



South African Police Service Khayelitsha Cluster

***RESPONSE ON THE IMPLEMENTATION OF THE
RECOMMENDATIONS OF THE KHAYELITSHA
COMMISSION OF INQUIRY***

Table of Contents



- **Background**
- **Status of recommendations by Commission**



20

YEARS OF POLICING IN A DEMOCRACY

Background

- Commission of Inquiry released its final report entitled “Towards a Safer Khayelitsha”.
- Commission concluded that there had been a breakdown in trust between the community and the police.
- Important to note the Commission also found that a lack of proper investment by the City of Cape Town and the Provincial Government in infrastructure such as toilets, street lights and roads made policing more difficult and increased residents vulnerability to violent crime.

- The Commission highlighted what we already know: Khayelitsha has some of the highest rates of violent contact crime in the country and more needs to be done by SAPS; local-, provincial- and national government; and other community structures to improve safety.
- The recommendations will be discussed and a short response will be given on the interventions that were implemented to address the recommendations by the Cluster and Stations.

Proposed Process





Status of [recommendations](#) by Commission

Crime and Policing

1. Adopt a community policing commitment in consultation with local residents.



Recommendations implemented due to legislation and SAPS policies:

- “An undertaking that all SAPS members will act in a respectful and fair manner in dealing with members of the public at all times in accordance with the principle of *ubuntu*.” **Code of Conduct already exists.**
- “A specific undertaking to treat members of vulnerable groups, such as LGBTI people and foreign nationals, with respect and concern.” **SA Constitution and SAPS code of conduct guide behaviour.**
- “The hours of the day that telephones in the CSC will be answered and provide those telephone numbers”. **SAPS frontline service guidelines and Service charters.**
- “An undertaking that investigating officers will provide regular feedback to complainants in relation to dockets, perhaps on a monthly basis”. **SMS Bundling used to update complainants with progress on cases.**
- “An undertaking that SAPS members from the police station will attend all meetings, including CPF Meetings, imbizos, Thuthuzela Care Centre meetings, and other partnership meetings, and that they will arrive at the meeting on time, prepared and mandated to participate fully.” **Implemented as prescribed in policy on partnerships.**
- “An undertaking to provide visible policing patrols of both formal and informal neighbourhoods.” **Implemented according to policy on sector policing with community patrolers.**
- “An undertaking to process all complaints made against SAPS members transparently, efficiently, thoroughly and fairly, which will include providing full and regular feedback to complainants.” **SO 101 Complaints thoroughly investigated and feedback given to complainants.**

1. Adopt a community policing commitment in consultation with local residents (cont.)



Additional measures implemented

- Joint Forum was established for the Khayelitsha Cluster. The Joint Forum is divided into eight sub-forums & strategy Plan compiled.
- Brings together local government, civil society organizations, academics, community structures and other stakeholders.
- Each station is in addition has a Community Service Charter placed in the Community Service Centers to publically indicate the commitment from SAPS.

Partially Implemented

- “An undertaking to publish station-level crime statistics regularly, and at least monthly, by placing posters on notice boards in the CSC”. The crime tendencies are already provided monthly at the Joints.

Not yet Implemented

- “Provide target response times in relation to calls for assistance to the local community (already on EIS)”.

2. Adopt a procedural justice model of policing for Khayelitsha.



Not clear what is meant by the concept.

Commission remarks the following: *“A procedural justice model of policing thus has the potential to create a virtuous circle. If police treat people fairly and respectfully, and consistently with constitutional values and ubuntu...”*

Recommendations implemented due to SAPS policies and legislation

- ***“Implementing a procedural justice model of policing in Khayelitsha will require, first, strong leadership at all three police stations, the FCS Unit, and in the province.”*** It was partially addressed whereby the posts for Cluster Commander, Station Commander for Harare, VISPOL – and Detective Commander for Harare and other management positions in the Cluster were filled. Other changes in management were also made.
- SA Constitution and SAPS code of conduct prescribe that all people in South Africa must be treated fairly and respectfully.

2. Adopt a procedural justice model of policing for Khayelitsha (cont.)



Additional measures implemented

- Joint forum and different sub-forums are currently used as a measurement tool to obtain feedback on the levels of trust in SAPS.

