



REPORT OF OVERSIGHT COMMITTEES REPORTING DIRECTLY TO THE COUNCIL
allowed in terms of Section 8(1)(f)(b)(i) of the Rules and Orders for consideration by the Council

Agenda of the Council Meeting of the

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

to be held, in the Council Chamber, Second Floor, Tshwane House, Madiba Street, Pretoria, on
THURSDAY, 29 FEBRUARY 2024 at **10:00**, to consider the matters as set out in the agenda.

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Cllr M Ndzwanana
THE SPEAKER OF COUNCIL

19 February 2024

F. REPORTS TO COUNCIL

The Speaker, in terms of Section 8(1)(f)(b)(i) of the Rules and Orders, proposes to Council that the report contained in this agenda, from the Section 79 Standing Committee: Civilian Oversight held on 23 January 2024, be submitted for consideration, and subsequently requests the Chair of Chairs, Alderman IP du Plooy, to present the report to Council.

COUNCIL AGENDA : CITY OF TSHWANE METROPOLITAN MUNICIPALITY:
29 FEBRUARY 2024

REPORT TO COUNCIL

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COUNCIL AGENDA : CITY OF TSHWANE METROPOLITAN MUNICIPALITY:
29 FEBRUARY 2024

REPORT TO COUNCIL

J MALULEKA (012) 358 1795
COUNCIL: 29 February 2024

1. OFFICE OF THE SPEAKER
SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT
FIRST QUARTER REPORT FOR 2023/24 FINANCIAL YEAR
**(From the Section 79 Standing Committee: Civilian Oversight:
23 January 2024.)**

1. PURPOSE

The purpose of this report is to provide an overview and reflection on the first quarter performance of the Section 79 Standing Committee: Civilian Oversight for 2023/24 financial year. The Committee findings are based on oversight meetings conducted, in line with its terms of reference.

2. STRATEGIC PRIORITIES

This report is underpinned by the following strategic priorities of the City of Tshwane (CoT):

Strategic Priority 4: Enhancing city safety, security, and emergency services.
Strategic Priority 9: A professional public service that drives accountability and transparency.

3. BACKGROUND

The mandate of the Committee is to strengthen robust Civilian Oversight on Tshwane Metropolitan Police Department (TMPD), which is the law enforcement department within the CoT. The ultimate objective is strengthening community policing. Council established the Section 79 Standing Committee on Civilian Oversight to oversee the TMPD.

The Committee to be able to exercise its oversight functions should have access to the organizational structure of the TMPD and its policies, by-laws, regulations and legislation enabling the Department to fulfil its functions.

The Committee conducts oversight, guided by its terms of reference which were adopted by Council according to Section 64J of the South African Police Services

Act. These terms of reference distinguish the functions of the Civilian Oversight Standing Committee and Community Safety Oversight Committee, as both these Section 79 Committees of Council conduct oversight on the performance of TMPD.

4. DISCUSSION

The Section 79 Oversight Committee meetings are held monthly as per the approved Council calendar. The Committee conducts its oversight in accordance with legislation, Council resolutions, the Committee Process Plan and Terms of Reference. The activities and/or performance of the Section 79 Standing Committee: Civilian Oversight for the first quarter of 2023/24 financial year are as follows:

4.1 COMMITTEE MEETING

During the first quarter, the Committee held one (1) oversight meeting, out of the scheduled two, as Council was in recess in July 2023. Meetings details are outlined herein below:

DATES	ACTIVITIES
July 2023	RECESS
11 August 2023	Meeting Cancelled
15 September 2023	Oversight Meeting held

4.1.1 11 AUGUST 2023 OVERSIGHT MEETING

The Civilian Oversight Standing Committee meeting, which was scheduled for the 11 August 2023, was cancelled due to no reports being received from the TMPD.

4.1.2 15 SEPTEMBER 2023 OVERSIGHT MEETING

In the Committee meeting held on 15 September 2023, the Committee considered three (3) reports.

The first report was titled Community Safety: Comprehensive Report on the status of firearms within the TMPD. The Committee requested that this report be referred back to address concerns raised and that a follow-up inspection be conducted at the armory. The inspection would be conducted with the safety expert to guide the Committee with the security assessment of the facility. The updated report would then be considered after the inspection, to reflect on the status of the armory from an informed position.

