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Government

Community Safety

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ENQUIRIES: CW Butler

POLICE OVERSIGHT

AUDIT REPORT¹

2012/13



KHAYELITSHA

SAPS STATION

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ABBREVIATIONS

CJA	:	Child Justice Act, Act No. 75 of 2008
CJS	:	Criminal Justice Stakeholders
CPF	:	Community Police Forum
CSC	:	Community Service Centre
EPP	:	Community Safety Expanded Partnership Programme
DoCS	:	Department of Community Safety
DoJ	:	Department of Justice
DVA	:	Domestic Violence Act, Act No. 116 of 1998
FCA	:	Firearms Control Act, Act No. 60 of 2000 as amended
LEA	:	Law Enforcement Agencies
NHW	:	Neighbourhood Watch
RAG	:	Resource Allocation Guide
SAP 15	:	Duty/shift Roster
SAP 508	:	Register to record all non-complying members on DVA regulations and instructions
SAP 508a	:	Report of domestic violence incidence
SAP 508b	:	Register to record all domestic violence incidences
SAPS	:	South African Police Service
SCCF	:	Station Crime Combating Forum
SOA	:	Criminal Law (Sexual Offences and Related Matters) Amendment Act, Act No. 32 of 2007
VFR	:	Victim Friendly Room
VISPOL	:	Visible Policing
WCG	:	Western Cape Government

1. EXECUTIVE SUMMARY

The evaluation of South African Police Service (SAPS) Station at Khayelitsha was done in compliance with the Constitutional mandate of the Western Cape Government (WCG). The following is a summary of the main oversight findings.

Poor building infrastructure is of concern as the poor quality is mainly at the new building, value for money is questionable. The dirty toilets pose a hygienic threat to the people using these toilets.

The station still utilises container for office use, this poses a question in the planning of extending the station to build a new section, which still does not accommodate all members at the station.

The CSC has two (2) cubicles for statement taking, which is inadequate for the station which is responsible for such enormous area.

The low number of members, who attended the (Domestic Violence Act, Sexual Offences Act, Victim Empowerment, Child Justice Act, Firearm Control Act) is of concern. Regular formal training call-ups need to be arranged for members.

It was said that at times some of the facts on the statement are not captured the way the complainant has reported it, due to language barrier resulting the complaint losing context of what has been said by the complainant.

According to the Resource Allocation Guide (RAG) the station is granted a total of three hundred and seven (307) members, but the actual number of personnel at the station is two hundred and eighty five (285) which translates to a shortfall of 22 members.

1.1 INTRODUCTION

In giving effect to the provisions of section 206 of the Constitution, the Department of Community Safety (DoCS) has to visit police stations on a regular basis to conduct oversight over such stations and to report on their findings. This task is performed in a manner which is aligned with the evaluation format and procedures prescribed by office of the National Civilian Secretariat for Police (CSfP).

This report provides an overview of the state of policing within the Khayelitsha SAPS area. The audit included an oversight synopsis of the station management and policing profile, building and infrastructure, compliance to the Domestic Violence Act (Act No. 116 of 1998), sector policing, detective services, human resource management, fleet management, and the community police forum (CPF).

The primary objectives of the oversight audit were to assess the following:

- Station Profile;
- Station Management;
- Sector Policing;
- Detective Services;
- Domestic Violence Act (DVA), Act 116 of 1998;
- Human Resource Management;
- Fleet Management; and
- Community Police Forum (CPF).

The oversight visit involved meeting the station management and conducting structured interviews with the Station Commander, CPF Chairperson and the respective component heads/representatives at the Station. The Police Oversight Audit Tool (POAT), based on the National Monitoring and Evaluation Tool (NMET) issued by the National Civilian Secretariat for Police (CSfP) within the National Department of Police, was utilised to facilitate the structured interviews – refer Annexure A.

The following methodology, in addition to the structured interviews, was utilised with the administering of the POAT (Version 1), i.e.:

- Observation;
- Perusal of documents;

- Feedback; and
- Physical Inspection.

This report encompasses the findings that were discussed with the Station Management with the conclusion of the oversight visit. It will also be discussed with the CPF Chairperson and are to be presented at a public meeting that will be facilitated by the CPF. This report will finally form part of an annual report on the Provincial Policing Needs and Priorities that will be tabled at Provincial Parliament at the discretion of the Minister of Community Safety.

1.2 ENVIRONMENTAL SCAN

The Khayelitsha SAPS Station is a fully fledged SAPS Station also an accounting station for the Khayelitsha cluster, which is headed by Lieutenant Major General TJG Ndlovu. The SAPS Station is divided into six (6) policing sectors.

