

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

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AFFIDAVIT

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I, the undersigned

**JEAN FRANÇOISE REDPATH**

state as follows under oath:

1. I am an adult female researcher currently employed as a researcher at the University of the Western Cape Community Law Centre. I have university qualifications in mathematics and law and have worked as a researcher in the criminal justice sector since September 1999.
2. The facts contained within this affidavit are, unless otherwise indicated, within my personal knowledge and to the best of my knowledge true and correct.
3. The South African Police Service (SAPS) publishes in September each year crime data per police station area for 31 March to 31 March of the immediately preceding year, for each of 1143 policing areas currently established.
4. The crime categories reported on by SAPS are: murder; total sexual crimes; attempted murder; assault with the intent to inflict grievous bodily harm; common assault; common robbery; robbery with aggravating circumstances; arson; malicious damage to property; burglary at non-residential premises; burglary at residential premises; theft of motor vehicle and motorcycle; theft out of or from motor vehicle; stock-theft; illegal possession of firearms and ammunition; drug-related crime; driving under the influence of alcohol or drugs; all



theft not mentioned elsewhere; commercial crime; shoplifting, culpable homicide; *crimen injuria*; neglect and ill-treatment of children; and kidnapping.

5. In addition the SAPS provides four sub-categories of the category "robbery with aggravating circumstances" which are carjacking, truck hijacking, robbery at residential premises, and robbery at non-residential premises.
6. According to the 2011 Census data from Statistics South Africa, there has been a growth in the population of the Western Cape of approximately 30% since the previous census in 2001, and a growth in the City of Cape Town of 29% to an estimated 3.74 million people.
7. If crime rates remain unchanged, this would suggest that the number of crimes in these areas should have increased commensurately. An unchanged "true" crime rate should result in a 30% increase in the number of crimes comparing 2001 to 2011.
8. Because it is not possible accurately to determine population size year-on-year, particularly in an area such as Khayelitsha which experiences a great deal of migration, the year-on-year analysis is presented using numbers of crimes rather than crime rates per 100 000. Rates per 100 000 are used for statistical analysis within a year.
9. Wherever there has been no change in the underlying rate of commission of offences, it would be expected that a change in the number of crimes would be recorded in line with the change in population.



## **THE RELATIONSHIP BETWEEN MURDER RATES AND POPULATION DENSITY**

10. The data on murder for the most recent year (2012/2013) for South Africa was mapped to Census 2011 population data and analysed.
11. There is a statistically significant relationship between murder rates per 100 000 people and the population density of policing area (100% probability). Higher population densities are associated with higher rates of murder.
12. This suggests that the higher the population density in a policing area in South Africa, the greater the rate of murder.
13. Further analysis indicates that population density has a particularly large explanatory value and strength among policing areas which contain more than 120 000 people (of which there are 81 in South Africa, and which include Harare and Khayelitsha).
14. Amongst these areas, the statistical calculations suggest that approximately 30% of the geographical variation in murder rates police station area can be explained by population density. Further, the strength of the relationship is such that every four additional persons per hectare is likely to result in an additional murder per 100 000 people per year.

## **INFERENCES ON REPORTING RATES FROM CRIME DATA**

15. Reported crime data is highly influenced by reporting and recording rates. The reporting rate is the rate at which people who are victim to crime, choose to report crime to the SAPS, while the recording rate is the rate at which crimes reported to the SAPS, are actually recorded.



16. Whenever there is a change in the number of crimes recorded year on year, this may be as a result of a change in reporting and recording rates, rather than a change in the underlying commission of offences.
17. Reporting rates are influenced by whether victims of crime believe it is in their interest to report crime. Victims may be motivated to report crime if they believe reporting will assist them in recovering their property or bringing the perpetrator to justice.
18. Crimes such as theft of motor vehicles and burglary of commercial premises may have higher reporting rates than other crimes, as insured persons require a police reference number to make a claim on their insurance.
19. Crimes such as driving under the influence of alcohol or drugs, are not primarily reported by residents but by the police in the carrying out of police action.
20. Research by Smyth and Artz (Artz, L & Smythe, D. "Case Attrition in Rape Cases: A Comparative Analysis" South African Journal of Criminal Justice August 2007) has suggested that in relation to sexual crimes in particular, complainants may be discouraged from reporting crime, or told that their complaint does not constitute an offence. The extent to which complainants are discouraged at the time of reporting influences the extent to which reported crimes are recorded.
21. Murder and culpable homicide are less susceptible to reporting rate and recording rate trends. Forensic data on deaths can be compared to murders recorded by the police.
22. Some homicides are recorded by the SAPS as "culpable homicide" rather than as "murder". The discrepancy between homicide figures and murder figures is usually attributed to the some homicides being classified as culpable homicide. However the majority of culpable homicide charges arise from deaths caused by motor vehicle accidents.



