



**independent police
investigative directorate**

Department:
Independent Police Investigative Directorate
REPUBLIC OF SOUTH AFRICA

**Independent Police Investigative Directorate
National Specialized Investigation Team**

SUBJECT

**Negative SAPS Disciplinary Recommendations in terms of
Section 30 of IPID Act 1 of 2011**

IPID CLASSIFICATION

**Section 28(1)(h)- any other matter referred to it as a result of a
decision by the Executive Director, or if so requested by the
Minister, an MEC or the Secretary as the case may be.**

IPID REF

CCN2022070130 MISCONDUCT

SAPS MEMBERS

Major General WP Rhooide and Constable HH Rekhoto

REPORT TYPE

Negative Report

1. Summary of allegations

The complainant in this matter is Honorable Vuyoethu Zungula President of the African Transformation Movement (ATM) and a member of Parliament. He alleged that President Ramaphosa's Head of Presidential Protection Unit: Major General WP Rhooode, in cohorts with some Senior SAPS officials Misconducted themselves in terms of the manner as described in details in Mr Arthur Fraser's affidavit. He further alleged that Major General Rhooode and these Senior SAPS member's actions amounts to carrying out illegal and unlawful instructions which includes the following:

- Not reporting a crime in terms of Prevention and Combating of Corrupt Activities Act 12 of 2004 Section 34 (1) (PRECCA);
- Not reporting prescribed offences in terms of Section 13 (2) of SAPS Act 68 of 1995;
- Conduct an Undercover investigation;
- Unlawful apprehension of suspects;
- Unlawful handling of stolen loot including not reporting it to the SAPS;
- Unlawful collaboration of former SAPS members serving members SAPS Crime Intelligence Unit;
- Unlawful Interrogation of Suspects;
- Kidnapping;
- Unlawful border crossing by Major General Rhooode;
- Unlawful use of official Government Resources; and,
- Bribery of suspects to Conceal the events that took place at Phala Phala on 09 February 2020.

The complainant further alleged that News 24 reported that National Commissioner Fannie Masemola and his predecessor Khehla Sitole bear some knowledge into this matter. It further reported that Major General Rhooode called Crime Intelligence Boss General Peter Jacobs for manpower and resources to probe the dollar heist.

The complainant further alleged that South African Authorities met with an unknown Commissioner from Namibia at No Man's Land on 19 June 2020, this alleged meeting was also referred to in paragraph 11 of the Media Statement dated 16 June 2020 by Lieutenant General SH Ndeitunga, OMS of Namibia Police Force. It is alleged that the two parties agreed that the matter is sensitive and may cause a fall out in South Africa.

The complainant requested an investigation to establish whether or not Tax-Payers' money was used to pay for the trip to No Man's Land, where meeting was held with Namibian authorities using a chartered helicopter. The complainant further requested that Systemic Corruption as indicated in section 28 (1) (2) of the IPID Act be also investigated. The complainant also alleged that the members involved must be charged for failing to report burglary in terms of Section 29 (1) (a & b) of the IPID Act which he believed that the IPID Act compels them to report such matters.

Upon registration of the case as per the allegations made, IPID made an undertaking to conduct investigation focusing on the transgression of the SAPS departmental policies/prescripts.

2. Contents of IPID File

In terms of Section 30 of IPID Act 1 of 2011 read with SAPS Disciplinary Regulation issued on 1st November 2016, you are hereby directed to initiate disciplinary action against Major General WP Rhooode with service number 0527125-8 and Sergeant HH Rekhoto 7150340-4 attached to Presidential Protection Services Unit at Head Office Pretoria.