Not Yet Implemented

- “Training of all SAPS members stationed in Khayelitsha in the principles of procedural justice policing”. *Not clear what makes the concept different from the SA Constitution and SAPS code of conduct.*
- “A revision of the station performance chart to measure compliance with a procedural justice model of policing”. *Concept not clear.*
- “A revision of performance agreements to include compliance with a procedural justice model of policing”. *Concept not clear.*
- “The adoption of a tool such as the Community Scorecard system to provide regular feedback on the levels of trust in SAPS.” *Concept not clear.*

8. Other steps to improve relations between SAPS and people of Khayelitsha



Recommendations implemented due to SAPS policies and regulations:

(d) Reservists: “The Commission recommends that suitable reservists be recruited in Khayelitsha as soon as possible.”

Not yet Implemented

(a) Community Police forums:

- “recommends that the Civilian Secretariat commission research into the efficacy of CPFs.”
- “recommends that the monitoring team (referred to in recommendation 3) monitor the performance of the CPFs, and report to both DOCS and the Provincial Secretariat on the perceived benefits and shortcomings of the EPP programme as it operates in Khayelitsha.”
- “In particular, the Commission recommends that DOCS consider the needs of CPFs in socially and economically disadvantaged areas for additional start-up grants to provide basic facilities.”

Not yet Implemented

(b) Publication of station-level crime statistics:

“The Commission also notes that the publication of station-level crime statistics both to CPFs and to members of the community, at least by publishing them on a monthly basis on notice boards in CSCs could improve the relations between SAPS and the local community.”

(c) Introduction of community-based mediation initiative to resolve disputes:

“The Commission proposes that attention should be given to introducing a system of community-based mediation to resolve neighbourhood disputes, which appear to be the underlying cause of some contact crime in Khayelitsha.”

Recommendations implemented due to SAPS policies and regulations:

- The frequency of this kind of attacks is one of the reasons why the Anti-Vigilantism sub-forum was established. Purpose is to set the foundation for a strategy to address the issue of vigilantism.
- The sub-forum intends to examine social and legal definitions of vigilantism; identify the causes of vigilante attacks; identify the nature of vigilante attacks; map hotspots for vigilante attacks; and build accurate profiles of the communities where these attacks mostly occur.
- “The Commission recommends that the Cluster VISPOL Commander should, together with the VISPOL commanders at each of the three Khayelitsha police stations, develop a policing strategy to deal with vengeance attacks.”
- “The Commission recommends that the Cluster Detective Co-ordinator institute an intelligence-led approach to vengeance attacks and killings in Khayelitsha as a matter of urgency to determine whether there are groups engaged in vengeance killings or attacks on a regular basis.”

11. Vengeance killings and attacks (vigilantism) (cont.)



Partially Implemented

- The Commission recommends that the Provincial Commissioner instructs all instances of [vengeance](#) attacks and killings in Khayelitsha be recorded and reported at CCCF meetings and that the Cluster Commander report to the Provincial Commissioner and to the Monitoring Team. **This is done on the weekly CCCF and minutes are available.**
- The Commission recommends that the Provincial Commissioner requisition a study to consider the feasibility of the instant return of stolen goods to complainants rather than keeping them as exhibits.

Not implemented

- The Commission recommends that DOCS should convene a forum of school principals, churches and religious institutions, CPFs, non-governmental organisations, and community based organisations, including taxi associations, SANCO and Neighbourhood Watches, in Khayelitsha, SAPS managers from the three Khayelitsha police stations, as well as researchers to develop an integrated public education programme aimed at preventing vengeance attacks and killings.

12. A multi-sectoral task team on youth gangs to be established by DOCS



Implemented

- The youth forum was established by SAPS to address youth gangs in Khayelitsha. The purpose of this sub-forum is to identify interventions that could be used to reduce gang violence.
- It is chaired by SAPS and has been one of the better attended sub-forums, with participation by Community Organizations, the Department of Social Development; the Department of Correctional Services; the Department of Community Safety; and the University of Cape Town.

Not Yet Implemented

- “The Commission accordingly recommends that DOCS establish a task team bringing together key institutions who work with youth issues in Khayelitsha.”
- The Task Team needs to draw up a strategic plan to address the issue of youth gangs.

