

Independent Commissioner Against Corruption and Office for Public Integrity
Section 31(1) Police Complaints and Discipline Act 2016

Complaints and reports received under the PCD Act

	2020-21			2019-20			2018-19			2017-18		
	Received by IIS	Received by OPI	Total	Received by IIS	Received by OPI	Total	Received by IIS	Received by OPI	Total	Received by IIS	Received by OPI	Total
Complaints	400	1,593	1,993	313	1,806	2,119	279	1,655	1,934	216	1,459	1,675
Reports	397	23	420	416	13	429	359	10	369	283	27	310
Protective Security Officers ¹	Reported separately			Reported separately			6	-	6	5	-	5
Total	797	1,616	2,413	729	1,819	2,548	644	1,665	2,309	504	1,486	1,990

¹ Under the PCD Act the OPI has oversight of matters relating to Protective Security Officers.

Method of receipt of complaints and reports received under the PCD Act

	2020-21		2019-20		2018-19		2017-18	
	Number	%	Number	%	Number	%	Number	%
Website	600	24.9	755	29.6	535	23.2	395	19.8
Telephone call	734	30.4	661	25.9	804	34.8	814	40.9
Email	152	6.3	240	9.4	134	5.8	115	5.8
Letter	114	4.7	146	5.7	153	6.6	133	6.7
In person	16	0.7	17	0.7	39	1.7	29	1.5
Received by IIS	797	33.0	729	28.6	644	27.9	-	-
Received by SA Police	-	-	-	-	-	-	504	25.3
Total	2,413	100	2,548	99.9	2,309	100	1,990	100

Rounding has been used in respect to statistical results. Accordingly not all tables and figures total 100%.

General nature of complaints and reports received under the ICAC Act¹

	2020-21					
	Complaints	%	Reports	%	Total	%
Bribery/inducements	4	0.2	2	0.5	6	0.2
Coercion/extortion	5	0.3	0	0	5	0.2
Conduct in private capacity, failure to disclose/declare to employer	41	2.1	42	10	83	3.4
Excessive force/assault/intimidation/threats	231	11.6	41	9.8	272	11.2
Failure of duty, inaction or inadequate exercise of power	706	35.4	96	22.9	802	33.2
Improper budgeting, procurement, contract management, accounts payable	2	0.1	0	0	2	0.1

Improper or unauthorised use of employment entitlements	9	0.5	15	3.6	24	1
Improper recruitment/deception in employment	0	0	7	1.7	7	0.3
Improper use, damage or theft of resources	9	0.5	8	1.9	17	0.7
Improper use/access of information and improper record keeping	78	3.9	44	10.5	122	5.1
Improper votes/decision making	7	0.4	3	0.7	10	0.4
Improper, unauthorised or mismanaged exercise of power	289	14.5	35	8.3	324	13.4
Negligence in management/oversight	23	1.2	9	2.1	32	1.3
Not otherwise categorised	21	1.0	2	0.5	23	1
Other criminal conduct while acting in capacity as a public officer	17	0.9	10	2.4	27	1.1
Sexual harassment/sexual impropriety	8	0.4	18	4.3	26	1.1
Theft and fraud – monetary	13	0.7	4	1	17	0.7
Unprofessional conduct	530	26.6	84	20	614	25.4
Victimisation/reprisals for reporting	0	0	0	0	0	0
Total	1,993	100.3	420	100.2	2,413	99.8

¹ On 1 July 2020 the OPI introduced a new 'general nature' classification scheme replacing the previous categories which were devised prior to the commencement of ICAC/OPI in September 2013, and had been in use since that date. The reformed scheme was devised and implemented in response to several reviews of the use, accuracy and reliability of internal complaints and reports data, which found the previous scheme was no longer fit for purpose. The efficacy of these categories is relied upon for internal research, trend and risk analysis, strategic planning, and corruption prevention.

Rounding has been used in respect of statistical results. Accordingly not all tables and figures total 100%.