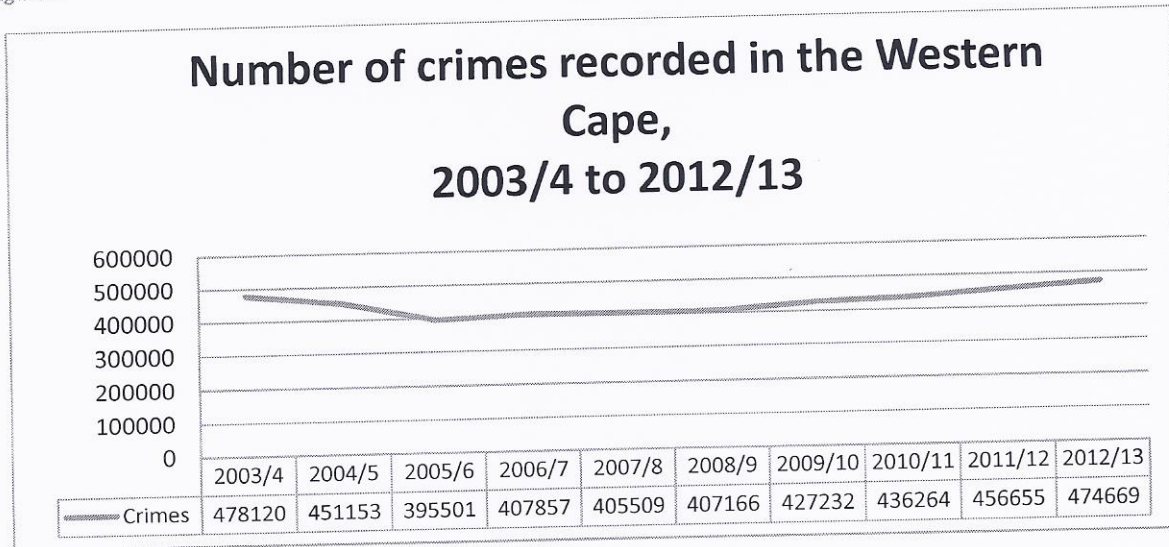
23. The number of murders recorded is frequently used as a proxy indicator for the overall “true” crime trend in relation to violent crime. This is because murders are often the result or outcome of an underlying serious violent crime such as assault or robbery. Murder numbers reflect the proportion of such serious violent crimes which are “converted” to murder as a result of the death of the victim. International organisations such as the UNODC use homicide as a proxy indicator for crime levels.
24. If murder is a proxy indicator for other serious violent crimes, then the pattern of increase or decrease in number for serious violent crimes over time should follow the same pattern as that for murder.
25. If the trend over time for murder is dissimilar from the trend over time for other serious violent crimes, this suggests that reporting or recording may be influencing the for other serious violent crimes.

#### **CRIME TRENDS OVER TIME IN THE WESTERN CAPE**

26. The number of recorded serious crimes in relation to the categories published by the SAPS in the Western Cape appears in figure 1 below. There was a decrease in the total number of recorded crimes in the Western Cape over the period 2003/4 to 2005/6.