13. Provincial task team to survey community attitudes to unlicensed liquor outlets in order to assist policy formulation.



Implemented

- A sub forum for Alcohol Abuse and Liquor Regulation was established by SAPS.

Not Yet Implemented

- “The Commission recommends that DOCS establish a provincial task team to investigate policy options relating to unlicensed liquor outlets in Khayelitsha. The task team should commence by conducting research in Khayelitsha to determine the views of residents of Khayelitsha as to their views of unlicensed liquor outlets. The Commission suggests that the provincial task team should include the Provincial Commissioner or Deputy Provincial Commissioner, as well as the head of Metro Police, and the Western Cape Liquor Board. The Commission suggests that this research be completed within nine months of the Commission publishing its report.”

14. Domestic violence: various measures proposed



Recommendations implemented due to SAPS policies and regulations:

- “That management at both the three Khayelitsha police stations, and the Cluster, take steps to ensure that there is full compliance with the recording requirements of National Instruction 7/1999 at three police stations.”
- “Accurate recording of all reported cases of domestic violence as part of crime statistics in Khayelitsha, to be achieved by clearly marking all dockets involving cases of domestic violence on the cover;”
- “That all criminal dockets contain information about any Domestic Violence Act or Child Care Act interventions, including copies of any 508(a) forms,⁴⁵ as well as any previous history of domestic violence incidents, which should be taken in the initial A1 statement, or by a supplementary statement if necessary.”
- “That SAPS introduce procedures to remove service firearms from its members who have been served with protection orders or been involved in incidents of domestic violence.”

Additional measures implemented

- A sub forum for crimes against woman and children was established. It primarily focus on incidents of domestic violence.

14. Domestic violence: various measures proposed (cont.)



Not yet Implemented

- “That CPF members should also be provided with basic training on domestic violence legislation and procedures.”
- “That SAPS, in consultation with DOCS and the provincial secretariat, develop a policy around the victim-friendly rooms at police stations that will identify the skills and experience necessary for those who work in the rooms, as well as criteria for selection and training, and possible reimbursement.”
- “The establishment of an avenue for complaints by members of the public. The Commission notes that when the oversight of policing of the Domestic Violence Act was transferred from the ICD to the Civilian Secretariat, an avenue for complaint was lost, we recommend that DOCS as part of its constitutional mandate institute and advertise a Domestic Violence Act complaints mechanism at provincial level.”
- “That SAPS in Khayelitsha establish a relationship with a team of researchers to enable a five-year research project on domestic violence to be undertaken in Khayelitsha. The research methodology, including the research indicators and methods should be agreed with SAPS, including issues relating to confidentiality and access to information. The agreement could also provide for on-going training of SAPS members by researchers at the three Khayelitsha police stations, including the development of self-learning training tools.”

Partially Implemented

- “All SAPS members at the three police stations engaged in Visible Policing or detective work attend a Domestic Violence training course which should include training on the Domestic Violence Act, the National Instruction, investigation skills in relation to offences involving domestic violence, the service of protection orders and the treatment of vulnerable complainants.”



Status of recommendations by Commission

Policy (systems and design)

4. Urgent Change Management Process by Leadership



Recommendations implemented due to SAPS policies and regulations:

- “recommends that, as a matter of urgency, a change management process should be initiated to address the inefficiencies and the breakdown in trust. The Commission suggest that the process would commence with a facilitated strategy workshop where the strategic goals for a 3 – 5 year period would be identified. Thereafter, clear and measurable priorities should be identified, (such as a 33% improvement in the level of trust of SAPS in Khayelitsha) and an implementation plan needs to be developed to achieve the strategic goals.” **5 Year plan is in place by developing a strategic plan through the Joint Forum and an Annual Performance Plan at Station level based on OPUS.**

Not yet Implemented

- “recommends that external measures of police performance be used, particularly measures which indicate levels of community trust in SAPS.”