General nature complaints and reports received under the PCD Act

	2019-20						2018-19			
	Complaints		Reports		Total		Complaints		Reports	
	Number	%	Number	%	Number	%	Number	%	Number	%
Alleged offence while not acting in capacity as public officer	307	14.5	41	9.6	348	13.7	17	0.9	42	11.4
Conduct (other than criminal conduct) of a public officer while not acting in capacity as a public officer	22	1.0	18	4.2	40	1.6	8	0.4	15	4.1
Conflict of interest - tender assessment / procurement / contract / vote / decision making	14	0.7	16	3.7	30	1.2	18	0.9	10	2.7
Could not be ascertained	0	0	0	0	0	0	13	0.7	-	0
Deception associated with employment / appointment to public office / coercion	6	0.3	6	1.4	12	0.5	6	0.3	6	1.6
Excessive force	173	8.2	15	3.5	188	7.4	104	5.4	14	3.8
Failure to exercise power / make decision / carry out a function or inadequate exercise of power / inappropriate exercise of power / function	859	40.5	68	15.9	927	36.4	809	41.8	67	18.2
Improper use of confidential information	46	2.2	35	8.2	81	3.2	61	3.2	21	5.7
Inappropriate conduct / workplace bullying / harassment / failure to comply with policy / procedure	608	28.7	197	45.9	805	31.6	789	40.8	156	42.3
Mismanagement in relation to the performance of official duties	56	2.6	19	4.4	75	2.9	74	3.8	18	4.9
Misuse of public money / theft from the workplace	4	0.2	1	0.2	5	0.2	6	0.3	5	1.4
Other criminal conduct while acting in capacity	24	1.1	13	3.0	37	1.5	29	1.5	15	4.1
Total	2,119	100	429	100	2,548	100.2	1,934	100	369	100

¹ Figures do not include six matters relating to Protective Security Officers.

Rounding has been used in respect to statistical results. Accordingly not all tables and figures total 100%.

Assessment reviews

Complaints and reports reviewed under the PCD Act	2020-21		2019-20		2018-19		2017-18	
	Number	%	Number	%	Number	%	Number	%
Police complaints	1,914	82.3	2,115	83.3	1,935	83.9	1,646	84.7
Police reports	412	17.7	423	16.7	370	16.1	297	15.3
Total	2,326	100	2,538	100	2,305	100	1,943	100

For further information on recontacts please refer to relevant ICAC / OPI Annual Reports

Sanctions imposed under the PCD Act

1 July 2020 to 30 June 2021:

SAPOL reference No.	General Nature Section 26(1)(a) PCD Act 'Criminal Offences'	Sanctions Imposed by Sentencing Officer
12	Criminal - Drug Offence	Employment Terminated
18	Criminal - Fraud Offence	Employment Terminated
19	Criminal - Offence Against the Person	Employment Terminated

1 July 2020 to 30 June 2021:

SAPOL reference No.	General Nature Section 26(1)(b) and (c) PCD Act 'Code of Conduct' Police Complaints and Discipline Regulations 2017	Sanctions Imposed by Sentencing Officer
1	Clause 7 Conduct Public/ SAPOL - Oppressive, offensive, abusive	Fine/Recorded Reprimand/Transfer
2	Clause 3 Conduct Prejudicial - Good Order and Discipline	Recorded Reprimand
3	Clause 6 Proper Exercise of Authority - Excessive Force	Fine/Recorded Reprimand
4	Clause 4 Performance of Orders / Duties - Failure to carry out a lawful order	Transfer/Administrative Order - Penalty Officer ¹
5	Clause 3 Conduct Prejudicial - Good Order and Discipline Clause 4 Performance of Orders/Duties - Failure to carry out a General Order	Fine/Recorded Reprimand
7	Clause 10 Confidentiality of Information - Improper Release/Access	Fine/Recorded Reprimand
8	Clause 3 Conduct Prejudicial - Good Order and Discipline Clause 4 Performance of Orders / Duties - Disobey Orders	Fine/Recorded Reprimand
9	Clause 7 Conduct Public/SAPOL - Conduct towards employee	Fine/Training and Education/Transfer
10	Clause 5 Negligence - Neglect of Duty	Fine/Recorded Reprimand
11	Clause 10 Confidentiality of Information - Improper Release/Access	Fine/Recorded Reprimand
12	Clause 3 Conduct Prejudicial - Reflects Adversely	Employment Terminated
13	Clause 3 Conduct Prejudicial - Good Order and Discipline Clause 11 Responsibility for Property - Fail to comply Property General Order	Fine/Training and Education/Transfer/ Administration Order - Penalty Officer
15	Clause 10 Confidentiality of Information - Improper Release/Access	Fine/Recorded Reprimand
16	Clause 7 Conduct Public/SAPOL - Conduct towards public Clause 10 Confidentiality of Information - Improper Release/Access	Fine/Recorded Reprimand Fine
17	Clause 2 Honesty and Integrity - Integrity	Fine

¹ A penalty officer is a member of the SAPOL Executive Leadership Team who is delegated by the Commissioner of Police to take action under section 26 of the PCD Act.