Figure 1

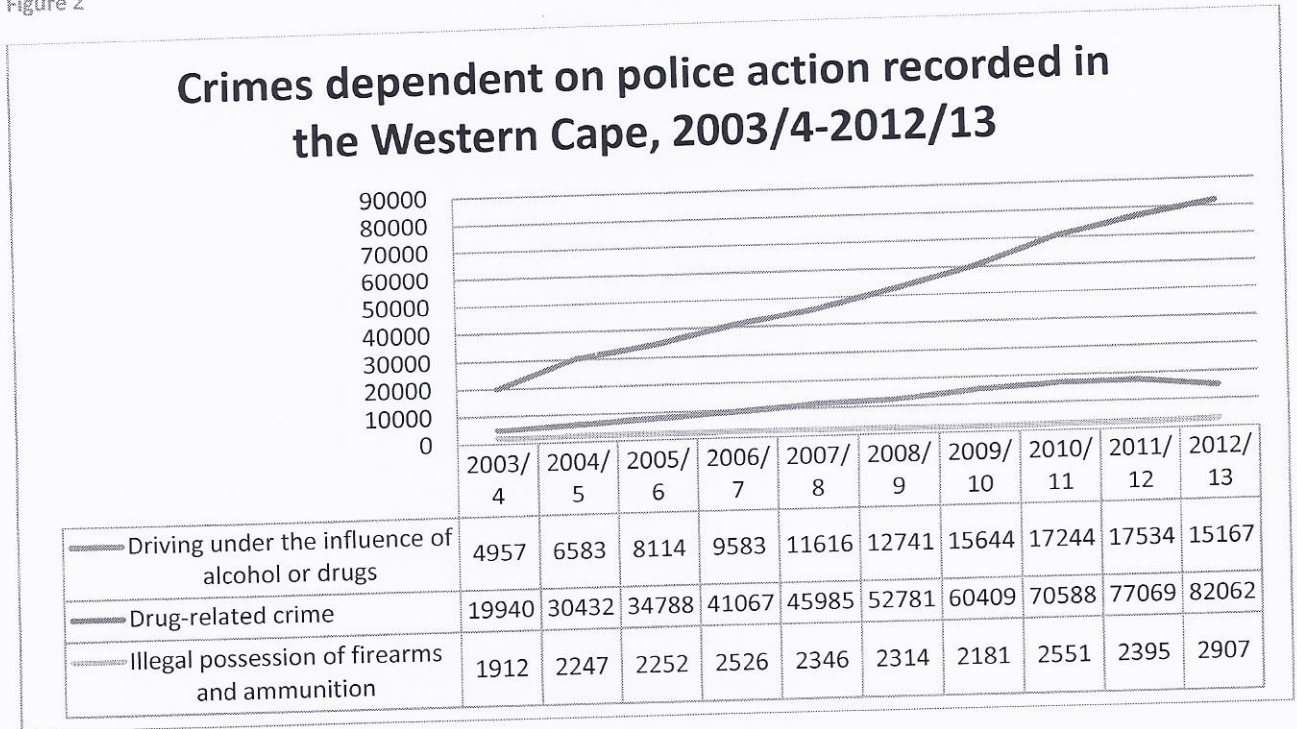


27. Subsequently there has been a steady increase year-on-year such that the number of recorded crimes is within 1% of the figure recorded in 2003/4.

28. This suggests that there has been a significant decrease in the underlying recorded crime rate per 100 000 people in the Western Cape, as the population of the Western Cape has grown by some 30% since 2000.

29. The number of crimes dependent on police action has increased over the same time period. This suggests the overall decrease in total recorded crime is not a reflection of a reduction in number of crimes whose recording is dependent on police action.

