SOUTH AFRICAN MILITARY OMBUD

ANNUAL ACTIVITY REPORT

2025/26

defence

Department:
Defence
REPUBLIC OF SOUTH AFRICA

Independent and Impartial

OFFICE OF THE MILITARY OMBUD

ANNUAL ACTIVITY REPORT

2025/26

Date of tabling: **14 May 2026**

defence

Department:
Defence
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE MILITARY OMBUD GENERAL INFORMATION

This 2025/26 Annual Activity Report for the Office of the Military Ombud is compiled with the latest available information to the Office.

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LIST OF ABBREVIATIONS/ACRONYMS

List of abbreviations used in the Office of the Military Ombud Annual Activity Report:

AAR	Annual Activity Report
ADR	Alternative Dispute Resolution
APP	Annual Performance Plan
AWOL	Absence Without Official Leave
BOI	Board of Inquiry
CD Ops	Chief Director Operations
COE	Compensation of Employees
C Log	Chief of Logistics
C SANDF	Chief of the South African National Defence Force
CSS	Core Service System
DCAF	Geneva Centre for Security Sector Governance
DLS	Directorate Legal Support
DOD	Department of Defence
ETD	Education, Training and Development
FY	Financial Year
GCIS	Government Communication and Information Systems
GTAC	Government Technical Advisory Centre
HR	Human Resources
17ICOAF	17th International Conference of Ombuds Institution for the Armed Forces
ICT	Information and Communication Technology
MOA	Memorandum of Agreement
MOD&MV	Minister of Defence and Military Veterans
MOU	Memorandum of Understanding
MSDS	Military Skills Development System
PAIA	Promotion of Access to Information Act, 2000
PAJA	Promotion of Administrative Justice Act, 2000
PERSOL	Personnel Mainframe System
POPIA	Promotion of Personal Information Act, 2013
R&D	Research and Development
SA Army	South African Army
SAMHS	South African Military Health Services
SANDF	South African National Defence Force
SAN	South African Navy
Sec Def	Secretary for Defence
SLA	Service Level Agreement
WIP	Work in Progress

FOREWORD BY THE MINISTER OF DEFENCE AND MILITARY VETERANS, THE HONOURABLE MS M.A. MOTSHEKGA, MP



It is my privilege to present the Annual Activity Report of the Office of the Military Ombud for the 2025/26 financial year. Government remains committed to strengthening democratic oversight within the defence and security sector. Effective governance, accountability, and respect for human rights are fundamental to the professionalism, legitimacy, and operational effectiveness of the South African National Defence Force.

Independent ombudsman institutions play a critical role in democratic systems. They provide accessible, impartial mechanisms for investigating and resolving grievances. Within the defence environment, which is characterised by hierarchy, discipline, and operational imperatives, such oversight contributes to institutional integrity, administrative fairness, and public confidence.

During the period under review, the Office of the Military Ombud continued to discharge its mandate under the Military Ombud Act, 2012 (Act No. 4 of 2012). The Office demonstrated steady performance in complaint handling. It enhanced outreach and awareness initiatives and maintained constructive engagement with national and international partners.

Notable improvements were achieved in complaint resolution performance. These efforts culminated in an annual resolution rate that exceeded the target set in the Annual Performance Plan.

The Office successfully hosted the 17th International Conference of Ombuds Institutions for the Armed Forces during the reporting year. The milestone strengthened South Africa's contribution to international discourse on military oversight, governance, and administrative justice.

Government acknowledges the operational and institutional challenges that continue to affect the Office. These include capacity constraints and external dependencies that influence service delivery and the implementation of recommendations.

Measures aimed at enhancing institutional effectiveness remain under active consideration. These measures focus on strengthening independence and improving operational efficiency. They are supported by ongoing engagement among the Executive Authority, the Office, and relevant stakeholders.

Collaboration with academic institutions, civil society, and international organisations continues to enrich the Office's work. These partnerships support research, training, and peer exchange. They contribute meaningfully to advancing accountability, ethical leadership, and human rights within the defence sector.

In conclusion, the Office of the Military Ombud remains a vital component of South Africa's system of democratic oversight. Through independent investigations and constructive engagement, the Office strengthens accountability within the South African National Defence Force. Its continued focus on administrative justice supports the constitutional values upon which South Africa's democracy is founded.

(HONOURABLE MS M.A. MOTSHEKGA)
MINISTER OF DEFENCE AND MILITARY VETERANS, MP

Date: 28 April 2026

FOREWORD BY THE MILITARY OMBUD, LIEUTENANT GENERAL (RETIRED) V.R. MASONDO



I have the honour of presenting the Annual Activity Report of the Office of the Military Ombud for the 2025/26 financial year. This report reflects a period of consolidation and sustained effort. It also reflects the continued progress toward implementing the statutory mandate for the Office under the Military Ombud Act, 2012 (Act No. 4 of 2012).

Throughout the year under review, the Office remained guided by its core principles of independence, impartiality, professionalism, and accessibility. Our work focused on promoting fair, economical, and expeditious administrative action. It also focused on protecting the dignity of complainants and strengthening accountability within the South African National Defence Force.

Analysis of complaints received and investigated during the year provided valuable insight into recurring service-related grievances and administrative challenges. This analysis enabled the Office to refine its investigative approaches and contribute meaningfully to systemic improvement.

A key milestone of the reporting period was the successful hosting of the **17th International Conference of Ombuds Institutions for the Armed Forces.** The conference was held in Johannesburg from 07 to 09 October 2025 in partnership with the Geneva Centre for Security Sector Governance.

The conference reaffirmed the importance of awareness, accessibility, and trust in ensuring effective oversight. It also positioned the Office as an active contributor to international dialogue and peer learning within the military oversight community.

At the national level, the Office undertook sustained outreach and awareness initiatives across provinces and South African National Defence Force bases. These initiatives enhanced understanding of the Office's mandate. They also improved access to redress mechanisms for serving and former members of the South African National Defence Force, as well as members of the public.

The Annual Symposium did not take place during the year. This was due to the strategic prioritisation of resources towards the International Conference of Ombuds Institutions for the Armed Forces. The Office nevertheless remains committed to reinstating this platform in future reporting cycles.

Operationally, the Office managed an increased and increasingly complex caseload with diligence and commitment. Progressive improvements were recorded in complaint resolution.

The Office achieved an annual resolution performance of **77.07%**, exceeding the target set in the Annual Performance Plan.

This achievement reflects staff dedication and strengthens internal processes. It also highlights the persistent impact of institutional dependencies on turnaround times and on the implementation of recommendations.

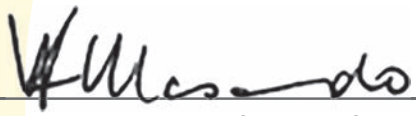
Engagements with executive, advisory, and oversight structures continued throughout the year. These engagements emphasised the need for an appropriate institutional model. Such a model must enhance autonomy while supporting constructive engagement within the defence environment.

I wish to express my sincere appreciation to Advocate Simphiwe Damane-Mkosana. Her seven-year statutory term as Deputy Military Ombud concluded in November 2025. She made an invaluable contribution to the Office's work through her professionalism and commitment.

I also extend my gratitude to the Minister of Defence and Military Veterans for her guidance and support, as well as to our national, regional, and international partners for their continued cooperation.

As my term as Military Ombud draws to a close in October 2026, this Annual Activity Report serves as an account of progress achieved. It also provides for continued institutional development.

I am confident that the Office is well-positioned to carry out its mandate. It will continue to do so with integrity, independence, and sustained impact.



LIEUTENANT GENERAL (RETIRED) V.R. MASONDO
MILITARY OMBUD

Date: 28 April 2026

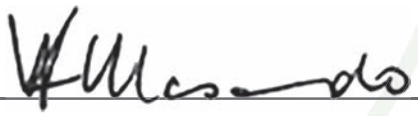
STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY

I, Lieutenant General (Retired) V.R. Masondo, in my capacity as the Military Ombud in terms of the Military Ombud Act, 2012 (Act No. 4 of 2012), hereby submit the Annual Activity Report of the Office of the Military Ombud for the financial year ended 31 March 2026.

I hereby confirm that, to the best of my knowledge:

- the information contained in this Annual Activity Report accurately reflects the performance of the Office of the Military Ombud for the period under review;
- the performance information reported is reliable, complete, and consistent with the approved Annual Performance Plan and quarterly performance reports submitted during the financial year;
- the Office of the Military Ombud has implemented effective, efficient, and transparent systems of financial and performance management, risk management, internal control, and governance;
- reasonable and appropriate steps have been taken to prevent and detect any material errors, irregularities, fruitless and wasteful expenditure, and to ensure compliance with applicable legislation, policies, and directives.

I accept responsibility for the integrity and accuracy of the information contained in this Annual Activity Report and confirm that it has been prepared in accordance with the requirements of the Military Ombud Act, 2012 (Act No. 4 of 2012) and applicable government reporting prescripts.



(LIEUTENANT GENERAL [RETIRED] V.R MASONDO)
MILITARY OMBUD

Date: 28 April 2026



PART A

STRATEGIC OVERVIEW

EXECUTIVE SUMMARY

During the 2025/26 financial year, the Office of the Military Ombud continued to fulfil its constitutional and legislative mandate to provide independent, impartial, and accessible oversight within the defence environment. Under the Military Ombud Act, 2012 (Act No. 4 of 2012), the Office investigated complaints lodged by serving and former members of the South African National Defence Force (SANDF), members of the public, and persons acting on their behalf. These actions were undertaken to promote fair, economical, and expeditious administrative action.

The year under review unfolded within a complex operating environment. This environment was characterised by sustained pressures on the defence sector, increased demand for independent redress mechanisms, and enduring institutional constraints affecting the Office.

Against this backdrop, the Office maintained organisational stability. It upheld sound governance and financial controls. The Office demonstrated steady improvement in core service delivery, particularly in the resolution of complaints.

Overall organisational performance during the reporting period was strong. The Office achieved or exceeded most of its performance indicators and targets set out in the approved Annual Performance Plan (APP).

Performance improvements were evident across strategic direction, complaints resolution, legal support, communication, outreach, and internal support services. Despite persistent challenges relating to human resource capacity, procurement delays, and reliance on external support arrangements, the Office reported no audit qualifications. No irregular expenditure and no fruitless or wasteful expenditure were recorded.

During the year, the Office managed a total caseload of 458 complaints. This caseload comprised 389 new complaints and 69 matters carried over from the previous financial year.

A total of 353 complaints were finalised during the reporting period. This resulted in an annual resolution rate of 77.07%, exceeding the annual target of 75%. This outcome reflects both strengthened internal processes and the sustained commitment of staff operating under constrained conditions.

In addition to its core mandate activities, the Office made significant contributions to stakeholder engagement, awareness-building, and international cooperation. This included successfully hosting the 17th International Conference of Ombuds Institutions for the Armed Forces (17ICOAF) in October 2025.

At the national level, the Office expanded its outreach programme across multiple provinces and SANDF Units. These initiatives enhanced accessibility and improved awareness of the Office's mandate among serving members, former members, and the public. The official launch of the Office's website in March 2026 further strengthened public access to information and services.

The reporting period reaffirmed several structural and systemic challenges that continue to affect the Office's effectiveness. Chief among these are limitations related to institutional and operational independence, capacity constraints stemming from an underfunded organisational structure, and delays in implementing upheld recommendations.

Complaints are formally resolved in accordance with statutory requirements. However, the practical realisation of relief for complainants depends on post-determination processes within the executive and SANDF environments. Beyond resolving individual grievances, the Office continued to contribute to broader institutional accountability. It did so by identifying systemic weaknesses, policy gaps, and administrative practices within the defence sector that require improvement.

In conclusion, the 2025/26 financial year reflects an organisation performing its oversight mandate effectively within acknowledged constraints. At the same time, the Office steadily strengthened its operational capability, stakeholder footprint, and strategic relevance.

The Office of the Military Ombud remains a vital component of South Africa's democratic oversight architecture. It supports fairness, legality, and accountability within the SANDF. In doing so, it contributes to the constitutional values upon which the Republic of South Africa is founded.



LEGISLATIVE MANDATE

The mandate of the Office of the Military Ombud is derived from the Military Ombud Act, 2012 (Act No. 4 of 2012). In terms of this Act, the Office is mandated to:

- Investigate written complaints lodged by serving and former members of the SANDF regarding conditions of service.
- Investigate written complaints lodged by members of the public regarding the official conduct of a member of the Defence Force.
- Investigate written complaints lodged by a person acting on behalf of a member, subject to the requirements of the Act.

The Office operates within a regulatory framework that is reflected below:

- The Constitution of the Republic of South Africa, 1996.
- The Military Ombud Act, 2012 (Act No. 4 of 2012).
- The Military Ombud Complaints Regulations, 2015.
- The Public Finance Management Act, 1999 (Act No. 1 of 1999).
- The Labour Relations Act, 1995 (Act No. 66 of 1995).
- The Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).
- The Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
- The Protection of Personal Information Act, 2013 (Act No. 4 of 2013).

UPDATES ON THE RELEVANT LEGISLATIVE AND POLICY MANDATES

Military Ombud Act, 2012 (Act No. 4 of 2012). During FY2021/22, the Office initiated a legislative process to amend the Military Ombud Act. Although the Act stipulates that the Office is an independent body, the Office continued to experience institutional and operational independence challenges[1].

Further consultations were held between the Minister of Defence and Military Veterans (MOD&MV) and the Military Ombud. These consultations focused on identifying an appropriate model of institutional independence for the Office. The Government Technical Advisory Centre (GTAC) was appointed to conduct a feasibility study on the most suitable independence model. The outcome of this study confirmed the need for an amendment to the Act.

The GTAC report identified the need for enhanced institutional capacity, regardless of the organisational form adopted. It further indicated that any such model would require consideration of a budget increase.

The Office will continue to engage with the MOD&MV during FY2026/27. These engagements aim to advance the legislative process for amending the Military Ombud Act. The proposed amendments aim to strengthen the Office of the Military Ombud's effectiveness, operational independence, and accountability. They seek to address identified gaps in the Office's mandate, investigative powers, governance arrangements, and operational framework.

[1] Institutional and Operational Independence. Although the Military Ombud must account for all monies received or paid by the Office, it does not have self-accounting status. It therefore operates independently of the DOD. Operational support from the DOD is limited and inadequate to meet the Office's operational requirements promptly and efficiently. The Office relies on Ministerial Directives, Service Level Agreements, and Memoranda of Understanding to enhance the position of the Office, which is fraught with risks, even more so given that a good relationship between the incumbents does not necessarily guarantee cooperation among the members and officials involved.

VISION

To be a trusted, independent, impartial and expeditious Military Ombud Institution that upholds fairness, transparency and ethical governance, contributing to professionalism, inclusivity and accountability within the SANDF.

MISSION

To investigate complaints, protect the fundamental rights of SANDF members, former members, and the public, and drive systemic reforms to enhance accountability, good governance, and service conditions within the SANDF.

ORGANISATIONAL VALUES

The Office has committed to values rooted in individual values, the Office's code of conduct and organisational cohesion.

- **Confidentiality.** We ensure all information is treated with confidentiality.
- **Accountability.** We are responsible for our decisions and actions.
- **Impartiality.** We aim for fairness by balancing conflicting interests and fundamental rights.
- **Integrity.** We value ethical conduct and honesty.
- **Transparency.** We strive to be open and strike a balance of fairness.

INDIVIDUAL VALUES

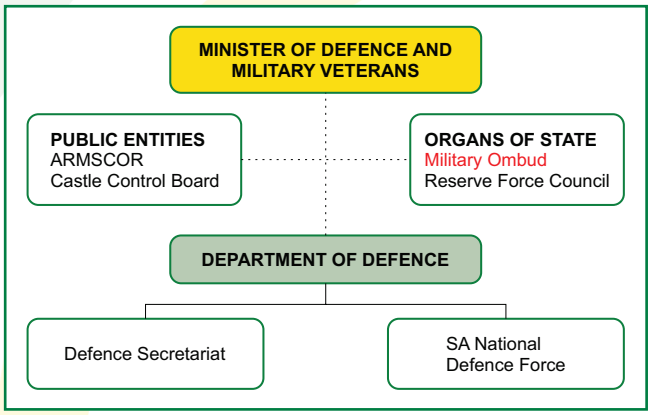
In support of the organisation's values, the following supporting values have been institutionalised within the Office:

- **Commitment.** We are dedicated to achieving the organisation's objectives.
- **Teamwork.** We take joint responsibility through teamwork.
- **Courtesy.** We continue to show politeness, attitude and behaviour towards stakeholders.
- **Professionalism.** We aim to provide the highest quality service to all stakeholders.

ORGANISATIONAL STRUCTURE

The Office of the Military Ombud is an Organ of the State. It reports to the MOD&MV as the Executive Authority, as illustrated in Figure 1. The management and control of the Office reside with the Military Ombud.