4. Urgent Change Management Process by Leadership (cont.)



Partially Implemented

- “recommends that SAPS ensures stability in the management team in Khayelitsha during the 3 – 5 year period.” **It was addressed whereby the posts for Cluster Commander, Station Commander for Harare, VISPOL – and Detective Commander for Harare and other management positions were filled. Other changes in management were also made.**

5. Urgent strategic review of Detective Services



Recommendations implemented due to SAPS policies and regulations:

- “In addition, the Commission recommends that the following systems be put in place to improve the quality of service delivery by the detective branches at the three Khayelitsha police stations and at the Khayelitsha FCS Unit”;
- “Ensure that all detectives at the three Khayelitsha police stations and the FCS Unit have completed both the 2-day basic detective training course and the 16-week Resolving of Crime course as a matter of priority”;
- “Review the systems utilised by the DCCOs at the Khayelitsha Magistrates’ Court to seek to avoid the recurrent problem of cases being withdrawn or struck off the roll because dockets are not brought to court; in particular, the Commission suggests (a) that a diary system be instituted by the DCCO in terms of which the DCCO records the dockets that have to be brought to court on each future date, and makes arrangements a week in advance to ensure that the dockets are brought to court, and (b) that consideration be given to give the DCCO access to the ECMS at the Court to enable the DCCO to identify cases on the roll far in advance”;
- “Establish a rule that feedback must be provided once a month by investigating officers to complainants or bereaved family members, and require all feedback to be recorded in the investigation diary, as well as pocket books, and monitored by supervising officers (including random spot-checks to determine whether feedback has actually taken place) and discipline detectives who fail to provide feedback”; and
- “Actively take steps to recruit informers, and train detectives on the recruitment and utilisation of informers – the Commission notes that it is of the view that SAPS is unlikely to improve the number of informers it recruits until levels of trust in SAPS increase”.

5. Urgent strategic review of Detective Services (cont.)



Not Implemented

- “Require all cases arising in respect of crimes that are reported as a result of police operations at the three Khayelitsha police stations be investigated by VISPOL members and also require VISPOL members to ensure that dockets, witnesses and forensic evidence are provided to the NPA in respect of these crimes.”
- “Increase the number of detectives, particularly at Harare and Khayelitsha Site B, by allocating an additional at least five experienced detectives to each of these two stations to alleviate current work pressure under section 12(3) of the SAPS Act”;
- “Appoint mentors for detectives with fewer than five years’ experience at all three Khayelitsha police stations and the Khayelitsha FCS Unit”; and
- “Ensure that all members of the Detective Branch at the three Khayelitsha police stations, and the FCS Unit, complete the 16-week Resolving of Crime detective training course”;
- “The Commission suggests that the research should commence with a survey of SAPS members to ascertain their views on the problem that SAPS finds it difficult to recruit members to the detective branch”;
- “The conditions of service and systems for recruitment of detectives also need to be considered, particularly, but not only, the question of payment for overtime”.
- “recommends that the proposal contained in Chapter 12 of the National Development Plan 2013 that a two tier stream of recruitment be considered, especially in relation to detectives. It recommends that the province draw this proposal to the attention of both the Minister of Police and the Civilian Secretariat”.

Partially Implemented

- “Establish, in addition, “backlog teams”, comprising experienced and competent detectives from elsewhere in the province, to be deployed at the three Khayelitsha police stations and the Khayelitsha FCS Unit to address the backlogs that have built up”.

A backlog team was established in the Cluster which resulted in the following decrease in cases under investigation:

STATION	2014-08-01	2015-09-30
Harare	2554	1260
Khayelitsha	1636	1301
Lingelethu West	682	431
Total decrease		1880

Additional measures implemented

- Project approved on murders and inquests – Cluster Inquest Team established
- Organized Crime Task team was established.
- Inexperienced detectives were changed with experienced detectives from other stations in the cluster to Harare, Khayelitsha and Lingelethu West Police stations.

6. PC to issue guidelines for Policing informal neighbourhoods



Not Implemented

- “The Commission recommends that the Provincial Commissioner publish guidelines within six months of the date of this report to regulate visible policing patrols in informal neighbourhoods. The guidelines need to identify the manner in which patrols of informal neighbourhoods should take place and ensure that they are undertaken routinely. The guidelines should include the manner in which local Neighbourhood Watch conduct patrols. Both formal and informal areas should be supported by SAPS which should include the requirement of briefing and debriefing by SAPS members of Neighbourhood Watch patrols, the provision of back-up support and a firm rule that the Neighbourhood Watches will not engage in unlawful conduct”. **Foot patrols are conducted by NHW with SAPS and street committees are strengthened .**