Figure 2

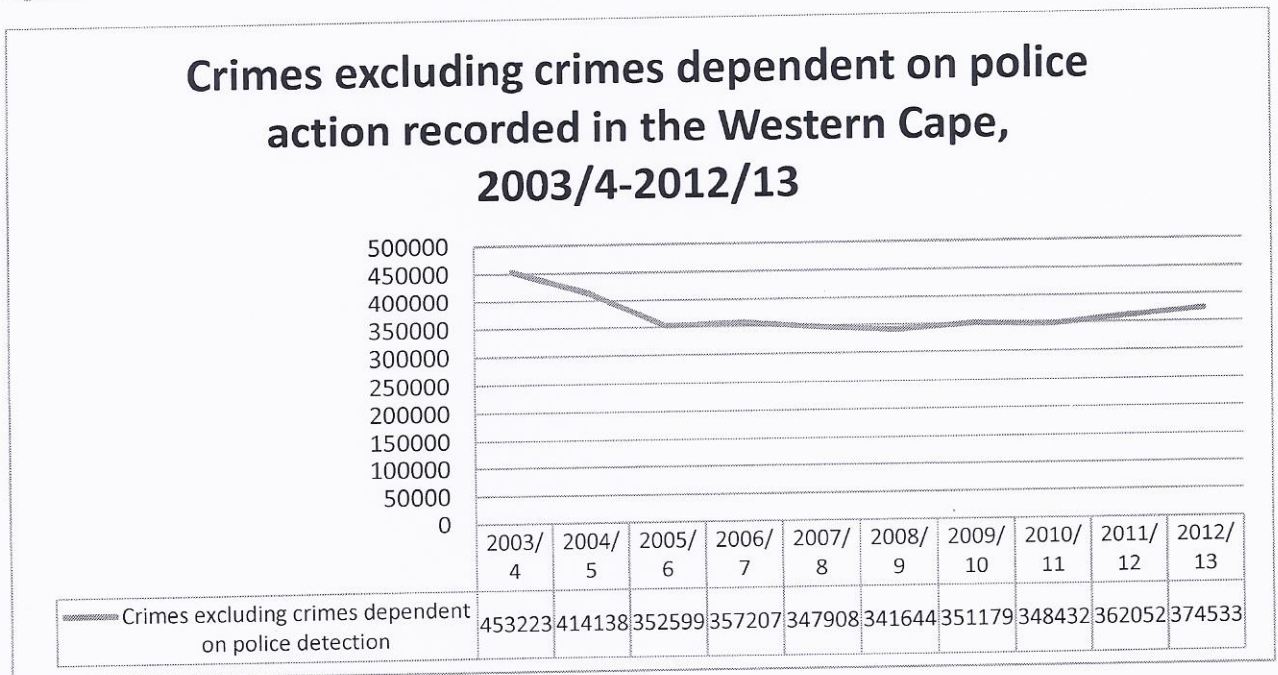


30. Specifically, “drug related crime” has increased by 312%, “driving under the influence of alcohol or drugs” by 206%, and “illegal possession of firearms and ammunition” by 52%.

31. Some of the increase in crimes dependent on police action is as a result of policing by the Metropolitan Police. The Cape Town Metropolitan Police Plan 2012/2013 recorded that the Cape Town Metropolitan Police made 2298 arrests for driving under the influence and 1383 drug-related crime arrests in the city during 2010/11 (Cape Town Metropolitan Police Department, City Of Cape Town, Annual Police Plan 2012-2013, p16). These arrests comprise 13% and 2% respectively of crimes recorded by the SAPS for those offences in the Western Cape in 2010/2011.

32. For all crimes reported on by SAPS other than those dependent on police action, there has been an overall reduction in the total number of crimes recorded. This suggests a marked reduction in the recorded crime rate per 100 000 people in the Western Cape, given that the population of the Western Cape has grown by 30%.