1.2.1 External factors

According to the SAPS the population size within the Khayelitsha SAPS area is estimated at 800 000 and the geographical size of the Khayelitsha SAPS area is estimated at 14 km².

The Khayelitsha SAPS area is divided as follows: urban 70%; informal settlement 25%; business 5%.

The SAPS Station has functioning blue light, visible signage outside the building and visible signage for components, direction markers to the station and the surroundings are clear, flags are correctly hoisted, accessibility for persons with disabilities are adequate, access control at the main entrance of the station is not in place, the station is in close proximity to the public transport, making it easily accessible to the community. Station was found to be fair in both cleanliness and state of repairs, however there were serious concerns on the workman's quality of the new building. The station still does not have sufficient offices to accommodate all staff members, containers/mobile offices are still in use.

IMAGE 1 & 2: Poor building infrastructure



Poor building infrastructure



IMAGE 3: Dirty toilets



IMAGE 4: Mobile offices



1.2.2 Internal factors

The SAPS Station is at Brigadier level headed by Brigadier Dladla who is supported by Colonel Abels VISPOL Commander, Colonel Marais Detective commander and Support Head Colonel Rameshwarnat.

The Khayelitsha SAPS station has a total staff establishment of two hundred and eighty five (285) members that comprises of two hundred and twenty three (223) functional SAPS members and sixty two (62) civilian members employed under the Public Service Act (PSA), Act 103 of 1994 at the station.

The CSC has two (2) cubicles for privacy, which is inadequate for the station which is responsible for such enormous area (*refer to image 1*). There is adequate accessible for persons with disabilities at the main entrance, but not at the new building.

IMAGE 5: Cubicles



2. KEY FINDINGS

2.1 STATION MANAGEMENT

As indicated under paragraph 1.2.2 *supra*, the Khayelitsha SAPS Station is a Brigadier level SAPS Station headed by Brigadier who has been the SAPS Station Commander at the station for 2 years.

The Khayelitsha SAPS Station was ranked 80/149 SAPS Stations in the Western Cape and 7/18 Brigadier level SAPS Stations in the Western Cape in terms of the SAPS Performance Chart by the end of December 2012. The Station and respective Station Components were also rated as follows (min = 1 star → max = 5 stars) in terms of the SAPS Performance Chart by the end of December 2012:

- Station: 4/5 stars
- VISPOL: 4/5 stars
- Detective Services: 3/5 stars
- Support Services: 5/5 stars

2.2 SECTOR POLICING

The aim of National Instruction 3/2009 is to regulate the implementation of *sector policing* in the SAPS. This imposes obligations on Commanders and VISPOL members at Station level to ensure the effective implementation of *sector policing* at each SAPS

Station precinct. The implementation of *sector policing* in the Western Cape Province was facilitated by means of a 5-phase *sector policing* guideline².

The Khayelitsha SAPS Station is divided into six (6) policing, it was reported that sector policing is fully implemented (as per National Instruction 3/2009) all six (6) sectors are on phase 5.

The station reported that it has joint crime prevention operations with other law enforcement agencies.

2.3 DETECTIVE SERVICES

The Detective Branch at the Station, headed by Colonel Marais, he indicated that they do have a problem with statement taking. It was said that members take statements in languages which are not their home language, at times some of the facts on the statement are not captured the way the complainant has reported it. This changes the meaning of has been said.

Criminal Justice Stakeholders (CJS) and case flow management meetings are both held monthly.

2.4 DOMESTIC VIOLENCE ACT (DVA)

The aim of the Domestic Violence Act, Act 116 of 1998 is to provide for the issuing of protection orders with regard to domestic violence and for matters connected therewith. This imposes obligations on SAPS members dealing with complainants of domestic violence. These obligations are covered in detail under National Instruction 7/1999 and are intended to provide clear direction to SAPS members on how to respond to a complaint of domestic violence in order to comply with the obligations imposed upon him or her in terms of the DVA.