3. IPID Analysis

- 3.1. On 2022-08-15 IPID investigators travelled to Bela-Bela Police Station and held a Meeting with the Station Commander Colonel Phetla and the Detective Commander Lieutenant Colonel A. Smith. Both the Senior Managers at the Police Station indicated that the only case that was reported relating Joseph's family in the year 2020 was kidnapping as per ***Bela-Bela CAS 78/03/2020***. The case of kidnapping was investigated by Captain Shitlhane of the Family Violence, Child Protection and Sexual Offences Unit (FCS).
- 3.2. The status of the case on the CAS System indicated that the case was withdrawn at court. Furthermore, IPID was furnished with the copies of the case docket and upon perusal it was noted that the complainant Ms Benadette Joseph the mother of the alleged victims Flauriana and Davids Joseph, all submitted withdrawal statements. According to the mother she withdrew the cases because her children both returned home. The reasons for withdrawal of the case was cited by the victims Flauriana and Davids as misunderstanding on the part of the mother which could have been compounded of her not understanding the local languages as strictly speaks Ovambo a language predominantly spoken in Namibia, therefore, there was apparently no need for the mother to have opened case alleging kidnapping.

- 3.3. On the 2022-08-15 at about 10:38, IPID Investigators and Captain Shitlhane of Bela Bela FCS proceeded to Vingerkraal to trace the Joseph's family. On arrival only Ms Benadette and Ms Flauriana were found and interviewed, however, both denied any knowledge of the case of kidnapping. It is to be noted that the two witnesses were apprehensive and showed no interest in discussing the merits of the case expressing the concern that there have been many people claiming to either being police or journalists coming to ask questions on the same matter. They further informed IPID Investigators and Captain Shitlhane that Mr David Joseph was at work but had no knowledge of his place of employment.
- 3.4. Captain Sitlhane reminded Ms Benadette and her daughter Flauriana of his engagement with them in his office at the Bela-Bela Police Station to submit withdrawal statement but the two denied having met with him previously. It is to be noted that the withdrawal statements were signed for Ms Benadette and her daughter Flauriana were signed, however, both did not want to indicate if those signatures were theirs. In essence they were both very apprehensive.
- 3.5. On the 2022-08-15 Captain Sitlhane submitted a statement regarding his investigation of Bela-Bela CAS 78/03/2020 and his interaction with the Joseph family. In his statement it is stated that Ms Benadette and both her children, Flauriana and Davids Joseph came to Bela-Bela Police Station during the month of March 2020 to submit withdrawal statements. Furthermore, he categorically stated that in light of the withdrawal statements obtained, the case docket was referred to the Senior Public Prosecutor for decision and the matter was formally withdrawn by the court.
- 3.6. On 2022-09-30 IPID was engaged by the office of the Public Protector Mr VX Dlamini (Chief Investigator) to share information regarding the Phala Phala farm theft investigation. It was noted that the investigation by Public Protector was mainly focused on the violation of the Executive Ethics Code by the State President, a role which falls outside IPID Legislative Mandate. Furthermore, statements involving police officers in this investigation were provided by the Public Protector officials to IPID Investigators.
- 3.7. On 2022-10-07 Public Protector official provided more documents which included further copies of statements of SAPS members. On 2022-12-02 Public Protector official again made available additional documents relevant to IPID Investigators such as SAPS Policies and the National Instructions. Furthermore, on 2022-12-20 the officials of the office of the

Public Protector furnished IPID with other documents such as copy of SAPS Annual Report, claim forms and the itineraries.

