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Khayelitsha Cluster

From: [REDACTED]
Sent: 02 December 2011 16:06
To: [REDACTED]@gmail.com]
Subject: Khayelitsha Cluster
Re: SAPS MEETING WITH NGO / CPF CHAIRPERSON ON 2011-12-06 @ 11:00

Good day

Our telephone conversation of this afternoon refers. Please provide us with an agenda for the proposed meeting between the SAPS Khayelitsha Cluster Commander and our organisations. We need more information about what SAPS wants to discuss with us. Given the short notice and insufficient details about the nature of the meeting we will unfortunately not be able to meet this coming Tuesday.

I look forward to hearing from you.

Kind regards

[REDACTED]
Policy, Communication & Research Department
Social Justice Coalition
[REDACTED]

On Fri, Dec 2, 2011 at 2:13 PM, Khayelitsha Cluster <khayelitsha.cluster@saps.gov.za> wrote:

ENQUIRIES: COL [REDACTED]

021 360 4841

ATTENTION: NGO / CPF CHAIRPERSON

Kindly be advised that there will be a SAPS meeting with NGO's and CPF Chairperson at Khayelitsha Lecture Room on 2011-12-06 @ 11:00

Kind Regards

Major-General [REDACTED]

KHAYELITSHA CLUSTER COMMANDER

As was decided in our previous meeting, Free Gender has drafted a proposal for collaboration with SAPS. The overall goal of this collaboration is to eliminate homophobia within the police force. Free Gender feels that homophobia in the police force is an extremely pressing problem. We base this on the interactions of our members with the police, as well as several cases we have followed through the judicial system. Not only do experiences of homophobia violate the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people in the community, but do long-term damage to the relationship between the community and the police.

In order to reduce crime all community members must be comfortable reporting crime. This will only happen if every citizen is confident that his or her report will be taken seriously, that he or she will be treated with respect, and that the police station is a place of non-discrimination. As we know, without immediate reporting of crime, vital evidence cannot be collected and suspects cannot be apprehended. When poor evidence is all that is available to prosecutors, cases are dismissed or accused are found innocent. Accurate reporting of crime is also fundamental in the communities of Khayelitsha, Nyanga and Gugulethu because of their recent identification as some of the few zones across all of South Africa where violent crime is not declining.

Free Gender therefore proposes the following collaboration with police:

- Creation of a 'Task Team' at the local level to include Khayelitsha, Nyanga and Gugulethu to ensure ongoing dialogue between the LGBTI community and the police force. The Task Team would include participation of organizations from civil society working on issues of gender based violence. The Team could collaborate with existing structures in the police force, such as the Women's Network.
- Quarterly workshops and/or discussions with officers 'on the ground.' Free Gender would like to prioritize work with the officers who we are most likely to encounter in police stations. These discussions would aim at improving the attitude of the police towards LGBTI persons. We insist that police officers become better informed about issues of hate crime, and take seriously reports of assaults, including verbal assaults, by LGBTI people.
- Access to victim rooms. Free Gender wants to make sure that LGBTI victims of crime have access to material that speaks specifically to their needs upon arrival to police stations.
- Display of the 'Pledge to Eradicate Hate Crimes Against Lesbians' in all police stations in Khayelitsha, Nyanga and Gugulethu to remind police officers and the general public of SAPS commitment to ending discrimination and violence based on sexual orientation.
- Examination of existing police training materials related to non-discrimination. Training materials must include issues of gender and sexuality. If the materials were found lacking, we would suggest workshopping training material with LGBTI organizations.
- Improved access to information by victims. Police work with NPA to give us reports about the cases.
- Creation of an environment in SAPS that allows LGBTI officers to feel comfortable with their sexuality. Free Gender believes that LGBTI role

models within the police force are very important to improving the relationship between the police and the LGBTI community.

- Participation by SAPS in Cape Town Pride to demonstrate their commitment to eliminating homophobia and establishing a positive relationship with the LGBTI community.