7. REVISION OF SAPS' SYSTEM FOR DETERMINING THE THEORETICAL HUMAN RESOURCE REQUIREMENT OF POLICE STATIONS, AND THE URGENT REALLOCATION OF HUMAN RESOURCES TO THE THREE KHAYELITSHA POLICE STATIONS



- The following additional allocations were made to the three Khayelitsha stations: (to be confirmed by DPC: HRM)

Police Station	Allocation SAPS Act - Now in training since Sept 2014	Allocation SAPS Act - New - Now in training since Jan 2015	Allocation SAPS Act - New - Need to be recruited for Sept 2015 intake
Khayelitsha	15	12	10
Harare	20	32	10
Lingelethu - West	5	11	8
Total	40	55	28

7. REVISION OF SAPS' SYSTEM FOR DETERMINING THE THEORETICAL HUMAN RESOURCE REQUIREMENT OF POLICE STATIONS, AND THE URGENT REALLOCATION OF HUMAN RESOURCES TO THE THREE KHAYELITSHA POLICE STATIONS (cont.)



Not yet Implemented

- “The Commission recommends that the Minister of Police request the National Commissioner of SAPS to appoint a task team to investigate the system of human resource allocation within SAPS as a matter of urgency”.
- “recommends that whatever mechanism is adopted by SAPS, that it be subject to oversight by the key oversight agencies, notably the Civilian Secretariat and, in relation to provincial resource allocations, the provincial governments”.
- “The Commission also recommends that the system for human resource allocation within SAPS be disclosed in the SAPS annual report to Parliament as well as to provincial legislatures...”
- “In the meantime, the Commission recommends that the Provincial Commissioner allocate additional uniformed police to the three Khayelitsha police stations, in terms of section 12(3) of the SAPS Act, to perform VISPOL functions, particularly to enable regular patrolling of informal settlements, in partnership with Neighbourhood Watches.”
- “also recommends that until the human resource allocations at the three Khayelitsha police stations have been corrected in line with the recommendations in this report, the Provincial Commissioner does not draw from those three police stations for the purposes of “duty arrangements”, and instructs any SAPS members attached to the fixed establishment of the three police stations and the FCS Unit currently deployed elsewhere to return to Khayelitsha, or to provide a replacement for them.”

7. REVISION OF SAPS' SYSTEM FOR DETERMINING THE THEORETICAL HUMAN RESOURCE REQUIREMENT OF POLICE STATIONS, AND THE URGENT REALLOCATION OF HUMAN RESOURCES TO THE THREE KHAYELITSHA POLICE STATIONS (cont.)



Not yet Implemented

- “It recommends that once the new allocation method is determined, it should be phased in over a period of time that should not exceed three years.”
- “The Commission also recommends that the Provincial Commissioner must ensure that the new Makhaza police station must result in an increase in policing capacity in Khayelitsha, and not simply a reallocation of existing police members stationed in Khayelitsha.”

9. Review of Human resource practices.



Recommendations implemented due to SAPS policies and regulations:

- **(b) PEP:** “The Commission accordingly recommends that the Cluster Commander undertake a training programme of both supervising officers, and members at the three police stations, in relation to the PEP to explain the reasons for the PEP, and the manner in which it should be implemented.”
- **(d) Accelerated processes for leadership appointment in Khayelitsha.** “The Commission recommends that the Provincial Commissioner issues an instruction to human management in the province that all senior posts in Khayelitsha will be filled within three months of their falling vacant. It was addressed whereby the posts for Cluster Commander, Station Commander for Harare, VISPOL – and Detective Commander for Harare and other management positions were filled. Other changes in management were also made.”
- **(e) Access to the Employee Health and Wellness Programme (EHW).** “The Commission recommends that SAPS takes steps to reassure members of SAPS in Khayelitsha that use of EHW is not harmful to their careers.”