The second report considered outlined the TMPD procedure for approval of a march or protest and associated processes. The report looked into the strike action within the City of Tshwane as a case study, outlining the criteria that is followed in considering applications submitted, which leads to approval or rejection of those

applications. The Committee requested that TMPD submit synopsis of the report flow in that regard, including escalation processes.

The third report was on the Safety Plan for TMPD. The Committee was made aware that the Annual Safety Policing Plan is developed by the Department, however, there was no “safe city strategy.” Further that there is limited community participation, which is a challenge, as this is required to enhance the Safety Plan.

A full analysis of murder rates was requested by the Committee, based on information from Statista (<https://www.statista.com/statistics/1328901/cities-with-highest-crime-index-in-africa>) which indicated that Tshwane had the highest crime index, while the report submitted by TMPD reflected that Tshwane had the lowest murder rates.

4.1.3 RESOLUTION TRACKING

Resolution tracking allows Civilian Oversight Standing Committee to track the status of resolutions passed, to monitor implementation of those resolutions by relevant departments. Status of resolutions for the first quarter is reflected as Annexure B.

It is worth noting that resolution tracking further enables the Committee to track improvement in terms of compliance with legislation or service delivery. In the first quarter, the finding of the Committee is that there is poor report quality and/or record keeping at the armory as demonstrated by contradictory data presented to the Committee in the firearms report attached as an annexure herein. Section 4.1 of that report reflects a total of 568 firearms earmarked for destruction, whereas Table 2 in the same report reflects a total of 696 firearms earmarked for destruction.

This poor report quality is a recurring finding which was reflected as a concern in the Annual Report of the Committee for 2022/23 financial year. It is important that TMPD comply with Council resolutions, by ensuring that reports submitted to the Committee and Council are validated to avoid misleading information. This will demonstrate that the Department is committed to the strategic priority of a professional public service that drives accountability and transparency, which are principles of good governance.

The Committee on the other hand has noted a marked improvement in the armory as compared to the previous financial year, as the report states that plans are underway to enlarge the safe.

4.4 PROCESS PLAN

The Committee adopted its Process Plan in September 2023 and it is annexed to this report.

4.5 CHALLENGES (OVERSIGHT COMMITTEE)

The main challenges limiting the Committee in executing its responsibilities revolve around the quality and timeline for submission of reports. In some instances no reports are submitted leading to cancellation of meetings.

The challenges can be detailed as follows:

- Reports that the Committee request from the Department are not detailed or are often vague, not specifically aligned to the resolution. This in turn leads to the reports being deferred to the following month, as some are submitted without being signed off by Department.
- Reports submitted are most of the time submitted late, and this hinders the effectiveness of the Committee in providing quality input. Late submission of reports is in contravention of the Rules and Orders By-laws, and it is therefore unacceptable.

6. COMMENTS FROM THE STEAKHOLDERS DEPARTMENTS

Not applicable

7. IMPLICATIONS

7.1 HUMAN RESOURCES

Noting challenges presented in this report with regard to quality of reports submitted and non- compliance to timeframes, there are drastic changes to be effected to comply with Council resolutions and the Rules and Orders By-laws.

7.2 FINANCIAL

The Safety Plan requires intensive engagement with affected stakeholders/ role-players and the community in particular. Once finalized, the Safety Plan should be incorporated into the Integrated Development Plan of the City, outlining various interventions with budget allocations.

Currently, safety promotion and governance structures for coordinating safety are not encompassed within the Integrated Development Plan nor within the organizational structure. This results in loss of revenue for the City.

In the case of lost or stolen firearms, the loss incurred by the CoT is written-off. This therefore requires diligence and responsible safe keeping, to avoid loss of assets which translate to loss of revenue.

7.3 COMMUNICATION

This report will be circulated to the Committee Members in terms of the Rules and Orders By-laws. Resolutions contained herein are continuously communicated to the relevant departments for implementation.

7.4 CONSTITUTIONAL AND LEGAL FACTORS

In order to strengthen oversight on TMPD, the Committee needs to work closely with IPID on cases handed over to the City affecting TMPD officers.