1 July 2020 to 30 June 2021:

SAPOL reference No.	General Nature Section 26 (1)(b) and (c) PCDA 'Code of Conduct' Police Complaints and Discipline Regulations 2014	Sanctions Imposed by Sentencing Officer
6	Regulation 20 Confidentiality of Information - Improper Disclosure of Information (2 counts) Regulation 20 Confidentiality of Information -Improper Release/Access (6 counts)	Fine/Recorded Reprimand
14	Regulation 13 Conduct Prejudicial - Good Order and Discipline	Recorded Reprimand

Sanctions imposed under the PCD Act

1 July 2019 to 30 June 2020:

Officer No.	Breach of the Code of Conduct Police Regulations, 2014	Outcome
6	Reg 14 Conduct Prejudicial - Reflects Adversely	Fine
7	Reg 14 Conduct Prejudicial - Good Order & Discipline	Reduction in Rank / Penalty - Administrative Order
8	Reg 18 Conduct Public / SAPOL - Conduct towards Employee (three counts)	Reduction in Rank / Transfer

Officer No.	Breach of the Code of Conduct Police Complaints and Discipline Regulations, 2017	Outcome
1	Clause 3 Conduct Prejudicial - Reflects Adversely (three counts) Clause 4 Performance of Orders / Duties - Failure to carry out a lawful order Clause 8 Conflict of Interest - Conflict of Interest	Fine / Recorded Reprimand / Transfer
2	Clause 10 Confidentiality of Information - Improper Release / Access (five counts)	Fine / Recorded Reprimand
3	Clause 10 Confidentiality of Information - Improper Release / Access (nine counts)	Fine / Recorded Reprimand / Penalty - Administrative Order
4	Clause 8 Conflict of Interest - Conflict of Interest Clause 10 Confidentiality of Information - Improper Release / Access	Fine / Recorded Reprimand
5	Clause 10 Confidentiality of Information - Improper Release / Access (seven counts)	Fine / Recorded Reprimand
8	Clause 4 Performance of Orders / Duties - Disobey Orders	Reduction in Rank / Transfer
9	Clause 4 Performance of Orders / Duties - Failure to carry out a lawful order Clause 7 Conduct Public/ SAPOL - Oppressive, offensive, abusive	Fine / Recorded Reprimand / Penalty - Administrative Order

10	Clause 4 Performance of Orders/ Duties - Failure to carry out a lawful order (16 counts)	Recorded Reprimand / Transfer
11	Clause 7 Conduct Public / SAPOL - Conduct towards Employee	Penalty - Suspension without Pay
12	Clause 7 Conduct Public / SAPOL - Oppressive, offensive, abusive	Transfer / Counselling
13	Clause 2 Honesty & Integrity - Falsehood / prevarication	Fine / Recorded Reprimand
14	Clause 4 Performance of Orders / Duties - Failure to carry out a lawful order	Fine / Recorded Reprimand / Transfer / Penalty - Administrative Order
15	Clause 9 Obtain benefit or advantage - Improperly seek / obtain benefit / advantage	Fine / Penalty - Administrative Order
16	Clause 5 Negligence - Neglect of Duty	Fine / Training and Education / Transfer / Penalty - Administrative Order
17	Criminal – Traffic	Fine / Recorded Reprimand / Penalty - Administrative Order
18	Clause 2 Honesty & Integrity - Falsehood / prevarication	Fine / Recorded Reprimand
19	Clause 10 Confidentiality of Information - Improper Disclosure of Information	Fine / Penalty - Administrative Order
20	Criminal – Traffic	Fine / Recorded Reprimand
21	Clause 10 Confidentiality of Information - Improper Release / Access	Fine / Recorded Reprimand

Sanctions imposed under the PCD Act

1 July 2018 to 30 June 2019:

Officer No.	Breach of the Code of Conduct Police Regulations, 1999	Outcome
1	Criminal – Abuse of Public Office	Reduction in Rank / Transfer / Fine
2	Reg 20 Confidentiality of Information – Improper Release / Access	Fine