9. Review of Human resource practices (cont.)



Not Yet Implemented

- **(a) SAPS members in Khayelitsha are able to speak isiXhosa:** “In the view of the Commission, this can be addressed in two ways: first, by providing all SAPS members who do not speak isiXhosa with language training, and secondly, by actively seeking to ensure that new members placed in Khayelitsha are able to speak isiXhosa.”
- **(c) Discipline of SAPS members:** “The Commission endorses the proposal mentioned by Lieutenant General Lamoer that the Cluster be responsible for discipline at the three Khayelitsha police stations to ensure that it is being fairly, constructively and consistently applied.”
- **(f) Recruitment.** “suggests that SAPS reconsider its decision to hold a “parade” of candidates for appointment as members of SAPS before the community. Instead, SAPS should identify key qualities that make for good SAPS members and seek to ensure that candidates have those qualities.”

10. Revision of the station performance chart.



Not yet Implemented

- “The Commission is of the view that the Station Performance Chart should be revised, at least in relation to the three Khayelitsha police stations, to include measurement of civilian satisfaction with SAPS in Khayelitsha.”
- “The Commission also considers that consideration should be given to reducing the weight given on the Station Performance Index to the reduction in crime, especially given the fact that SAPS cannot on its own reduce crime, which means that the Performance Chart is setting “an impossible mandate” for SAPS police stations, as several expert witnesses mentioned.”

19. Physical infrastructure at Police Stations and proposed new Makhaza Police Station.



Not yet implemented

- “The Commission records that the physical infrastructure of Lingeletu West needs to be addressed: it has poor parking facilities, no holding cells, no exhibit store, inadequate space for detectives, a temporary “park home” for the victim friendly room, and no space for holding “parades”. The Commission recommends that SAPS takes steps to improve the physical infrastructure of the Lingeletu West police station as a matter of urgency.”
- “The Commission also notes that both Khayelitsha Site B and Harare police stations are short of office space, as well as short of appropriate space for storing docket. The Commission recommends that SAPS prioritise providing additional buildings to these two police stations.”
- “The Commission welcomes SAPS’ proposal to build a new police station at Makhaza, but records that the human resources allocation to Makhaza should take into account the chronic under-staffing of Harare police station.”
- “The Commission recommends that when human resources are allocated to the new police station to be built at Makhaza, there should be a significant increase in human resources to the Greater Khayelitsha area.”
- “The Commission recommends that SAPS provide regular public statements about the development of the police station, so that the community are aware as to the date when the police station will be completed.”

20. Urgent need to address backlogs in National Chemical Laboratories



Not yet implemented

- “The record before the Commission indicates that there are substantial backlogs in the analysis of forensic samples, particularly at the National Chemical Laboratories in Cape Town. The Commission recognises that responsibility for the Laboratory rests with the national Department of Health, but considers that this problem is clearly undermining the capacity of SAPS to finalise its investigations in a significant number of dockets in Khayelitsha, and considers the problem should be drawn to the attention of the Premier, for her to take such steps as she considers appropriate.”



Status of [recommendations](#) by Commission

Community Oversight and monitoring

3. Monitoring and Oversight team to ensure inefficiencies are eradicated.



- **Recommendations implemented due to SAPS policies and regulations:**
 - ❑ ‘ensure that proper first- and second-level inspections are done regularly’;
 - ❑ ‘ensure that docket inspections are done routinely and thoroughly, and monitor the brought-forward system to ensure that it works effectively’;
 - ❑ ‘require reports of dockets not brought to court from the Cluster detective coordinator and ensure that such failures have been investigated and addressed, including ensuring that where matters are struck off the roll, arrangements have been made for them to be re-enrolled when investigations have been completed, and that appropriate disciplinary steps are taken against those responsible for any such failure;’
 - ❑ ‘monitor the performance of the three detective branches and FCS Unit in relation to the number of dockets opened, the number of dockets detected and court ready, as well as the ratio of new dockets each month to carried over dockets, and monitor that members who fail to comply with brought forward dates or do not comply with instructions of supervising officers or prosecutors without good reason are disciplined;’
 - ❑ ‘monitor the functioning of CPFs and Neighbourhood watches;’
 - ❑ ‘monitor the answering of station telephones’;