The Section 79 Standing Committee on Civilian Oversight performs its oversight function in accordance with provisions of the South African Police Services Act and the following legislation:

- Constitution of the Republic of South Africa, Act 108 of 1996
- Local Government: Municipal Structures Act, Act 117 of 1998
- Local Government: Municipal Systems Act, Act 36 of 2000 (as amended).

7.5 PREVIOUS COUNCIL AND MAYORAL COMMITTEE RESOLUTIONS

The performance of the Committee is administered through the Governance Model of the City of Tshwane, which is a Council resolution of June 2011.

8. CONCLUSION

This report is compiled with the intention of reflecting on the performance of the Committee during the first quarter of 2023/24 financial year. The Section 79 Standing Committee: Civilian Oversight has performed its duties fairly according to its terms of reference as adopted by Council.

The meeting scheduled for August 2023 was cancelled while in July 2023, no oversight meeting was held as Council was in recess.

ANNEXURES:

- A: Annual resolutions for 2023/24 financial year.
- B: Approved Process Plan for 2023/24 financial year
- C: Report on status of firearms within the TMPD
- D: Statista Crime Index

RECOMMENDED:

The Chief of Police ensures that reports submitted to the Section 79 Standing Committee: Civilian Oversight are complete, relevant, signed off and are submitted timeously in accordance with the Rules and Orders By-laws.

**ANNEXURE A: SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT FIRST QUARTER RESOLUTIONS
2023/2024 FINANCIAL YEAR**

15 SEPTEMBER 2023

Department/ Committee	Title of the report	Author/ Initiator	Resolution	Status	Remarks/ Evidence
Community Safety	Comprehensive report on the status of firearms within the Tshwane Metro Police Department.	BD Nkhwashu	1. That the report be referred back and be resubmitted in the Committee meeting to be held on 13 October 2023.	outstanding	
Community Safety	Report on the approval for a march or protest and associated processes.	BD Nkhwashu	1. Cognisance be taken of the contents and importance of the report.	Done	
Community Safety	Report on the Safety Plan for the City of Tshwane Metro Police Department.	BD Nkhwashu	1. Cognisance be taken of the contents and importance of the report.	Done	

ANNEXURE B: CIVILIAN OVERSIGHT PROCESS PLAN FOR 2023/2024 FINANCIAL YEAR

First Quarter: July – September 2023/2024			
Activity	Description	Responsibility	Time Frame/ Target Dates
Recess	No meeting	No meeting	July 2023
Meeting	<ul style="list-style-type: none"> ➤ Comprehensive report on the status of firearms within the Tshwane Metro Police Department. (Done) ➤ Annual performance report of the Section 79 Standing committee: Civilian Oversight, Resolution Tracking & Draft process plan. ➤ Inspection-in-loco at Fleet 	Civilian Committee and Community Safety.	August 2023
Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Report on the prioritization of the mitigation of cable theft. ➤ Report on complaints of misconducts received against members of Metro Police and strategy utilized to prevent corruption. ➤ Report on cluster meetings (Saps, Metro Police, CPF Chairpersons, Cluster Commanders, MMC, City Manager etc.), as per 2019 annual resolution 	Civilian Committee and Community Safety.	September 2023
Second Quarter October– December 2023			

Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Full comprehensive report on the implementation of the MISS document and the challenges faced by the Tshwane Metro Police department on implementing the document within the city departments. ➤ Report on the illegal sub-contractors/Runners operating Infront of Metro Police licensing departments. ➤ Comprehensive armoury report detailing the mitigation measures arising from the findings of the inspection in loco of 22 June 2022 ➤ Report on auctioning off old/unserviceable vehicle 	<p>Civilian Committee and Community Safety</p> <p>Corporate services fleet management</p>	October 2023
Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Comprehensive report on the plan of action for 2022/2023 festive season operations. ➤ Report on civic education program plan for the financial year. ➤ Report on first quarter meeting with IPID and SAPS secretariat. ➤ Status report on the By-Law enforcement centre 	<p>Civilian Committee and Community Safety</p> <p>City Managers Office</p>	November 2023
Recess	No Meeting	Civilian Committee and Community Safety	December 2023
Third Quarter January-March 2024			