Figure 1. Reporting Lines



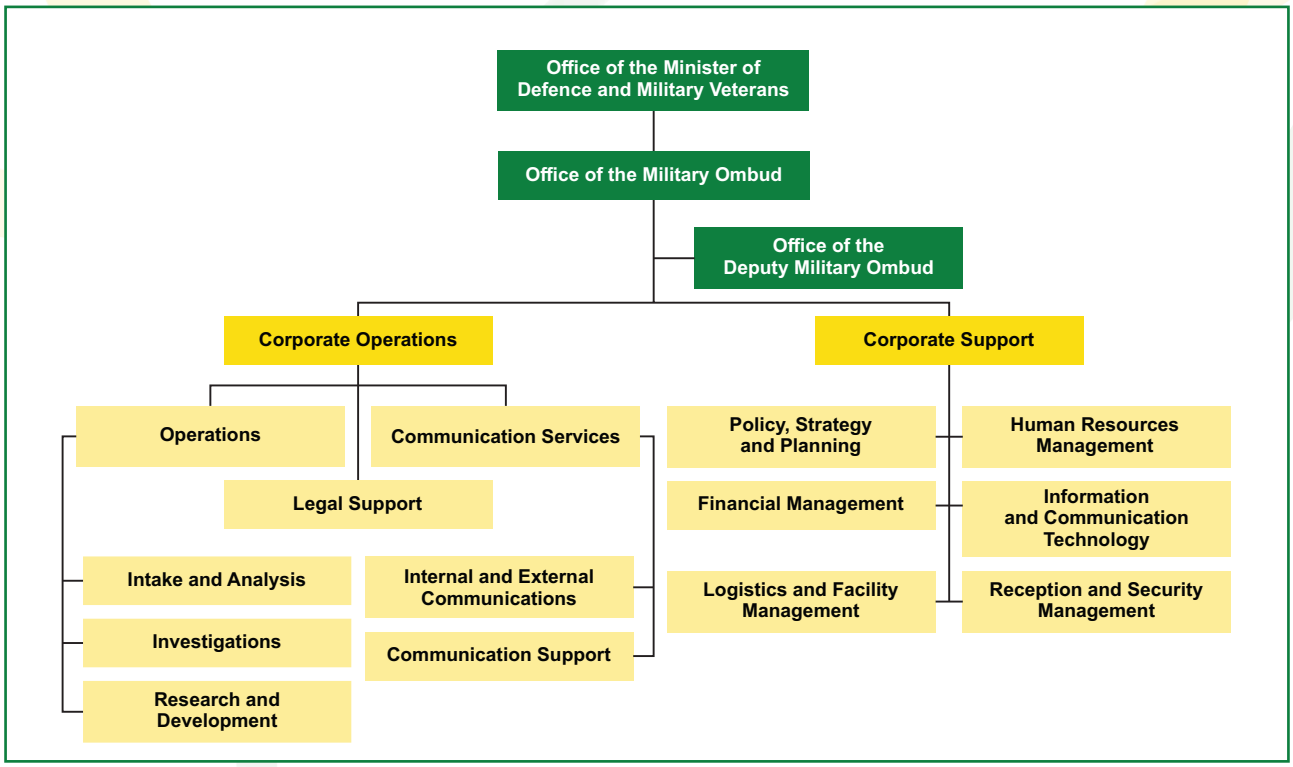
The Office's organisational structure is shown in Figure 2 below. The structure is designed to align with its current mandate, vision, outcomes and outputs. It enables the effective execution of its responsibilities.

The current organisational structure was approved in June 2012. It comprises two (2) functional lines, namely Corporate Operations and Corporate Support. The approved organisational structure has never been fully funded. This hampers the Office's ability to pursue its mandate effectively.

The organisational structure comprises 89 posts. Of these posts, 63 are funded. Of these funded posts, 68% (43) are dedicated to the Office's core business of complaint resolution. The remaining 32% (20) are allocated to corporate support functions. Challenges with accounting authority and independence persist.

The MOD&MV approved the Ministerial Policy Directive on Enterprise Resource Support to the Office of the Military Ombud. The directive was signed by the previous MOD&MV N.N. Mapisa-Nqakula on 25 October 2018. The implementation of the Ministerial Directive remains a challenge. The directive is intended to boost the Office's independence and enhance operational efficiency. Despite sustained efforts, implementation has been difficult. The Office continues to seek solutions to address these critical issues.

Figure 2. Office of the Military Ombud Organisational Structure



These institutional and structural constraints directly affect the Office's operational capacity. They also influence investigation turnaround times and post-determination monitoring. These impacts are discussed further in Parts C and D of the Report.



PART B

PERFORMANCE INFORMATION

INTRODUCTION

Part B presents the performance information of the Office of the Military Ombud for the 2025/26 financial year. This information is reported against the approved APP. It is aligned to the Office's strategic outcomes, outputs, and performance indicators.

The performance information reflects the extent to which the Office achieved its planned objectives. It also reflects the fulfilment of the Office's constitutional and legislative mandate in terms of the Military Ombud Act, 2012 (Act No. 4 of 2012).

This section provides an integrated assessment of results achieved across programmes.

It highlights progress made, key outputs delivered, and factors that influenced performance during the reporting period.

OFFICE PERFORMANCE OVERVIEW

During the 2025/26 financial year, the Office operated in a constrained and complex environment. This environment was characterised by limited human resource capacity. It was also characterised by reliance on Department of Defence (DOD) support services and by external dependencies that affected investigation timelines and the implementation of recommendations.

Notwithstanding these challenges, overall organisational performance remained strong. The Office achieved or exceeded most of its annual performance targets. Measurable improvements were recorded in complaint resolution outcomes. Improvements were evident in stakeholder engagement and governance compliance.

Challenges in staffing, procurement, and logistics persisted. These challenges were managed through targeted interventions, improved planning, and strengthened stakeholder engagement. The absence of audit qualifications and irregular expenditure reflects the continued robustness of internal control systems.



INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

The performance results presented in this Part reflect outcomes achieved during the 2025/26 financial year against approved APP targets. Quantitative indicators demonstrate that the Office achieved or exceeded most of its planned targets. These outcomes were realised within a constrained operational environment.

Human resource capacity limitations continued to affect performance. Procurement delays and reliance on external support arrangements also placed pressure on investigation throughput, turnaround times, and post-determination monitoring.

Notwithstanding these constraints, the Office implemented targeted interventions. Core mandate activities were prioritised. Sustained staff commitment enabled improved performance across key outputs.

The results recorded in Part B should be read as performance against planned targets. They should also be understood as an indication of organisational resilience under structural and institutional limitations.

Table 1 below presents the Office of the Military Ombud's outcomes, outputs, output indicators, annual targets and actual performance achieved during the period 01 April 2025 to 31 March 2026, as reported against the approved Annual Performance Plan.



Table 1. Office of the Military Ombud Outputs, Output Indicators, Targets and Actual Achievement over the period 01 April 2025 to 31 March 2026

Performance Indicator	Annual Target	Quarter 1		Quarter 2		Quarter 3		Quarter 4		Overall Achievement
		Quarterly Target	Quarter Achieved	Quarterly Target	Quarter Achieved	Quarterly Target	Quarter Achieved	Quarterly Target	Quarter Achieved	
a	b	c	d	e	f	g	h	i	j	k
Output 1: Strategic Direction										
Percentage adherence to the DOD Master Record Index for Policies (Implementation of DOD Policies)	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	**100%**
Percentage adherence to the DOD Master Record Index for Strategies (Implementation of DOD Strategies)	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	**100%**
Percentage adherence to the DOD Master Record Index for Functional and Support Guidelines for Planning, Budgeting, Reporting and Risk Management (Office of the Military Ombud approved Functional and Support Guidelines provided)	**100%**	-	**-**	100%	**-**	-	**100%**	-	**-**	**100%**
Percentage adherence to the Office of the Military Ombud Master Record Index for Plans (Annual Performance Plan and Annual Operational Plan)	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	**100%**
Output 2: Complaints Resolution										
Percentage of written complaints resolved fairly, economically and expeditiously within the Office of the Military Ombud	**75%**	18.75%	**52.20%**	37.50%	**67.97%**	56.25%	**74.01%**	75%	**77.07%**	**77.07%**
Output 4: Communication Services										
Number of external communication activities conducted	**140**	35	**40**	35	**55**	35	**117**	35	**74**	**286**
Output 5: Internal Support										
Percentage compliance of the Office of the Military Ombud with parliamentary activities	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	100%	**100%**	**100%**



PART C

COMPLAINTS RESOLUTION

COMPLAINTS RESOLUTION

The Chief Directorate Operations (CD Ops) is the principal mechanism through which the Office of the Military Ombud fulfils its statutory mandate under section 3 of the Military Ombud Act, 2012 (Act No. 4 of 2012). The Directorate is responsible for ensuring that complaints are dealt with fairly, economically and expeditiously.

In practical terms, the CD Ops is responsible for the intake and assessment of new complaints. It also conducts investigations into matters within the Military Ombud's jurisdiction. These functions enable the Office to receive, evaluate, and investigate qualifying complaints with a view to facilitating lawful, fair, and effective resolution.

This section sets out the work performed within the CD Ops during the reporting period. It highlights the Office's performance in complaint intake, jurisdictional assessment, and investigation.

Historic Overview

Tables 2, 3 and 4 below provide an overview of the flow of complaints within the Office since FY2019/20. The period coincides with the appointment of Lieutenant General (Retired) V.R. Masondo for a fixed 7-year term.

Table 2. Statistical Overview of Cases from the FY2019/20 to the FY2025/26

Financial Year	Total Carried Over Cases	Total Cases Received in the FY	Total Caseload	Total Finalised	Active Cases at FY End
a	b	c	d	e	f
FY2019/20	279	308	587	439	148
FY2020/21	148	297	445	357	88
FY2021/22	88	263	351	293	58
FY2022/23	58	350	408	335	73
FY2023/24	73	276	349	278	72
FY2024/25	72	590	662[2]	593	69
FY2025/26	**69**	**389**	**458**	**353**	**105**

Table 3. Carry-Over Cases as at 31 March 2025

FY2023/2024	FY2024/25	Total
a	b	c
2	67	69

Table 4. Active Cases on 01 April 2026

FY2024/25	FY2025/26	Total
a	b	c
3	102	105

[2] 237 complaints were received from former civilian employees of the SANDF who had served at Air Force Base Hoedspruit. In accordance with Section 4 of the Act, these individuals are classified as members of the public, excluding this cohort to normalise the data would result in a total of 425 complaints.

Age Analysis of Carry-Over Complaints

Figure 3: Age Analysis of Complaints from FY2023/24 to FY2025/26

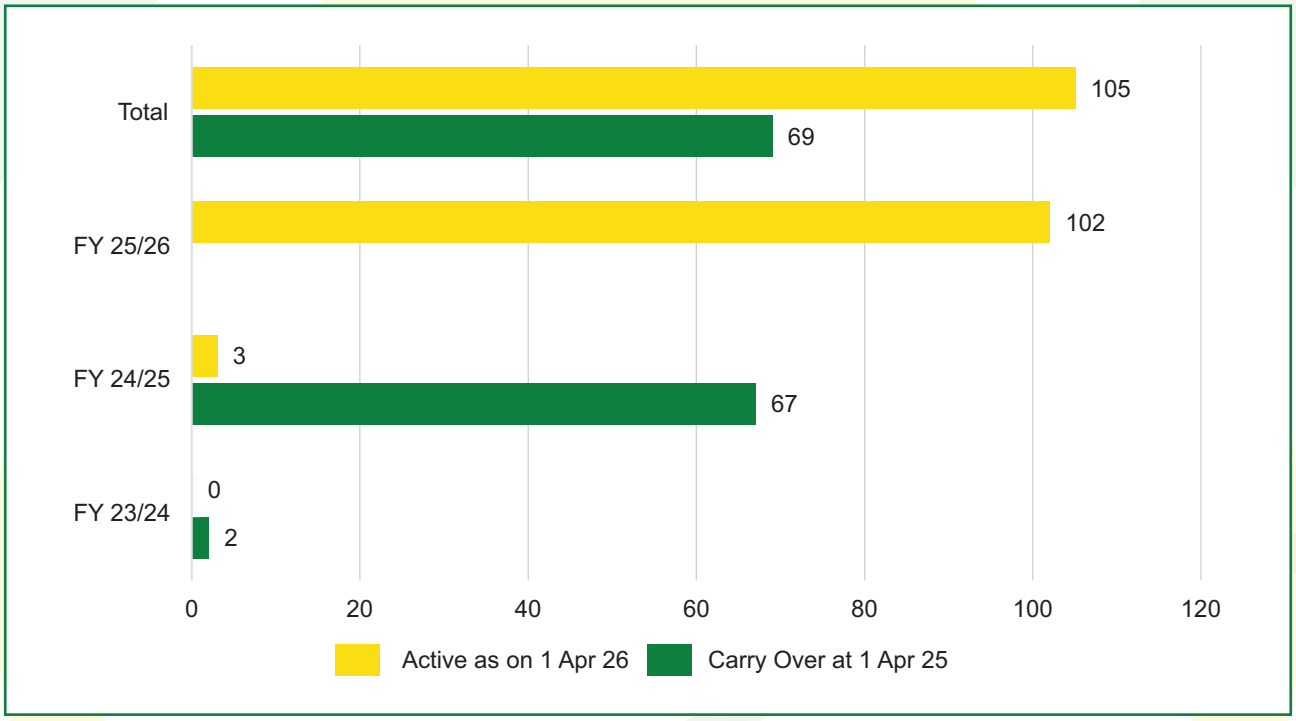


Figure 3 illustrates the age profile of complaints across the reporting period. It reflects the Office's ongoing efforts to resolve complaints in a fair, economical and expeditious manner. Notwithstanding these efforts, the number of active investigations increased at year-end.

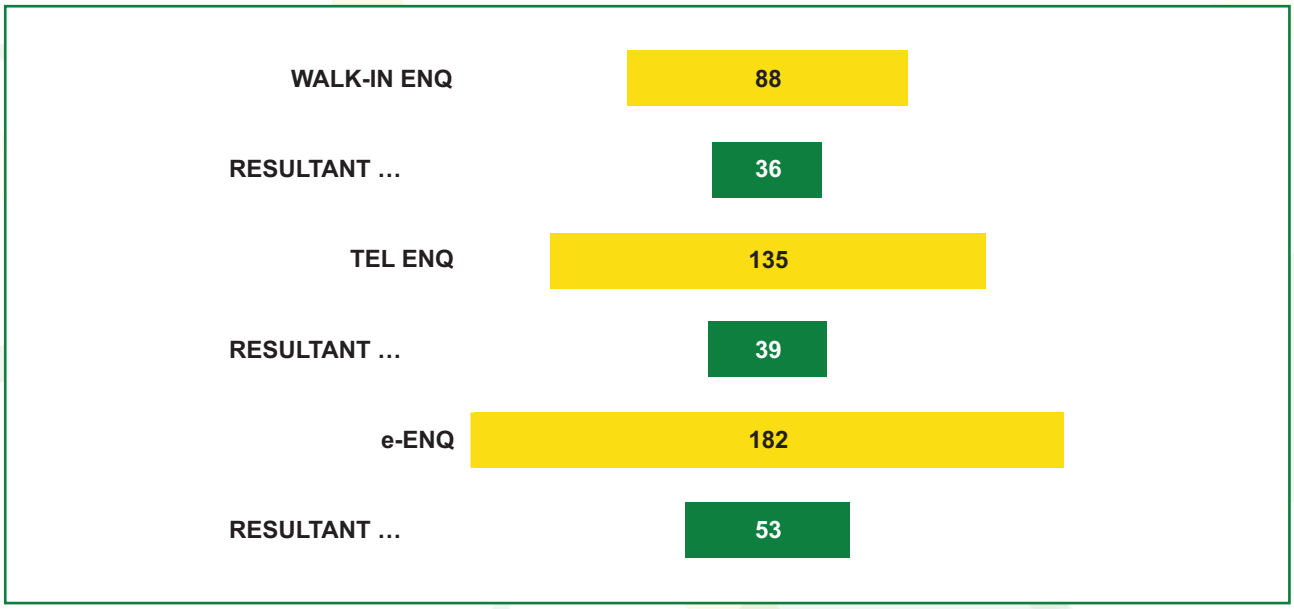
This is primarily attributable to the higher volume of complaints received that fell within the Military Ombud's jurisdiction and required more detailed investigation prior to finalisation. Although this contributed to an increase in matters carried forward at the close of the reporting period, the trend is regarded positively, as it indicates that complainants referred matters that appropriately fell within the Office's mandate and required formal investigative intervention.

Performance and Analysis of the FY2025/26

During the reporting period, the Office engaged with a diverse range of individuals seeking information or assistance and participated in outreach initiatives. Initial contacts were recorded across three main channels: in-person (walk-in), telephone, and electronic communications (see Figure 4 below). Electronic communications comprise both emails and social media enquiries, all of which were responded to by Intake Officers. A proportion of these preliminary interactions subsequently progressed to formal complaints lodged with the Office.

The distribution of contacts highlights the continued growth of electronic enquiries as a primary mode of engagement, reflecting both the Office's accessibility and the increased reliance on digital communication. These trends underscore the importance of maintaining responsive and efficient operational capacity across all intake channels to ensure that matters are appropriately captured and advanced for formal investigation where warranted.

