

"KAS"

Outcome
Of the
First Disciplinary Hearing

Keith Abrahams

Dated:- 16 January 2013

Chairperson:- Director Jacob Williams

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Author	J. Williams
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Date	2013-01-16

Name	Keith Abrahams
Personnel No	10000060
Directorate	Safety & Security
Department	Law Enforcement
Area	Area West

Mr. Keith Abrahams

OUTCOME OF DISCIPLINARY HEARING

A Disciplinary hearing was held on 25 Oct 2012, 08 Nov 2012, 06 Dec. 2012, 19 Dec 2012, 15 Jan 2013 and 16 Jan 1013 to investigate the following transgressions as listed in annexure D2.

This serves to confirm that you have been found *Not Guilty* on all 67 charges of misconduct.

The reasons for the finding of not guilty are as follows:-

- Not sufficient evidence was presented on any of the 67 charges.

Yours faithfully

Jocelyn S Williams
 CHAIRPERSON
 Director

Employer representative Name :	Signature	Date :

Employee representative Name: (if applicable)	Signature	Date

RP
[Signature]

DISCIPLINARY HEARING : PROCEDURE FOR CHAIRPERSON

Disciplinary hearing held against Keith Abrahamus Name
0000060 Personnel number Law Enforcement Directorate :
 Department Training Dept. Area Date 25 Oct. 2010.

CHAIRPERSON

1. Welcomes all parties and introduces himself.
2. Identifies all the parties present and clarifies their roles.


Representative : Employer : Eugene Louw Chairperson : Jacobus Williams
 (Initiator)
 Representative : Employee : Archi Heeren Employee : Keith Abrahamus
 Labour Relations Officer : Kenneth Petersen Interpreter : N/A

3. Ask the initiator/alleged offender to name their witnesses.

Witnesses : Isaac Witnesses : K. Abrahamus
R. Cupido B. lebay
C. Jurgens G. Du Plessis
G. Greeff
B. Fourie
Brando Petersen

- 4.1 Explains procedures to be followed: eg language, conduct, witnesses questions and cross-examination, honesty, openness, etc. YES NO
- 4.2 Reads the employee=s (alleged transgressor=s) rights (From Annexure D2) YES NO
5. Chairperson asks the following questions to alleged transgressor
- 5.1 Do you require a representative? Are you satisfied with your representative? YES NO
- 5.2 Can you read and write? YES NO
- 5.3 Did you receive notice of the disciplinary hearing? YES NO
- 5.4 Did you have adequate time to prepare your case? YES NO

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- 5.5 Do you require an interpreter/Are you satisfied with the interpreter? YES NO
- 5.6 Are you satisfied with the chairperson? YES NO
- 6.1 Chairperson reads out the charge(s) and/or alternative charges separately YES NO
- 6.2 Do you understand the charge(s) and/or alternative charge(s) YES NO

If answer is no, ask the initiator to explain the charge(s);

6.3 How do you plead to charge(s) and/or alternative charges.

If alleged offender refuses to plead, enter a plea of 'not guilty'? (Mark with X in the appropriate block)

	Charge 1	Alternative	Charge 2	Alternative	Charge 3	Alternative	Charge 4	Alternative	Charge 5	Alternative	Charge 6	Alternative	Charge 7	Alternative
GUILTY														
NOT GUILTY														

Member plead not guilty on all sixty four (64) charges.

- 6.4 Request initiator to present employer=s case. YES NO
(Remember cross examination of witnesses by alleged offender or representative)
- 6.5 Request alleged offender or his/her representative to present his/her case YES NO
(Remember cross examination of witnesses by initiator)

- 6.6 The chairperson could also ask questions for clarity.
- 7.1 Request the initiator for closing argument/summary.
- 7.2 Request the union representative/alleged offender for closing argument/summary
- 8.1 On a balance of probabilities the alleged offender is found :

	Charge 1	Alternative	Charge 2	Alternative	Charge 3	Alternative	Charge 4	Alternative	Charge 5	Alternative	Charge 6	Alternative	Charge 7	Alternative
GUILTY														
NOT GUILTY														

Not Guilty on all sixty four (64) charges

8.2 Reasons for finding:

Not sufficient evidence was submitted on all 64 charges.

Handwritten signature/initials

9. If found guilty :
9.1 Request initiator for *aggravating circumstance* (List the aggravating factors you have considered)

9.2 Request the employer or representative for *mitigating circumstances* (List the mitigating circumstances you have considered)

9.3 Disciplinary action taken/Sanction : (*Complete Appropriate Annexures if required*)

9.4 Reasons for disciplinary action/Sanction :

10. Inform employee that he/she has the right to lodge an appeal in terms of the provisions of the disciplinary code if he/she is not satisfied with the sanction imposed.

Signature:

Employer representative :

Chairperson :

Date :

Date :


2013/01/16

2013/01/16

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I hereby declare that the above-mentioned has been explained to me and that I understand it.

Employee :

 1000 0060 Date : 2013/01/16th

If the employee refuses to sign:

Witness :

Date :

F:\IR Documents\D5 Formal Disciplinary Hearing Procedure for Chairperson.doc