Meeting	<p>Section 79 Oversight Committee:</p> <ul style="list-style-type: none"> ➤ Inspection –in- loco ➤ Community Safety Department: Report on the status Quo of the Close Circuit Television System (CCTV) and mitigation measures in the City of Tshwane. ➤ Status report on the implementation of recommendations which were handed over to the City from IPID 	<p>Civilian Committee and Community Safety</p> <p>Group Human Capital</p>	January 2024
Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Comprehensive report on the disciplinary cases within the Tshwane Metro Police Department. ➤ Community Safety: Tshwane Metro Police: Comprehensive report on the implementation of the City IDP and the influence the administrative adjudication of Road Traffic Offences (Aarto) will have on the COT's budget. ➤ Report on second quarter meeting with IPID and SAPS secretariat. 	Civilian Committee and Community Safety	February 2024
Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Comprehensive report on the criminal records at Metro Police Officials and measures taken. ➤ Comprehensive report on the plan of action for 2023/2024 (Easter holidays) festive season operations 	Civilian Committee and Community Safety	March 2024
Fourth Quarter April – June 2024			

Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Community Safety: Report on the complaints of misconduct received against members of Metro Police and strategy utilized to prevent corruption. ➤ Inspection-in-loco 	Civilian Committee and Community Safety	April 2024
Meeting	<p>Section 79 Oversight Committee Meeting</p> <ul style="list-style-type: none"> ➤ Community Safety: Report on the Drug unit. ➤ Presentation on the City of Tshwane Community Safety forum and its subsidiary structures. ➤ Report on third quarter meeting with IPID and SAPS secretariat. 	Civilian Committee and Community Safety	May 2024
Meeting	<p>Section 79 Oversight Committee: Civilian</p> <ul style="list-style-type: none"> ➤ Comprehensive report on VIP unit regarding staffing/Vehicles/Overtime affecting TMPD. ➤ Inspection-in-loco 	Civilian Committee and Community Safety	June 2024



Enquiries: DP Kale (012 358 5867)
Date: 12 September 2023

AGENDA

SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT MEETING

FRIDAY, 15 SEPTEMBER 2023

09:00

**Boardroom C202, Second Floor, Tshwane
House**

**TO MEMBERS OF THE SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT
(TSHWANE METRO POLICE)**

COUNCILLORS/ ALDERMEN/ ALDERWOMEN

MATHIBEDI, MT	ANC
RASWESWE, UB	EFF

CIVILIAN MEMBERS

LESCH, A
MASHABA, SP
PALADH, V
VAN AS, J

EX OFFICIO MEMBERS (*observer status without voting rights*)

THE EXECUTIVE MAYOR
THE SPEAKER
THE CHIEF WHIP OF COUNCIL
THE MEMBER OF MEYORAL COMMITTEE OF COMMUNITY SAFETY:
(COUNCILLOR G THEUNISSEN)
THE CHAIR OF CHAIRS
THE CHAIRPERSON OF THE SECTION 79 STANDING COMMITTEE: COMMUNITY
SAFETY (COUNCILLOR N MOLAPO)

ALSO INVITED (CITY OF TSHWANE)

THE ACTING CITY MANAGER
THE CHIEF OF POLICE
RESEARCHER, OFFICE OF THE SPEAKER

**AGENDA : MEETING OF THE SECTION 79 STANDING COMMITTEE: CIVILIAN
OVERSIGHT (TSHWANE METRO POLICE): FRIDAY, 15 SEPTEMBER 2023 AT 09:00**

Notice is hereby given of a meeting of the Section 79 Standing Committee: Civilian Oversight with the primary venue being **Boardroom C202, Second Floor, Tshwane House, Madiba Street, Pretoria**, on **FRIDAY, 15 SEPTEMBER 2023** at **09:00**.

COUNCILLOR D WANNENBURG
CHAIRPERSON

AGENDA : SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT (TSHWANE METRO POLICE) MEETING : 15 SEPTEMBER 2023

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(TSHWANE METRO POLICE) MEETING : 15 SEPTEMBER 2023

IV. MATTER(S) FOR CONSIDERATION

MP5/2/3/2

BD NKHWASHU (012 358 4954)

SECTION 79 STANDING COMMITTEE: CIVILIAN OVERSIGHT: 15 September 2023

1. COMMUNITY SAFETY: TSHWANE METRO POLICE
COMPREHENSIVE REPORT ON THE STATUS OF FIREARMS WITHIN THE
TSHWANE METRO POLICE DEPARTMENT

1. PURPOSE

The purpose of this report is to provide comprehensive information related to the status of firearms in the Tshwane Metro Police Department (TMPD) for the past one (1) year to the Section 79 Standing Committee: Civilian Oversight.