Figure 4. Individual Contacts FY2025/26



In terms of section 6(2) of the Military Ombud Act, 2012 (Act No. 4 of 2012), read together with the Military Ombud Complaints Regulations of 2015, complaints are required to be submitted in writing using the prescribed Complaint Form.

During the financial year under review, the Office managed a total caseload of 458 complaints, comprising 389 new complaints received during the period and 69 matters carried over from the previous year. Of these, 353 complaints were resolved, yielding a resolution rate of 77.07%[3].

The resolution rate of 77.07% is a notable indicator of the Office's operational performance, surpassing the annual target of 75%.

Furthermore, the year under review saw an increase in the number of new complaints within the Office's jurisdiction compared with previous financial years, demonstrating both the Office's continued relevance and its accessibility to potential complainants.

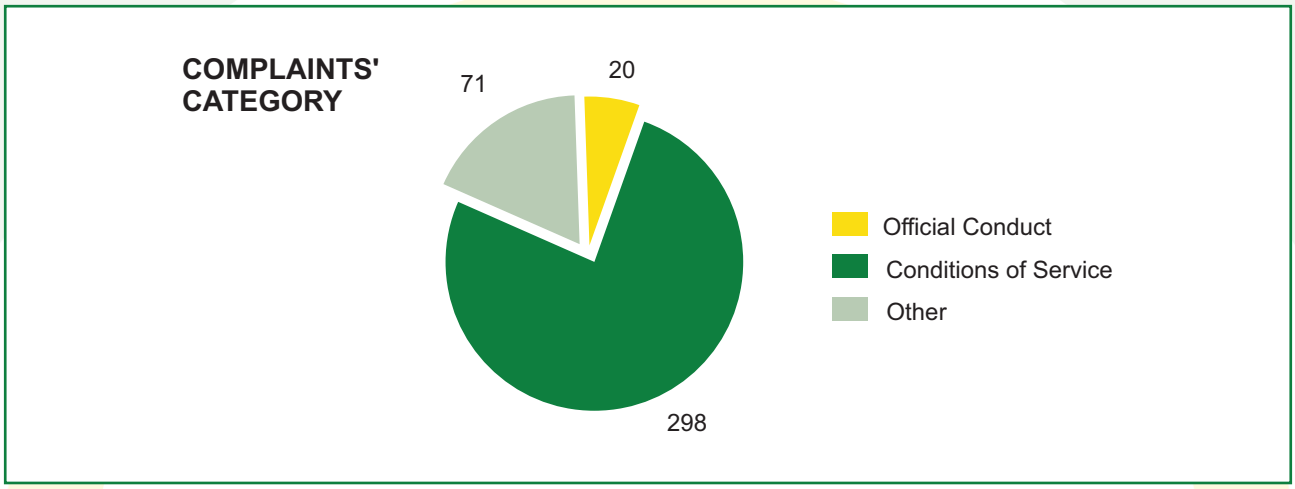
Nature of Complaints

Over the reporting period, the Office received 389 new complaints, of which 306 were submitted by members of the SANDF, raising concerns about their conditions of service, an increase from the 269 complaints received from members of the SANDF in the previous financial year (FY2024/25).

Noteably, despite the SANDF's internal deployment under Operation PROSPER, the number of complaints from members of the public about the official conduct of SANDF personnel remained relatively low. This pattern has continued since the COVID-19 pandemic of 2020, suggesting a sustained decline in public-facing grievances.

[3] Method of Calculation: % Progress = Complaints resolved during the FY (total number of simple + complex complaints resolved for FY + carry over complaints resolved from previous FY) / Caseload (total number of simple + complex complaints received for FY + carry over complaints from previous FY)

Figure 5. Nature of Complainants



Category and Scope Complaints

In terms of its mandate under section 4 of the Military Ombud Act, 2012 (Act No. 4 of 2012), the Office receives and assesses a diverse range of complaints (see Figure 5), many of which fall directly within its statutory investigative jurisdiction. However, not all matters submitted satisfy the legislative criteria for formal investigation.

Complaints that fall outside the Office's statutory mandate are classified as *"Other Complaints."* These include matters that do not constitute official conduct by a member of the SANDF, nor relate to the listed conditions of service. Examples within this category for the reporting period include two complaints from members of the Auxiliary Service[4], concerns regarding military veterans' benefits, of which the latter constitutes the greater number, being 53[5] of the recorded 71 *"other"* complaints. This category also includes disputes such as domestic or intimidation matters in which no SANDF duty or official conduct is implicated. Such matters, while recorded, cannot be pursued through formal investigation.

The Office's investigative remit is further defined under section 4 of the Act, which assigns responsibility for investigating complaints from current and former members of the SANDF concerning their conditions of service. These conditions are comprehensively outlined in the Defence Amendment Act, 2010 (Act No. 22 of 2010), encompassing nearly thirty distinct service-related aspects.

For reporting and analytical purposes, these service conditions are grouped into the following categories:

- Appointment and appointment procedures;
- Placement and utilisation;
- Remuneration;
- Termination of service;
- Education, training, and development;
- Grievance and disciplinary procedures;
- Promotion and demotion;
- Service benefits; and
- Working environment.

[4] Sec 16 of the Defence Act, 2002 (Act No. 42 of 2002): Establishment of auxiliary service, and terms and conditions of service. It is notable that members of this service are assigned ranks, wear a military uniform, and report to the command of the SANDF, yet they are, by definition, not included as members of the Defence Force.

[5] This constitutes 13.6% of complaints received by the Office for the 2025/26 reporting period.

Table 5 below provides a detailed breakdown of complaints received during the reporting period by category. The data highlights both the breadth and frequency of issues referred to the Office, offering insight into areas of concern as experienced by members and former members of the SANDF.

Table 5. Category of New Complaints Received in the FY2025/26

Ser No	Category of Complaints	New Complaints Received in FY2025/26	Complaints Active for FY2026/27
	a	b	c
1	Official Conduct of a member of the SANDF	20	3
2	Other	71	6
3	Appointment and Appointment Procedure	40	18
4	Placement or Utilisation	38	4
5	Remuneration	37	16
6	Service Termination	50	13
7	Education, Training and Development (ETD)	2	0
8	Grievance and Disciplinary Procedures	28	14
9	Promotion and Demotion	26	9
10	Service Benefits[6]	69	18
11	Working Environment[7]	8	1
Total		**389**	**102[8]**

An analysis of complaints received from current and former members of the SANDF, grouped according to the recognised conditions of service in section 1 of the Defence Act, 2002 (Act No. 42 of 2002), indicates that Service Benefits (69) and Service Termination (50) remained the most prominent categories during the 2025/26 financial year. This is broadly consistent with prior years and confirms that service-related benefits and termination matters remain significant concerns.

The year under review also recorded notable increases in Appointment and Appointment Procedure, which rose from 29 in FY2024/25 to 40, and Placement or Utilisation, which increased from 19 to 38, suggesting growing dissatisfaction with appointment, allocation and utilisation decisions. A further significant increase was recorded in Grievance and Disciplinary Procedures, rising from 9 to 28, indicating heightened concern about the fairness or effectiveness of internal processes. By contrast, Remuneration complaints declined from 50 in FY2024/25 to 37, while ETD and Working Environment remained comparatively low.

Taken together, the trend analysis suggests that while traditional high-volume complaint areas such as Service Benefits and Service Termination remain persistent, the 2025/26 reporting period reflects a discernible shift towards concerns relating to personnel placement, appointment and procedural fairness.

[6] Service benefits include matters such as Pension, Medical, Death, and Injury on Duty benefits.
[7] Working Environment related to victimisation, harassment and conduct of management.
[8] Excluding the 3 Carry-Over (WIP) complaints from FY 2024/25, which respectively relate to Remuneration, Promotion and ETD.

Profile of Complainants

A total of 129 complaints from current serving members were received, accounting for approximately 33% of all new complaints lodged during the period under review. Former SANDF members represent the largest group of complainants, with 177 cases, amounting to 45.5% of the total complaints received during the reporting period (see Figure 6).

Figure 6. Complaints submitted as per the Mandate of the Office

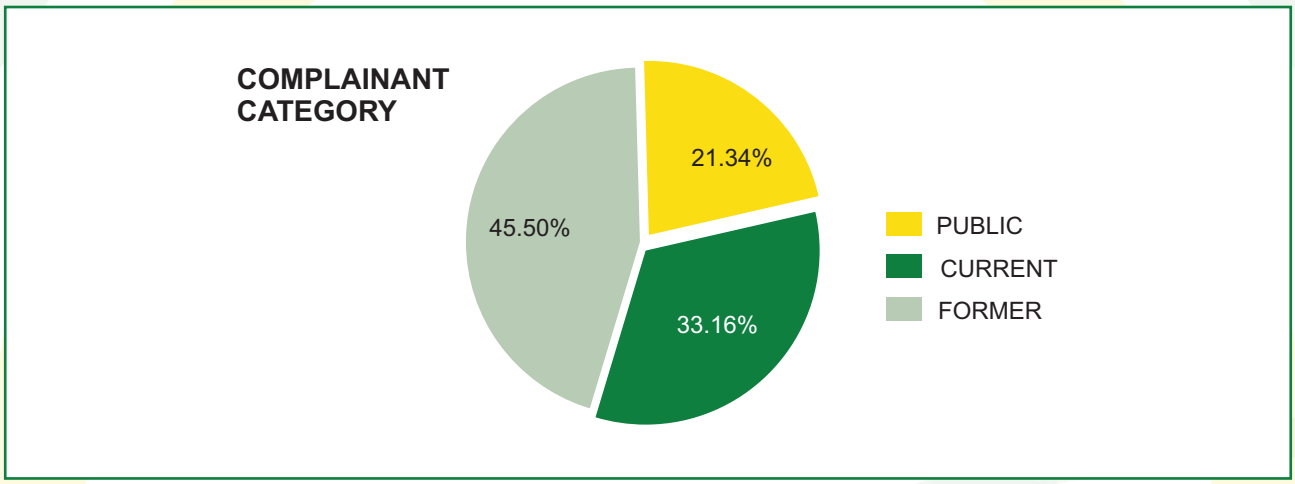
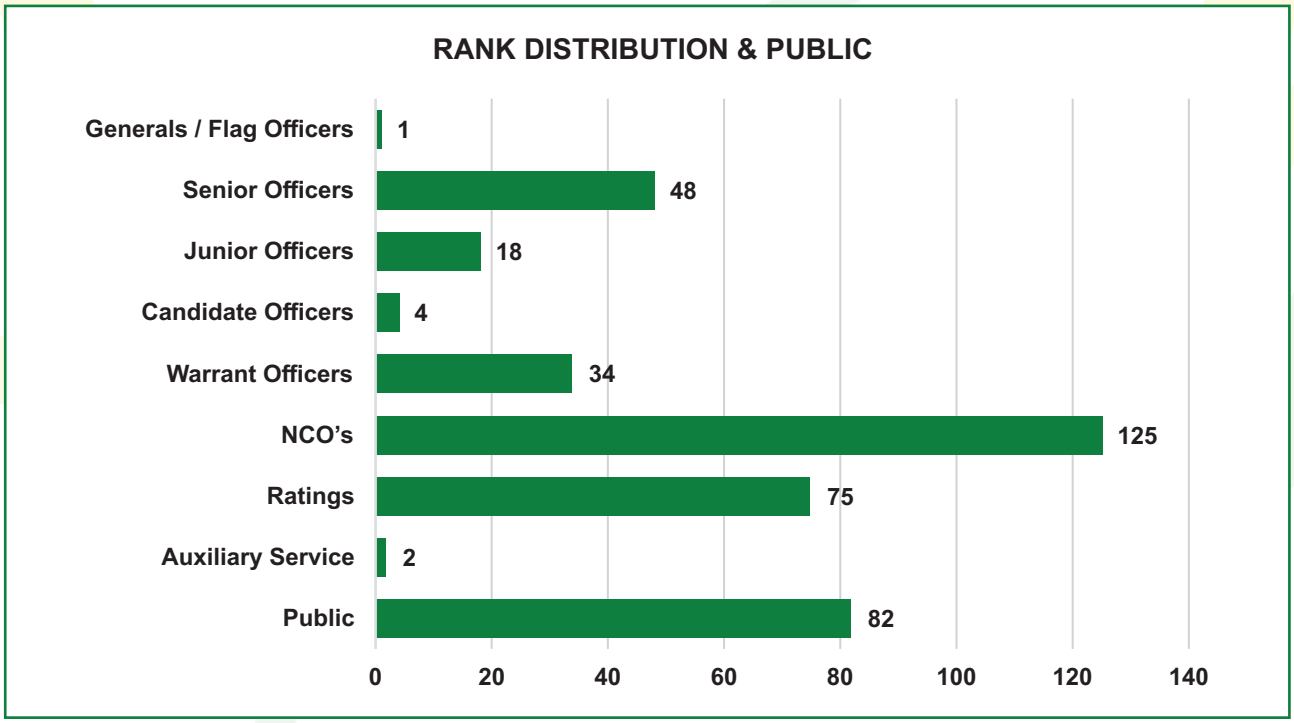


Figure 7. Rank Level of Complainants



Continuing the analysis of the complainant profile, the rank distribution of complaints received from current and former members of the SANDF provides useful insight into the levels at which service-related grievances are being referred to the Office. As illustrated in Figure 7 above, Non-Commissioned Officers (NCOs) accounted for the largest proportion of complaints from the uniformed ranks during the 2025/26 financial year. A total of 125 complaints were submitted by NCOs, representing approximately 41% of all complaints received from current and former SANDF members. In addition, complaints from Warrant Officers (34) and Senior Officers (48) were also notable. Taken together, these three rank groupings accounted for 207 complaints, or approximately 68% of complaints from within the uniformed ranks. This concentration suggests that a substantial proportion of matters referred to the Office arise from members occupying more experienced and supervisory levels within the organisation.



While this may indicate that certain service-related concerns are not being fully resolved through internal mechanisms, it may equally reflect greater awareness of the Office, stronger familiarity with formal complaint processes, or a higher degree of confidence among more senior members in pursuing external redress.

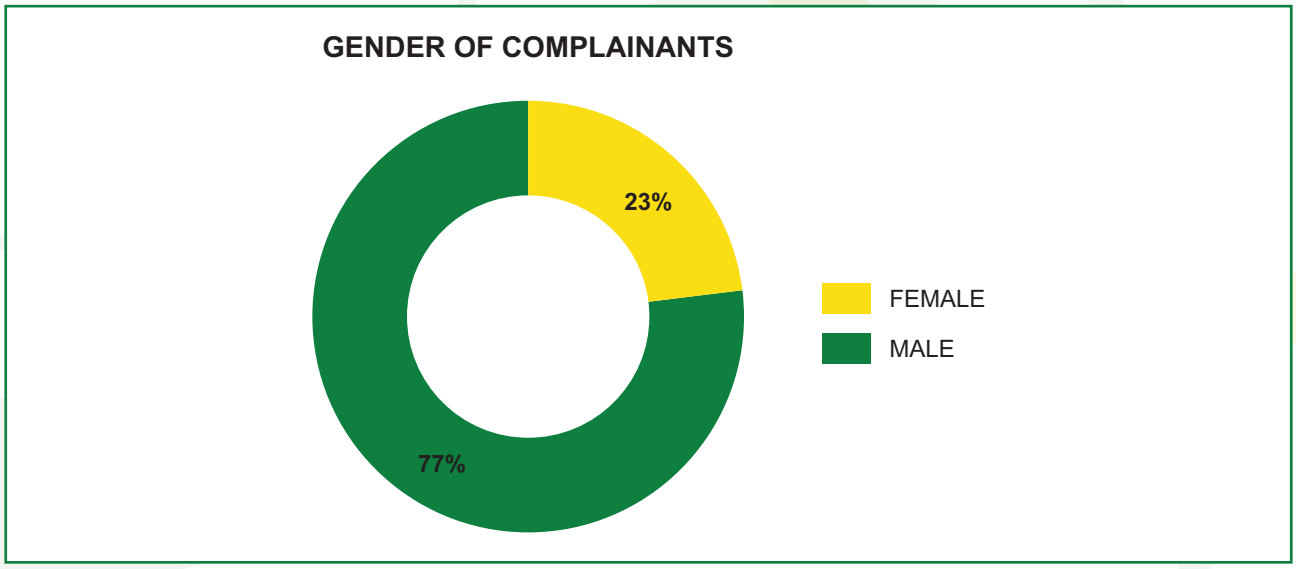
Conversely, the comparatively lower number of complaints from more junior ranks may also suggest the need for continued awareness-building regarding the role, accessibility, and protections associated with approaching the Military Ombud as an external oversight mechanism.

Gender Distribution of Complaints

The gender profile of complaints received during the 2025/26 financial year reflects a continued predominance of male complainants, although with a modest increase in female representation when compared to previous reporting periods. Of all complaints received, 77% were lodged by males and 23% by females. However, when complaints from members of the public are excluded, and the analysis is confined to current and former members of the SANDF (see Figure 8), the distribution shifts to 82% male and 18% female. This remains broadly consistent with historical trends observed by the Office, where complaints from male members have consistently constituted the majority.