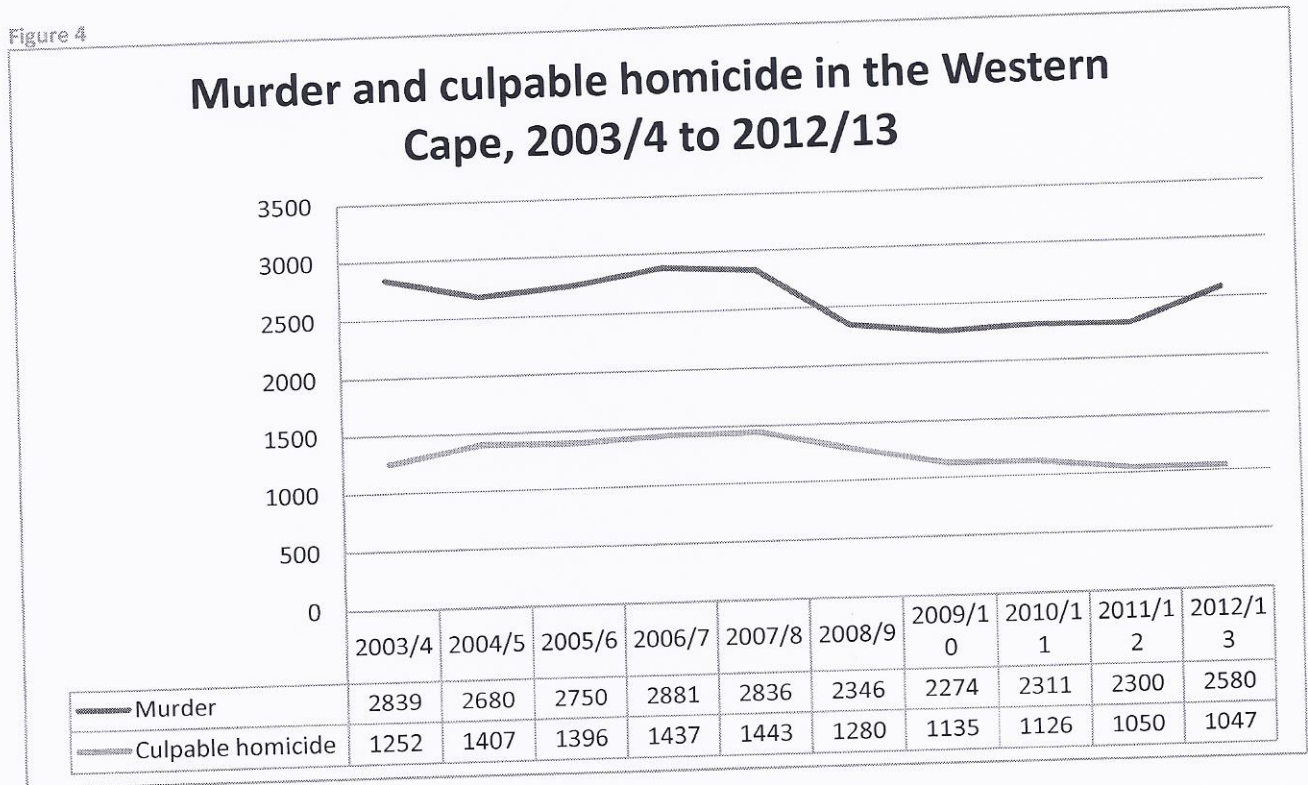
Figure 3





33. The trends for murder and culpable homicide also show an overall decrease in the Western Cape. This suggests the overall decrease in total crime numbers is likely to be reflective of a real reduction in the commission of crime.

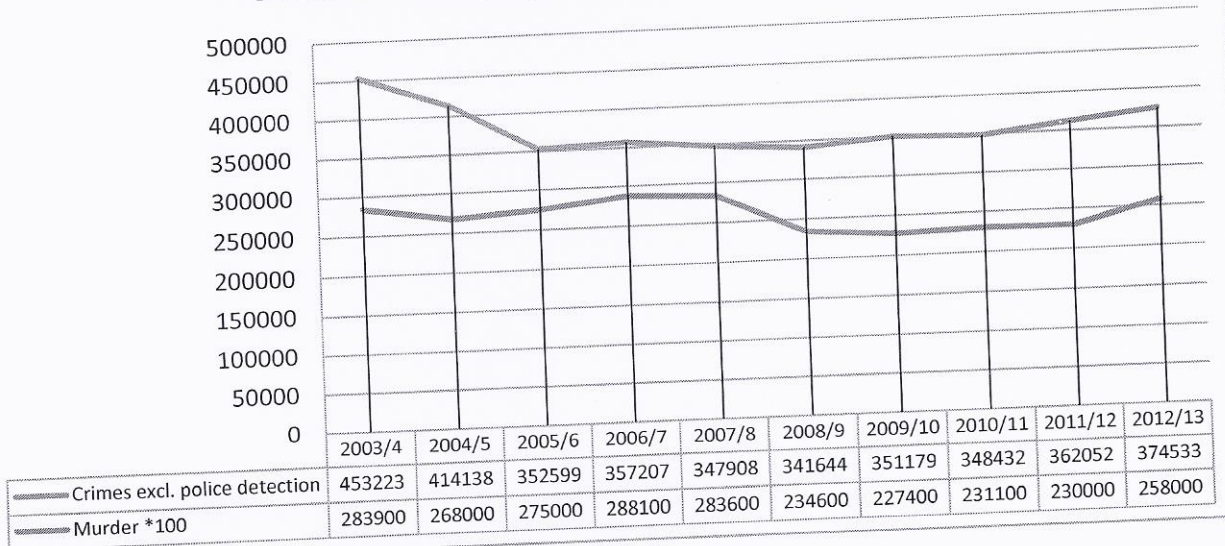
Figure 4



34. In the graph below murder is increased by a factor of 100 to place it on the same scale as the total for all crimes excluding crimes dependent on police action. Although the lines do not track each other exactly, the overall trend is similar. This suggests that the trend in the Western Cape for all recorded crimes may reflect a true reduction in the underlying rate of the commission of crimes, rather than a change in reporting or recording.