- 3.8. On 2023-01-18 an email communique was sent to Lieutenant General Shihlabane: Divisional Commissioner Protection and Security Services requesting him to avail SAPS members whom IPID identified as persons of interest in this case. Later on the same day IPID Investigator went to obtain the statement of Mr Jabu Sam Mahlangu, copy of the SAP (132b) Vehicle Register of the vehicle he used when travelling to Cape Town, copy of itinerary and claim form for Warrant Officer Ruiters and Captain LL. Beukes statements.
- 3.9. Having analysed the documents obtained based on the complaint, the investigation by IPID revealed that there was information of evidential value showing that the SAPS members identified above transgressed applicable SAPS prescripts/policies.
- 3.10. That SAPS members committed the following transgressions as a result of the theft at the President's farm:
- Concealed the crime of Housebreaking and Theft of cash at the State President's farm and failed to report the matter at a Police Station in line with the SAPS procedures.
 - Used state resources, which include SAPS officials such as the Presidential Protection Unit located in SAPS VIP Protection Unit, to investigate the President's private business matter in an attempt to track and bring back President's money without registering a case.
 - Kidnapped the suspects and interrogated them in connection with the theft on the President's farm.
 - Unlawful border crossing by Major General Rhoode.
 - Not reporting prescribed offences in terms of Section 13 (2) of SAPS Act 68 of 1995.
 - Bribery of suspects to Conceal the events that took place at Phala Phala on 09 February 2020.
 - Unlawful apprehension of suspects.

4. INVESTIGATIONS FINDINGS

- 4.1. IPID investigation was able to identify two SAPS members namely **Major General WP Rhoode**, and **Constable HH Rekhoto** as the individuals who were mostly involved in the

alleged cover up of the theft from the President's farm. Both members were approached and were given opportunity to respond to the allegations made against them.

- 4.2. On 2023-01-19 **Constable HH Rikhoto** was summoned to IPID offices for an interview with IPID investigators and was provided with a list of questions to respond to in a form of sworn affidavit which was received on 2023-01-31.
- 4.3. On 2023-01-25 IPID Investigators approached **Major General Rhooide** and was also given a set of questions to respond which were in relation to the allegations against him and he requested to be given an opportunity to consult with his legal representative. However, he indicated that he will be able to submit the statement soon after the State of the Nation Address (SONA).
- 4.4. **Major General WP Rhooide** did not respond to the questions, however, IPID took a decision to proceed with its investigation as the Directorate does not coerce anybody to provide information to amplify the quality of its investigation. IPID investigation, therefore, necessitated the analysis of the available evidence gathered against both **Major General WP Rhooide** and **Constable HH Rikhoto**.
- 4.5. IPID investigation revealed that **Major General WP Rhooide** was informed on 2020 by the President that money from sales of animals was missing from his farm. He promised the President to report this incident to his superiors and revert back to him.
- 4.6. Section 13 (2) SAPS Act 68 of 1995 stipulates that **“Where a member becomes aware that a prescribed offence has been committed he/she shall inform his commanding officer thereof as soon as possible”**.
- 4.7. Investigation also revealed that according to SAPS approved National and Provincial Organizational Structures 2020/2021-2023/2024 and Policy no 03 of 2018 Presidential Protection Service. **Major General W.P Rhooide** was directly reporting to the then **National Commissioner: General KJ Sitole**. In this case Major General Rhooide says he reported this matter to the late **Lieutenant General Mfazi** and not to the **National Commissioner**. **Major General WP Rhooide** made himself answerable on the contravention of Section 13 (2) SAPS Act 68 of 1995 stipulates that **“Where a member becomes aware that a prescribed offence has been committed he/she shall inform his commanding officer thereof as soon as possible”**.