While female representation among complainants remains below parity, it is not materially inconsistent with the broader gender profile of the defence environment, where the DOD remains male-dominant overall, and the SANDF is estimated to comprise approximately 70% males and 30% females. The disparity may nevertheless suggest that female members remain comparatively underrepresented in the complaint process, particularly in service-related matters, and this aspect warrants continued observation considering ongoing transformation and rejuvenation initiatives, including the more balanced gender composition evident within the Military Skills Development System (MSDS) cohort.[9]

Figure 8. Gender Distribution of Complaints



Origin of Complainants

During the 2025/26 financial year, the Office received a total of 389 new complaints, of which 306 were submitted by current and former members of the SANDF concerning conditions of service, an increase from 269 in the previous financial year. Within this cohort, the South African Army (SA Army) accounted for the majority, with 189 complaints, representing approximately 62% of SANDF-related submissions.

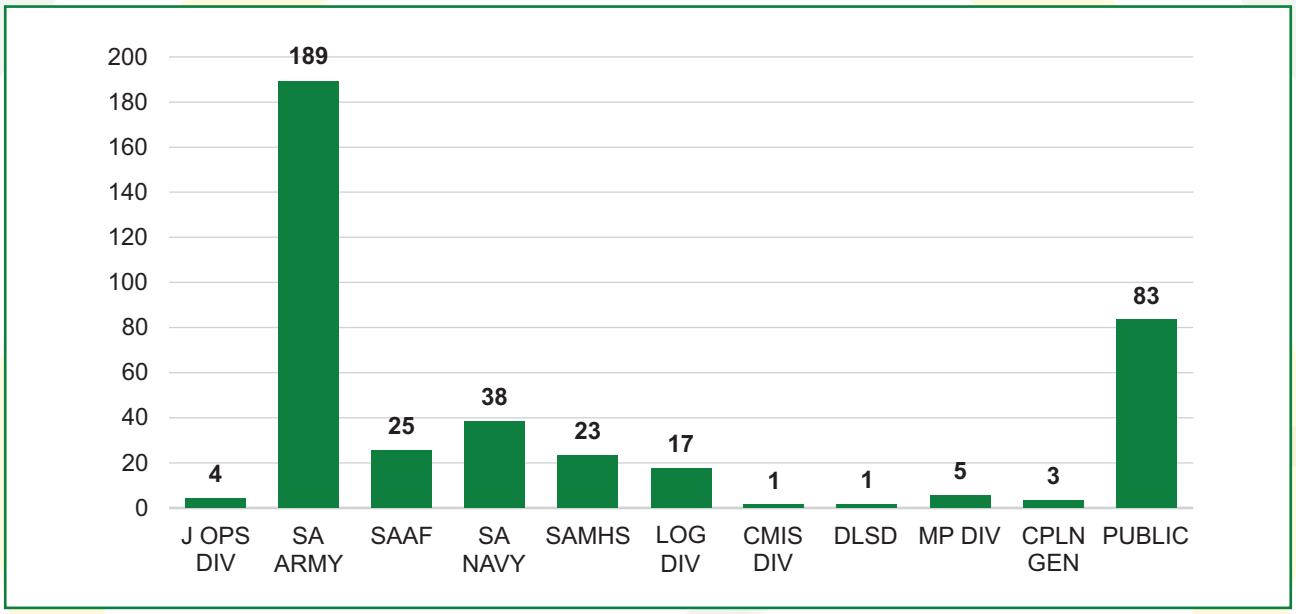
Other Services and Divisions recorded comparatively lower volumes, including the South African Navy (SAN) (38), the South African Air Force (25), the South African Military Health Service (23), and the Logistics Division (17).

[9] As at 31 March 2025, the DOD comprised 65% male; 35% female. While a discrete SANDF-only gender breakdown is not published, a best-effort estimate suggests the Defence Force is slightly more male-dominant, around 70% male and 30% female. The MSDS cohort is more balanced (58% male; 42% female), indicating gradual improvement in gender representation through rejuvenation within the force.

From members of the public, 20 complaints were formally classified as relating to the official conduct of SANDF personnel, while the remaining 71 complaints fell outside the statutory scope of classification, as detailed earlier under the Scope of Complaints.

The distribution of complaints across SANDF Services, Divisions, and members of the public is illustrated in Figure 9 below.

Figure 9. Complaints per Service, Division and the Public for the FY2025/26



Geographical Spread

The analysis of the geographical distribution of complaints for the 2025/26 financial year indicates that Gauteng continued to account for the largest share of submissions, with 131 complaints, the highest concentration among the provinces. It is followed by the Western Cape (70), Eastern Cape (39), North West (34), KwaZulu-Natal (32), Limpopo (28), Free State (25), Northern Cape (18), and Mpumalanga (12).

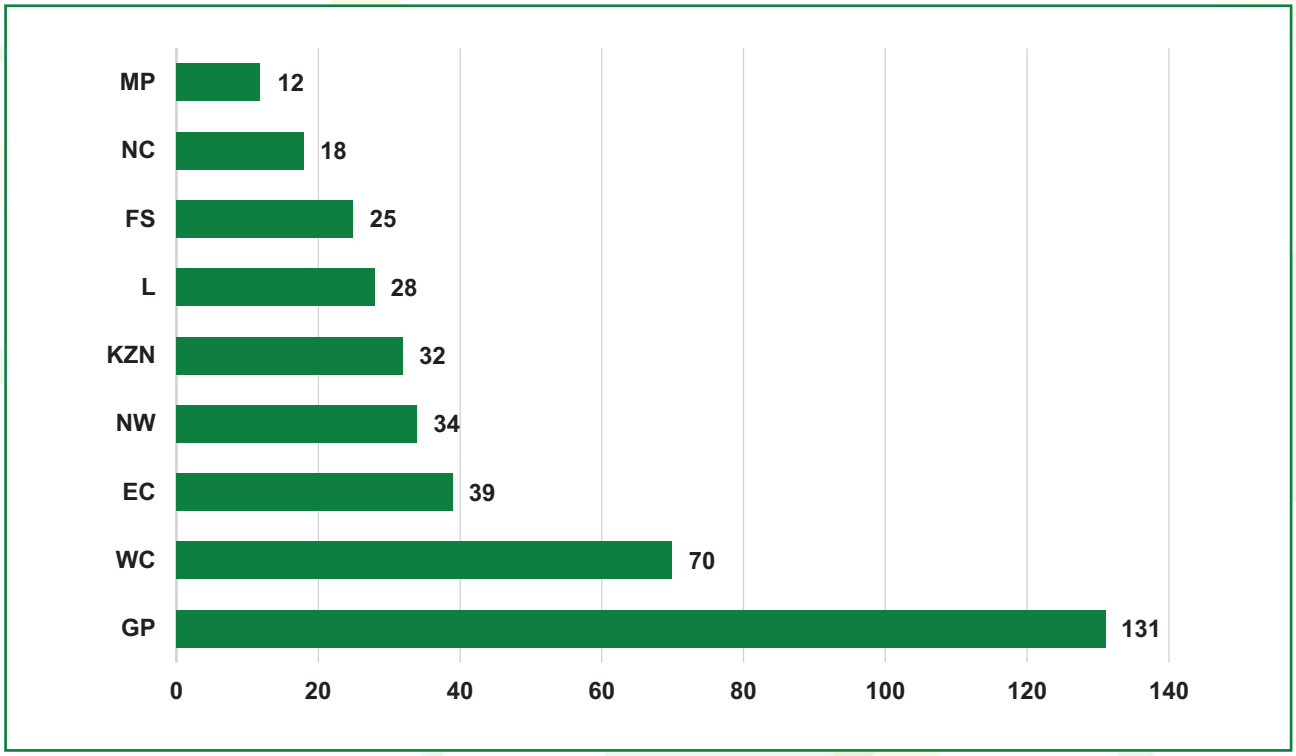
This distribution reflects, in broad terms, the relative concentration of SANDF personnel and administrative activity within the provinces.

Unlike the previous financial year, where a historical cluster of complaints from Mpumalanga skewed the dataset, the distribution in 2025/26 appears more proportionate and reflective of current trends. The pattern suggests a degree of consistency with historical observations, whereby Gauteng, as a major administrative and population centre, typically registers the highest complaint volumes. Other provinces display more moderate submission levels, indicating that, while regional clustering exists, complaints are reasonably well distributed across the country.

The spread supports ongoing monitoring and targeted engagement in provinces with consistently higher complaint volumes, ensuring that members of the SANDF and the public remain aware of the Office's mandate and avenues for recourse.

The distribution of complaints across provinces is illustrated in Figure 10 below.

Figure 10. Geographical Distribution of Complaints



Gauteng remains the province with the highest number of complaints, while the overall distribution across provinces is increasingly balanced and reflective of current SANDF personnel concentrations.

Manner of Resolution of Complaints received during the FY2025/26

The analysis of complaints received by the Office of the Military Ombud during the 2025/26 financial year reflects the application of the Office's statutory mandates under sections 6(6)(b) and (c), 6(7)(a) to (c), 7(1), and 7(2)(a) to (e) of the Military Ombud Act, 2012 (Act No. 4 of 2012). In total, 389 complaints were recorded during the year, supplemented by 69 matters carried over from the previous financial year, giving a combined caseload of 458 complaints addressed during this period.

Key Resolution Outcomes:

- Referral to Appropriate Institutions. The most frequently applied resolution involved the referral of complaints to other public institutions, in terms of Section 6(7)(c). A total of 71 complaints received in FY 2025/26, along with three matters carried over from prior years, were referred, reflecting the Office's commitment to ensuring that matters beyond its jurisdiction are directed to the authorities best placed to respond.
- Dismissals. A significant proportion of complaints were dismissed on procedural or statutory grounds:
  - Section 7(2)(d). 68 complaints were dismissed for failure to exhaust internal grievance procedures, with a further five carried over from previous years.
  - Section 4(1). 37 complaints were dismissed under various subsections of Section 4(1), where matters were found not to constitute a condition of service or official conduct.
  - Other grounds. Dismissals were also recorded due to lack of cooperation from complainants (4), late referrals not condoned (25), duplication (11), or other statutory exclusions under sections 6(7)(A) and 7(1).
- Resolution Through Alternative Means. The Office continued to employ collaborative approaches to dispute resolution:
  - Alternative Dispute Resolution (ADR) mechanisms under Section 6(6)(b) successfully resolved 21 complaints received during FY2025/26, with an additional 20 matters carried over from prior years addressed through similar processes.

- Upheld Complaints. Six complaints received during the year, and 16 matters carried over, were upheld on merit in terms of section 6(7)(a), prompting the Office to make remedial recommendations to the MOD&MV of Defence and Military Veterans where appropriate.

- Other Outcomes.
  - Withdrawn Complaints. Two complaints received during the year, and one carried over, were voluntarily withdrawn by the complainants.
  - Work in Progress (WIP). At year-end, 102 complaints remained active and will constitute the opening balance for FY2026/27. Of these, 27 are at the Intake phase, including six cases requiring condonation for late referral, pending the Military Ombud's determination.

The distribution of resolutions demonstrates the Office's dual focus on ensuring compliance with statutory and procedural requirements and on actively promoting ADR mechanisms where feasible. Referral to appropriate public institutions remains the principal course of action for complaints that fall outside the Office's mandate, thereby ensuring that complainants are directed to the most effective forums for redress.

Dismissals on procedural grounds, including failure to exhaust internal grievance mechanisms or late referrals, underline the importance of statutory compliance as a condition for the Office to engage substantively with a complaint. Concurrently, the continued application of ADR highlights a sustained commitment to non-adversarial, collaborative resolution approaches.

With 389 complaints received during the year and a total of 458 matters addressed, including carry-overs, the Office has maintained high throughput, ensuring that the principles of fairness, accountability, and responsiveness are upheld in accordance with sections 6 and 7 of the Military Ombud Act, 2012 (Act No. 4 of 2012). The outcomes of these processes contribute materially to institutional accountability, support the protection of members' rights, and demonstrate the Office's continued operational effectiveness.

Table 6. Manner of Resolution of Complaints Received for the FY2025/26

Ser No	Manner of Resolution of Complaints Received	Number of Resolutions
1	Complaint Dismissed Due To Lack of Cooperation	4
2	Complaint Dismissed in terms of Section 4(1)(A)	9
3	Complaint Dismissed in terms of Section 4(1)(B)	19
4	Complaint Dismissed in terms of Section 4(1)(C)	8
5	Complaint Dismissed in terms of Section 4(1)(D)	1
6	Complaint Dismissed in terms of Section 6(7)(A)	25
7	Complaint Dismissed in terms of Section 7(1)(B)	1
8	Complaint Dismissed in terms of Section 7(1)(C)	9
9	Complaint Dismissed in terms of Section7(2)(C)	1
10	Complaint Dismissed in terms of Section 7(2)(D)	68
11	Complaint Dismissed in terms of Section 7(2)(E)	6
12	Complaint Referred in terms of Section 6(7)(C)	71
13	Complaint Resolved in terms of Section 6(6)(B)	21
14	Complaint Upheld in terms of Section 6(7)(A)	6
15	Complaint Withdrawn	2
16	Condonation Declined in terms of Section 7(2)(C)	25
17	Duplicate	11
18	Active Complaints (WiP)	102
Total for FY2025/26		**389**

Table 7. Manner of Resolution of Complaints Carried over from FY2024/25

Ser No	Manner of Resolution of Complaints Carried Over	Number of Resolutions
1	Complaint Dismissed Due To Lack of Cooperation	1
2	Complaint Dismissed in terms of Section 4(1)(A)	1
3	Complaint Dismissed in terms of Section 6(7)(A)	12
4	Complaint Dismissed in terms of Section 7(1)(B)	1
5	Complaint Dismissed in terms of Section 7(2)(D)	5
6	Complaint Referred in terms of Section 6(7)(C)	3
7	Complaint Resolved in terms of Section 6(6)(B)	20
8	Complaint Upheld in terms of Section 6(7)(A)	16
9	Complaint Withdrawn	1
10	Condonation Declined in terms of Section 7(2)(C)	6
11	WIP (Carry Over to FY 26/27)	3
Total number Carried Over from FY2024/25		**69**

Integrating data from tables 6 and 7 clearly demonstrates that in FY2025/26, the Military Ombud addressed 458 complaints, of which 14% were likely resolved to the complainant's satisfaction and 23% were still in progress. The remaining matters were concluded in accordance with statutory and procedural requirements.

The outcomes demonstrate the Ombud's fair, objective, and impartial approach, providing clarity and reinforcing acceptance of SANDF processes.

Table 8: Tables 6 and 7 Consolidation – FY2025/26 Resolution Overview

Ser No	Resolution Category	In-Year FY2025/26	Carry-Over FY2024/25	Total Resolved	% of Total Resolved*
1	Referred (Section 6(7)(c))	71	3	74	~16%
2	Resolved via ADR (Section 6(6)(b))	21	20	41	~9%
3	Upheld on Merit (Section 6(7)(a))	6	16	22	~5%
4	Dismissed – Section 7(2)(d) / Failure to exhaust grievance	68	5	73	~16%
5	Dismissed – Section 4(1)	37	1	38	~8%
6	Dismissed – Other statutory grounds (Section 6(7)(a), 7(1), etc.)	35	13	48	~10%
7	Condonation declined (Section 7(2)(c))	25	6	31	~7%
8	Withdrawn	2	1	3	<1%
9	Lack of Cooperation	4	1	5	1%
10	Duplicate	11	0	11	2%
11	Work in Progress (WIP)	102	3	105	23%
Total for FY2025/26					**458**

**Percentages approximate based on total complaints addressed, including carry-over (458).*

CONSIDERATION AND IMPLEMENTATION OF REPORTS ISSUED BY THE MILITARY OMBUD

In terms of section 6 of the Military Ombud Act, 2012 (Act No. 4 of 2012), where the Military Ombud upholds a complaint, the Ombud is required to recommend the appropriate relief to the MOD&MV for implementation. Whilst the Act provides a clear framework for the investigation and determination of complaints, it is materially less prescriptive regarding the post-determination phase. In particular, the Act does not expressly prescribe a timeframe within which the MOD&MV must communicate a decision on an upheld matter, nor does it create a direct statutory obligation on the SANDF to report to the Military Ombud on the implementation of recommendations once ministerial direction has been issued.

As a result, the formal finalisation of a complaint by the Military Ombud does not necessarily coincide with the practical realisation of relief by the complainant.

This distinction remains significant in assessing the overall effectiveness of the Office's complaint-resolution function. A complaint may be regarded as resolved for purposes of the Ombud's statutory reporting once the investigation has been finalised and the outcome communicated in terms of the Act. However, in upheld matters, the substantive benefit to the complainant remains dependent on subsequent ministerial consideration and, in many instances, implementation action within the SANDF command and administrative environment.