Figure 5

## Crimes excluding crimes dependent on police action, and murder increased by a factor of 100, Western Cape, 2003/4 to 2012/13

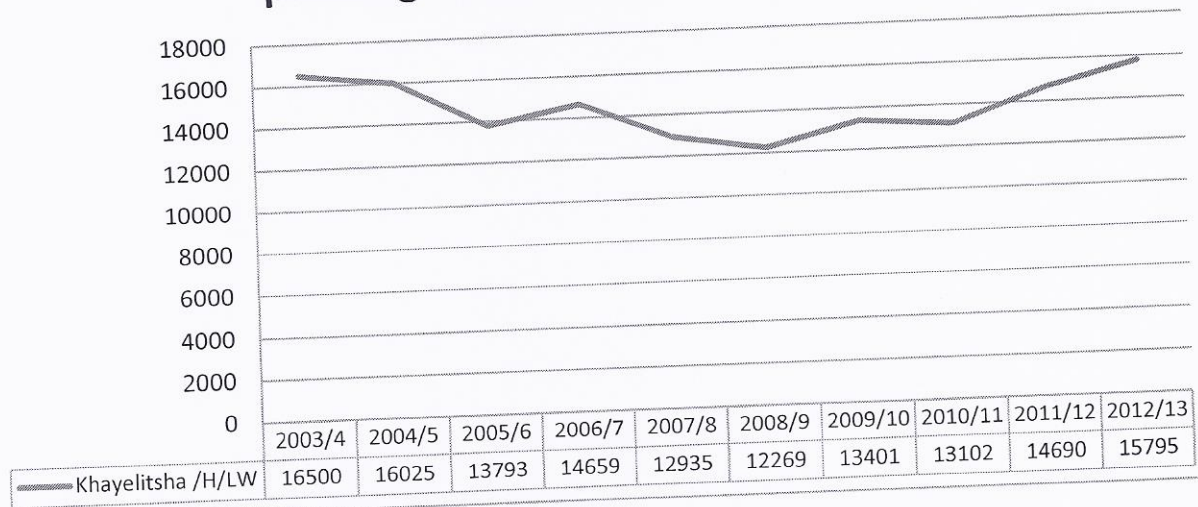


### CRIME TRENDS OVER TIME IN KHAYELITSHA

35. Two of the three policing areas encompassing the Khayelitsha areas were established out of the original Khayelitsha policing area. The geographical boundaries of the area "Khayelitsha" now encompasses the boundaries of the three policing areas of Harare, Khayelitsha and Lingeletu-West.

Figure 6

## Number of crimes recorded in Khayelitsha policing areas 2003/4 - 2012/13



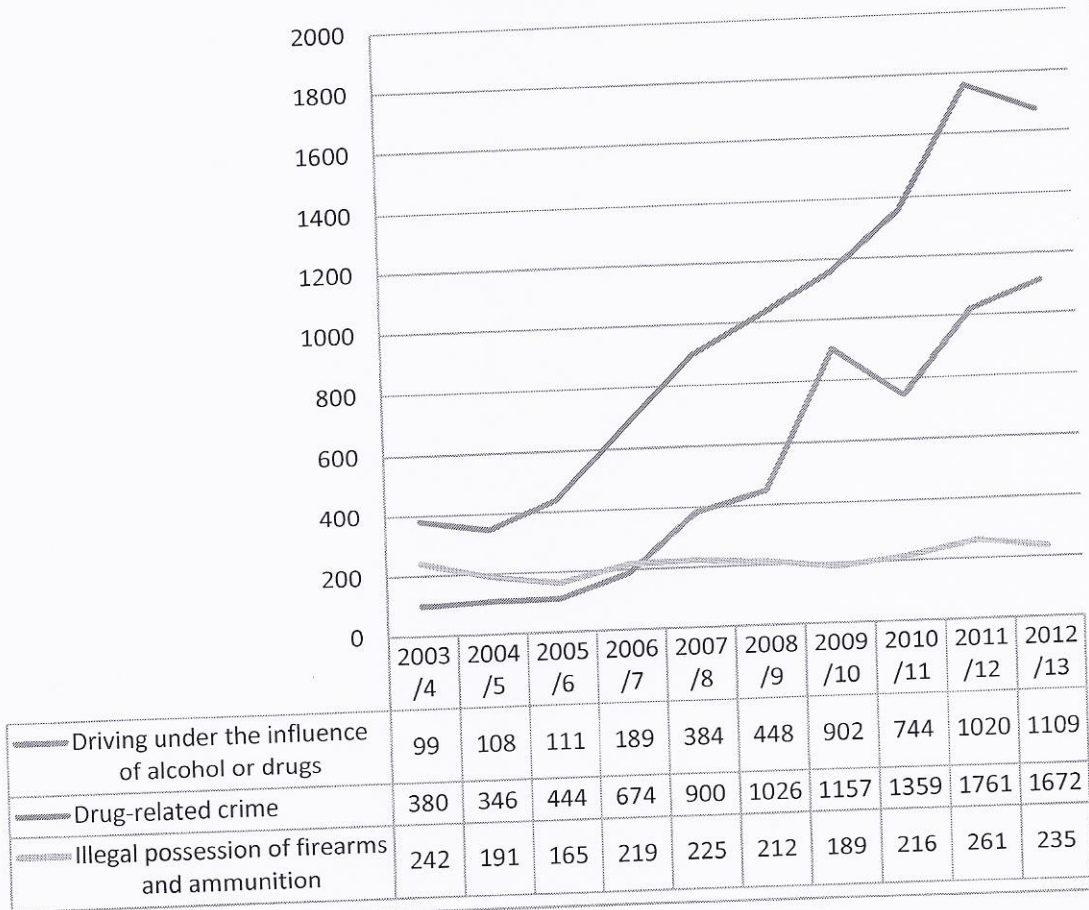
36. The three Khayelitsha policing areas (Harare, Khayelitsha, and Lingeletu-West) have shown an overall decrease in the total number of crimes recorded by SAPS comparing 2003/4 to 2012/13, despite recent increases since 2008/9.

