

FOR WRITTEN REPLY**QUESTION 3238**

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(INTERNAL QUESTION PAPER NO 34-2023)

3238. M. Gen. O S Terblanche (DA) to ask the Minister of Police:

In light of the fact that since 2019, a total number of 5 489 members of the SA Police Service (SAPS) have been arrested and charged with criminal offences, what (a) types of crimes were committed by the members, (b)(i) number of convictions were secured and (ii) for what specific crimes and (c)(i) total number of members out of the 5 489 members are still in the employ of the SAPS and (ii) what are the reasons?

REPLY:

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- (a) The crimes allegedly committed by members of the South African Police Service (SAPS) are as follows:
- Aiding and abetting an escapee.
 - Offences under the Animal Protection Act.
 - Assault and assault with intent to cause grievous bodily harm (GBH).
 - Business robbery and attempted business robbery.
 - Murder.
 - Attempted murder.
 - Robbery with firearm and attempted robbery with firearm.
 - Theft from motor vehicle and attempted theft from motor vehicle.
 - Bribery.
 - Burglary, residential and businesses.
 - Carjacking.
 - Conspiracy to commit an offence.
 - Contempt of court.
 - Offences under the Domestic Violence Act.
 - Offences under the Correctional Services Act.
 - Corruption.
 - Criminal Injuria.
 - Culpable Homicide.

- Drug-related offences.
- Defeating the ends of justice.
- Discharging a firearm in a public space.
- Offences under the Disaster Management Act.
- Drinking in public.
- Driving under the influence.
- Other offences under the Road Traffic Act.
- Escaping from lawful custody.
- Extortion.
- Offences under the Firearm Control Act.
- Fraud.
- Handling of firearm under the influence.
- Hinder a law enforcement officer in the execution of his/her duties.
- House robbery.
- Illegal hunting.
- Illegal possession of ammunition.
- Intimidation.
- Kidnapping.
- Malicious damage to property.
- Offences under the Nature Conservation Act.
- Negligent loss of firearm.
- Perjury.
- Pointing of firearm.
- Possession of suspected stolen property.
- Offences under the Prevention of Organised Crime Act.
- Offences under the Private Security Industry Regulatory Authority (PSIRA) Act.
- Offences under the Public Administration Management Act.
- Public Indecency.
- Rape.
- Reckless and/or negligent driving.
- Resisting arrest.
- Rhino poaching.

- Riotous behaviour.
- Robbery with firearm.
- Robbery common.
- Robbery with weapon other than a firearm.
- Offences under the Sea Fishery Act.
- Sexual assault.
- Shoplifting.
- Stock Theft.
- Tamperers with essential infrastructure.
- Theft.
- Theft out of motor vehicle.
- Trafficking in persons.
- Trespassing.
- Truck hijacking.
- Use of vehicle without owner's consent.

(b)(i) A total number of 430 convictions were secured.

(b)(ii) Specific crimes members were convicted of, are as follows:

- Abuse/neglect/abandonment of child.
- Accepting/agreeing/offering to accept a benefit.
- Any person who resists/wilfully hinders/obstructs a member in the exercise of his powers/performance of his duties.
- Assault GBH.
- Attempted murder.
- Burglaries at residential premises.
- Burglaries at business premises.
- Causing bodily injury to any person/damage to property by negligently using a firearm.
- Common assault.
- Common robbery.
- Conducting business with the state by a person appointed in Public Administration.


- Contempt of court.
- Contravention of any prohibition, condition, obligation/order contained in a Protection Order.
- Conveying, moving/otherwise translocating any specimen of a pangolin without a permit.
- Corruption.
- Crimen Injuria.
- Culpable homicide.
- Dealing in drugs/dagga.
- Defeating the course of justice.
- Directly/indirectly accept/agree/offer to accept a benefit.
- Discharging a firearm in a public place.
- Drive a vehicle without consent of the owner.
- Driving a vehicle while under the influence of liquor/drugs.
- Exposing/displaying/causing the exposure/display of genital organs, anus/female breasts to a person.
- Extortion.
- Failure by holder of licence, permit/authorisation/person in control of firearm to report the loss, theft/destruction thereof within 24 hours to the SAPS.
- Failure by person carrying a firearm to produce the firearm for inspection.
- Failure by person to lock away firearm in prescribed safe.
- Fraud.
- Giving/agreeing/offering to give a benefit to a public officer.
- Handles a firearm while under the influence of liquor/drugs.
- In possession of presumed stolen property.
- Intimidation.
- Loss of firearm due to failure to take reasonable steps to prevent the loss.
- Malicious damage to property.
- Man-stealing (Kidnapping).
- Murder.
- Negligent loss of a firearm.
- Negligently discharging/handling of a firearm.

- Occupy the driver's seat with the engine running under the influence of liquor/drugs.
 - Operate a vehicle with concentration of alcohol in specimen of blood taken from the body above 0,05gram per 100ml.
 - Operating a vehicle recklessly.
 - Operating a vehicle while under the influence of liquor/drugs.
 - Party to employment relationship accepting/agreeing/offering to accept unauthorised benefit.
 - Perjury.
 - Point any firearm.
 - Possession/usage of a drugs/dagga.
 - Prohibition in regards to the playing of games of chance.
 - Prohibition an offer/acceptance of benefit.
 - Public indecency.
 - Rape.
 - Other offences under the Road Traffic Act.
 - Reckless/negligent driving of a vehicle.
 - Robbery with firearm.
 - Sexual assault.
 - Shoplifting.
 - Stock Theft.
 - Taking delivery of stock without obtaining documents.
 - Tampers with, damages/destroys essential infrastructure.
 - Theft general.
 - Theft of motor vehicle/motor cycle.
 - Trafficking in persons.
 - Use road vehicle without owner's consent.
- (c)(i) A total number of 3 981 out of the 5 489 members are still in the employment of the SAPS.
- (c)(ii) In terms of Regulation 5(3)(dd) of the SAPS Discipline Regulations, 2016, it is constitutes misconduct to be found guilty of a common law or statutory offence

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by a court of law. In order to confirm whether disciplinary steps were taken against convicted members, as set out in the Regulations, it will require a physical inspection of both printed and electronic records, since 2019. The analysis of this information will identify the reasons why the members, who allegedly committed crimes, are still in the employment of the SAPS. The Honourable Member will be apprised of the reasons, once all the data has been gathered and thoroughly analysed.

Reply to question 3238 recommended/~~not~~ recommended


GENERAL
NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE
SF MASEMOLA (SOEG)

Date: 2023/11/13

Reply to question 3238 approved/~~not~~ approved


MINISTER OF POLICE
GENERAL BH CELE, MP

Date: 16/11/2023