The Office has therefore continued to monitor upheld complaints beyond the point of formal finalisation wherever information is received from the MOD&MV's Office, the SANDF, or through structured institutional engagements.

To improve cooperation and facilitate progress in both investigations and post-determination follow-up, the Military Ombud and the Chief of the South African National Defence Force (C SANDF) established the Military Ombud and C SANDF Liaison Forum under the Memorandum of Understanding (MOU) concluded between the Military Ombud, the Secretary for Defence (Sec Def) and the C SANDF. This forum, which convenes regularly during the financial year, serves as an important administrative mechanism through which the Office tracks complaints under investigation, outstanding responses, preliminary reports, condonation requests, and the status of implementation of recommendations following ministerial consideration.

Notwithstanding these measures, the Office's experience confirms that the effectiveness of upheld complaints depends on a second-stage implementation process that is not expressly regulated by the Act.

Over the past three financial years, the Military Ombud upheld a total of 60 complaints. Of these, the Office was formally informed of ministerial decisions and/or instructions to the SANDF in 39 matters, representing an observed implementation visibility rate of 65%.

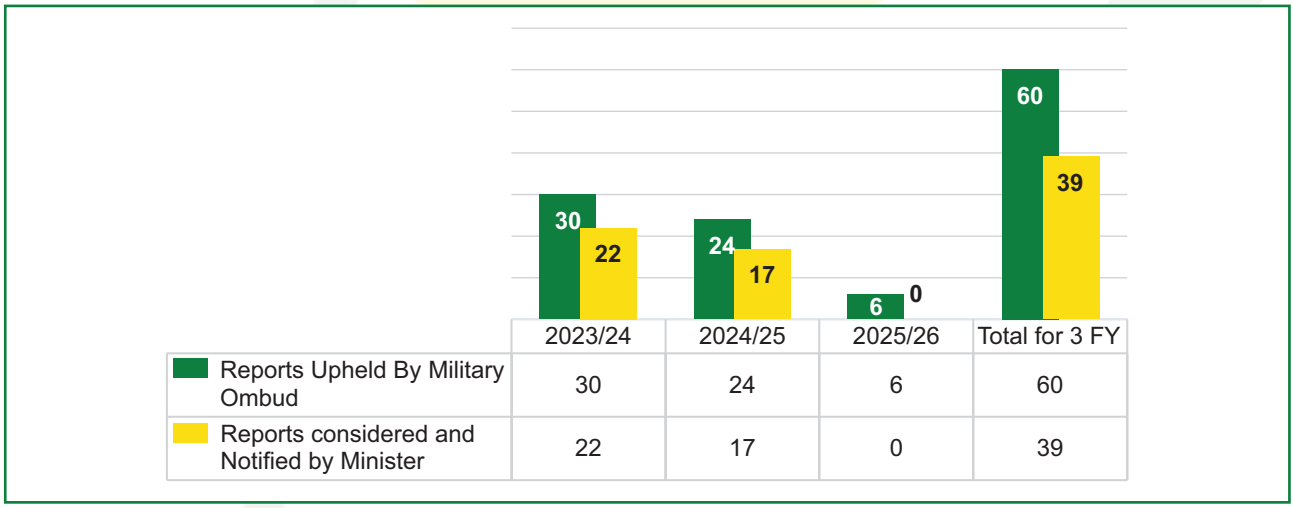
Table 9: Reports' Status of Consideration by MOD&MV – FY2025/26

Ser No	Financial Year	Complaints Upheld by Military Ombud	Matters in which the Office was Informed of Ministerial Decision	Observed Visibility Rate
1	FY2023/24	30	22	73.3%
2	FY2024/25	24	17	70.8%
3	FY2025/26	6	0	0.0%*
Total		**60**	**39**	**65.0%**

The FY2025/26 figure should be interpreted with caution, as some matters may still have been pending ministerial consideration and/or communication to the Office at the reporting cut-off date.

The above is depicted in Figure 11 below.

Figure 11. Reports' Status of Consideration by MOD&MV





In the remaining matters, the Office had not yet received, at the reporting cut-off date, formal confirmation of ministerial consideration or implementation instructions. In addition, based on information available to the Office, there is a known baseline of at least 29[10] upheld matters in respect of which implementation by the SANDF has been delayed, disputed, only partially actioned, or not actioned despite ministerial direction.

This highlights a material institutional risk, namely that the legal resolution of a complaint by the Military Ombud may not always translate into timely substantive relief for the complainant.

Parliamentary oversight processes have, over successive reporting cycles, similarly raised concern regarding delays and weaknesses in the implementation of Military Ombud recommendations. Against this backdrop, the Office will continue to strengthen its post-determination monitoring and inter-institutional engagement to enhance accountability and improve the practical impact of upheld complaint outcomes.

The above confirms that, in the Military Ombud context, formal resolution does not always equate to practical relief, as the effectiveness of upheld complaints remains dependent on post-determination ministerial and SANDF implementation processes.

CONCLUSION

The CD Ops of the Office of the Military Ombud continues to fulfil a vital oversight function, providing accessible, fair, and impartial avenues for redress within the SANDF. The patterns observed during the 2025/26 financial year illustrate that the Office remains both relevant and effective in addressing the concerns of current and former members, particularly where service conditions, administrative processes, and procedural fairness are implicated.

Beyond resolving individual complaints, the Office plays a stabilising role within the broader defence administration, ensuring that matters are appropriately directed, lawfully investigated, or resolved through collaborative mechanisms where feasible. This dual focus, upholding statutory compliance while fostering constructive outcomes, underscores the Office's integral contribution to accountability and institutional integrity.

At the same time, the year under review highlights an enduring operational reality: the formal finalisation of complaints, including those upheld on merit, does not automatically translate into immediate practical relief. Effective resolution is often contingent upon subsequent ministerial consideration and implementation by the SANDF. This dynamic reinforces the importance of sustained post-determination engagement and inter-institutional cooperation to maximise the tangible impact of the Ombud's work.

The Office's performance in 2025/26 affirms its continued role as a cornerstone of administrative justice within the defence environment. It provides not only a mechanism for resolving individual grievances, but a broader assurance that fairness, accountability, and lawful administration remain guiding principles within the SANDF.

LEGAL SUPPORT

PURPOSE

The Directorate Legal Support (DLS) provides effective and efficient legal services and support to the Office.

OVERVIEW

The outputs for DLS align with and support the Office's mandate, as reflected in the Office's APP. DLS's primary roles are to provide legal drafting, litigation management, review, advisory services, and legal compliance services. During the reporting period, DLS successfully provided the required legal advice by drafting legal opinions to safeguard the Office's interests. The Directorate also executed its function of reviewing investigation reports in compliance with the Complaints Handling Manual and exceeded its performance target for the year. However, due to capacity constraints, the Directorate could not provide legal compliance services for the reporting period.

Compliance management training in this area was completed at the end of FY2025/26 to equip DLS to execute this critical function going forward. In respect of legislative reform, while drafting the Amendment Bill remained in abeyance for most part of the year, alternatives were considered to achieve progress with the MOD&MV's authority to amend the Military Ombud Act, 2012 (Act No. 4 of 2012). This process was revived at the close of the reporting period with the concurrence of the MOD&MV and currently remains in its early stages.

LITIGATION

Litigation managed for the period under review continued to range from applications instituted by complainants in the High Court, seeking orders against the MOD&MV to implement the Military Ombud's findings and recommendations, to applications to review and set aside those findings and recommendations. Court judgements in specific applications were notable for amending the Act and protecting the interests of the Office.

[10] Joint Standing Committee on Defence meeting held on 27 February 2026: Military Ombud 2024/25 Annual Report; Feedback on outstanding Ombud recommendations and outstanding payments and deployment allowances due to SANDF members. Meeting held with Minister and Deputy Minister: Chairpersons: Dr M Gigaba and Mr P Phala. Minutes available on https://pmg.org.za/committee-meeting/42466/

MEMORANDA OF UNDERSTANDING / MEMORANDA OF AGREEMENT / SERVICE LEVEL AGREEMENTS

Key stakeholder relationships that supported the Office's core business were managed through Memoranda of Understanding, Memoranda of Agreement, and Service Level Agreements. These instruments are subject to continuous review to ensure effectiveness and efficiency. During the reporting period, several new agreements were entered into or identified to formalise and sustain stakeholder relationships. These agreements proved valuable in fostering collaborative efforts and advancing the Office's objectives throughout the financial year.

LEGAL REVIEW OF INVESTIGATION REPORTS

The legal review of investigation reports continued to strengthen the Office's complaints handling mechanism. This process is designed to mitigate foreseeable legal risks and thereby contain, and where possible, reduce litigation costs incurred by the Office, complainants, and the DOD. In addition, the Directorate undertook a review of jurisdiction assessment outcomes, further reinforcing the objective of ensuring legally sound and cost effective complaint resolution.

PROMOTION OF ACCESS TO INFORMATION

During the reporting period, the Directorate finalised the Promotion of Access to Information Act (PAIA) Manual and submitted it to the Information Regulator. In addition, the PAIA Annual Report for the 2024/25 financial year was duly filed, thereby ensuring full compliance with the Information Regulator's requirements. The Office received a limited number of PAIA requests, all of which were processed in accordance with the Act.

COMMUNICATION

PURPOSE

The Directorate Communications ensures effective, efficient, and economical communication services for the Office of the Military Ombud.

During the 2025/26 financial year, the Directorate played a central role in strengthening the institution's visibility, credibility, and strategic positioning. It delivered clear, coordinated internal and external communication to SANDF members, government stakeholders, and the broader public. Key initiatives included the national outreach programme, stakeholder engagement, branding and marketing, and digital media management. The Directorate also supported the successful hosting of the 17ICOAF, enhancing the Office's international profile.

These efforts promoted awareness of the Office's services, reinforced accountability and accessibility, and positioned the Military Ombud as a trusted and impartial authority. The Directorate strengthened stakeholder partnerships and internal cohesion, while media engagement across traditional and digital platforms improved visibility. Responsive social media communication supported public enquiries and access to services. Despite challenges such as limited national media traction and connectivity constraints in some areas, the Directorate remained adaptive and continued to implement a people-centred communication approach.

INTERNAL COMMUNICATION

During the 2025/26 financial year, the Directorate managed internal communication to strengthen staff cohesion, organisational alignment, and a positive institutional culture. Employees were kept informed, engaged, and connected to the Office's strategic objectives.

A key element was the coordination of Military Ombud Staff Sessions, led by the Military Ombud. These sessions provided staff with guidance on organisational priorities, allowed them to raise concerns, share challenges, and provide feedback. The Military Ombud responded to issues raised, offered solutions or redress where needed, and reminded staff of their roles, responsibilities, and institutional standards. This two-way communication strengthened understanding of the Office's mandate and fostered a collaborative, engaged culture aligned with the Office's values of independence, impartiality, and service excellence.

The Directorate also organised internal events to foster morale and a sense of belonging. Staff recognition awards celebrated achievements, welcome breakfasts introduced new employees, and farewell gatherings honoured departing staff, reinforcing appreciation and respect. Wellness initiatives, including health and wellbeing programmes, complemented these activities, demonstrating the Office's commitment to employee wellbeing. Together, these activities strengthened teamwork, reinforced a positive institutional culture, and supported a motivated and informed workforce aligned with the Office's mandate.

Internal news updates were consistently used to share information, announcements, and educational content. These updates supported knowledge sharing on governance, organisational priorities, and broader national and sectoral developments, improving awareness, understanding, and active participation in Office initiatives.

EXTERNAL COMMUNICATION

During the 2025/26 financial year, the Directorate strengthened external engagements and expanded the Office's reach across multiple sectors. Communication efforts were closely aligned with the Office's mandate to promote transparency, accountability, and accessibility, ensuring that stakeholders, partners, and the public remained well informed about its services and role.

Stakeholder engagements remained a central focus. The Office collaborated with government departments, public institutions, oversight bodies, and other relevant organisations. These partnerships supported public education, extended the reach of communication initiatives, and facilitated knowledge-sharing and alignment on governance matters. Collaboration was particularly valuable in underserved areas, improving coordination and reinforcing the Office's presence.

Media and publicity formed a comprehensive part of external communications. The Directorate conducted media interviews across national, regional, and community television, radio, print, and digital platforms. Advertising campaigns on national and regional television, radio, and print media, complemented by community engagement, ensured that key messages reached broad and diverse audiences. Digital platforms, including the Office's website and social media channels, provided real-time updates, educational content, and opportunities for public interaction, reinforcing and amplifying traditional media efforts.

Branding and marketing initiatives reinforced the Office's professional image and credibility. Consistent visual identity, promotional materials, and exhibition assets strengthened recognition and trust, ensuring cohesive communication across all platforms. Through this integrated and multi-faceted approach, the Directorate enhanced visibility, improved accessibility, and reinforced the Office's role as an independent, impartial, and accountable institution.

OUTREACH PROGRAMME

During the 2025/26 financial year, the Office implemented a focused national outreach programme to raise awareness of its services and improve accessibility for both current and former SANDF members and the public. The programme ran from 01 April 2025 to 31 March 2026 and covered major provinces, including KwaZulu-Natal, North West, Western Cape, Eastern Cape, Free State, and Limpopo.

A key highlight was participation in Armed Forces Day and the Rand Show Easter programme, high-visibility platforms that allowed the Office to engage directly with the public, showcase its mandate and services, and strengthen civil-military interaction.

The programme included structured engagements with SANDF units. Pop-up offices, presentations, and induction sessions educated members on the Office's mandate, the complaint lodging process, and available support mechanisms, reinforcing its role as an independent and impartial institution committed to fairness, accountability, and accessibility.

Public activation initiatives further extended outreach. Engagements at shopping centres, taxi ranks, and other public spaces provided opportunities for enquiries, feedback, and direct assistance. These activities promoted positive civil-military relations and encouraged cooperation between the SANDF and communities.

Media engagement amplified these efforts. Interviews across national and regional television, radio, print, and digital platforms, alongside advertising campaigns and community media exposure, ensured that key messages reached diverse audiences. Social media channels complemented these activities by providing real-time updates, showcasing outreach efforts, responding to public enquiries, and reinforcing messaging.

Overall, the 2025/26 financial year outreach programme significantly improved the Office's visibility and accessibility. Through direct engagement, comprehensive media interviews, and digital outreach, the programme strengthened public understanding of the Office's mandate, reinforced credibility, and highlighted its commitment to serving SANDF members and the broader South African public in an independent, impartial, and accountable manner.