Free Gender looks forward to hearing feedback from SAPS on this proposal.

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G.P.S. 002-0772

SAP 21

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Verw. / Ref.	
Navrae / Enq.	Colonel [REDACTED]
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OFFICE OF THE CLUSTER COMMANDER
KHAYELITSHA CLUSTER
WESTERN CAPE

2011.02.06

The Provincial Commissioner
South African Police Service: Western Cape
Private Bag X 9004
CAPE TOWN
8000

**COMPLAINT IN TERMS OF SECTION 206 (5) (a) OF THE CONSTITUTION OF THE
REPUBLIC OF SOUTH AFRICA AND SECTION 66(2) OF THE CONSTITUTION OF THE
WESTERN CAPE: SOCIAL JUSTICE COALITION AND OTHERS**

1. This office was requested to comment on the above mentioned complaint in which the Provincial Commissioner, S A Police Service, Western Cape is one of five-respondents.
2. Comment herewith, as follows:
 - 2.1 This Cluster office, Khayelitsha was made aware of the existence of the complaint and the subsequent request for the establishment of a commission of inquiry in December 2011.
 - 2.2 Pursuant to this steps were taken to engage the applicants in an attempt to identify the exact nature of the complaints, as well as to agree to an interim solution to the alleged problems that exist.
 - 2.3 In furtherance of this objective an invitation was extended on 2011-12-02 to the applicants to attend a meeting at Khayelitsha Cluster on 2011-12-06 so that the allegations contained in the report could be made more specific, as it is difficult if not impossible for the S A Police Service to comment on or defend itself against the vaguely framed points in the complaint. It would have been particularly useful if specific cases in which problems were experienced could be singled out, or certain problematic individuals or instances be identified, or a specific time period or geographical area of the greater Khayelitsha area be identified. As it stands, the complaint is loosely worded, without mention of specific cases or dates, times, places or complainants.
(Attached copies of invitation as per annexure A)

MVP [Signature]

[Signature]

- 2.4 Not one of the applicants attended the envisaged meeting and as a result the points were never discussed. Although the Provincial Chairperson of the Community Policing Forum and the Provincial Head: Legal Services, Brigadier [redacted] were in attendance, as were representatives of this office, Major General [redacted] Brigadier [redacted] and Colonel [redacted] it did not take the process forward at all since nobody in attendance had an inkling of what the complaints actually entailed.
- 2.5 The Community Policing Forum chairman (Provincial) confirmed that they, as the official channel between the community at large and the S A Police, were uninvolved in the compilation of the complaint and unaware of the exact and specific nature of it.
- 2.6 As things stand at the moment this office, and indeed the organization as a whole, find themselves unable to defend itself against the vague and generally framed allegations contained in the report. Moreover, the report appears to be inconsistent with itself, for example in paragraph 55 it is stated that "crimes such as burglaries, theft and robberies are rife and are often not reported to the police because they do not receive the necessary attention." This is an interesting example of circular logic, as it stands to reason that unreported crime will not receive police attention, for the simple fact that it is UNREPORTED. In Paragraph 59, however, the drastic increase in reported crime is highlighted, and is cited as proof of the "breakdown of policing in Khayelitsha". The applicants therefore appear to rely on conflicting and irreconcilable points of view to support their contention that policing has broken down.
- 2.7 In the absence of specific reference to cases this office finds itself unable to meaningfully comment on the complaint. Given the absence of a time frame in which these alleged problems were experienced, it is also uncertain whether the current management structures at Khayelitsha SAPS and Cluster are the ones responsible for the perceived problems. It is important to know whether it is alleged that the current management or its predecessors were the cause of the problems, not only for this office to meaningfully comment on the allegations but also for the intended commission of inquiry to be able to adequately assess and investigate the state of affairs both 'before' the problems appeared; and 'after' new management came into effect.

COLONEL
 DETECTIVE COORDINATOR: KHAYELITSHA CLUSTER
 [redacted]

AWI

MVP MC
 [Handwritten signature]