2. STRATEGIC PILLARS

The strategic pillars of the City's five-year plan to be addressed include:

Strategic Pillar 1:

A City that facilitates economic growth and job creation

Strategic Pillar 2:

A City that cares for its residents and promotes inclusivity

Strategic Pillar 3:

A City that delivers excellent services and cares for the environment

Strategic Pillar 4:

A City that keeps residence safe

Strategic Pillar 5:

A City that is open, honest and responsive

3. BACKGROUND

The Section 79 Standing Committee: Civilian Oversight in a letter dated 16 August 2023, requested the Department to prepare the following report to be presented at the Committee meeting scheduled for 15 September 2023:

“Full Comprehensive from Metro Police Armoury Department:

A. Guns /Rifle /Ammunitions issued to Officers.

B. Traceability, archives/Registry/File numbers/Incidents

What must be report on :

After any shooting incidents: what procedures are in place?

- 1. Register of guns/rifle/ammunition issued.*
- 2. Incident report plan*
- 3. Policy guidance and recording*
- 4. Policy equipment, communications (radios)*
- 5. First aid course or training*
- 6. Accountabilities register guns/firearms ammunition issued/used*
- 7. How many guns handed to SAPS for investigation?*
- 8. How many guns handed in assault cases and inspection at homes safety?*
- 9. Does the Department report to IPID monthly?*
- 10. Recording statements/procedures/incidents reports/disciplinary cases*
- 11. How many guns lost/stolen/disciplinary cases?*

4. DISCUSSION

4.1 Status quo of firearms

The City of Tshwane (TMPD) has been accredited as an official institution in terms of section 145 of the Firearms Control Act, 2000 (Act No. 60 of 2000). The TMPD is the custodian of all firearms belonging to the CoT and has statutory responsibility to comply fully with the provisions of the Act.

In total, the City of Tshwane has 4919 firearms registered on its licence – of which it should be noted that this total figure includes firearms earmarked for destruction (568). There are 3576 firearms currently in use.

As regards the establishment of workstations, Section 101 of the Firearms Control Act, 2000 (Act No. 60 of 2000) reads as follows:

“101 Official Institution’s workstation the head of an Official Institution must-

- (a) Establish and maintain a workstation at a place which complies with such requirements as may be prescribed; and*
- (b) Provide the Registrar with access to the workstation and to the register referred to in section 99.”*

Within the CoT, 36 workstations have been established with an appointed Designated Firearm Official (DFO) at each workstation nominated by the Commander/Section Head. The number of firearms managed by the various workstations are as follows:

Table 1:

Workstations	Glock	Shotgun	Rifle	Total	Lost/ Stolen	At SAPS for ballistic
36	3 576	63	60	3 699	247	105

All authorised CoT officials are required to successfully complete the prescribed training in terms of Regulations 79 and 80 of the Firearm Control Regulations, 2004, for the safe use and handling of the firearm. For the ideals of this report, it should be noted that the issuance of official firearms is not limited to the TMPD Officers only but also to other CoT officials (Security Officers and Game Rangers) at other critical departments such as the Environment and Agriculture Management.

Upon successful completion of the prescribed training, a competency declaration (Annexure A) attached must be completed by the authorised official and the relevant supervisor/manager to ensure total fitness. Thereafter, the official will have fingerprints taken and a permit will be issued to the authorised official.

An authorised official may not possess a firearm and ammunition without a permit/authorisation issued by the Official Institution which is valid for 12 months. Three months prior to the lapse of the 12 months, an authorised official must already start with the renewal process. In the event that the official fails to comply with the renewal requirements, the permit, firearm and ammunition are been withdrawn from the official until such time that the official complies with all the prescriptive legal requirements to be issued with an official permit, firearms and ammunition.