Table 10. Outreach Programme per Province for the FY2025/26

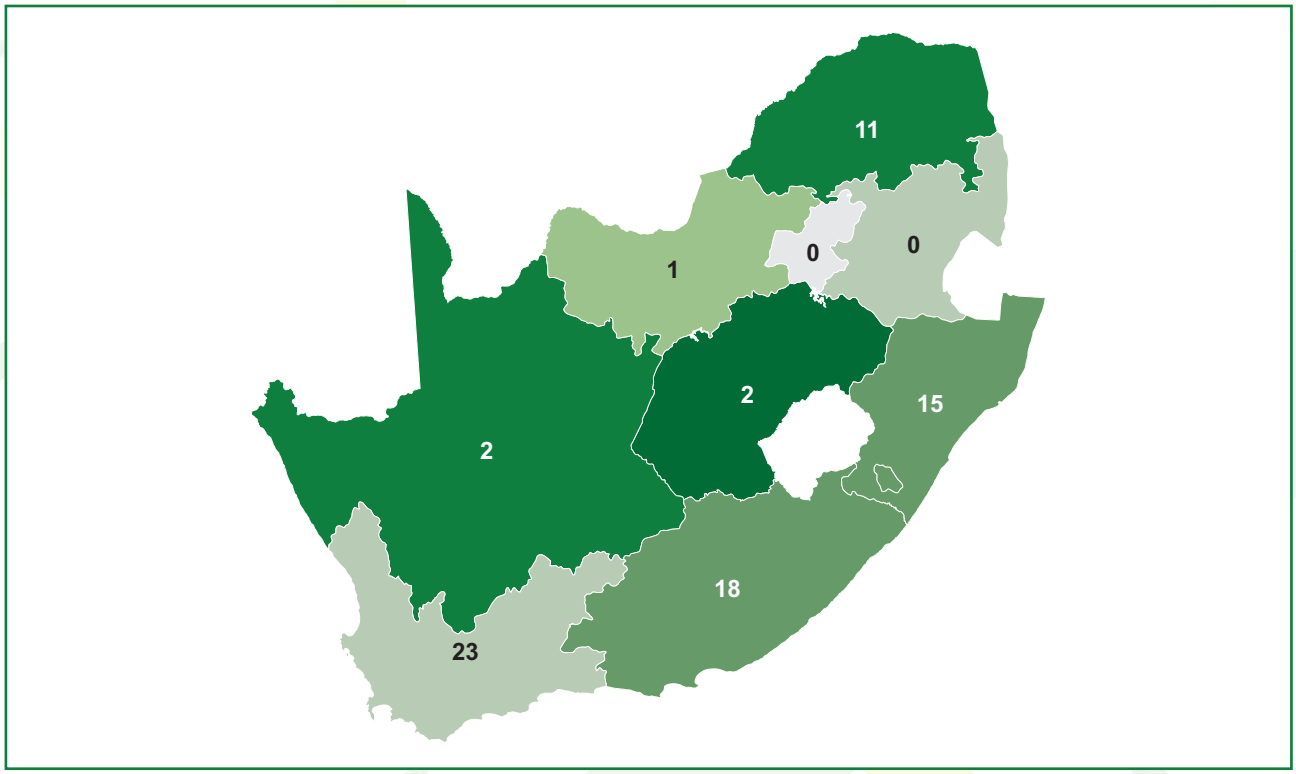
Province	Base/Unit	Planned as per the Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a	b	c	d	e	f	g
KwaZulu-Natal	3 South African Infantry Battalion, Induction Programme	1	-	-	-	13 June 2025
	Public Activation, New West Secondary School	1	-	-	-	14 June 2025
	Umvoti Mounted Rifles and Ingobamakhosi Carbineers	1	-	-	-	13 June 2025
	Durban Light Infantry	1	-	-	-	18 June 2025
	Queen Nandi Mounted Rifles	1	-	-	-	18 June 2025
	Area Support Base KwaZulu-Natal	1	-	-	-	23 June 2025
	Area Military Health Unit KwaZulu-Natal	1	-	-	-	24 June 2025
	Naval Base Station	1	-	-	-	25 June 2025
	Health Centre Youngsfield	-	1	-	-	05 September 2025
	9 South African Infantry Battalion	-	1	-	-	08 September 2025
	Signal Unit and Joint Tactical Headquarters KwaZulu-Natal	1	-	-	-	25 June 2025
	Military Police Agency 27 June 2025	1	-	-	-	26 June 2025
	Public Activation Bluff	1	-	-	-	26 June 2025
	Main Ordanance Sub Depot Durban, Legal Satellite Office	1	-	-	-	30 June 2025
	1 Medical Battalion KwaZulu-Natal	-	1	-	-	01 July 2025
	5 South African Infantry Battalion, Induction Programme	-	-	1	-	05 November 2025
	Reconciliation Day KwaZulu-Natal	-	-	1	-	16 December 2025
Western Cape	Joint Tactical Headquarters Western Cape	-	1	-	-	26 August 2025
	Regional Works Unit Western Cape	-	1	-	-	27 August 2025
	Chief Langalibalele Regiment	-	1	-	-	27 August 2025
	Fort iKapa Headquarters	-	1	-	-	28 August 2025
	Legal Satellite Office	-	1	-	-	29 August 2025
	Western Cape Signal Unit	-	1	-	-	01 September 2025
	Chief Domain Field Workshop	-	1	-	-	01 September 2025
	General Jan Smuts Regiment	-	1	-	-	02 September 2025
	Autshumato Anti-Aircraft Regiment	-	1	-	-	02 September 2025
	Cape Town Highlanders	-	1	-	-	03 September 2025
	Area Military Health Western Cape	-	1	-	-	03 September 2025

Province	Base/Unit	Planned as per the Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a	b	c	d	e	f	g
	Government Communication and Information Systems Public Activation at Langeberg	-	1	-	-	09 September 2025
	Nelson Mandela Artillery Regiment	-	1	-	-	10 September 2025
	Air Force Base Ysterplaat	-	1	-	-	11 September 2025
	Military Police Wynberg, Military Police Simon's Town, and Southern Military Police Headquarters	-	1	-	-	12 September 2025
	Simons Town Naval Base	-	1	-	-	15 September 2025
	4 Special Forces Regiment	-	1	-	-	17 September 2025
	South African Ship Saldanha Naval Base	-	1	-	-	19 September 2025
	Public Activation Saldanha Bay	-	1	-	-	19 September 2025
	Air Force Base Langebaanweg	-	1	-	-	23 September 2025
	South African Infantry School	-	1	-	-	25 September 2025
North West	Gopane Induction Programme	-	-	1	-	31 October 2025
Free State	Fouriesburg Induction Programme	-	-	1	-	30 October 2025
	Ladybrand Induction Programme	-	-	1	-	31 October 2025
Eastern Cape	14 South African Infantry Battalion	-	-	1	-	24 November 2025
	Umzimvubu Regiment	-	-	1	-	24 November 2025
	Buffalo Volunteer Regiment	-	-	1	-	25 November 2025
	6 South African Infantry Battalion	-	-	1	-	26 November 2025
	Chief Makhanda Regiment	-	-	1	-	27 November 2025
	Area Support Base Eastern Cape	-	-	1	-	01 December 2025
	Joint Tactical Headquarters Eastern Cape	-	-	1	-	02 December 2025
	Signal Unit Eastern Cape	-	-	1	-	03 December 2025
	Air Force Station Gqeberha	-	-	1	-	04 December 2025
	Area Military Health Unit Eastern Cape	-	-	1	-	05 December 2025
	Naval Station Gqeberha	-	-	1	-	05 December 2025
	Military Police Port Elizabeth	-	-	1	-	08 December 2025
	Sabelo Phama Field Workshop	-	-	1	-	08 December 2025
	Nelson Mandela Regiment	-	-	1	-	09 December 2025
	Chief Maqoma Regiment	-	-	1	-	09 December 2025

Province	Base/Unit	Planned as per the Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a	b	c	d	e	f	g
	Madiba Bay Maintenance Unit	-	-	1	-	09 December 2025
	Regional Works Unit Eastern Cape	-	-	1	-	10 December 2025
	Public Activation Taxi Rank	-	-	1	-	10 December 2025
Limpopo	Public Activation Government Communication and Information Systems in Giyani	1	-	-	-	27 June 2025
	Armed Forces Day in Thohoyandou	-	-	-	1	2 to 22 February 2026
	Area Support Base Polokwane, Legal Satellite Office	-	-	-	1	23 March 2026
	Mapungubwe Regiment	-	-	-	1	24 March 2026
	Joint Tactical Headquarters Limpopo and Area Military Health Unit Limpopo	-	-	-	1	25 March 2026
	Signal Unit Limpopo	-	-	-	1	25 March 2026
	Air Force Base Makhado	-	-	-	1	26 March 2026
	Public Activation Makhado	-	-	-	1	26 March 2026
	7 South African Infantry Battalion Phalaborwa	-	-	-	1	30 March 2026
	Air Force Base Hoedspruit	-	-	-	1	31 March 2026
	5 Special Forces Regiment	-	-	-	1	31 March 2026
Northern Cape	Government Communication and Information Systems Exhibition Day in Tsantsabane	-	-	1	-	14 November 2025
	Human Rights Day in Kimberly	-	-	-	1	21 March 2026

Figure 12 below illustrates the number of Military Units visited during the reporting period.

Figure 12. Number of Military Units visited per Province



Province	Number of Outreaches
a	b
Free State	2
Limpopo	11
Northern Cape	2
Eastern Cape	18
North West	1
KwaZulu Natal	15
Western Cape	23
Gauteng	0
Mpumalanga	0
Total	**72**

INTERNATIONAL RELATIONS

During the 2025/26 financial year, international engagement was a strategic focus for the Office, facilitated by the Communications Directorate, contributing to strengthening the Office's profile within the global community of military ombuds and oversight institutions. The Office actively participated in key forums, deepening its understanding of emerging standards, sharing best practices, and reinforcing its commitment to transparency, accountability, and impartial oversight.

Engagements with leading bodies such as the International Ombudsman Institute and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) provided platforms for benchmarking, professional exchange, and strategic collaboration. Notably, the Office participated in the 51st DCAF Council Meeting in Geneva, Switzerland, contributing to discussions on democratic control of armed forces and strengthening institutional linkages with global counterparts.

Regionally, the Office engaged with African oversight networks to promote collaborative learning and shared standards. Participation in the 8th General Assembly of the African Ombudsman and Mediators Association in Luanda, Angola, enabled the Office to exchange knowledge with peer institutions across the continent, discuss common challenges, and align on approaches to rights protection and citizen-centred service delivery. These interactions reinforced the Office's role as a leading oversight institution in Africa and provided practical insights to enhance its local operations.

Hosting the 17ICOAF further elevated the Office's international profile. The conference convened practitioners, policymakers, and experts from around the world, fostering dialogue on complaint resolution, civil-military relations, and institutional independence. By hosting this global platform, the Office not only showcased its achievements and practices but also strengthened its networks, enabling continued learning, collaboration, and alignment with emerging international norms.

RESEARCH AND DEVELOPMENT

The key highlight in the reporting year is the active participation of R&D in co-mapping the conference preparatory activities and execution, including hosting the country-specific, rotational conference, 17ICOAF, by the Office in collaboration with DCAF, from 7 to 9 October 2025 in Johannesburg. Themed Building Bridges – Awareness and Outreach Efforts by Ombuds Institutions, consisting of five moderated panel sessions, the conference demonstrated that it is a platform for exchanging information, good practices, and experiences among the ICOAF partner institutions.

The participation of over 75 participants, representing around 35 countries, is evidence of the platform's importance. The conference called for greater support for ombuds institutions through peer exchange and international cooperation in outreach, engagement strategies, and awareness-raising.

The Research and Development (R&D) unit, to measure the Office's service impact, initiated a longitudinal Stakeholder Awareness and Perception Survey to continuously reposition the Office. To this end, a commissioned study, in collaboration with The Security Institute for Governance and Leadership in Africa and Stellenbosch University, will conduct the survey during the 2026/27 financial year, in line with the Office's mandate.

The Stakeholder Awareness and Perception Survey is essential for the Office, as it helps gauge public trust, provides clear insights into stakeholders' views of the Office, identifies gaps in understanding of the mandate, and strengthens accountability by aligning the Office's services with stakeholder expectations.

In the reporting year, amongst the highlights, R&D focused on further enhancing institutional collaboration with the Brigitte Mabandla Justice College by facilitating two intensive, high-level training sessions: Administrative Law training for Senior Management System members and Basic Legal Drafting training.

Administrative law training equips the Office, as an ombuds institution, with the knowledge to navigate government procedures and ensure accountability in decision-making. Basic legal drafting skills strengthen the Office's ability to produce clear, precise, and enforceable recommendations that uphold fairness and transparency. In the face of the complex and challenging landscape of complaint resolution, skills training is also essential for the Office, as it strengthens staff capacity to handle disputes with fairness, professionalism, and cultural sensitivity, thereby enhancing trust and credibility in the institution's role as a neutral mediator.





PART D

GOVERNANCE, RISK MANAGEMENT AND COMPLIANCE

GOVERNANCE FRAMEWORK

The Office operates within a governance framework informed by the Constitution of the Republic of South Africa, 1996, the Military Ombud Act, 2012 (Act No. 4 of 2012), and applicable government governance and accountability prescripts. The Military Ombud serves as the Head of the Institution and is ultimately accountable for ensuring sound governance, ethical leadership, and effective oversight of organisational performance and resources.

Governance structures within the Office include the Executive Committee, Management Committee, Military Ombud Dashboard meetings, and various governance and quality-assurance forums that support decision-making, performance monitoring, and accountability. These structures provide strategic direction, ensure alignment with the APP, and facilitate oversight of operational, financial, and risk matters. Throughout the 2025/26 financial year, the Office maintained regular management and governance engagements, with minimal deviations arising mainly during periods of limited scheduling. Overall, governance arrangements continued to support organisational stability and effective service delivery.

RISK MANAGEMENT

Risk management within the Office is an integral component of organisational governance and planning. The Office applies a structured approach to risk identification, assessment, mitigation, and monitoring, aligned to public sector risk management principles.

During the reporting period:

- The Office Risk Register for FY2025/26 was updated and reviewed to reflect emerging operational, strategic, and compliance risks;
- Mitigation actions for identified risks were monitored and reported through management forums;
- The Risk Register for FY2026/27 was finalised during the Annual Strategic Planning Worksession.

Key risks identified during the year included human resource capacity constraints, procurement delays, Information Communication Technology (ICT) security compliance risks, dependence on external entities for service delivery, and delays in processing security clearances. Management implemented mitigation measures, including enhanced monitoring, stakeholder engagement, early-warning mechanisms, and strengthened controls where feasible. In addition to conventional operational and compliance risks, the Office continues to manage strategic risks inherent in its institutional design and operating model. These include limitations regarding institutional and operational independence, capacity constraints stemming from an underfunded organisational structure, and reliance on post-determination processes outside the Office's direct control. As evidenced in Part C of this report, these risks materially affect investigation turnaround times, post-determination monitoring, and the implementation of upheld recommendations. While mitigation measures are actively pursued through structured engagement, legislative reform initiatives, and governance forums, the effectiveness of remedial outcomes ultimately depends on cooperation and action by external stakeholders within the executive and SANDF environment.

INTERNAL CONTROL AND ASSURANCE

The Office maintained internal control measures to support reliable performance information, financial management, and compliance. These included segregation of duties, documented policies and procedures, regular management reviews, and oversight through internal governance structures. While the Office does not yet operate as a fully capacitated public entity with dedicated internal audit structures, efforts continued to strengthen assurance mechanisms through improved reporting disciplines, management review processes, and engagement with relevant oversight structures within the defence environment.

COMPLIANCE MANAGEMENT

Compliance with applicable legislation, regulations, and policies remains a priority for the Office. During the 2025/26 financial year:

- No cases of irregular, fruitless, or wasteful expenditure were reported;
- Litigation management achieved 100% compliance with court rules;
- The PAIA manual was finalised and submitted to the Information Regulator, resulting in full PAIA compliance;
- Accountability documents, including Quarterly Performance Reports and the Annual Activity Report, were submitted in accordance with approved timelines, notwithstanding some delays attributable to external processes.

Areas requiring continued attention include compliance dependencies related to procurement processes, security clearance vetting, and ICT security controls, particularly where compliance is contingent on external entities or user behaviour.

ETHICAL LEADERSHIP

Ethical leadership and integrity underpin the work of the Office of the Military Ombud. The Office continues to promote ethical conduct, accountability, and transparency through policy frameworks, leadership practices, and awareness initiatives. Financial disclosures by designated officials were managed in line with applicable requirements, and no material ethical breaches were reported during the year.



PART E

CORPORATE SUPPORT

PURPOSE

The Chief Corporate Support Directorate provides efficient, professional resource support services to enable the Office of the Military Ombud to fulfil its mandate. This includes the delivery of key management and support functions, such as Human Resource Management, Financial Management, Logistics and Procurement, Information Communication Technology, Policy, Strategy and Planning, and Facilities, Security and Reception Management.

HUMAN RESOURCE MANAGEMENT

The Office recognises its employees as its most valuable asset and has implemented structured Human Resources (HR) policies and practices aligned with its strategic objectives to promote effective employee retention. The approved staff establishment for FY2025/26 was 63 posts. However, the Office had a workforce of 52 employees at the end of the financial year. The variance was primarily due to delays in recruitment processes and unplanned staff attrition.

Table 11. Strength as at 31 March 2026

Environment	Planned Strength	Actual Strength
a	b	c
Executive	7	5
Operations	28	25
Legal	3	3
Communications	5	3
Support	20	16
Total	**63**	**52**

Table 12. Employment and Vacancies as at 31 March 2026

Environment	Approved Posts	Staffed Posts	Vacant Posts
a	b	c	d
Executive	7	5	2
Operations	28	25	3
Legal	3	3	0
Communications	5	3	2
Support	20	16	4
Total	**63**	**52**	**11**

Compensation of Employees (COE). The Office Item 10 Vote for FY2026/27 was R48,002 million, representing 65% of the allocation. R48,242 million was paid, resulting in an over-expenditure of R240,000 on the COE, as shown in Table 13.

Table 13. Compensation of Employees as at 31 March 2026

Expenditure	Number of Approved Posts	Number of Staffed Posts	Rand Value
a	b	c	d
Total Expenditure	89	52	Rm48,242

Education, Training, and Development. The Office provided learning and development opportunities to enhance employee competencies and promote a culture of continuous learning. Table 14 below outlines the number of training interventions implemented during the financial year.

Table 14. Education, Training and Development Opportunities as at 31 March 2026

Environment	Short Courses/Symposium/Conference
a	b
Combined Training	125

Employment Equity Figures. The Office demographics show an underrepresentation of the coloured and white races. This is due to low response rates to job advertisements across both racial categories.

Table 15. Employment Equity Figures as at 31 March 2026

Environment	Male				Female			
	African	Asian	Coloured	White	African	Asian	Coloured	White
a	b	c	d	e	f	g	h	i
Executive	2	0	0	0	3	0	0	0
Operations	10	1	0	1	13	0	0	0
Legal	1	0	0	1	1	0	0	0
COmmunications	2	0	0	0	1	0	0	0
Support	5	0	0	1	7	0	1	2
Total	**20**	**1**	**0**	**3**	**25**	**0**	**1**	**2**

Attrition. Table 16 below shows the unplanned attrition during FY2025/26. The Office could call up reserves to bridge the gap as an intervention.