² Phases of sector policing:

- Phase 1:** Determination of sector boundaries (division of the local policing area into sectors)
- Phase 2:** Appointment of Sector Commanders and Sector Team Members
- Phase 3:** Compilation of Sector Profile by the Sector Commander (policing needs of the area, updated regularly to accommodate changes and developments)
- Phase 4:** Establishment of Sector Crime Forums (SCF) (must consist of various role-players, incl. public, businesses and local councillors that must meet regularly)
- Phase 5:** Implementation of SCF projects and monthly meetings (Chairperson from each SCF attends the CPF executive and general meetings)

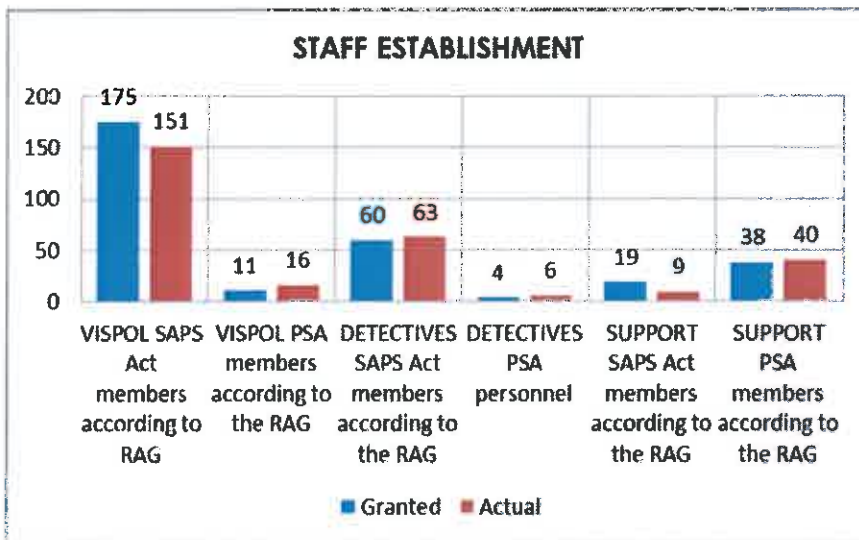
There is a SAP 508 register at the station; there were two (2) complaints registered on the SAP 508 for (July to December 2012). It was verified that the Station, does submit monthly returns to the provincial SAPS office in terms of non-compliance with the (DVA) by members.

2.5 HUMAN RESOURCE MANAGEMENT

2.5.1 Human Resources

The Khayelitsha SAPS station has a total staff establishment of two hundred and eighty five (285) members that comprises of two hundred and twenty three (223) functional SAPS members and sixty two (62) civilian members employed under the Public Service Act (PSA), Act 103 of 1994 at the station.

GRAPH 1: Staff Establishment

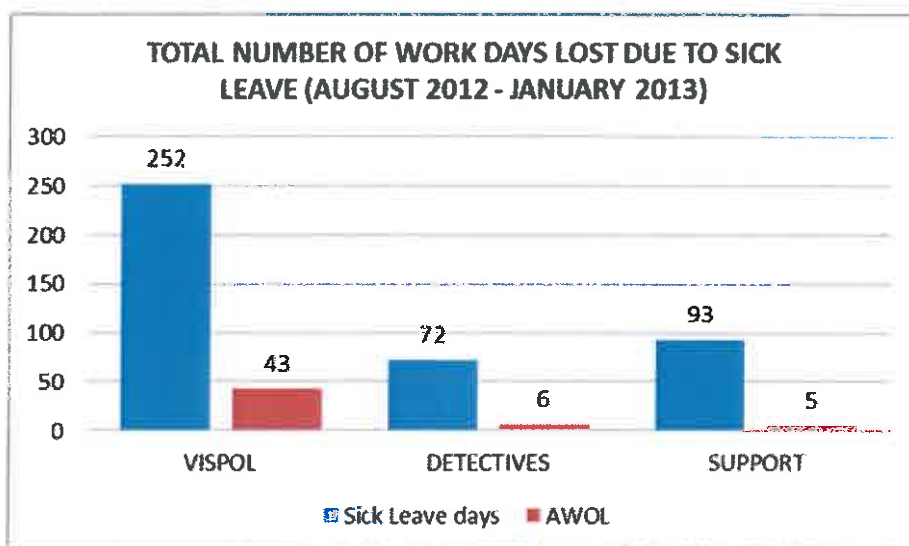


According to the Resource Allocation Guide (RAG) the station is granted a total of three hundred and seven (307) members, but the actual number of personnel at the station is two hundred and eighty five (285) which translates to a shortfall of 22 members.

2.5.2 Management of Absenteeism

Graph 2 below illustrates the number of leave days taken in respect of absent without leave and sick leave at the Paarl SAPS station for the six (6) month period of August 2012 – January 2013.

GRAPH 2: Absenteeism



A total of 417 working days were lost due to sick leave, i.e. an average of 1.4 days per person³ for the entire station personnel.