37. Over the same time period, crimes dependent on police action have increased. The percentage increases in the number of alcohol and drug crimes in the three Khayelitsha policing area are greater than the increases in the same crimes recorded for the Western Cape as a whole. This suggests the reduction in the number of recorded crime is not due to a reduction in the number of crimes dependent on police action for detection.

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Figure 7

### Crimes dependent on police action recorded in Khayelitsha policing areas, 2003/4 - 2012/13

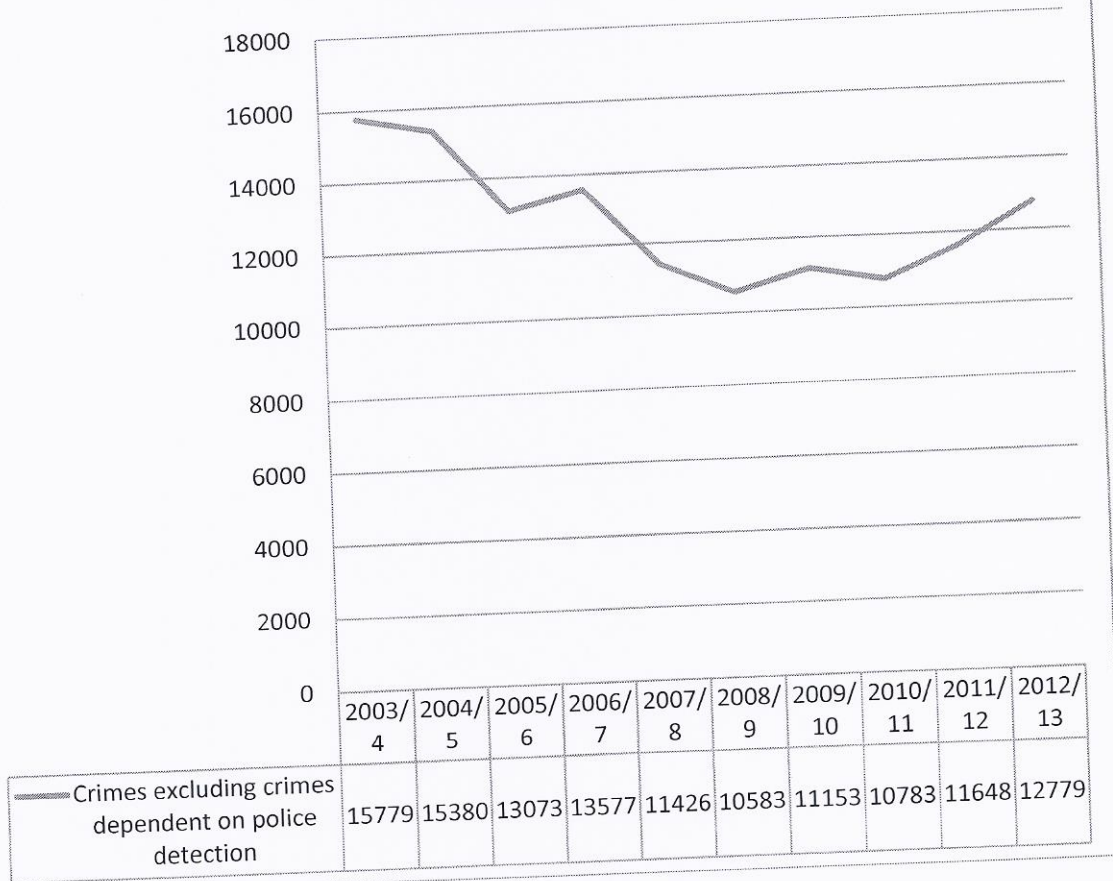