Table 16. Attrition as at 31 March 2026

Environment	Attrition Number
a	b
Resignation	1
Pension	2
Contract Termination	1

The persistent vacancy levels and recruitment delays during the reporting period directly affected the Office's operational capacity. Capacity constraints within investigative, legal review, and post-determination monitoring functions contributed to increased workload pressures and extended timelines for the finalisation and follow-up of complaints. While mitigation measures, including internal reprioritisation and the temporary utilisation of available capacity, were implemented, the underfunding of the approved organisational structure remains a structural constraint that limits the Office's ability to sustain optimal service delivery outcomes.

OFFICE OF THE MILITARY OMBUD EXPENDITURE

PERSONNEL EXPENDITURE

Personnel expenditure decreased from **R49,560 million** in the **2024/25** financial year to **R48,242 million** in the **2025/26** financial year. This decrease is attributed to challenges in advertising and staffing vacant posts, which significantly reduced over-expenditure during the year.

Had these posts been filled, personnel expenditure would have exceeded the allocated budget. The allocation for the Office for the COE does not reflect the sixty-three (63) staffed posts within the Office. These posts were not considered when the Office was included as a line item in the National Treasury letter of allocation, because the DOD's COE allocation was based on the National Treasury ceiling.

OPERATING EXPENDITURE

Operating expenditure decreased from **R16,219 million** in the **2024/25** financial year to **R15,853 million** in the **2025/26** financial year. The variance of R365,000 is due to computer hardware not needing replacement, as this was completed in 2024/25.

Procurement delays persist, preventing the Office from fully utilising its allocated funds during the financial year. This hindered its ability to meet several of the Military Ombuds' objectives and focus areas.

Delays in procurement processes and associated expenditure underspending during the reporting period had operational consequences beyond financial performance considerations. Deferred procurement of specialised services, ICT

enhancements, and support arrangements constrained the Office's ability to strengthen investigation support, information management, and post determination follow up mechanisms. While the Office continued to exercise prudent financial management and maintained compliance with applicable prescripts, procurement dependencies remained a limiting factor influencing operational efficiency and the timely implementation of certain strategic initiatives outlined in this report.

Table 17. Expenditure Report for the Office of the Military Ombud as at 31 March 2026

Standard Chart of Accounts Level 3 Description	Standard Chart of Accounts Level 4 Description	Vote	Final Appropriation	Amount Paid
		R'000	R'000	R'000
a	b	c	d	e
Compensation of Employees	Salaries and Wages	42,067	42,067	42,339
	Social contributions	5,935	5,935	5,903
Compensation of Employees Total		**48,002**	**48,002**	**48,242**
Goods and Services	Advertising	4,780	2,590	1,649
	Catering: Departmental Activities	537	147	73
	Communication	1,299	778	545
	Computer Services	3,016	4,629	4,360
	Consumables: Stationery Print & Office Supplies	359	344	187
	Consultants: Business & Advisory Services	1,530	719	19
	Consumables Supplies	290	296	232
	Contractors	150	155	8
	Entertainment	20	20	1
	Fleet services	237	248	93
	Inv: Chemicals, Fuel, Oil, Gas & Coal	500	384	43
	Inv: Clothing Material & Accessories	90	91	0
	Inv: Food & Food Supplies	64	64	15
	Inv: Materials & Supplies	83	76	41
	Inv: Medical Supplies	15	13	0
	Minor Assets	109	397	3
	Operating Payments	899	899	372
	Property Payments	1,252	2,133	1,927
	Training & Development	3,472	2,189	1,507
	Travel and Subsistence	4,101	4,273	1,920
	Venues and Facilities	480	480	168
Goods and Services total		**23,282**	**22,591**	**14,158**
Payments Total		**71,284**	**70,593**	**62,399**
Households	Employee Social Benefits	493	493	215
Provincial and Local Government	Transfers and subsidies to Municipalities	13	15	14
Public Corporations & Private Entities	Transfers and Subsidies Departmental Agencies	1	1	1
Transfers and Subsidies Total		**507**	**509**	**230**
Machinery and Equipment	Other Machinery & Equipment	927	2,214	1,465
Software & Intangible Assets	Software and Other Intangible Assets	689	90	0
Purchase and Construction Capital Assets Total		**1,616**	**2,304**	**1,465**
Grand total		**73,407**	**73,407**	**64,095**

Taken together, the human resource and financial constraints outlined in this Part reinforce the organisational realities described in the Executive Summary and provide essential context for the operational outcomes and implementation challenges analysed in Part C.

INSIGHTS FROM COMPLAINT OUTCOMES

OPERATIONS: INTAKE AND ANALYSIS CASE STUDIES

OVERVIEW

The handling of complaints throughout the 2025/26 financial year underscores the Military Ombud's continued dedication to ensuring accessible, impartial, and prompt resolution. During this period, 353 complaints were finalised, reflecting improved turnaround times and a growing number of cases concluded within the set performance targets.

This appendix highlights a selection of complaint outcomes that demonstrate the breadth and complexity of matters addressed by the Ombud. The lessons drawn from these cases reveal not only the practical implementation of administrative justice but also recurring difficulties encountered by complainants, systemic challenges within the Defence environment, and the critical role of transparent communication and procedural fairness.

Each case has been anonymised and selected for its illustrative value, showing how the Ombud's involvement facilitated resolution, clarified policy, or prompted administrative enhancement. Collectively, these examples provide insight into the human dimension of our work and reinforce the importance of independent oversight in promoting trust and accountability within the military.

SERVICE TERMINATION: NON-RENEWAL OF CORE SERVICE SYSTEM CONTRACT

During the reporting period, the Office received a complaint from a former officer alleging that his military service was unfairly terminated when his Core Service System (CSS) contract was not renewed upon expiry in March 2023. He contended that he had not been given prior notice of non-renewal and sought reinstatement, together with recognition of the period spent outside the system for seniority purposes. Although the complaint was lodged outside the prescribed period, condonation was granted in the interests of justice to enable the Office to consider the substance of the matter.

The investigation required the Military Ombud to determine whether the non-renewal of the contract constituted unlawful or procedurally unfair administrative action, and whether the DOD had complied with section 59(1) of the Defence Act, 2002 (Act No. 42 of 2002) and the applicable separation prescripts. Particular attention was given to whether the decision had originated from the employer or from the complainant's own conduct.

The evidence established that, in January 2023, the complainant had submitted a written request that his contract not be renewed, expressly indicating that he wished to pursue other opportunities. That request had been supported through the chain of command and processed in accordance with established procedures. Importantly, Contract Board records showed that a renewal had, in fact, been recommended prior to his request. Although the complainant later contended that he had acted under uncertainty and administrative pressure, this explanation materially differed from the reasons contained in his original written submission.

Having assessed the documentary record and the surrounding circumstances, the Ombud concluded that the non-renewal did not result from maladministration or an unlawful decision by the DOD. On the contrary, the termination of service flowed from the complainant's own request not to continue in service. No evidence was found that the employer had formed an intention not to renew the contract or had acted contrary to law or policy.

The complaint was accordingly dismissed in terms of section 6(7)(a) of the Military Ombud Act, 2012 (Act No. 4 of 2012). This matter demonstrates the Office's role in testing allegations of unfair service termination against verifiable records and the applicable legal framework, and in distinguishing between genuine administrative unfairness and consequences flowing from a member's own election.

EDUCATION, TRAINING AND DEVELOPMENT: EXCLUSION FROM MILITARY SKILLS DEVELOPMENT SYSTEM INTAKE

A recruit approached the Office after being excluded from military training despite having successfully completed the MSDS recruitment process. He had applied while still within the prescribed age limit and had been formally accepted.

Although training was initially scheduled for December 2024, it was later postponed administratively to August 2025. Shortly before the revised intake date, he received a written instruction to report for training. Relying on that communication, he resigned from his civilian employment. Upon arrival, however, he was verbally informed that he no longer qualified because he had turned 23 and was immediately removed from the intake.

The Military Ombud was required to determine whether the decision to exclude the complainant complied with the principles of lawfulness, reasonableness and procedural fairness contemplated in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (PAJA). The Office also considered whether the written instruction to report had created a legitimate expectation that he would be admitted to training, and whether the subsequent verbal disqualification constituted unfair administrative action.

The investigation confirmed that the complainant had applied within the stipulated age requirement and that the postponement of training had occurred for administrative reasons wholly unrelated to him. The written reporting instruction issued by the defence authorities created a clear and reasonable expectation that he would be admitted. The later decision to exclude him, communicated only verbally and without prior notice or written reasons, was found to be procedurally unfair.

The prejudice was aggravated by the fact that he had resigned from his employment in reliance on the official instruction.

Following the Military Ombud's intervention, the matter was reconsidered by the relevant defence authorities, and the complainant was reinstated into the intake. This case illustrates the Office's role in ensuring that administrative delays or internal inefficiencies do not unfairly deprive prospective members of opportunities to which they are legally entitled or have a legitimate expectation.

OTHER: OUT OF JURISDICTION – PUBLIC SERVICE ACT EMPLOYEE EXIT DISPUTE

In February 2026, the Office received a complaint from a former employee of the DOD who had been appointed under the Public Service Act, 1994 (Act No. 103 of 1994). She alleged maladministration in relation to her exit process following resignation in May 2024. During clearance, she acknowledged an overpayment relating to salary and a telephone bill and signed a liability claim form authorising the deduction of the outstanding amount from her pension benefits. Despite this, she was later served with a summons alleging that she had refused to acknowledge the debt.

She further alleged that contradictory documentation had been placed on her exit file and that an unsigned liability form had been submitted to the Government Employees Pension Fund, resulting in the debt not being deducted. She sought the Ombud's intervention to facilitate the withdrawal of the summons.

Before considering the merits, the Military Ombud was required to determine whether the complaint fell within the jurisdiction conferred by section 4 of the Military Ombud Act, 2012 (Act No. 4 of 2012). The Office also had to consider section 7(1)(b) of the Act, which precludes investigation of matters that are pending before a court of law.

The preliminary assessment established that the complainant was not a member or former member of the SANDF, but a civilian employee appointed under the Public Service Act. Her complaint, therefore, arose from an employer–employee administrative dispute concerning debt recovery and pension processing, rather than the official conduct of a member of the SANDF or the conditions of service of a SANDF member or former member. In addition, the issuing of a summons meant that formal legal proceedings had already commenced.

The Ombud accordingly declined jurisdiction in terms of section 4(1)(a)–(d), read with section 7(1)(b), of the Military Ombud Act, 2012 (Act No. 4 of 2012), and advised the complainant to seek independent legal advice in order to defend the summons in a competent court. This matter underscores the Office's obligation to act within the limits of its statutory mandate while still providing complainants with clear guidance on alternative remedies where appropriate.

SERVICE BENEFITS / SERVICE TERMINATION: PENSION PROCESSING DELAYED BY INCOMPLETE TERMINATION ADMINISTRATION

The Office received a complaint from a former member of the SANDF whose Core Service System contract had not been renewed, alleging that the DOD had failed to capture all phases of her termination in the personnel system, thereby preventing the release of her pension benefits. She sought the Military Ombud's intervention to secure completion of the termination process and payment of her pension.

During the investigation, the SANDF advised that it could not capture the final termination phase because the complainant had not vacated allocated State housing, and that the system would not permit the transaction while occupation remained unresolved. When engaged on this issue, the complainant explained that she was unable to vacate the State house without first receiving her pension proceeds.

The Military Ombud was therefore required to balance two distinct issues: the complainant's lack of entitlement to continue occupying State housing after termination of service, and the employer's obligation to process pension-related administrative steps lawfully and without withholding benefits absent a proper legal basis. The Office found that, while the complainant had no right to indefinite occupation of State housing, the Department could not lawfully withhold pension processing as a form of self-help in the absence of an authorised legal mechanism.

The complaint concerning the refusal to capture the relevant termination phase was accordingly upheld in terms of section 6(7)(a) of the Military Ombud Act, 2012 (Act No. 4 of 2012). The Military Ombud recommended that the employer complete all outstanding termination transactions and facilitate the release of the complainant's pension benefits. At the same time, the Office recommended that the Department use the lawful eviction procedures available under the DOD Instruction on State Housing (DODI/34 of 2022, Edition 2) should the occupation remain in dispute.

This matter illustrates the importance of separating administrative benefit processing from collateral disputes, and of ensuring that the State acts through lawful procedures rather than informal administrative leverage.

PROMOTION / RANK RECOGNITION: CONDONATION GRANTED FOR LATE COMPLAINT REGARDING NON-ISSUANCE OF DEED OF COMMISSION

A former Reserve Force member lodged a complaint in May 2025 concerning the non-issuance of his Deed of Commission, despite having completed the prescribed officer training and having served in commissioned ranks for several years thereafter. The issue originated many years earlier and concerned the apparent failure to issue or sign the formal commissioning instrument, notwithstanding the complainant's promotion through the officer ranks up to Commander.

The matter came before the Office as a condonation application because the complaint was lodged well outside the prescribed period for former members. The Military Ombud was therefore first required to determine whether sufficient cause had been shown in terms of section 7(2)(c) of the Military Ombud Act, 2012 (Act No. 4 of 2012) and Regulations 4 and 6 of the Military Ombud Complaints Regulations, 2015. In doing so, the Office considered the extent of the delay, the explanation for it, prospects of success, and potential prejudice.

Although the delay was substantial and the complainant had not provided a fully satisfactory explanation for failing to pursue a formal grievance while still in service, the Office found that the underlying complaint disclosed genuine merit. Personnel records confirmed completion of the required training and progression through officer ranks, while information obtained from the relevant Service indicated that administrative backlogs had affected the issuing of Deeds of Commission during the relevant period. The absence of the Deed of Commission was not merely technical: it had implications for the complainant's official record, professional recognition and dignity.

Balancing the relevant factors, the Military Ombud concluded that, despite the considerable delay, the interests of justice favoured condonation. Condonation was therefore granted in terms of Regulation 6(2), and the Office proceeded to engage the relevant Service authorities to verify the commissioning status and facilitate the administrative steps necessary to finalise the outstanding Deed of Commission.

Following the ruling, a review of personnel and archival records was initiated, prompting renewed scrutiny of internal processes for tracking and issuing commissioning instruments, particularly for Reserve Force members. This case illustrates the Office's willingness to intervene in legacy administrative matters where formal rights and service recognition remain materially affected.

OFFICIAL CONDUCT: ACCESS TO A FAMILY GRAVESITE ON SANDF PREMISES

The Office received a complaint from a serving SANDF member regarding the conduct of a Unit Officer Commanding who had refused his family members access to a gravesite on the Unit's premises. The complaint arose after the member's extended family sought to perform urgent cultural rituals at the gravesite before a significant family ceremony. A written request for access was submitted on short notice, but the family was ultimately denied entry on the proposed date. The complainant alleged that the refusal infringed the family's cultural and religious rights and sought accountability for the officer's conduct.

The Military Ombud was required to determine whether the Unit Officer Commanding had acted unlawfully or unreasonably in refusing access, and whether the complained-of conduct infringed the family's rights. The Office considered the applicable framework regulating access to SANDF premises, including section 2 of the Control of Access to Public Premises and Vehicles Act, 1985 (Act No. 53 of 1985), section 50(5)(a) of the Defence Act, 2002 (Act No. 42 of 2002), relevant amendments to the Defence legislation, and the Commission for the Promotion of the Rights of Cultural, Religious and Linguistic Communities' Protocol on Graves.

The investigation, which included witness interviews and an inspection in loco, found that the request had indeed been made at very short notice and that no escort was available on the date proposed to facilitate access within a high-security military environment. On the facts, the conduct of the Unit Officer Commanding was found to be consistent with the applicable legal framework governing access to controlled premises and the practical security constraints in place at the time.

The complaint was therefore dismissed insofar as the personal relief sought against the officer was concerned. However, the investigation also identified a broader policy gap regarding access to family gravesites on classified or restricted SANDF premises. The Ombud accordingly issued an alternative resolution directed at systemic improvement. Recommendations were made to the MOD&MV to consider prescribing measures under section 50(5)(a) of the Defence Act, 2002 (Act No. 42 of 2002), to direct the C SANDF to issue a policy giving effect to those measures, and for the C SANDF to direct the C log to develop standard operating procedures addressing access to classified premises in such circumstances.

The recommendations were accepted, and the C SANDF instructed that a standard operating procedure be developed. This matter demonstrates how the Office's function extends beyond individual redress to include identifying and remedying institutional policy gaps exposed by complaints.

PROMOTION / REMUNERATION: DENIAL OF ACCESS TO INTERNAL GRIEVANCE MECHANISMS IN A PROMOTION DISPUTE

A Reserve Force member approached the Office after prolonged difficulties relating to rank regularisation and salary progression. She had completed officer training and had been conferred with a temporary officer rank, yet her remuneration was not adjusted accordingly. Subsequent internal processes yielded differing recommendations regarding her rank progression, and she alleged that she had been overlooked for advancement while less-qualified peers were promoted. When she later attempted to lodge a formal grievance, she was informed that the grievance could not be captured because of her age and perceived inactive Reserve Force status, and she was advised instead to seek external redress.

