

12 / 09 / 09

COMMISSION OF ENQUIRY INTO ALLEGATIONS OF POLICE
INEFFICIENCY IN KHAYELITSHA AND A BREAKDOWN IN RELATIONS
BETWEEN THE COMMUNITY AND THE POLICE IN KHAYELITSHA

AFFIDAVIT

I, the undersigned,

N.S.M.

~~_____~~

do hereby make oath and say:

1. I am a 38-yr old self-employed female of ~~_____~~
Khayelitsha, telephone number _____, born on ~~_____~~
2. The content of this affidavit is true and correct and (except where I say that I heard it from elsewhere) within my knowledge.
3. I understand that this affidavit may be shown to any person referred to in this affidavit if I say things against them.
4. If called upon to do so I am willing to give evidence to the Commission once its hearings commence.

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5. I understand that the Commission is not itself going to investigate or solve crimes. It may refer evidence of wrongdoing to an appropriate agency, which may include the South African Police Services.

6. Incident of 13 September 2012

6.1. I have a stand next to the [redacted] Khayelitsha, where I sell chips and sweets and such things.

6.2. At about seven or eight in the evening while I was at church I received a phone call from my brother-in-law who works at the [redacted], S [redacted]. A lady who works at the [redacted] who I know as [redacted] had told him to call me because she had seen eight men standing at my stand. I came back immediately from church to check my stand.

6.3. When I got to the stand I saw that the roll-down gate was down. When I looked more carefully I saw that my lock had been removed and another one put on it to make it look as though the gate was down and locked.

6.4. I opened the gate and found four men inside. They told me to stay quiet. I told them I could not, as it was my stand and stepped back to run away, across the square.

6.5. I do not know who phoned the police, but I think it was the manager of the [redacted] who I know only as MK. Very shortly

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thereafter I received another call from my brother-in-law and I went back to the stand. The four men were still there. I saw them come out of my stand and head down the road at the side of the library which is on the square.

- 6.6. I told the manager that they had gone, and borrowed two locks from the manager to lock my stand properly.
- 6.7. By that stage the police had arrived. They came with a van. I can't remember how many police came, though I noticed one coloured man, who was either a policeman or a security guard. I noticed two coloured policemen and one black policeman. I spoke to the black policeman, who told me that I must check what happened to his stand. The coloured man asked me what I had noticed. I told him that I was shocked and did not have a good idea of what the men looked like except that they were large men.
- 6.8. Nothing was stolen from my stand, though the locks were gone. In my stand was a sport bag, perhaps 75cm long, and a black plastic bag. I saw a large angle grinder and what I think was a large drill to drill through the wall that my stand shares with the [redacted]. The police took all of this away.
- 6.9. I suspect that the men intended waiting until it was dark and the [redacted] was closed, drilling through the wall from my stand, and stealing from the [redacted]. They may also have wanted to steal

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from me at the same time.

- 6.10. I have not gone to the police to ask them what progress they have made in the case. I have been told that MK has gone to the police station to inspect the tools.
- 6.11. Since the 13th (now two weeks) I have heard nothing from the police. No-one has come back to take a statement.

A large blacked-out rectangular area, likely redacting a signature or name.

I hereby certify that the Deponent has acknowledged to me that she knows and understands the contents of this declaration, has no objection to taking the prescribed oath and considers the prescribed oath to be binding on her conscience and that he uttered the following words "I swear that the contents of this declaration are true, so help me God". I certify further that the provisions of Regulation 1258 of 21 July 1972 (as amended) have been complied with.

SIGNED and SWORN to before me at KHAYELITSHA this 28TH day of SEPTEMBER 2012.

Before me

A handwritten signature in cursive script, appearing to read "Adam Arend Brink", written over a horizontal line.

ADAM AREND BRINK
Admitted Advocate
7TH Floor Huguenot Chambers,
40 Queen Victoria Street, Cape Town