- 4.8. Investigation further revealed that the then **General KJ Sitole** was never informed about the alleged breach of security and theft of money from President's farm, he only became aware of the allegations in the media after his retirement.
- 4.9. According to **Major General WP Rhoo** the late **Lieutenant General Mfazi** requested him to gather a preliminary information about the incident and potential suspects to the alleged breach of security. There is nowhere in both **Major General W.P Rhoo** statements reporting the missing money from sales of the animals from President's farm to the late **Lieutenant General Mfazi**.
- 4.10. **Major General WP Rhoo** says in his statement that it is beyond his scope of his work to be allocated matters or case dockets to conduct criminal investigations. **Major General WP Rhoo** failed to register or ensure that a case docket of Housebreaking and Theft was registered after the President reported a crime to him, to be investigated by dedicated investigator (s) attached to a specific SAPS Investigating Unit.
- 4.11. What **Major General WP Rhoo** is saying supra and in his statement it is an admission and acknowledgement of carrying out an unlawful instruction from the late **Lieutenant General Mfazi**. **Major General WP Rhoo** even though he acknowledges the unlawfulness of the instruction from **Lieutenant General Mfazi** as the case may be, he proceeded to conduct such investigations without bring this unlawful instruction to his immediate line manager the then **National Commissioner: General KJ Sitole**.
- 4.12. On 03rd and 04th March 2020 **Major General WP Rhoo** interviewed the alleged theft suspects **Ms Floriana Joseph** and **Mr David Joseph** regarding the housebreaking and theft of cash at Phala Phala farm. In his statement he states that he read to Ms and Mr Joseph their rights without mentioning which rights he was referring to.
- 4.13. The Constitution of the Republic of South Africa **section 35 (1) and (2) deals with the rights of people who are arrested for allegedly committing an offence, and those who are detained and sentenced prisoners**. To date we do not know how and which rights were read to **Mr and Ms Joseph**. This was one of the questions posed to **Major General WP Rhoo** and it remained unanswered.
- 4.14. IPID Investigation further revealed that a gentleman known as **Mr Nick** arrived in Phala Phala farm while **Major General WP Rhoo** was busy interviewing **Mr David Joseph**. He

came with an unknown gentleman and another suspect namely **Thomas** whose hands were tied at his back with cable ties.

- 4.15. **Mr Nick's** arrival at Phala Phala while **Major General WP Rhoode** was busy interviewing other suspects cannot be deemed as coincidental. He would not have arrived at Phala Phala farm without invitation of **Major General WP Rhoode**, as he was the only one instructed to conduct the preliminary investigation into the breach of security at the President's farm. The only inference one can draw is that **Mr Nick** was part of the team that was set up by **Major General WP Rhoode** to trace and track the suspects involved in Phala Phala farm theft thus insinuating the unlawful apprehension and interrogations of the alleged suspects.
- 4.16. On 2020-03-07 **Major General WP Rhoode** wrote a letter to Operational Support Section Head: **Brigadier Biyela** and the Section Head Finance and Administration, **Colonel Ralethe** requesting **Constable HH Rekhoto** and his driver **Mr JS Mahlangu** to travel to Cape Town for meetings with office of the Presidency and perform driving duties.
- 4.17. **Constable HH Rekhoto** was to leave Pretoria on 2020-03-07 for Cape Town and return to on Pretoria 2020-03-20. Mr Mahlangu was to leave Pretoria on 2020-03-07 for Cape Town and return on 2020-03-13. Bearing in mind that when this request was done, it was during **COVID19** pandemic and physical meetings were discouraged in terms **COVID19** regulations. **Constable HH Rekhoto** returned to Pretoria on 2020-03-16 and **Mr Mahlangu** returned on 2020-03-13.
- 4.18. This instruction to travel to Cape Town came after **Constable HH Rekhoto** was informed by **Mr David Joseph** (his allege source) on 04-03-2020 that suspects of Phala Phala are in Cape Town. This information was also communicated to **Major General WP Rhoode** by **Constable HH Rekhoto**, hence he instructed him to come to Cape Town, under pretext that he was going to attend meetings with the office of the presidency.
- 4.19. **Major General WP Rhoode** in his supplementary statement to Public Protector says, on 10th or 11th March 2020 while in Cape Town he received a call from **Constable HH Rekhoto**. **Constable HH Rekhoto** informed him that he has received information from a source that suspects of theft from Phala Phala bought vehicles from Barons in Culemborg Cape Town. He knew this information long before this dates. When he instructed **Constable Rekhoto** to travel to Cape Town it was about this information.