The permit/authorisation may only be issued under the following conditions:

All firearms and ammunition are booked, recorded in/out and signed for in the firearm register from Armoury by authorized members who are competent to carry such firearms and remains in their possession or:

- at a residential firearm safe if member has been issued with a firearm Permit, where the safe has been inspected and signed for by the supervisor and a witness that it has been mounted firmly on the double brick wall or cement floor surrounded by double brick wall. The home or residential safe is inspected on a yearly basis as and when the authorized official renew their firearm permit.
- at workstation firearm safe inspected and verified by the Armoury with the Designated Firearms Officer (DFO) if official has been issued with firearm Authorization, until they are procedurally booked back to the Armoury in the applicable firearm registers and electronic system, for reasons such as change of residential address, permit expired, pregnancy, long leave, cases against officials and renovations.

4.1.2 Traceability, archives/Registry/File numbers/Incidents

The department Armoury has an electronic system and manual registers where all firearms received and issued to authorized official are recorded, but there is no equipment or special tool to trace the firearms.

There is a folder that is opened on the Qdrive system for every authorized official who is issued a firearm, where such official's documents are saved for record or filing purpose and manual filing is also done.

To oversee the whereabouts of the firearms and ammunition, monthly, the Armoury receives workstation inspection and verification reports of firearm and ammunition issued to officials.

Supervisors do parades at the beginning and end of the shift, to check for officials' operational readiness and all tools of trade such as the firearm and ammunition are inspected together with the firearm permit and authorization for validity. The accountability to care and to ensure that the firearm is clean and remains in good working condition and to report to Armoury when there are challenges with firearm and ammunition, lies solely with the official issued the firearm.

Permits and authorization are renewed every 12 months and authorized officials need to produce their firearms at the Armoury for inspection and verification before renewal can be done.

The department has an approved Policy guidance, "Policy Directive 15 of 2013 :Official Firearm Policy" that is currently used to regulate the official firearms. However, this policy has been reviewed and it is in the process of been finalized and signing it off for approval.

The Armoury is in possession of 2 two-way radios and internal telephones for communication with the control room in case of emergency situations and firearm related matters.

The number of firearms available at Armoury is outlined within the following table:

Table 2:

Type	Condition	Number available
Handguns (New & Old Glocks)	Good	253
Handguns: Conventional (Vektor, CZ, Beretta) earmarked for destruction.	Too old and not serviceable	696
Shotguns	Good	79
Rifles	Good	24
Total		924

The number of firearms available at Armoury for Academy training is as follows:

Table 3:

Type	Condition	Number available
Handguns - Glock 9mm	Good	106
Shotguns	Good	7
Rifles	Good	9
Total		122

The following table outlines a total of 28 firearms that were handed to SAPS investigation from TMPD members during the period 2022/23 period.

Table 4: Cases Reported: Firearms handed for investigations: Period 2022 to 2023

Serial no	Make	Calibre	SAPS CAS NO.	SAPS Station	Reason
BDSV057	Glock	9mm	137/07/2022	Garsfontein	Shooting incident
XSP017	Glock	9mm	343/07/2022	Hercules	Attempted murder case against member
BBPW320	Glock	9mm	none	Rietgat	Common Assault
BBPW236	Glock	9mm	52/09/2022	Lyttelton	Pointing of firearm

BDSV368	Glock	9mm	OB:1308/09/2022	Olifantfontein	Domestic violence
BDSW228	Glock	9mm	OB: 59/09/2022	Ivory Park	Domestic Violence
BDSV713	Glock	9mm	67/10/2022	Pretoria North	Arrested/firearm with no permit
BDSV849	Glock	9mm	none	Themba	Domestic Violence
LZA817	Glock	9mm	366/10/2022	Olievenhoutbosch	Shooting incident
BDSV255	Glock	9mm	01/12/2022	Military Police Murray Hill special force	Member arrested/trespassing
BBPW556	Glock	9mm	422/12/2022	Pretoria Central	Member arrested/attempt murder
MER074	Glock	9mm	no case	Akasia	Domestic Violence
BDSV376	Glock	9mm	no case	Temba	Domestic Violence
LZA735	Glock	9mm	397/01/2023	Loate	H/robbery/member shot
XSP161	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
BBPW690	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
BBPW396	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
ZPK942	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
BDSW100	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
MER401	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
ZPK944	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
BBPW440	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
BBPW438	Glock	9mm	202/01/2023	Bronkhorstspuit	Shooting incident /attempt mur
MER077	Glock	9mm	287/02/2023	Atteridgeville	Loss of firearm / recovered
ZPR030	Glock	9mm	251/02/2023	Hercules	Shooting incident / robbery
MER368	Glock	9mm	none	Mabopane	Domestic Violence
MER399	Glock	9mm	OB:1475/05/2023	Mamelodi East	Domestic Violence
BBPW262	Glock	9mm	110/05/2023	Laudium	Shooting incident

The following table outlines a total of 15 firearms that were stolen or robbed from TMPD members during the period 2022/23 period.