The average number of days per member per component at the respective components is as follows:

- VISPOL: 1.5 days per person
- Detective Services: 1.04 days per person
- Support Services: 1.8 days per person

At the time of the oversight audit, a total of 27 members were absent for duty due to sick leave, normal leave and attendance of training course(s).

2.5.3 Training Management

The station has a total of sixty three (63) detectives, however not all of them are dealing with the actual dockets 54 is dealing is carrying dockets; some detectives are assigned to court. It was reported that thirty three (33) have attended the Basic Detective Training Programme; twenty four (24) (15) detectives attended the Detective Learning Programme and four (4) attended the Specialised Detective Programme.

³ SAPS Annual Report 2011/12, p. 225: A total of 71 % (141,736/199,345) of the total employees made use of sick leave during the financial year 2011/12 translating to an average of 9 days sick leave per person at an estimated cost of R638 million. This is a slight decrease from the average of 10 days sick leave per person taken during the financial year 2010/11, but an increase from the average of 8 days sick leave per person taken during the financial year 2009/10.

It was further reported that the following number of functional SAPS members has attended the following training courses (not 1 or 2 day awareness sessions):

- Domestic Violence Act: 26 / 223 SAPS members trained
- Child Justice Act: 11/223 SAPS members trained
- Sexual Offences Act: 12 / 223 SAPS members trained
- Firearm Control Act: 10 / 223 SAPS members trained
- Victim Empowerment: 16 / 223 SAPS members trained

The low number of members, who attended the legislations mentioned above, is of concern. Regular formal training call-ups need to be arranged for members.

2.5.4 Discipline Management

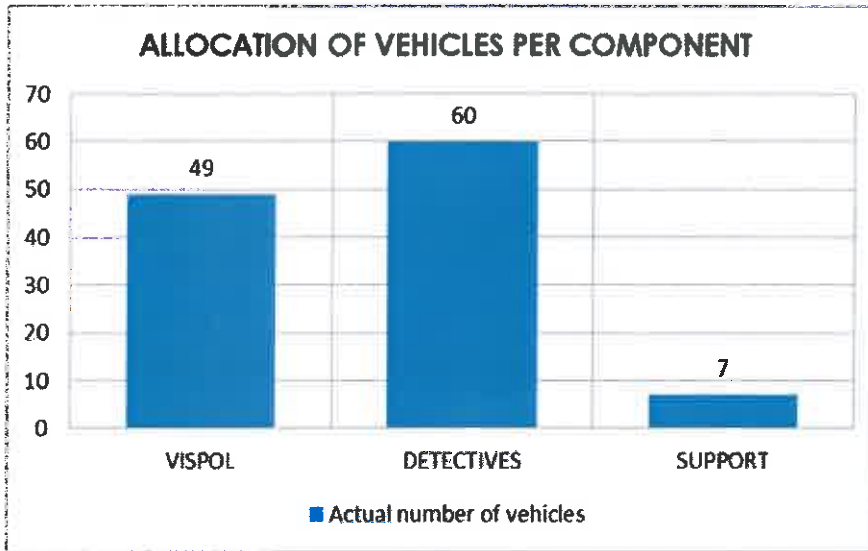
The Khayelitsha SAPS Station reported that they had (214) disciplinary cases of which all of them were reported to have been finalised. There was one corruption reported in the last 12 months, but then member took charge.

2.5.5 Grievance Management

The station reported that five (5) grievances were lodged by members in the twelve (12) month period from February 2012 – January 2013.

2.6 FLEET MANAGEMENT

The Khayelitsha SAPS Station has a fleet of one hundred and sixteen (116) vehicles. *Graph 3* below reflects that the status of the vehicle fleet at Khayelitsha SAPS station. Fourteen of the forty seven (47) VISPOL vehicles were reported to be in poor condition due to high mileage.

GRAPH 3: Vehicle Fleet Status

At the time of oversight audit it was reported that twelve (12) vehicles were at the garage for more than 2 weeks, the reason provided was that Bellville garage has personnel shortage, hence the long wait for vehicles to be repaired.

Another twelve vehicles are boarded which will be replaced in the new financial year. This means there is a serious vehicle shortage at the station.

It was reported that thirty one (31) accidents were reported in the twelve (12) month (February 2012 – January 2013) and two drivers were involved more than once.

The driving authority of these drivers were suspended for six (6) months, they have since been re-instated their driving authorities.