- 4.20. Three days after **Major General WP Rhoode** received this information from **Constable HH Rekhoto**, he instructed him and **Mr Mahlangu** to travel to Cape Town. When **Major General WP Rhoode** wrote a request letter to finance and he falsified the purpose of the trip as to attend meetings with office of the Presidency and driving duties, while knowing that they are following up on information on Phala Phala farm theft suspects.
- 4.21. **Constable HH Rekhoto** spent eight days in Cape Town conducting surveillance and confirming certain addresses of the alleged suspects who stole from the President's farm. The only document that **Constable HH Rekhoto** was able produce as a proof of his role and visit in Cape Town, is the investigation draft notes that he crafted.
- 4.22. Based on **Constable HH Rekhoto's** investigations notes, he was well aware that a crime was committed at the President's farm. This notes also confirms that he was conducting investigations with **Major General WP Rhoode**. According to **Constable HH Rekhoto's** job description one of his duties is to render legal support and advise on legislative issues to the Component Head Presidential Protection Service.
- 4.23. As a legal person and police officer **Constable HH Rekhoto** received information together with **Major WP Rhoode** on 2020-03-03 and 2020-03-04 that certain individuals committed Housebreaking and Theft at the President's farm. **Constable HH Rekhoto** failed or ignored to interpret information received and advise **Major General WP Rhoode** that this matter needs to be reported to the police for further investigation purposes as it is beyond their scope of work.
- 4.24. **Constable HH Rekhoto** further lied in his affidavit that he went to Cape Town to meet with **Major General WP Rhoode** and Research team, this is after he was confronted with this questions by IPID especially the purpose of his trip to Cape Town, he said he went to attend meetings with the Research group and Component Head. He also could not produce proof of meetings (e.g.) minutes of the meeting and attendance register.
- 4.25. **Constable HH Rekhoto** in his statement to IPID he never mentioned anything about receiving instruction from **Major General WP Rhoode** to identify and surveying addresses of Phala Phala farm theft suspects in Cape Town. But during his interview with Public Protector' office he says he went to Cape Town on the basis of the instruction he received from **Major General WP Rhoode** to confirm and survey the addresses of the suspects.

- 4.26. **Constable HH Rekhoto** when completing his itinerary and claim form he indicated that the purpose of the trip was to attend meeting with Component Head. Whereas he knew that he was instructed by **Major General WP Rhoo**de to go and confirm and survey the addresses of the suspects as per information received from **Mr David Joseph** his alleged source.
- 4.27. Basically **Constable HH Rekhoto** misrepresented himself by saying he was going to attend meeting with Component Head. During his interview with office of the Public Protector **Constable HH Rekhoto** could not remember what he wrote in his itinerary as the purpose of his trip to Cape Town.
- 4.28. **Constable HH Rekhoto's** transcripts during his interview with office the Public Protector page (95) he says **Major General WP Rhoo**de instructed him to go identify and survey if certain places exists, but denies that what he was doing was actually surveillance. He also mentioned that while in Cape Town he attended meeting with research team on the new structure.
- 4.29. When asked to provide minutes and attendance register for this meetings or even record of his duties while he was in Cape Town, **Constable HH Rekhoto** could not provide any, except for the investigations draft notes he crafted. Taking into consideration that the contact meetings were discouraged due **COVID 19** Pandemic. Contrary to the initial purpose of the trip by **Major General WP Rhoo**de's letter and itinerary and claim form suggested that **Constable HH Rekhoto** was going to attend meetings with Component Head and Research group. Whereas **Constable HH Rekhoto** says he was instructed to travel to Cape Town to identify and survey addresses of the suspects if they exist.
- 4.30. According to the **Constable HH Rekhoto's** notes and his interview transcripts from Public Protector's Office, he conducted Surveillance and information gathering against suspects who were involved in the Housebreaking and Theft at Phala Phala farm, namely **Immanuela Natangwe David, Simon Hidjapo and Shooya Eerki Shikongo**.
- 4.31. Investigation by IPID further revealed that the travel requests for **Constable HH Rekhoto** by **Major General WP Rhoo**de to travel to Cape Town was done under false pretenses, that he was going to attend meetings with the office of the Presidency for (8) eight days in the height of **COVID 19** Pandemic.

