

## **Commission of Enquiry on SAPS services in Khayelitsha**

**Date: 2 May 2013**

### **INTRODUCTION**

The Nicro Khayelitsha office interacts with the SAPS Khayelitsha through our services to clients, networking with stakeholders and via our crime prevention programmes. Through our submission we wish to share how we experience working with the Khayelitsha SAP Services focusing on the above three areas

### **HISTORY OF NICRO SERVICES**

Established in 1910, NICRO is one of the oldest indigenous non-governmental organisation and the only one of its kind providing comprehensive crime reduction and prevention services throughout South Africa. The organization evolved and transformed over the years but it never lost its focus. Working with offenders and their families remained at the core of service delivery, lobbying and advocacy during difficult times of the previous regime. To ensure representation of demographics, the services branched out and local offices were established. Mitchells Plain was the central office for all the Townships/Cape flats. It was in the early 1990s that a satellite office was opened in Khayelitsha to be accessible to the community. Services rendered then were mainly Diversion, Offender Reintegration, Victim Support and Crime Prevention services. More recently Non-custodial sentencing was introduced at the Khayelitsha court

### **CLIENTS OF NICRO SOCIAL WORKERS**

NICRO social worker based at the Khayelitsha court receives referrals for Diversion and amongst these referrals are foreign nationals. The clients reported that Police Officers were rude towards them and felt they had less rights compared to South African counterparts. The foreign nationals were refused that one telephone call for anyone arrested to contact a family member and alleged they were beaten instead. Some of these men complained that they were arrested but the alleged offences were not explained and kept in the cells whether they were found in possession of anything illegal or not. There were also allegations that people who are not South Africans would be arrested, no charges set and they would be told the police needs statistics. The Investigating Officers were not always available to help, update alleged offenders with progress of the case or to give clarity.

One incident of vigilantism was mentioned during an assessment of a client at Khayelitsha court. The client mentioned that he was assaulted by community members after being caught for committing a crime. This was in response to being asked specifically about the bruises which were noticeable on his arms. NICRO did not keep any records for reference. There are no known factors that hinder SAPS in rendering an effective service. The SAP Officer placed at the court is willing to assist with information when social workers require details from the dockets of clients referred to NICRO diversion programme

### **CRIME PREVENTION**

The Site B SAP station has supported our Safety Ambassador programme facilitated at Matthew Goniwe High School, The SAP Officers come when requested to do random searches of learners to ensure that they do not have any drugs or dangerous weapons in their possession. This takes place just before these learners depart to attend a camp.

The role of Community Policing forum CPF is to represent the interests of the community while ensuring that peace is maintained in the sub-areas. The CPF is active in the Khayelitsha area, and although NICRO has not been able to attend all of their meetings we have experienced good co-operation whenever requested.

### **STAKEHOLDERS**

National Prosecution Authority (NPA), Department of Justice (DOJ), Department of Social Development, Legal Aid and South African Police Service (SAPS) are the key stakeholders with which NICRO works closely in all matters around criminal justice system. Direct interactions are and have always been largely with the NPA in respect to diverted clients, the Judiciary and Probation officers.

SAPS are more of a secondary stakeholder. The SAP Officers from Site B, Harare and Lingeletu, social crime unit would play a role in planning awareness and information sessions with NICRO in schools and would invite NICRO to attend and participate in their projects.

In the Case Flow Management meetings chaired by DOJ, the attendance of senior police officers was a concern. The representatives from the stations

did not have decision making powers on matters that needed finality immediately at this broader stakeholder meeting. The person attending had to be given a brief and they would go back to their stations to consult with the seniors and give a report at the next meeting. This resulted in delays and can be ascribed to a lack of understanding of the importance of stakeholder engagements resulting in a person with insufficient authority being delegated to attend.

## GENERAL

Nicro has not experienced or had an encounter where a police officer could not assist. The working relationship can be regarded as reasonably fair in light of the fact that Nicro workers have no primary contact with the police officers.



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