3. ADDITIONAL INFORMATION

3.1 COMMUNITY POLICE FORUM (CPF)⁴

CPF chairperson reported that there is a very good relationship between the Khayelitsha (CPFs) and SAPS. The Khayelitsha SAPS provides support to the CPF by providing access to the following when required:

- Office Space;
- Telephone;
- Fax;

- Computer; and
- Transport.

The Khayelitsha CPF has monthly CPF meetings and the executive is having weekly meetings. The public accountability meetings are attended by at least more than 60% of CPF members. In the last 6 months more than two public meeting were held by the CPF.

The Khayelitsha CPF reported that it participated with the identification of the Policing Needs and Priorities (PNPs) of the Khayelitsha policing area which have been included in the SAPS Station Plan and co-signed by the CPF Chairperson.

The CPF require identification cards or jackets for members especially when they do patrol or conduct oversight visits.

The station commander concurred with the information provided by the CPF also indicated that the CPF has a dedicated office for them, however it needs furniture. It was reported by the station commander that there CPF was dysfunctional before this executive, but since the new executive assumed office in December 2012; there has been drastic improvement in the structure.

3.2 COMMUNITY SAFETY EXPANDED PARTNERSHIP PROGRAMME (EPP)

CPFs play a particularly important role in the field of civilian oversight. In this regard the Community Safety Expanded Partnership Programme (EPP) is a flagship programme of the DoCS.

The EPP is premised on the understanding that the DoCS and the CPF can mutually co-produce information that can advance effective and efficient oversight over the police.

The Khayelitsha CPF is currently not participating in the EPP. However, the CPF has indicated that it is willing to participate in the EPP in future.

In the last 6 months (August 2012 to January 2013) more than two public meeting were held. It was reported by both CPF and station commander that their relationship is very good.

⁴ Section 19 of the South African Police Act 68 of 1995

3.3 PROMOTE PROFESSIONAL POLICING (PPP)

A new campaign to *Promote Professional Policing (PPP)* was launched by the Institute for Security Studies' (ISS) Crime and Justice Division in partnership with the DoCS. It was recently rolled out to all police clusters in the Western Cape Province.

In essence the PPP campaign allows members of the public to either report exceptional service or poor service by police officials under the slogan "*Reward a cop, Report a cop*". The PPP provides members of the public with an opportunity to exercise their right namely to complain or complement police officials on their services. In the absence of this opportunity a build-up of frustration amongst aggrieved members of the public is experienced resulting in a breakdown of relations between the police and communities. The need for this project is derived from the Constitutional Mandate, specifically section 206 which mandate the province to monitor police conduct and deal with complaints.

Communities are provided access to the programme through social media networks such as Facebook and Twitter (@RewardaCop); alternatively they may contact the 24/7 hotline (021 483 4332) where police complaints and compliments are registered, or they may use the Short Message Service (SMS) by sending a SMS commencing with the key word "*Reward*" or "*Report*" to the number 35395. This service will drastically reduce the cost to a member of the public to report complaints or compliments to the DoCS.

4. RECOMMENDATIONS

Police Oversight Audit Issues	Key Findings	Management Action Plan	Responsible Person
External factors	<p>Poor building infrastructure is of concern as the poor quality is mainly at the new building, value for money is questionable. The dirty toilets pose a hygienic threat to the people using these toilets.</p> <p>The station utilises container for office use</p>	<p>Management to engage the construction regarding the standard of the construction work done at the station. This will ensure that there is value for money.</p> <p>More office space is needed for staff</p>	<p>Station management and Department of public works</p> <p>Station management and Department of public works</p>
Internal factors	<p>The CSC has two (2) cubicles for statement taking, which is inadequate for the station which is responsible for such enormous area.</p>	<p>Request to be made for the station to get more cubicles to accommodate their clients</p>	<p>Station management and Department of public works</p>
Detectives	<p>Language barrier between complainant and official which results in the complaint losing its context.</p>	<p>Statements to be taken in the complainants home language</p>	<p>Station Management</p>
Training	<p>Few of the functional SAPS members have attended the Sexual Offences and Child Justice Act.</p>	<p>More formal training to be arranged for members to be empowered in the legislations mentioned.</p>	<p>Provincial Head: Training Station Management</p>

Police Oversight Audit Issues	Key Findings	Management Action Plan	Responsible Person
<p>Human Resource Management</p>	<p>According to the Resource Allocation Guide (RAG) the station is granted a total of three hundred and seven (307) members, but the actual number of personnel at the station is two hundred and eighty five (285) which translates to a shortfall of 22 members.</p>	<p>SAPS management to expedite the filling of vacant posts</p>	<p>SAPS management</p>