- 4.32. Investigation further revealed that **Major General WP Rhoode** abused his power and resources of the SAPS. According to the then **National Commissioner: General KJ Sitole**, **Major General WP Rhoode** is not supposed to have a dedicated driver, unless it is by means of a submission of a motivated application outlining a specific situational incidence. According to **General KJ Sitole** he does not recall approving such application.
- 4.33. On 2020-03-07 to 2020-03-13 **Major General WP Rhoode** instructed that **Mr Mahlangu** his driver in Pretoria to travel to Cape Town to perform driving duties for him, whereas there are people in his Cape Town office who can perform similar duties. On 2020-06-24 to 28-06-2020 **Major General WP Rhoode** again instructed that **Warrant Officer NA Ruiters** to fly from Cape Town to Pretoria en-route to Upington to perform driving duties for him.
- 4.34. This task it could have been performed by **Mr Jabu Mahlangu** or any other person within his office in Pretoria. This conduct by **Major General WP Rhoode** amounts to **Fruitless Wasteful and Expenditure**, he has a driver in Pretoria, but he instructs another person to fly from Cape Town to perform similar duties.
- 4.35. Investigation also revealed that on 18-19-03-2020 **Major General WP Rhoode** booked in at Schroderhuis Guest House in Upington alone but booked two Units. This information could thus corroborate and confirm allegations that South African Police Service members met with an unknown Commissioner from Namibia at No Man's Land on 19 June 2020.
- 4.36. Investigations further revealed that on 26-27-06-2020 **Major General WP Rhoode** travelled to Upington en-route to Namibia and stayed at Schroderhuis Guest house with **Dr Bejani Chauke** the Presidential envoy for Africa, and **Warrant Officer Ruiters**.
- 4.37. Investigation further revealed that **Dr Bejani Chauke**, **Major General WP Rhoode** and **Warrant Officer Ruiters** travelled together in one vehicle BWM X5 registration Number HZ 24 SR GP. But the invoice from Schroderhuis Guest house depicts that four Units were booked by **Major General WP Rhoode**.
- 4.38. **Warrant Officer Ruiters** had his own invoice for two nights 25-27-03-2020. According to **Ms Thereza** from Schroderhuis Guest house, when they book guest at their establishment, that is done by means of booking rooms in the name of a person doing reservations not on individuals.

- 4.39. On 26-06-2020 **Major General WP Rhoode** and **Dr Bejani Chauke** travelled to Namibia and **Warrant Officer Ruiters** remained in Uppington. According to **General KJ Sitole**, Policy on Risk Management System: Protection Packages (RIMAS) **Dr Bejani Chauke** is not permitted to use resources of SAPS VIP Unit, as he is not mentioned as a VIP in the abovementioned Policy. Dr Bejani Chauke is supposed to use Presidential budget to travel, unless directed by President or by the security situational demand. This demand is governed by special authority granted. But in the Memo submitted by **Major General WP Rhoode** for **General Sitole's** approval there was no request for approval of **Dr Bejani Chauke's** expenses. The approval was for **Major General WP Rhoode** and **Warrant Officer Ruiters**.
- 4.40. Investigation further revealed that when **Major General WP Rhoode** completed his itinerary and claim forms he indicated the purpose of his trip was for Presidential Protection duties in Windhoek, whereas in the Memo he indicated a different purpose that he was instructed by the **President CM Ramaphosa** to accompany **Dr Bejani Chauke** to Namibia on 25-26-06-2020. Investigation also revealed that **Dr Bejani Chauke** is not mentioned or listed as a VIP in the Policy on Risk Management System Protection Packages: Protection Packages (RIMAS).
- 4.41. Investigation further revealed that **Major General WP Rhoode** failed to report the breach of security at the President's farm on SAPS Annual Report 2020/2021. Investigations further revealed that **Major General WP Rhoode** named drop the President's name every time he conducted his unauthorized investigations into Phala Phala farm theft. Whenever he completed itineraries he will use the President's name so that he cannot be asked questions.

