

## **Do the Professionalization of policing in South Africa deter political interference? A need to confer greater powers on the independent police investigative directorate**

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### **Abstract**

This article appraises the significance of an independent civilian oversight body over the conduct of the officers of the South African Police Service (SAPS). It became equally important that the legislative powers conferred upon this oversight body are clearly segregated from that of the responsible political principal. In the Constitutional Court (CC) of South Africa, it was held that certain legislative provisions authorising the police minister to suspend, take disciplinary steps or remove the Independent Police Independent Directorate (IPID) head were invalid. It is particularly argued that the IPID Act must be amended as to clearly mandate the Directorate to retain a solid degree of institutional and functional independence in order to not be politically controlled by the Minister. This study adopted a qualitative content analytical approach. The research employed secondary research methodologies: desk-based analysis of academic articles, policy briefs, strategic documents from IPID website, newspaper reports and journals on existing oversight bodies.

This study revealed that following the CC's judgment in McBride case and the signing of the IPID Amendment Bill into law, the IPID was given more independence from the Police Minister. The Amendment Act restrict political influence in the removal and suspension of the police oversight body's Executive Directors and the authority to do so rest with the Portfolio Committee on Police, at least for now, as the matter is before the Supreme Court of Appeal (SCA).

**Keywords:** Independent Police Independent Directorate, Independent Civilian Oversight Bodies, South African Police Service, Constitutional Court, South Africa.

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