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



- **Recommendations implemented due to SAPS policies and regulations:**
 - ❑ “monitor the implementation of National Instruction 3/2013 in respect of sector policing, including ensuring that personnel are deployed in the sectors in accordance with crime threat analyses and crime pattern analyses prepared by the CIO”;
 - ❑ “require that sector profiles be revised to be in compliance with National Instruction 3/2013;”
 - ❑ “ensure that a skills audit of the members at the three Khayelitsha police stations and the FCS Unit is performed immediately and thereafter at regular intervals, and ensure that all members are provided with the necessary training, mentoring and/or support to perform their duties as a matter of urgency”;
 - ❑ “in particular, in light of Recommendation Five, ensure that all members of the Detective Branch at the three Khayelitsha police stations, and the FCS Unit, complete the 16-week Resolving of Crime detective training course”;
 - ❑ “in particular, in light of Recommendation Twelve, ensure that all members of VISPOL and the Detective branch at the three Khayelitsha police stations receive training on all aspects of the policing of domestic violence”;

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



- **Recommendations implemented due to SAPS policies and regulations:**
 - ❑ “ensure that an audit of leave and attendance registers is performed, including checking for abuse of sick leave”;
 - ❑ “ensure that National Instruction 3/2011 is followed when dockets are opened”;
 - ❑ “monitor SAPS 328s and station detention registers carefully and ensure that disciplinary steps are instituted promptly against any member who arrests a person without a reasonable suspicion that the person has committed a crime; and against any member who is responsible for any person being held in contravention of the 48-hour rule. Where a person is released from custody, the monitoring team shall check that the investigation of any pending charge against that person continues, if there are reasonable grounds to do so”
 - ❑ “monitor the practices relating to domestic violence and ensure compliance with the Domestic Violence Act”;
 - ❑ “ensure that members at the three police stations are provided with training on corruption, homophobia and xenophobia”;

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



- **Recommendations implemented due to SAPS policies and regulations:**
 - ❑ “collect and monitor crime statistics in respect of the three Khayelitsha police stations, and the FCS Unit, not only in relation to the twenty most serious crimes, but also in relation to crimes related to domestic violence, youth gangs, vigilantism, homophobic violence and xenophobic violence to enable adequate intelligence-led policing strategies to be developed to address these particular forms of crime (this will require a system of docket-marking to be developed to indicate whether the docket involves one of these types of crime)”;
 - ❑ “monitor the recruitment and use of informers at all three police stations”;
 - ❑ “monitor the institution of disciplinary proceedings against members of SAPS at the three police stations and the FCS Unit for failure to comply with instructions of senior officers or rules or regulations.

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



Additional measures implemented

- ❖ Joint forum and sub-forums are currently used as a measurement tool for monitoring purposes.
- ❖ Crime prevention operations are monitored against the most problematic blocks as identified through the Crime Pattern Analysis.
- ❖ Performance of the Detective Service is monitored against the cases sent to court versus reported. Monitoring is done weekly.
- ❖ Court ready cases and quality of investigations is monitored by attending Case flow meetings and analysing DCCO reports.
- ❖ The arresting of possible crime groups and wanted suspects are also monitored via OCTA process.

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



Not Yet Implemented

- “Accordingly, the Commission recommends that the Provincial Commissioner should immediately establish an oversight and monitoring team to ensure that the inefficiencies identified in this Report are urgently addressed. Members of the monitoring team should include –
 - The Provincial Commissioner or a Deputy Provincial Commissioner;
 - The head of the Provincial Inspectorate;
 - The Khayelitsha Cluster Commander;
 - The Khayelitsha Cluster Detective Co-ordinator;
 - The Khayelitsha Cluster Visible Policing Co-ordinator;
 - The Station Commanders of each of the three Khayelitsha police stations;
 - The head of the Khayelitsha FCS Unit;
 - A senior member of DOCS nominated by the head of DOCS; and
 - A civilian policing expert nominated jointly by the Provincial Secretariat and the Civilian Secretariat.”

3. Monitoring and Oversight team to ensure inefficiencies are eradicated (cont.)



Not yet Implemented

- “Ensure that annual life style audits are carried out in relation to all members to identify risks of corruption”;
- “Monitor the construction and equipping of the new Makhaza police station”;
- “Consider whether further sectors should be added to the Harare police station in the light of the progress on the building of the Makhaza police station”.

Partially Implemented

- “Monitor crime scene management at all three Khayelitsha police stations, and ensure that the three police stations are equipped with a small generator and halogen lamps for lighting crime scenes at night; and that each patrol vehicle is equipped with a basic crime scene kit, including barrier tape, protective clothing, shoe covers and gloves; that investigating officers remain on the scene wherever possible until the forensic pathologist officer arrives; that all VISPOL members and detectives are trained on crime scene management; and ensure a reliable chain of evidence management in respect of forensic samples and other physical evidence.”