5. IPID RECOMMENDATION

- 5.1 Based on the above information contained in the case file, IPID recommends that disciplinary steps be taken against **Major General WP Rhoode** and **Constable HH Rekhoto**.
- 5.2 The following provisions Regulation 5(3) of the SAPS 2016 Disciplinary Regulations have relevance in the merits of this case:
- 5.2.1 Regulation 5(3)(a)- fails to comply with, or contravenes an Act, regulation or legal obligation; Contravention of section 13 (2) of SAPS Act 68 of 1995 which states that: "**Where a**

member becomes aware that a prescribed offence has been committed he/she shall inform his commanding officer thereof as soon as possible”. Contravention of Presidential Protection Service Policy No 03/2018 which states that the “Component Head is accountable to the National Commissioner”, and SAPS Approved National and Provincial Organization Structures 2020/2021- 2023/2024 which stipulates that: **The Component Head of PPS reports directly to National Commissioner.**

5.2.2 Regulation 5(3)(b) - performs any act or fails to perform any act with the intention:

- i. To cause harm to or prejudice the interest of the service be it financial or otherwise; **Conduct investigations which is not part of his mandate and using state resources in conducting these unlawful investigations.**
- ii. To undermine the policy of the service; or **Contravenes Policy no 03/2018 of Presidential Protection Service by reporting the breach of security to Lieutenant General Mfazi instead of General Sitole (National Commissioner) as prescribed.**
- iii. Not to comply with his or her duties or responsibilities: **Conduct Investigations which is outside his scope of work and not part of his daily duties.**

5.2.3 Regulation 5 (3) (c) wilfully or negligently mismanages the finances of the state:

On 2020-03-07 he instructed Constable Rekhoto and Mr Mahlangu to travel to Cape Town to conduct an unlawful investigations and performs driving duties that could have been done by any other person in Cape Town.

On 2020-03-24 he again instructed Warrant Officer NA Ruiters to fly from Cape Town to Pretoria, stay in a hotel and to drive him to Upington. While his driver or other personnel were available to perform such function in Pretoria. This actions amounts to Fruitless and Wasteful expenditure.

5.2.4 Regulation 5(3)(j)- fails to carry out a lawful order or routine instruction without just or reasonable cause; **The prescripts are clear that the Component Head PPS reports directly to National Commissioner, but in this case the matter was allegedly reported to the late Lieutenant General Mfazi.**

5.2.5 Regulation 5(3)(t)-conducts himself or herself in an improper, disgraceful and unacceptable manner; **Conduct unlawful investigation without any case docket or Inquiry file registered on CAS with a case number of a specific police station.**

5.2.6 Regulation 5(3)(u)- contravenes any prescribed Code of Conduct of the Service or the Public Service, whichever may be applicable to him or her

5.2.7 Regulation 5(3) (z) (bb) Falsifies records or any other documentation: **When completing Itineraries, the two officers falsified the purposes of their trips. The breach of security at the President's farm was also not recorded in the SAPS Annual Report 2020/2021.**

5.2.8 Regulation 5(4)(x) **Any misconduct which is detrimentally affects the image of the Service or brings the Service into disrepute or which involves an element of dishonesty**, this SAPS Disciplinary Regulations is also applicable and warrants the institution of an expeditious procedure as provided for in Regulation 9.

6. Conclusion

IPID awaits your report relating to when the disciplinary action was instituted and how the matter was finalised to enable the institution to comply with the provisions of Section 30(c) of the IPID Act.

Compiled by:

Mr JW Baloyi

Deputy Director

National Office (NSIT)