Table 5: Cases Reported: Lost, Stolen and Robbed Firearms: Period 2022 to 2023

Serial no	Make	Calibre	SAPS CAS NO.	SAPS Station	Reason
LZF721	Glock	9mm	148/07/2022	Hebron	Loss of firearm/hijack
BDSV647	Glock	9mm	395/08/2022	Soshanguve	Missing at home
BBPW606	Glock	9mm	260/08/2022	Hammaskraal	Loss of firarm/robbed
BDSV085	Glock	9mm	219/09/2022	Soshanguve	Loss of firearm / stolen

MER088	Glock	9mm	15/10/2022	Olievenhoutbosch	Loss of firearm/hijack/murder
BBPW266	Glock	9mm	30/10/2022	Pretoria West	Loss of firearm/ robbed
XSP196	Glock	9mm	457/10/2022	Pretoria West	Loss of firearm/h-breaking theft
BBPW419	Glock	9mm	197/11/2022	Soshanguve	Loss of firearm/H-robbery
MER410	Glock	9mm	428/11/2022	Pretoria West	Loss of firearm/robbed/hijack
ZPR002	Glock	9mm	349/11/2022	Ga-Rankuwa	Loss of firearm/robbed at home
BDSV784	Glock	9mm	139/12/2022	Mamelodi west	Loss of firearm/ robbery
BDSV453	Glock	9mm	414/12/2022	Mondeor	Loss of firearm/robbery at home
MER080	Glock	9mm	147/03/2023	Rietgat	Loss of firearm /robbed
BBPW432	Glock	9mm	168/06/2023	Mamelodi East	Loss of firearm /robbed
BDSV687	Glock	9mm	60/06/2023	Dube	Loss of firearm /robbed

In the case of a lost or stolen firearm(s) and ammunition the official must immediately follow the following procedure:

- Report the matter to SAPS and obtain a case number
- Inform his/her Supervisor about the incident
- Inform control room (331) to dispatch the Civilian and Internal Affairs (CIA) standby Officer
- The matter should be reported to the Armoury with the following information:
 - Case number from SAPS
 - CIA reference number
 - All accessories that were not lost or stolen should be handed in at the Armoury.
- Report the loss of the firearm to TMPD Asset Management by means of submitting a completed insurance claims form.
- Complete certificate: negligent loss of official firearm (Attached hereto as Annexure “B”)

4.2 Incident report plan

Any incident in the handling of firearms and ammunition must immediately be presented in writing by the Director or his/her delegated officer who must submit the report to CIA and the Responsible Person as soon as possible for their attention and action.

The following provides an outline of the applicable procedure necessary to report an incident.

- ### 4.2.1
- If an authorised official was involved in any incident in the handling of firearms and ammunition, whether discharged or not, he/she must immediately inform his/her supervisor and the Nodal point.

The following information must be supplied by the member to the Nodal point:

- Time of incident
- The exact location
- Short description of the incident
- Official's call sign
- Official's name and staff number
- Number of rounds fired, calibre and type of weapon and ammunition

4.2.2 Nodal point must inform the following role-players:

- The stand-by member of CIA, who must proceed to the scene directly.
- The Chief of Police
- Tshwane Metropolitan Police Department patrol vehicle in the vicinity of the scene
- Nodal point must ensure that the necessary Occurrence Book entry is made.
- Employee Wellness should be notified.

4.2.3 The member of CIA must take control of the incident and ensure that the following procedures are followed:

- The member of CIA, upon arrival at the scene, shall ensure that compliance to the prescriptions for Crime Scene Management are adhered to.
- The stand-by member of CIA or delegated member shall submit a shooting report as soon as possible or at the latest within 24 hours from the time of incident to the Chief of Police, Tshwane Metropolitan Police and Responsible Person. CIA shall send a copy of the shooting report to the Independent Police Investigations Directorate (IPID).
- The reports shall contain observations and objective conclusions as to whether the discharge followed legislative requirements.

