

**Remarks by the Minister of Police, E.N Mthethwa, MP at the Independent Police Investigative  
Directorate's Seminar  
on the Prevention of Systemic Corruption, International Convention Centre, East London, 3 July 2012**

**Programme Director, Mr Kgamanyane;  
IPID Executive Director, Mr Beukman;  
IPID Senior Management present;  
SAPS Senior Management present;  
Delegates from different organizations and government departments present;  
Distinguished Guests;  
Members of the Media;  
Ladies and Gentlemen;**

We welcome this opportunity to address the Independent Police Investigative Directorate (IPID) seminar, whose objective is to discuss the investigation and prevention of systemic corruption in the police service as provided for in the IPID Act.

We are aware that the overall objective of this seminar is to serve as a platform for stakeholders to deliberate substantive ways of conducting investigations on matters of, or related to systemic corruption and possible areas of cooperation that will have positive and long-term effect on police conduct in addressing and preventing systemic corruption.

Perhaps from an onset we need to emphasize that government, together with the people of our country, remains capable of tackling the challenges that South Africa faces today. Collectively we have a responsibility to bring about a better life for all. To this end, this seminar must help contribute to this goal.

The philosophical orientation of our goal is to realize that the South African Police Service (SAPS) is one of the most central of all the institutions of the democratic state; which is charged and is responsible for guaranteeing the stability and the consolidation of our democracy.

What this philosophy means is that, our police officers must be seen and see themselves as guardians of human rights generally and the Constitution in particular. When society gets affected by crime, they need to have hope that police will do their best to protect them.

We must all of us as society mobilize and sustain a campaign against corruption, across all spheres of society. Critical in fighting crime is the campaign to weed out elements within the criminal justice system who are engaged in various acts of crime, including corruption.

We should expose and deal with networks of criminals that operate within us. We need to build an institution that is above reproach. Our programme of improving policing currently consists of ensuring a transformed and service delivery orientated police service that is able to deal a decisive blow to criminal elements who seek to undermine and disrupt our democracy.

The issue of corruption should be understood from two perspectives. Firstly that corruption is a societal challenge that is facing all of us, both within government and private sector. What this emphasizes is that as you deliberate in the seminar, you should take into perspective this aspect. Secondly that to identify systemic corruption is but the first step, what becomes crucial is ensuring that preventative and effective systems are put in place to deal with this scourge.

In changing the focus and the name of the Independent Complaints Directorate (ICD) to the Independent Police Investigative Directorate we were sending a clear message on the new focus for IPID. Your primary focus must not just be about processing complaints but emphasis is now on developing strong investigative capacity. Not only do you have the legislative capacity to investigate any police officer involved in human right abuses but will also be able to use this investigative capacity to investigate issues of systemic corruption.

The legislation we introduced as we strengthened the IPID sought to establish and put in place mechanisms which ensures that the rule of law is observed even by police themselves. In effecting the Independent Police Investigative Directorate legislation, we further wanted to ensure that the new approach supports our community-policing philosophy. It should also help our efforts as we create and transform the SAPS into a type of police service we envisage.

The issue of civilian oversight of the police must not just become a rhetoric slogan. The fact that we have introduced the IPID legislation in conjunction with the Civilian Secretariat of Police before introducing other pieces of legislation speaks to our commitment to this civilian oversight. In this context there is no possibility of us moving towards a police state, as some in society have alleged.

The different, yet complimenting role of the Civilian Secretariat of Police was also taken in consideration. There can

be no question that the historical dysfunctional nature of the Civilian Secretariat created vacuums that the ICD (unsuccessfully) tried to fill. As a result, the lines were blurred and the focus was not always on the ICD's primary mandate.

In the process of determining the mandate, the principle used is that the IPID should investigate those matters that will have a lasting impact on transforming the police into a structure that addresses with vigor but is also not engaged in abusing powers.

Equally we must ensure we develop a better-trained, efficient and revitalized criminal justice system. During this period we are also tasked with mobilizing society and developing partnerships which ensure the involvement of the people in the fight against crime and refurbish the moral fibre of the South African society.

