

12/11/49

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

BT

AFFIDAVIT

I, .., ..the undersigned, state under oath in
...isiXhosa,...immediately...translated...into...English....,...that I am an adult
female,...with...ID...No: ..date...of...birth... ..
...years...old,...residing...at..

Khayelitsha.....

Tel(h):.....(w):.....,

cell: ..employed...at.....

do... hereby state that:

1. I depose to this affidavit to supplement the supplementary affidavit of 03 November 2012, deposed to before Advocate Namhla Pakade of the Cape Bar.
2. During the first week of February 2013 I called the investigating officer, whose name is known to me, from my cellphone to his cellphone and

office number in order to get some feedback about the case I reported to the Site B police station.

3. On numerous occasions I was advised to wait on the line by the switchboard operator whilst they tried to locate him, or his cellphone would ring unanswered.
4. In all these instances during this time I was not successful in my attempts to speak with the investigating officer, and became more frustrated as a result.
5. During the first week of March 2013 I called the site B police station to arrange a meeting with the person who was in charge or senior to the investigating officers.
6. I secured an appointment for the second week of March, for 08h00 am with a Brigadier in charge of site B police station, whose name is known to me.
7. I arrived for the meeting as per arrangement, which meeting took place at the Brigadier's office. The Brigadier was not aware of my case and requested that I give him the case number, which I did and he looked it up on his computer.

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8. I explained to the Brigadier in detail that since 2010 I reported the case at site B police station and was not satisfied with the lack of feedback and honesty from the investigating officer.
9. My aim for the meeting was to complain to the Brigadier about the conduct of the investigating officer because he never communicated anything to me, and I was always in the dark about progress in the case.
10. The investigating officer lied to me on a previous occasion about the number of the accused who received bail, inaccurately stating that it is only one person when all four in fact were released on bail.
11. I related to the Brigadier of the site B police station about my dissatisfaction with the investigating officer's lack of communication about developments in the case I reported at site B.
12. After verifying the case details on his computer, the Brigadier picked up his phone and phoned the investigating officer, asking him about what the progress was on the case.
13. The Brigadier spoke with the investigating officer over the phone in my presence, asking numerous questions and probing about a lot of issues over the case as well as my particular complaint regarding lack of feedback.

14. The Brigadier showed empathy and told me that the investigating officer must and will contact me within a week and he told the investigating officer in my presence that I must be regularly updated about progress.
15. A week passed and I received no update or any communication from the investigating officer, despite the promises.
16. During the first week of April I returned to the Brigadier, after securing another appointment over the phone, set for a few days after the call.
17. At that meeting, which did not last long, the Brigadier told me that he was still waiting for the investigating officer to update him. He promised to get back to me but never did.
18. After a week I called the switchboard at site B police station and later called the Brigadier on his mobile number. The Brigadier told me that the law and legal processes take time to resolve issues.
19. He told me over the phone that if there is something that needs my attention, I will be updated. That was the last time I spoke with him.
20. About the first week of September the investigating officer called, after nearly a year of no communication from him, asking for me arrange that my daughter Thandi make a statement to him, for High Court proceedings.

21. I told him that it is unfair to expect any further statements after we all have availed our statements to him and also that my daughter Thandi was preparing for her grade 12 mock examinations.
22. I requested him to come to our house on the 7th September for the statement and he arrived at 08h00 am.
23. I asked him about his disappearance and lack of feedback on the reported case and his reply was that he was out of Cape Town for a long time. He showed me pictures on his mobile phone, then requested Thandi to sign the statement that he wrote.
24. The investigating officer stated that there will be court proceedings on the 13th September, which he said was not necessary for us to attend as we will receive feedback accordingly.
25. I have never received any of the feedback as promised, up to date.
26. On Saturday the 02 November 2013 I called the investigating officer to inquire about the court proceedings. His response was that he does not know what took place as he could not attend the court proceedings as he was in the Eastern Cape, and he cannot help me in that regard.
27. I have not been told anything about the case I reported since 2010 at site B police station and feel that the police have let me down after numerous promises to follow up and give feedback, I am frustrated.

28. I do not feel safe in my community because the police fail to deal with our complaints satisfactorily. My child and I meet the perpetrators on a regular basis as we stay in the same vicinity and their utterances make us wonder about our own safety.

"I swear/truly affirm that the contents of this statement are true so help me God."

I know and understand the contents of this statement.

I have no objection to taking the prescribed oath.

I consider the prescribed oath as binding on my conscience.

.....
Signature of deponent

I certify that the abovementioned was taken by me in English, and that the deponent has acknowledged that he/she knows and understands the contents of this statement. I certify that regulations contained in GN R1258 have been complied with.

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This statement was sworn/affirmed before me and the deponent's signature was placed thereon in my presence...on..03/12/2013..(date)
at...CLAREMONT CAPE TOWN.....(place)

DANIEL MANDUA NTHIHI

Commissioner of oath

ADVOCATE OF THE HIGH COURT
EX OFFICIO COMMISSIONER OF OATH
25 VELOCITY HOUSE CHAMBERS
30 KEEBOM STR
CAPE TOWN
8000