16. Handling of complaints by Police stations in Khayelitsha, Nodal point and IPID.



Recommendations implemented due to SAPS policies and regulations:

- “The Commission considers that complaints need to be dealt with in a manner that is fair, thorough and objective and is also perceived to be fair, thorough and objective.” Complaints in this Cluster are dealt with in line with Standing order 101 and the SOP for complaints against the SAPS.
- This SOP attempts to ensure that complaints are dealt with in a manner that is fair, thorough and objective.

16. Handling of complaints by Police stations in Khayelitsha, Nodal point and IPID (cont.)



Not Implemented

- “The Commission recommends that consideration be given to the revision of Standing Order 101 (General) to provide that complaints be investigated at cluster level, rather than station or unit level.”
- “That the outcome of all complaints against SAPS members operating in Khayelitsha be referred to the monitoring team referred to in recommendation three.”
- “Endorses the principle that an electronic register of all complaints be kept at the SAPS nodal point and that the register should include a brief description of the nature of the complaint.”
- “The Commission recommends that the attention of the Civilian Secretariat and the Executive Director of IPID be drawn to the fact that IPID in the Western Cape receives the highest number of complaints nationally, and that it has the lowest completion rate of any province this and they be requested to investigate this matter and report on it to the Minister of Police.”
- “The Commission also notes that a very high proportion of IPID investigators are drawn from SAPS. Although this means that the investigators understand how SAPS works, the Commission recommends that it would be appropriate, given the SAPS culture of commitment to internal solidarity, to ensure that at least some of the IPID investigators in the Western Cape be drawn from forensic investigators who do not have a SAPS background.”

Not Implemented

- “The Commission recommends that the Civilian Secretariat, both at national level, and at provincial level, takes an active role in monitoring the work of the three Khayelitsha police stations and the FCS Unit.”
- “The Commission recommends that the Minister of Police takes care to ensure that the Civilian Secretariat is resourced adequately to enable it to perform its functions.”
- “The Commission recommends that SAPS and DOCS enter into a memorandum of agreement as a matter of urgency and preferably by no later than 15 October 2014.”



Status of recommendations by Commission

Other

15. Strategic task team on use of information technology and related matters.



Recommendations implemented due to SAPS policies and regulations:

- “A system to ensure that members of the public can reliably contact SAPS units in Khayelitsha, either on telephones at the three police stations, or on the 10111 number.”
- “Development of a [map](#) of the informal neighbourhoods of Khayelitsha, possibly in collaboration with an internet mapping service provider and the City, which identifies the location of numbered houses using global positioning technology.” **The map was updated with the assistance of VPUU and copies provided to SAPS but not yet updated on the GIS as requested to TMS.**

15. Strategic task team on use of information technology and related matters (cont.)



Not yet implemented

- “Attestation of documents at police stations in Khayelitsha– possibly creating mobile units at SASSA offices, and the Department of Home Affairs to assist people approaching those agencies.”
- “Investigating the possibility of establishing a relationship with Mobile Network Operators for the provision of information concerning cell phone numbers of witnesses, complainants and alleged perpetrators in Khayelitsha (and perhaps more broadly) this is not constitutional;”
- “Investigate and report on the feasibility of establishing an integrated case flow management system in the Western Cape whereby SAPS, the NPA, the National Forensic Laboratories, the National Chemical Laboratories and the National Science Laboratory can exchange reports and information electronically, with the use of electronic signatures.”

18. Use of CCTV Cameras.



Partially implemented

- CCTV cameras are optimally utilized to identify criminal groupings and individual suspects.

Not implemented

- “A meeting should immediately be convened between the City, Metro Police and the Station Commanders and Branch Commanders of the three Khayelitsha police stations to discuss the best way of using the [CCTV cameras](#) placed in Khayelitsha. Consideration should also be given to re-locating the cameras for maximum effect; replacing the cameras with ones that will not be disabled by cable theft; and increasing the number of cameras, particularly in transport hubs and near schools.”



20

YEARS OF POLICING IN A DEMOCRACY

Thank you