That is why in line with corruption within the Justice Crime Prevention and Security (JCPS) cluster combated to enhance its effectiveness and its ability to serve as a deterrent against crime. The anti-corruption activities continued successfully during the last financial year. The courts have increased the number of corruption convictions where JCPS officials were involved from 29 in 2010/11 to 107 in 2012, of which 24 were convictions attained in the 4th Quarter.

Whilst we continue to convict those who are involved in corruption, we also note that there had been some in society and within SAPS who without success attempted to shift the blame and apportion the issue of corruption. Some of the reasons that have been advanced include the only poor people commit corruption and crime.

There has been unfounded perceptions that because some police officers are not earning high salaries, they would therefore get involved in criminality. We need to caution against such narrow and myopic views.

There are also certain forms of crime that are driven by greed rather than need this is particularly the case regarding organized crime. In most instances, it is precisely people who are selfish and greedy who infiltrate government systems, rob the needy and benefit themselves.

The deviant activities of a few rotten apples in our midst should not be allowed to tempt us to subtract from the human rights of society, the majority of who are responsible law-abiding citizens. The IPID must therefore assist us expose such elements, without fear of favour.

As government we have committed ourselves to actively combat crime including serious and violent crime by being tougher on criminals and organized syndicates. We have however always emphasized that this tough stance on crime must be balanced by our philosophy that policing must also be based and entrenched on a human right culture and be community-orientated and sensitive.

As most of you here already know, historically there have been problems with the ICD having investigative powers and then having to submit their recommendations to the National Commissioner of Police. The ICD has had no powers to ensure the implementation of its recommendations. With the IPID legislation, the strengthening of this directorate means that the reporting would go directly to the Ministry.

It is important to note that the monitoring of the IPID of the SAPS compliance to the Domestic Violence Act as well as general complaints by members of the public, are removed from the mandate of the IPID. The legislation we passed locates some of these oversight functions in the Civilian Secretariat but recognizes that the police themselves must ultimately be responsible for investigating no matter who the perpetrator is.

One area however that we have clearly placed under the new IPID, is the investigation of any police officer involved in rape. This is because, crimes against women remains one of government's key priorities and we want to ensure that when the police officer is the accused of this crime it is investigated by an independent body. This re-enforces government's commitment to ensure the most vulnerable in society are not abused by the very people who should protect them.

In looking forward there are a number of key areas that need to be addressed and entrenched within the department. To be true to reality, we concede that there have been challenges as well as triumphs in this warfare on crime.

Our primary focus on our transformation agenda in the SAPS is around human resource development, from recruitment to retirement. We need to ensure that we are able to recruit the right kind of people and then to train and develop these people into the kind of cop we want to see.

We want also to focus all our energies in ensuring that we do not only arrest those who are on the wrong side of the law, but mainly secure convictions. In order to do that, we need to re-enforce our detective and investigative arms. All members of the police from now henceforth will be introduced to basic detective work, whether in the final analysis they end up operating in detectives or not.

The success of the SAPS must now be judged according to the number of successful convictions we make. The harsher sentences imposed upon criminals must be influenced by the kind of detective work conducted by police. To achieve all these, ongoing training becomes paramount.

With further strengthening of the IPID, as the police leadership we have committed ourselves to continue working for the entrenchment of the human rights culture. We have now provided the new IPID with the necessary tools and it will be up to the leadership of this body to implement their mandate.

As you move forward, one of the crucial challenges IPID needs to address is around communication and awareness. Society needs to know about who you are, what you do so that they can begin to know what steps to follow when confronted by challenges like police brutality. They also need to know that when they report such cases, that they will be thoroughly investigated and that the perpetrators will receive the harshest sentences.

As we conclude we want to reiterate that government will not, by itself, address the crime problem. Members of society are expected to form part of efforts to address crime and corruption. They can do so by participating in community policing forums and more directly by reporting crime and corruption wherever they encounter these.

We must also work with our police members in the apprehension of criminals and not harbor them. In our quest to build a caring society, government remains committed and determined to create a comprehensive social security system that is built on the fundamental principle of social solidarity.

**I thank you.**

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