

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 9 MARCH 2017

COMMITTEE REPORTS

1. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON THE SOUTH AFRICAN POLICE SERVICE WESTERN CAPE'S ANNUAL REPORT 2015/2016 AND THE CAPE TOWN METROPOLITAN POLICE DEPARTMENT'S 2016/17 ANNUAL POLICE PLAN DATED 16 NOVEMBER 2016

The Standing Committee on Community Safety, having considered the Annual Report of the South African Police Service Western Cape's Annual Report 2015/16 and the Cape Town Metropolitan Police Department's 2017 Annual Police Plan referred to it, reports as follows:

1. Introduction

Annual Reports are key instruments for stakeholders to report on performance, measured against performance targets and budgets as outlined in the Strategic Plans and Annual Performance Plans of the stakeholders.

As part of its oversight function, the Standing Committee on Community Safety considered the Annual Report of the South African Police Service specific to the Western Cape and the Annual Police Plan of the Cape Town Metropolitan Police Department for 2016/17 on 16 November 2016.

The Committee Report highlights the Committee's findings and recommendations relating to the performance of the above mentioned stakeholders during the year of review.

2. Discussion on the South African Police Service's (SAPS) Annual Report 2016/17

2.1 Findings

2.1.1 Lt Gen Jula stated that the SAPS' turnaround strategy is embedded in its *Back to Basics* methodology which in part, looks to establish sustainable partnerships with various role players as part of an integrated approach.

- 2.1.2 In order to improve service delivery and community-police relations, SAPS is rolling out a *Customer is King* approach by targeting areas where the organisation is perceived negatively.
- 2.1.3 Lt Gen Jula attributed the increased awareness campaigns including sensitising members to the police safety plan, how to interact with communities and dealing with crime scenes, as a key factor to the fact that no police officers were killed during the financial year under review.
- 2.1.4 The Provincial Head: Legal Services and the Deputy Provincial Commissioner: Crime Detection posts have been filled, the former following a promotion from acting to a permanent position.
- 2.1.5 With regards to the reduction of flying squad police officers by 55% since 2011, the SAPS reported that the actual total is 179 and not 90 and should be 136 members according to the fixed establishment.
- 2.1.6 Accidental shootings, self-defence and a number of unknown motives accounted for approximately 40% of the causes leading to murder during 2015/2016.
- 2.1.7 A Youth Summit was held during the year under review, there has been a larger focus on the approach towards youth awareness in relation to crime.
- 2.1.8 In terms of clamping down on the illegal use of police uniforms, the SAPS reported that there have been arrests as well as arrests of its members.
- 2.1.9 Statistics of arrests following joint operations with the Cape Town Metropolitan Police Department are not recorded separately.
- 2.1.10 The SAPS reported 100% expenditure across all its programmes with 78% of its indicators achieved.
- 2.1.11 There is no specific budget for the Detective Unit.
- 2.1.12 Despite the shortage of detectives and the loss of experienced personnel, there is a proposal to recruit from the student intake.
- 2.1.13 Domestic Violence Compliance visits were affected by the level of intervention per station and the duration spent at the station to ensure that they are in compliance with the Domestic Violence Act (Act 116 of 1998).
- 2.1.14 There are temporary holding cells whilst papers are processed to assist police stations that are not equipped with holding cells.

3. Discussion on the Cape Town Metropolitan Police Department's (CTMPD) Annual Police Plan 2016/17

3.1 Findings

- 3.1.1 The age groups for the Cadet Programme are from 16 to 19 years old.
- 3.1.2 The 85 Cadets are used as role models and ambassadors to other youth.
- 3.1.3 There were five arrests for human trafficking.
- 3.1.4 The process for rolling out of Closed Circuit Television (CCTV) cameras is based on statistics, hotspots and consultation with relevant councillors.
- 3.1.5 The assessment and repair of CCTV cameras takes time and the length of repair time depends on the nature of the damage.
- 3.1.6 The CTMPD has designated staff to interact with the Department of Social Development for domestic violence cases.
- 3.1.7 The CTMPD sees to the financial costs for cadets' learner and driver licences.