Officer No.	Breach of the Code of Conduct Police Regulations, 2014	Outcome
2	Reg 15 Performance of Orders / Duties – Disobey Orders Reg 21 Confidentiality of Information – Improper Release / Access	Fine
3	Criminal – Traffic	Fine / Recorded Reprimand
4	Criminal – Traffic	Fine / Recorded Reprimand
5	Reg 14 Conduct Prejudicial – Reflects Adversely	Fine
6	Criminal – Traffic	Fine / Recorded Reprimand
7	Reg 15 Performance of Orders / Duties – Disobey Orders Reg 21 Confidentiality of Information – Improper Release / Access	Fine / Recorded Reprimand
9	Reg 14 Conduct Prejudicial – Reflects Adversely	Reduction in Rank / Transfer
11	Reg 15 Performance of Orders / Duties – Disobey Orders	Recorded Reprimand

Officer No.	Breach of the Code of Conduct Police Complaints and Discipline Regulations, 2017	Outcome
8	Clause 6 Proper Exercise of Authority – Excessive Force	Fine
10	Clause 4 Performance of Orders / Duties – Failure to carry out a lawful order Clause 5 Negligence – Neglect of Duty	Fine / Recorded Reprimand / Training and Education

Sanctions imposed under the PCD Act

4 September 2017 to 30 June 2018:

Officer No.	Breach of the Code of Conduct	Sanctions imposed
9 ¹	Police Regulations 1999 - Reg 16 Proper Exercise of Authority – Excessive Force, Police Regulations 2014 - Reg 17 Proper Exercise of Authority – Abuse of Authority	Fine / Recorded Reprimand
10	Police Regulations 1999 - Reg 15 Negligence – Neglect of Duty	Fine / Recorded Reprimand
11	Police Regulations 1999 - Reg 15 Negligence – Neglect of Duty	Fine / Training and Education
12	Police Regulations 1999 - Reg 14 Performance of Orders / Duties – Failure to Carry Out Lawful Order, Police Regulations 1999 - Reg 15 Negligence – Neglect of Duty, 1999 - Reg 15 Performance of Orders / Duties – Failure to Carry Out Lawful Order, Police Regulations 2014 - Reg 16 Negligence – Neglect of Duty	Fine / Recorded Reprimand / Training and Education
13	Police Regulations 2014 - Reg 14 Conduct Prejudicial – Reflects Adversely	Unrecorded Reprimand / Counselling
14	Police Regulations 2014 - Reg 21 Confidentiality of Information – Improper Release / Access, Regulations 2014 - Reg 19 Conflict of Interest – Conflict of Interest	Fine / Recorded Reprimand
15	Police Regulations 2014 - Reg 13 Honesty & Integrity – Honesty, Police Regulations 2014 - Reg 21 Confidentiality of Information – Improper Release / Access (2 counts), Police Regulations 2014 - Reg 13 Honesty & Integrity – Integrity	Transfer
16	Police Regulations 2014 - Reg 14 Conduct Prejudicial – Reflects Adversely	Fine / Recorded Reprimand
17	Police Regulations 2014 - Reg 14 Conduct Prejudicial – Good Order & Discipline, Police Regulations 2014 - Reg 14 Conduct Prejudicial – Reflects Adversely	Reduction in Rank / Transfer / Fine
18	Police Regulations 2014 - Criminal – Traffic	Fine / Recorded Reprimand
19	Police Regulations 2014 - Criminal – Offence against Person	Unrecorded Reprimand

No breaches of the Code of Conduct, Police Complaints and Discipline Regulations 2017 were reported.

¹ Officer numbers 1 - 8 refer to sanctions imposed under section 40 Police Act 1998. See 2017-18 annual report for details.

		2017-18	
Total		Complaints	Reports
Number	%	%	%
59	2.6	0.7	6.5
23	1.0	0.9	4.2
28	1.2	0.4	5.2
13	0.6	1	0.3
12	0.5	0.5	1.6
118	5.1	6.8	1.9
876	38.0	43.9	18.4
82	3.6	3.9	8.1
945	41.0	34.3	38.7
92	4.0	5.7	3.9
11	0.5	0.1	3.5
44	1.9	1.8	7.7
2303¹	100	100	100