedly failed to comply with an obligation referred to in paragraph (a).
- 5(c) The Independent Complaints Directorate must, every six months, submit a report to Parliament regarding the number and particulars of matters reported to it in terms of subsection (4)(a), and setting out the recommendations made in respect of such matters.
- 5(d)(iii) The National Commissioner of the South African Police Service must, every six months, submit a report to Parliament regarding steps taken as a result of recommendations made by the Independent Complaints Directorate.

In terms of Section 64O of the SAPS Act, read with Regulation 9 and Annexure 5 of the Regulations for Municipal Police Services, the ICD has been given the same civilian oversight duties in respect of Municipal Police Services that had been given to it in respect of the SAPS, as explained above.

Tariffs are thus not applicable to the services rendered by the ICD.

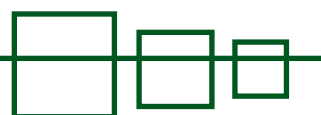
### **3. Under / (over) spending**

The ICD has utilized its total budgetary allocation.

### **4. Capacity constraints**

Within its budgetary allocation the ICD could address its capacity constraints satisfactorily and, where possible, the filling of the necessary posts - such as required by the Public Finance Management Act and the Minimum Information Security Standard - were staggered accordingly. The constraints however did not negatively impact on service delivery though some planning could only be effected at the end of the financial year.

### **5. Utilisation of donor funds**



No such funds were received.

## **6. Trading entities / public entities**

Not applicable to the ICD.

## **7. Other organisations to whom transfer payments have been made**

Funds have been transferred to the Police, Security, Legal and Correctional Sector Education Training Authority (POSLEC SETA) in respect of the levy payable for skills development.

## **8. Public / private partnerships (PPP)**

The ICD has not entered into any such partnerships.

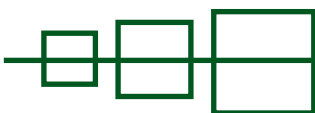
## **9. Corporate governance arrangements**

In view of the mandate of the ICD, issues of anti corruption are high on the priority list of the ICD. The ICD has finalized its Fraud Prevention Policy, but in view of the capacity constraints experienced, the implementation of the Fraud Prevention Plan could only commence at the end of the financial year. Most importantly the sub-directorate: Internal Audit has almost finalized an analysis of managerial risks within the ICD.

After various unsuccessful attempts to arrange the sharing of the services of an Audit Committee and the Internal Audit capacity with another national State department, within the Justice, Crime Prevention, Security (JCPS) Cluster, the ICD re-engineered its personnel structure and re-aligned its budget to avail funding for the constitution and appointment of its own Internal Audit component and Audit Committee. The sub-directorate: Internal Audit came into existence in February 2002 and immediately started up operations. Three (3) Audit Committee members have been appointed from the Private Sector to assist the Executive Director and constitute the ICD's Audit Committee.

Additional to the Code of Conduct for Public Servants, the ICD has compiled a code of conduct for ICD staff members to further foster integrity within its own ranks.

Though much attention has been provided to the improvement of security levels - in terms of the prescribed Minimum Information Security Standard - capacity constraints did not allow for more attention to issues such as safety, health and environmental issues.



## **10. Discontinued activities / activities to be discontinued**

No activities have been discontinued.

## **11. New / proposed activities**

No new activities have been embarked upon.

## **12. Events after the accounting date**

The ICD successfully arranged the first meeting of its Audit Committee during the middle of April 2002. The newly appointed Audit Committee members met the Head of the Department as well as the various senior managers. After a short information session presented by the various Programme and Responsibility Managers, the Committee deliberated the Audit Committee Charter, the Internal Audit Charter as well as the Internal Audit Work plan for the forthcoming financial year.

A number of payments had to be effected in terms of invoices received during the months of April and May 2002 in respect of - in particular - traveling and accommodation services rendered to the ICD during the last quarter of the financial year. The reason being the problems experienced with service providers in terms of the timeous presentation of invoices for payment.

## **13. Progress with financial management improvements**

Most of the requirements of the Public Finance Management Act have now been adhered to. Although a limited number of financial procedures have yet to be compiled, all activities and transactions have been completed in line with the requirements of the said Act.

### **Approval**

I hereby approve the information as provided in the annual financial statements, enclosed as per Annexure A.



**ADV K D McKENZIE  
EXECUTIVE DIRECTOR**

**31 May 2002**