4. Information requested

The Committee REQUESTED the following from the South African Police Service Western Cape:

- 1) A copy of the South African Police Service Western Cape's Compensation of Employment budget for 2015/16.
- 2) The South African Police Service Western Cape's budget breakdown of the transport costs transporting arrested persons between stations that have no cells to those that do have cells for the 2015/16 financial year.
- 3) The Committee REQUESTED from the Cape Town Metropolitan Police Department on whether recruitment of law enforcement vacancies as advertised has been completed and if so, what are the relevant details.

5. Recommendation

The Committee recommended that the Minister of Community Safety raises, at the next MINMEC meeting, the issue of alternate dispute resolution, which is not included in SAPS target reviews as convictions and therefore skew performance indicators. This manner of measurement, to not contemplate alternate dispute resolution, should be reviewed.

2. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON THE WESTERN CAPE POLICE OMBUDSMAN'S ANNUAL REPORT 2015/16

The Standing Committee on Community Safety, having considered the Annual Report of the Western Cape Police Ombudsman referred to it for the year ended 31 March 2016, reports as follows:

Introduction

Annual Reports are key instruments for the stakeholders to report on performance measured against performance targets and budgets as outlined in the Strategic Plans and Annual Performance Plans of the stakeholders.

As part of its oversight function, the Standing Committee on Community Safety considered the Annual Report of the Western Cape Police Ombudsman 2015/16 on 23 November 2016. This is the first Annual Report of the Police Ombudsman, which is a new entity established in terms of the Western Cape Community Safety Act 3 of 2013.

The Committee Report highlights the Committee's findings related to the performance of the above mentioned stakeholder during the year of review.

1. Key points emanating from the discussion on the WCPO's Annual Report 2015/16

- 1.1 The WCPO received complaints that certain South African Police Service (SAPS) members are not implementing the Domestic Violence Act (Act 116 of 1998) correctly.
- 1.2 The SAPS needs to ensure that its members receive better training to implement the Act.
- 1.3 There seems to be a lack of empathy shown by certain SAPS members when dealing with domestic violence cases.
- 1.4 The withdrawal of protection orders following domestic violence cases is a common occurrence largely due to the socio-economic conditions of the abused persons. These victims are often financially dependent on the very perpetrators of the abuse.

- 1.5 There is a need for an integrated approach to assist the SAPS, where the Department of Social Development can assist in cases where abused women, for example, are taken care of after reporting abuse to avoid withdrawal of cases.
- 1.6 The SAPS commonly refer domestic violence cases to the Department of Social Development due to the fact that these acts occur in the home, thus making policing difficult. In this regard there should be better education about domestic violence related matters especially since abuse in the home does not only refer to physical abuse, but also emotional and financial.
- 1.7 The mishandling of reported domestic violence is considered secondary victimisation.
- 1.8 There needs to be stronger leadership taking a stance against domestic violence at police station level.
- 1.9 The current process that SAPS follows that leads to pauper burials is concerning as it potentially causes emotional stress and anguish for relevant families.
- 1.10 The WCPO inherited an organisational structure that does not include a research analyst or a personal assistant.
- 1.11 The current organisational structure is far from ideal given that the WCPO's office operates on a skeleton staff structure.
- 1.12 Initially there was only one senior investigator with another being seconded. However, since the dismissal of the senior investigator due to disciplinary reasons, the seconded post has fallen away and the initial seconded senior investigator has assumed the role of the funded senior investigator post. The end result is that the WCPO's office operates with only one senior investigator.
- 1.13 The Deputy Director of Communication position is a seconded post.
- 1.14 Interns have been used to assist the Deputy Director of Communication. The Deputy Director is occasionally assisted by investigators.
- 1.15 Breakdowns in the relations between SAPS and communities emanate from the lack of public confidence in police efficiency. Vigilantism is a consequence from such breakdowns as the public are less likely to report crime.
- 1.16 The WCPO has visited all 16 Clusters to promote its services.
- 1.17 A complaints feedback mechanism was initiated in April 2016.
- 1.18 After initial struggles, the WCPO has good cooperation from the SAPS especially since the promulgation of regulations of the Western Cape Community Safety Act, 2013.
- 1.19 The WCPO has received several requests by Community Police Forums and other organisations to present its services to these organisations.
- 1.20 Adv Pikoli reported that the Cost of Employment and skeleton staff are the WCPO's key constraints.
- 1.21 There was a 17% underspend of the budget.
- 1.22 The WCPO's office is currently developing a new website that is expected to be launched towards mid December 2016. This website will allow for online complaints to be submitted.