



## *Safety & Security for All!*

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15 March 2016

Att:

**Major General JJ Brand**

Khayelitsha Cluster Commander

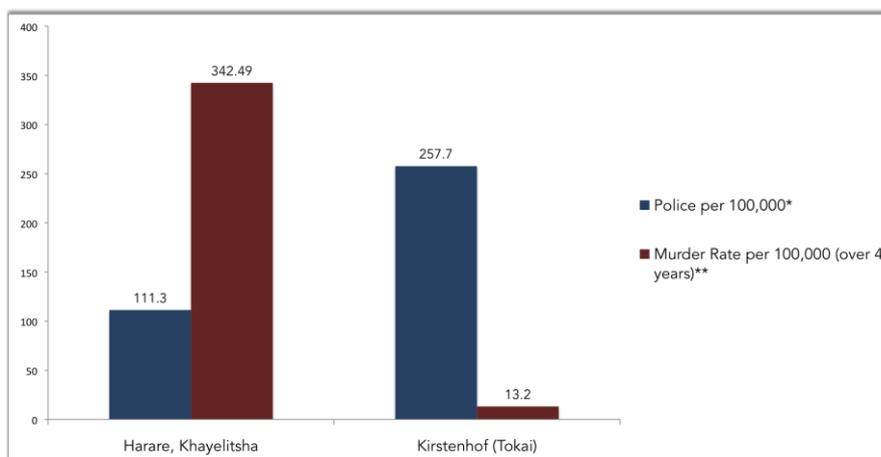
**Colonel T Raboliba**

Harare Station Commander

### **MEMORANDUM ON SINOXOLO MAFEVUKA AND SAPS OPERATIONAL AND STRUCTURAL INEFFICIENCIES**

1. On 2 March 2016 the naked body of 21-year-old Sinoxolo Mafevuka, a resident of SST section, was found in a communal toilet in Town Two, Khayelitsha. More than a week after the tragic rape and murder of Mafevuka no progress had been made in bringing the perpetrators to justice, extremely limited contact was made with the young women's family, no updates were forthcoming and no counseling was offered.

2. The media then opted to report on "a tale of two cities". In this tale the differing responses from the South African Police Service (SAPS) to the tragic rape and murder of two young teenage women, one, Sinoxolo Mafevuka and the other, Franziska Blochliger (16), was covered. It is unfortunate that tragedies like these have been enlisted to draw attention to the known spatial inequalities that exist and persist in Cape Town. Below is a comparison of police to population ration and murder to population ratio of the two police precincts involved as they stand today (all numbers calculated using SAPS data).



3. We note, subsequent to a media outcry that the Harare Police Station has moved to rectify some of the operational issues raised above. We also welcome the announcement that two suspects have now been arrested.

4. Unfortunately, the structural inefficiencies that limit police in Khayelitsha, and other similar communities, in combating crime and ensuring justice remain.

### The Khayelitsha Commission of Inquiry

5. The burden of crime faced by some of the most vulnerable people in our communities and the inefficiencies of SAPS were at the core of the Khayelitsha Commission of Inquiry's work. The rights to life, dignity, equality and freedom, including freedom from all forms of violence, underpinned the original complaints by our organisations and others.

6. Operational inefficiencies identified related to: (1) visible policing, (2) detective work, (3) crime scene intelligence, (4) crime scene management, and (5) arrest, detention, and release of suspects. Key structural inefficiencies identified related to: (1) the SAPS human resource allocation system, (2) questions relating to the oversight of SAPS, and (3) the long-term failure of SAPS management at station, cluster, provincial, and national levels to address Khayelitsha's policing problems. The inefficiencies listed, it was noted, were likely to have impaired the relationship between the community and SAPS in Khayelitsha.

## **Resourcing**

7. The Commission found that the allocation of the police's human resources is inequitable, irrational and unjust. The distribution of SAPS resources between Black African and Coloured townships on the one hand, and historically White suburbs on the other hand resembled apartheid twenty years into democracy. This was based on evidence provided by SAPS and the testimony of former Provincial Commissioner, Arno Lamoer, who admitted that the inequity was "fundamentally irrational" and had to be reversed immediately. In this regard, the failure to provide qualified, competent, skilled and experienced SAPS personnel to Khayelitsha undermines the constitutional obligations of government.

8. Harare, Khayelitsha, the precinct in which Sinxolo Mafevuka was raped and murdered, and in which many of our members live, was found, during the Commission, to be the least resourced police precinct in the Western Cape.

9. A second police station for the Harare precinct, to be built in Makhaza, was a provincial SAPS priority in 2004. To date construction has yet to start.

10. In relation to resourcing in the Detective Services in the three Khayelitsha Police Stations the Station Commander at Khayelitsha Site B Police Station, Brigadier Dladla, described the problem graphically when he said that in Khayelitsha, instead of a team of detectives descending on a murder as happens in the movies, "you have a team of dockets descending on a detective".

11. Similarly Colonel Sonja Harri, the Provincial Co-ordinator of the Family Violence, Child Protection and Sexual Offences (FCS) Unit, testified to the systemic under-staffed nature of the FCS Unit in the Khayelitsha cluster.

## **Visible Policing**

12. The Commission concluded that the failure to patrol informal neighbourhoods on a regular basis results, in part, from the lack of personnel at the police station, as well as from

the absence of a clear directive that sector policing should routinely include patrols of informal neighbourhoods, and operational guidelines as to how such patrols should be undertaken.

### **SAPS' response**

13. Despite a year-and-a-half of sustained attempts to meaningfully engage with the National Minister of Police on the Commission's detailed 500 page report containing findings and recommendations, SAPS at a national level, and here we include Deputy Minister Maggie Sotyu, has failed to address these injustices.

### **Demands**

1. Ensure that qualified, competent, skilled and experienced SAPS personnel, including police experts deployed from elsewhere, continue the ongoing investigation and gathering of evidence in a manner that will guarantee justice for Sinxolo Mafevuka.

2. In keeping with Recommendation Six of the Khayelitsha Commission of Inquiry SAPS should issue guidelines that ensure professional visible policing in informal neighbourhoods.

3. The Khayelitsha Cluster Commander and the Station Commanders of the three police stations serving Khayelitsha must engage with SAPS at a provincial and national level to rectify the structural inefficiency that makes the allocation of police resources inequitable, irrational and unjust.

\_\_\_\_\_ at the **Harare Police Station** on **15 March 2016**

Received by