

**LIABILITY INVESTIGATION -
LOSS / THEFT OF FIRE-ARM**

1. Particulars of the Officer charged with the liability investigation :

PERSAL NO :
RANK : CAPTAIN
NAME :
STATION : KHAYELITSHA
TEL NR : 021 - 360 4831

2. Particulars of loss / damage :

2.1 Place where loss or damaged state property is accounted for:
(Station Area Unit etc)

Khayelitsha

2.2 Name of accounting office (state property account) where property is accounted for:

Khayelitsha

2.3 Date on which the loss / damage occurred was recovered, or reported:

OCCURRED /RECOVERED : 2012-06-03
REPORTED : 2012-06-03

2.4 Address where loss / damage occurred:

No.

Lingeletu-West

2.5 Particulars of loss / damage state property:

DESCRIPTION	ICN NUMBER	SERIAL NUMBER - IF APPLICABLE	TOTAL	CONDITION BEFORE LOSS
9mm Short Beretta Pistol	1005T05023191	PX0905E	R5 639-32	Good Working Condition
Magazine Pistol Z88 Beretta	1005T05023195		R187-84	Good
Round Ball 9 x 10 mm Parabellum	1305184436303		R30-21	Good

3. Particulars of criminal investigation :

STATION : Lingelethu-West
CAS : 49/06/2012
OFFENCE : Common Robbery
STATUS OR OUTCOME OF INVESTIGATION : I/O Const

STATION : Lingelethu-West
CAS : 51/06/2012
OFFENCE : Possession of Fire-Arm without License
STATUS OR OUTCOME OF INVESTIGATION : I/O Const

4. Short description concerning the circumstances under which the loss allegedly took place, (see also par. 9) :

On 2012-06-03 at about 04:10 No. Const of Khayelitsha SAPS was off duty and sleeping at his residence at Block Lingelethu-West. The member heard a noise outside and took his fire-arm from the safe to protect himself. His girlfriend barged into his house and the two quarreled. Member managed to get her outside and to her vehicle so that she could leave. While the member was struggling with his girlfriend his neighbor Mr took his fire-arm from his holster and refused to give it back and fled with the fire-arm. The member later managed to recover his fire-arm from the neighbor after he had called for assistance from the TR1 Unit.

5. Particulars of official who should have cared / was responsible for the state property

PERSAL NO :
RANK : Constable
NAME :
STATION : Khayelitsha
COMPONENT : TRT

6. Particulars of commander / delegated official responsible for supervising and control of state property during the loss :

PERSAL NO :
RANK : Captain
NAME :
STATION : Khayelitsha
COMPONENT : TRT

7. Duty sheets must be attached (duty sheets must be listed):
The member was not on duty at the time of the incident.

8. Standing Instructions applicable on the state property involved :

<u>Description</u>	<u>Instruction reference</u>	<u>Annexure</u>
Section 84 Fire-Arm Control Act	Act No. 60 of 2000	

9. Finding of the officer/official how the loss / damage occurred with reference to the instructions which were not complied with, together with documentary proof of his finding (continue on annexure if the space is insufficient): (Instructions and exhibits must be attached as annexures in alphabetical order.)

The member was off duty at the time of the incident.

The member had been sleeping at his residence when he heard a noise outside and had taken his official fire-arm from the safe in order to protect himself. His girlfriend had then forcefully gained entry into his residence and an argument (domestic quarrel) had taken place. The member struggled to get his girlfriend outside so that she could leave and go home. During this struggle his neighbor (suspect in Lingelethu-West CAS 2012 took his fire-arm from the holster and fled with it. After enquiries and investigation the member managed to recover the fire-arm with its magazine but without any ammunition. Two case dockets were registered regarding this incident. Both cases are still being investigated.

There was no instructions which member had not complied with neither did he contravene any section of the Fire-Arm Control Act.

10. General tendencies concerning short comings identified during the investigation :

No short comings were experienced.

11. Recommendation regarding liability :

The member was disarmed by his neighbor while he was struggling with his girlfriend who had thought that he was being unfaithful to her.

The neighbor (suspect) had fled with the fire-arm with a magazine and rounds in it. The fire-arm was fortunately recovered after the member had requested assistance from his other TRT colleagues.

The only loss suffered by the State regarding this incident is the ammunition.

The member however is not responsible / liable for this loss which will be recovered from the suspect Mr

12. Recommendation regarding disciplinary steps :

No Discipline steps should be instituted against the member.

13. Find hereby copies of the following documents relating to this incident:

- 13.1 Statement of Const
- 13.2 Case Docket: Lingelethu-West CAS 2012
- 13.3 Case Docket: Lingelethu-West CAS 2012
- 13.4 Job Card from Western Cape Armourer
- 13.5 Report No R
- 13.6 CAS Printout regarding Case Docket CAS 2012
- 13.7 CAS Printout regarding Case Docket CAS 2012
- 13.8 S6.8 Polfin Report

PLACE : KHAYELITSHA

CAPTAIN

DATE : 2013-07-22

Comments by the area head

The content of the report was perused and I am satisfied / not satisfied that the investigation is complete. The following steps will be implemented to prevent a recurrence of this type of loss and / or will be done concerning aspects that are still outstanding.

PLACE : _____

SIGNATURE

DATE : _____

**24-HOUR REPORT : COLLISIONS/DAMAGES THEFT
RISK MANAGEMENT : WESTERN CAPE PROVINCE**

Name of Station/Unit: KHAYELITSHA

Station/Unit Reference: 19/5/2/1

Report Compiled by:

No: _____
Rank: _____
Name: _____

Contact Particulars

Tel: 021 360 4832
Fax: 021 360 2309

Vehicle	Bullet Proof		Vandalism/ Damages: Building	Hand radio Serial number		Firearm Serial number 44001944 PX0905E	Cell phone number serial number		Financial Losses (Penalty, money, etc.)	Other (Maglite, hand cuffs, computer)
	Collision Damages	Theft		Theft	Loss		Theft	Loss		

CONST

Particulars of driver of SAPS vehicle

Particulars & contact details of private party responsible for the collision/ Damages / theft

Name: _____ ID: _____
Contact details: _____
Cell: _____ Tel No: _____ Fax No: _____

Date of incident: 2012-06-03

Time of incident: 04:10

OB ENTRY

Case Number & Charges

LINGELETHU WEST CAS 2012

Official involved (If more than one person involved please provide particulars)

COMPONENT (Example: CID, VISPOL/ SUPPORT SERVICES)

TRT

Complete address where incident occurred:

LINGELETHU WEST

INCIDENT NUMBER

05171164

Comprehensive description as to how theft/loss/damages occurred

ON 2012-06-03 MEMBER JUST HEAD A NOISE OUTSIDE HIS HOUSE WHILE SLEEPING, THEN WENT TO UNLOCK HIS SAFE AND TOOK HIS FIREARM. WHEN HIS DOOR WAS HIT AND OPENED BY HIS GIRLFRIEND WHILE TRYING TO CALM HER GIRLFRIEND DOWN HIS NEIGHBOUR TOOK THE FIRE ARM FROM THE MEMBER'S HOLSTER AND RUN WITH IT. THE MEMBER WENT TO LOOK FOR THE NEIGHBOUR AND COULD NOT FIND HIM.

Were departmental steps imposed?

NO YES X

If yes, which steps? / If no, why not?

THE MATTER IS UNDER THE INVESTIGATION.