The Military Ombud was required to determine whether the matter fell within the Office's jurisdiction under section 4(1)(a) of the Military Ombud Act, 2012 (Act No. 4 of 2012), whether internal remedies had truly been exhausted, and whether the refusal to register the grievance itself constituted unfair administrative action affecting the complainant's conditions of service. The Office also had to consider whether condonation was required.

The investigation confirmed that no formal grievance had been processed on the Grievance Information Technology System. However, the documentary evidence demonstrated that the complainant had made a bona fide attempt to invoke the internal grievance process and had been prevented from doing so by administrative barriers outside her control. The Office correctly recognised that a complainant cannot be faulted for failure to exhaust remedies where the institution itself frustrates access to those remedies.

The correspondence directing her to seek external recourse was therefore treated as the operative administrative action for purposes of the complaint.

The Ombud found that the matter fell squarely within the scope of the Office's mandate, as it concerned rank progression and remuneration, both of which are core conditions of service. As the complaint had been lodged within the prescribed period calculated from the date on which the complainant was formally denied access to the internal mechanism, condonation was not required. The matter was accordingly accepted for investigation on the merits.

This case highlights an important principle repeatedly encountered during the reporting period: the effectiveness of internal grievance mechanisms is integral to administrative justice, and a member's right to independent oversight cannot be defeated by internal procedural obstruction.

PROMOTION: OFFICER APPOINTMENT REFUSED AFTER CANDIDATE OFFICER PROGRESSION

A serving member lodged a complaint after he was not appointed as an officer despite having successfully completed the Officer's Potential Assessment and the Officer's Formative Course, and despite having been conferred with the rank of Candidate Officer. He alleged that after his appointment documentation had been initially submitted, an updated personnel form reflecting a prior disciplinary conviction was forwarded, and his file was returned on the basis that he had allegedly failed to disclose the pending charge. He was subsequently directed to revert to his previous non-commissioned rank. He sought appointment as an officer with retrospective effect and restoration of the career progression he had lost while his peers advanced.

The Military Ombud was required to determine whether the refusal to appoint him, and the subsequent reversion to his former rank, complied with the applicable constitutional, statutory and regulatory framework governing appointments and conditions of service in the SANDF. The Office considered, among other things, the right to fair labour practices, the disciplined nature of the defence force, section 54(2) of the Defence Act, 2002 (Act No. 42 of 2002), the meaning of the "fit and proper" requirement, and the procedural fairness obligations imposed by PAJA.

The investigation found that the decisions taken against the complainant amounted to administrative action with adverse consequences and therefore attracted the requirements of lawfulness, reasonableness and procedural fairness. There was no clear evidence that he had deliberately concealed the disciplinary matter or that he had been specifically required to disclose it as later alleged. The charge had arisen while he was away from his mother unit, and the evidence did not support the conclusion that he had acted dishonestly.

The Office further found that policies later relied upon by the Respondent had been promulgated only after the complainant had completed the relevant officer training and had already been recommended for appointment. Their retrospective application was therefore prejudicial and legally untenable.

The Military Ombud concluded that the allegation of dishonesty could not be sustained, that the relevant later policies were not applicable to the complainant's case, and that the decision to remove him from the officer trajectory had been both procedurally and substantively unfair. The complaint was upheld in terms of section 6(7)(a) of the Military Ombud Act, 2012 (Act No. 4 of 2012).

The Military Ombud recommended that the C SANDF consider recommending the complainant's appointment as an officer in accordance with section 54(2) of the Defence Act, 2002 (Act No. 42 of 2002); that he be reinstated to the post, or an equivalent post, with retrospective effect; and that SANDF policies relating to officer appointments

be reviewed and aligned with the Defence Act, 2002 (Act No. 42 of 2002). Although the Office of the C SANDF expressed concerns regarding current policy restrictions on appointing members with prior convictions, the final report maintained that such policies could not lawfully be applied retrospectively.

This matter is a strong illustration of the Office's role in safeguarding fairness in career progression and ensuring that policy implementation remains lawful, rational and prospective in effect.

SERVICE TERMINATION: UNLAWFUL REMOVAL FROM THE RESERVE FORCE AND REFUSAL OF RE-ENLISTMENT

The Office received a complaint from a former Reserve Force member who alleged that his service had been unfairly terminated and that he had later been unlawfully refused re-enlistment. The dispute arose after a disciplinary conviction under the Military Discipline Code was reported to the South African Police Service criminal record system, resulting in adverse information appearing on a police clearance certificate.

The complainant contended that this record led to his suspension from active Reserve Force utilisation and eventual removal from the active Reserve Force database. After later obtaining a subsequent police clearance certificate indicating that no illicit activity had been identified, he sought restoration to service but was informed that he had already been removed and would need to reapply from the beginning.

The Military Ombud was required to determine whether the termination of the complainant's Reserve Force membership had been affected lawfully and in accordance with the applicable procedure, and whether the continued refusal to re-enlist him remained justified once the adverse record had been challenged and later cleared. The Office considered the Military Ombud Act, 2012 (Act No. 4 of 2012), PAJA, the general SANDF regulatory framework, and Regulation 30 of the Regulations for the Reserve Force, 2017.

The investigation revealed serious irregularities. No documentary proof was produced to show that the mandatory termination procedure under Regulation 30 had been followed. There was no evidence that the Officer Commanding had submitted a written application for termination, that the C SANDF had taken the required decision, or that the complainant had been notified in writing and given reasons.

The Office also found that the factual basis for the adverse record was itself questionable. A statement from the Military Police indicated that at least part of the information captured on the police system had been incorrect and that steps had later been taken to rectify it.

Against this background, the Military Ombud found that the complainant's removal from the Reserve Force had not been shown to comply with the mandatory legal procedure and was both procedurally and substantively unfair. The continued refusal to re-enlist him was also not supported by a lawful or factually sustainable basis, even after considering the later police clearance certificate and corrective information. The conduct that led to the military disciplinary matter being reflected in the police criminal record system was likewise found to be unreasonable in the circumstances.

The complaint was upheld in terms of section 6(7)(a) of the Military Ombud Act, 2012 (Act No. 4 of 2012). The Military Ombud recommended that the MOD&MV direct the C SANDF to facilitate the complainant's due re-enlistment into the Reserve Force, and that appropriate disciplinary action be considered against responsible officials for failure to comply with the applicable prescripts governing termination of service.

This case demonstrates how administrative irregularities in separation processes can have enduring and disproportionate consequences for members, and why strict compliance with prescribed termination procedures is essential.

This case illustrates how failures in personnel administration, record management and adherence to prescribed termination procedures can unjustly disrupt a member's military career, and how the Office's intervention serves both to restore individual fairness and to reinforce institutional accountability.

CONDONATION RULING: ALLEGED UNFAIR SUSPENSION OF REGULAR FORCE MEMBERS

The Office received complaints, submitted through legal representatives, on behalf of two Regular Force members who alleged that they had been unfairly suspended following their arrest in 2020. The criminal matter was later struck from the court roll in July 2023, yet their suspensions allegedly remained in place until May 2025. The complainants contended that the prolonged suspensions were procedurally unfair, had not been supported by proper disciplinary or board processes, and had caused prejudice to their careers, finances and reputations. Because the complaints were referred more than 180 days after the relevant events, the Office initially dealt with the matters as a collective condonation application.

The Military Ombud was therefore first required to determine whether condonation should be granted in terms of section 7(2)(c) of the Military Ombud Act, 2012 (Act No. 4 of 2012) and Regulation 6 of the Military Ombud Complaints Regulations, 2015. In assessing the applications, the Office considered the extent of the delay, the explanation for it, prospects of success, and potential prejudice, informed by constitutional principles of fair labour practices, administrative justice, dignity and access to independent redress.

Although the explanations for the delay were only partially satisfactory, the Office accepted that the complainants had

made repeated efforts to engage the Department after the criminal matter was struck from the roll and had not received adequate responses.

The material before the Office also disclosed prima facie indicators of procedural unfairness, including the absence of formal administrative decisions and written reasons, contrary to PAJA standards.

Balancing these considerations, the Military Ombud granted condonation under Regulation 6(2), thereby regularising the complaints and enabling the Office to assume jurisdiction to investigate the lawfulness and fairness of the continued suspensions. No final finding on the merits was made at that stage, as the ruling was confined to the procedural issue of lateness.

This collective ruling reflects the Office's approach to ensuring that potentially meritorious complaints are not shut out where delay is substantially linked to institutional inaction or opacity, particularly in matters affecting livelihood and professional standing.

SERVICE BENEFITS / REMUNERATION: TECHNICAL ALLOWANCE COMPLAINTS BY RESERVE FORCE MEMBERS

Four Reserve Force members approached the Office with complaints concerning the non-payment of technical allowance. They alleged that the allowance had historically been paid in accordance with the applicable implementation instruction, but when they later sought payment, they were informed that the allowance had been discontinued and that Reserve Force members were eligible only if assigned to qualifying technical posts. They further referred to litigation concerning the cessation of the allowance within the DOD.

The Office assessed the matters collectively at the outset. In doing so, the Military Ombud had to determine whether the complainants had exhausted the internal grievance mechanisms as required by law and whether the Office could assume jurisdiction immediately over each complaint.

Upon verification, it was established that one complainant had retired from the Reserve Force shortly after approaching the Office and no longer had access to the Grievance Information Technology System. In his case, the internal grievance mechanism had effectively become unavailable. By contrast, the remaining three complainants had not first approached their units to pursue the prescribed grievance route and had therefore not exhausted the internal remedies contemplated by the Individual Grievance Regulations, 2016.

The Military Ombud accordingly assumed jurisdiction over the complaint of the retired complainant, but declined jurisdiction in respect of the remaining three in terms of section 7(2)(d) of the Military Ombud Act, 2012 (Act No. 4 of 2012), based on non-exhaustion of internal remedies.

At the same time, the Directorate Labour and Service Relations was requested to assist those members to access the internal grievance process properly.

This case study demonstrates the Office's balanced approach to jurisdiction: insisting on compliance with the statutory exhaustion requirement where internal remedies remain available, while recognising that such remedies cannot be insisted upon where they have become practically inaccessible through retirement or administrative exclusion.

SERVICE TERMINATION / REMUNERATION: DEFECTIVE ABSENT WITHOUT OFFICIAL LEAVE PROCESS AND UNLAWFUL SUSPENSION OF SALARY

A serving member of the SAN approached the Office in October 2024 regarding the handling of an alleged absence without official leave (AWOL), the prolonged and inconclusive Board of Inquiry (BOI), and the suspension of his salary. The complaint arose after the member, having been booked off sick and having requested additional recovery time, returned to his Unit and submitted a resignation request that was neither processed nor approved.

He was later verbally informed that he had been dismissed in terms of section 59(3) of the Defence Act, 2002 (Act No. 42 of 2002) for alleged AWOL status exceeding 30 days, and that his salary was suspended. He further alleged that he was denied access to his resignation documentation, instructed not to report for duty, and prevented from entering the Unit, and that no final decision was communicated to him for an extended period.

The Military Ombud was required to determine whether the SAN had lawfully and fairly invoked section 59(3) of the Defence Act, 2002 (Act No. 42 of 2002); whether the AWOL determination and BOI process complied with prescribed procedures; whether personnel and leave records had been properly maintained; and whether the suspension of salary and attempted administrative discharge amounted to unfair administrative action.

The Office evaluated the Defence Act, 2002 (Act No. 42 of 2002), leave and human resources separation policies, BOI documentation, roll-call registers, and PERSOL records. The investigation revealed material inconsistencies in record-keeping, unexplained cancellation of sick leave, and excessive delays that rendered the BOI unreliable and legally insufficient to sustain a section 59(3) discharge. Although the complainant's own conduct had contributed to some administrative uncertainty, the Ombud found that this did not absolve the Navy of its obligation to act lawfully and procedurally fairly.

The Military Ombud concluded that the AWOL determination was unreliable, that the BOI process was procedurally defective and unreasonably delayed, and that section 59(3) had been unlawfully invoked.

In the absence of a lawful termination, the complainant remained an active member. The Ombud therefore recommended correction of all personnel and leave records, administrative reinstatement, restoration of salary and benefits with arrears, formal clarification of employment status, and the implementation of corrective and preventative administrative measures.

Thereafter, SAN Headquarters confirmed that, due to inconsistent records and procedural defects, a lawful termination could not proceed and that the matter would need to be resolved in accordance with the Ombud's findings and recommendations. This case illustrates the serious consequences that flow from defective personnel administration and the importance of ensuring that coercive separation measures are supported by reliable evidence and lawful process.

CONDONATION RULING: LATE PROMOTION COMPLAINT INVOLVING LONGSTANDING CAREER STAGNATION

The Office received a complaint from a serving member alleging that he had been unfairly denied promotion for approximately 19 years. He attributed the prolonged stagnation to systemic irregularities in the promotion framework, including alleged racial discrimination, inconsistent application of internal career management policies, and departures from constitutional and labour law principles. He further contended that junior members had been promoted ahead of him without transparent justification, resulting in financial loss, career stagnation and significant personal prejudice.

As the complaint had been referred more than 1 year after lodging his internal grievance, it fell outside the 180-day period prescribed in Regulation 4 of the Military Ombud Complaints Regulations, 2015. The matter therefore came before the Office as an application for condonation under Regulation 6(1). The complainant attributed the delay to administrative inefficiencies, a lack of feedback from the responsible authorities, and the complex routing of his grievance across different Service structures. The C SANDF opposed the application on the basis that the delay was excessive and inadequately explained.

The Military Ombud was required to determine whether the lateness should be excused, having regard to the factors listed in Regulation 6(1): the reasons for the delay, the extent of the delay, prospects of success, prejudice to the complainant, prejudice to affected parties, and any other relevant consideration. Although the immediate issue was procedural, the Office also considered whether the complaint disclosed arguable issues concerning conditions of service, fairness in promotion practices, and the effectiveness of internal grievance handling.

The Military Ombud found that, while the delay was considerable, the evidence showed that the complainant had persistently followed up through formal channels and that the delay was not attributable to indifference. The complaint was also not manifestly frivolous. Although promotion within the SANDF is not automatic, the allegations concerning inconsistent application of promotion policy, lack of transparency, and prolonged non-resolution of the grievance disclosed sufficient prima facie merit for purposes of the condonation enquiry. The prejudice to the complainant if condonation were refused was substantial, whereas the prejudice to the SANDF was largely administrative.

Condonation was therefore granted. The ruling did not determine the substantive promotion dispute, but it reopened the avenue for independent scrutiny by permitting the matter to proceed within the Office's investigative processes. This case study reflects the Office's recognition that procedural rules serve fairness and certainty but should not become instruments of injustice where delay is materially linked to administrative inertia and the complaint raises serious service-related concerns.

INCORRECT ISSUING OF TAX CERTIFICATES FOLLOWING PERSONNEL SYSTEM MALADMINISTRATION

A former Reserve Force member lodged a complaint after discovering, during the submission of his tax return, that the South African Revenue Service had recorded him as owing a substantial tax debt. The debt arose because the DOD had issued him with employee tax certificates (IRP5s) for two consecutive tax years, even though he had not rendered any service to the SANDF during that period and had been continuously employed elsewhere in the public sector. The incorrect tax records led to a garnishee deduction from his salary, resulting in direct financial prejudice.

The investigation established that the complainant had exited military service many years earlier. However, another former member with a similar surname and overlapping historical military background had, when later seeking re-enlistment in the Reserve Force, mistakenly used the complainant's force number. Importantly, that individual consistently used his own identity number, tax number, banking details and other personal information in all supporting documentation. The evidence, therefore, did not support an intention to commit fraud, but rather reflected a mistaken reliance on incorrect military records and documents previously issued to him by the Department.

The central issue for determination was whether the resulting prejudice stemmed from misconduct by the second member or maladministration by military human resource structures. The Office found that the decisive failure occurred within the administrative processes of the South African Army. Officials had access to the re-enlisting member's correct personal particulars, yet failed to verify that these did not correspond with the force number used when capturing and approving transactions on the Personnel Mainframe System (PERSOL).

This failure allowed salaries, call-up records, and tax-related data to be processed under the complainant's force number, despite a clear mismatch in personal identifiers.

The evidence further showed that the re-enlisted member had attempted to alert officials to the discrepancy once it came to his attention, but the matter was not properly resolved. Consequently, the complainant was incorrectly reflected as having received military remuneration, while the individual who rendered the service was not issued with the correct tax certificates for the relevant period. The administrative failures, therefore, prejudiced both parties, but most acutely the complainant, who incurred tax liability and salary deductions on income he had never received.

In assessing the matter, the Military Ombud considered the constitutional right to fair labour practices and the obligation on administrative structures to ensure accuracy, fairness and procedural integrity in personnel and remuneration systems. The Office concluded that the prejudice was caused by maladministration within the South African Army's human resource processes, specifically the failure to verify and correctly align force numbers with identity, banking and tax information before effecting personnel and payroll transactions.

The complaint was upheld. The Military Ombud recommended that the MOD&MV direct the Sec Def and the C SANDF, through the relevant subordinate structures, to take all necessary corrective steps to rectify the maladministration, including correcting personnel and remuneration records and reversing the consequences arising from the incorrect issuance of the tax certificates.



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