4.2.4 Prescribed training and testing in respect of employees of an Official Institution (Firearms Control Regulations, 2004) provide the following:

Regulation 79 (2)(b)(ii) states that any Member/s must "*undergo psychological debriefing within 48 hours after experiencing any violent incident, discharging their firearm or witnessing a shooting.*"

4.3 Firearm training

Any official, who in terms of his/her functional duties, is required to be issued with an official firearm, must attend the Firearms Training programmes facilitated at the Tshwane Metropolitan Police Department Academy (TMPDA) and achieve the required outcomes. The training programmes must comply with the National Standards Prescribed Training: Regulation 79 and 80 of the Firearms Control Act, 2000 (Act 60 of 2000) as amended by Firearms Control Amendment Act, 2003 (Act No. 43 of 2003). The member shall receive the required permit/authorisation to carry an official firearm upon the successful completion of the firearm programme, as part of the Traffic and Metro Police Officers' qualification.

Authorized officials must undergo at least one practical training session at least every 12 months or within a shorter period as may be reasonably necessary in the circumstances, in terms of the proper and safe handling as well as the use of the relevant firearm and ammunition in terms of Regulation 79 read with Regulation 80 of the Firearms Control Regulations, 2004.

4.4 First Aid training

The Armoury has officials nominated and have duly completed the course.

4.5 Firearm related cases reported to the Civilian and Internal Affairs (CIA)

Firearms / guns lost/stolen/disciplinary cases” for past financial year (2022/2023)

Month	Lost Firearms	Stolen Firearms	Other Firearm cases	Cases send for Disciplinary	Total cases for the Month
July 2022	1	0	0	0	1
August 2022	0	0	1	1	1
September 2022	0	2	1	1	3
October 2022	0	1	2	1	3
November 2022	3	0	1	2	4
December 2022	2	0	2	3	4
January 2023	0	0	2	1	2
February 2023	0	0	0	0	0
March 2023	0	0	2	1	2
April 2023	0	0	1	0	1
May 2023	1	0	2	1	3
June 2023	1	0	1	0	2

Other firearm cases include the following:

- Discharge of firearm – shooting incidents
- Discharge of firearm – accidental discharge
- Pointing of firearm
- Loss of magazine and ammunition
- Loss of ammunition

Total cases for the month: Consist of Lost Firearms + Stolen Firearms + Other Firearm cases. Cases send for Disciplinary are not calculated as it is an outcome / recommendation of the other 3 columns.

Cases send for Disciplinary: Totals may differ from Total cases for the month as some cases were closed where the recommendation was declined to prosecute, or cases were withdrawn. Some cases might still be under investigation.

In the case of a lost or stolen firearm(s) and never found, the loss incurred by the CoT is written-off at the City's expense. Corresponding to this, the insurance processes are being activated for reimbursement having followed the procedure.

The Civilian Internal Affairs section holds monthly meetings with IPID and a firearm report is submitted to the Chief of Police.

5. COMMENTS OF OTHER DEPARTMENTS

5.1 COMMENTS OF GROUP FINANCIAL SERVICES

Not applicable, cognisance report.

5.2 COMMENTS OF GROUP LEGAL AND SECRETARIAT SERVICES

Not applicable, cognisance report.

6. IMPLICATIONS

6.1 FINANCIAL IMPLICATIONS

None

6.2 Human Resource Implications

None

6.3 COMMUNICATION IMPLICATIONS

None

6.4 CONSTITUTIONAL AND LEGAL FACTORS IMPLICATIONS

None

6.5 PREVIOUS COUNCIL AND MAYORAL COMMITTEE RESOLUTIONS

None

7. CONCLUSION

The City of Tshwane's firearms are registered under Official Institution 614. Firearms are controlled in terms of the Firearms Control Act, 2000 (Act No. 60 of 2000) as well as the Firearm Control Regulations of 2004.

ANNEXURES:

- A. TMPD competency declaration
- B. Certificate: Negligent loss of official firearm

RECOMMENDED:

It is hereby recommended to the Section 79 Standing Committee: Civilian Oversight that cognisance is taken of the contents of the report.