38. The graph below shows recorded crime numbers for crimes in the three Khayelitsha policing areas, excluding crimes dependent on police action. The reduction in recorded crime numbers is close to 20%, which is a slightly greater reduction than the 17% recorded for the whole of the Western Cape.

39. Given an estimated 30% increase in the population of Khayelitsha, this suggests a decrease in the recorded crime rate per 100 000 people of close to 62% (from 13 288 per 100 000 to 8 278 per 100 000).

Figure 8

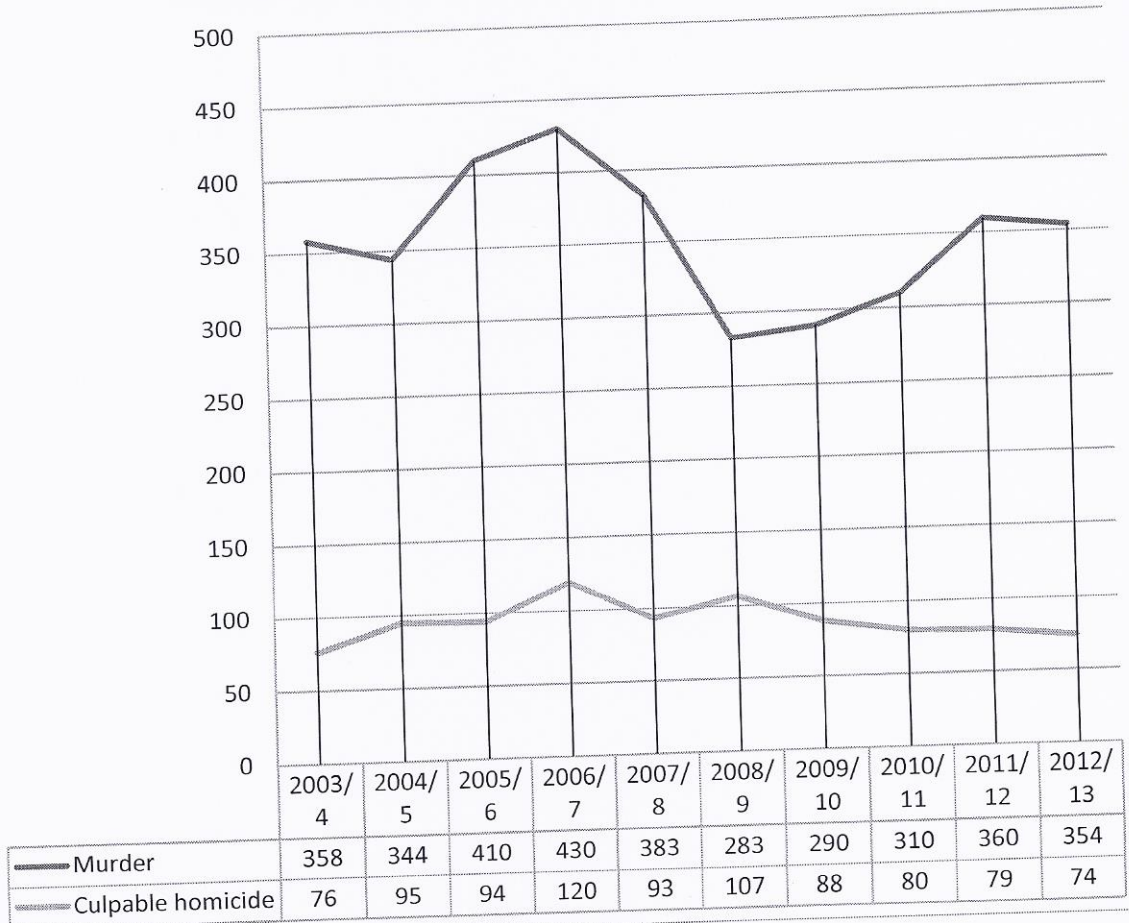
### Crimes excluding crimes dependent on police detection in Khayelitsha areas, 2003/4-2012/13



40. Murder and culpable homicide in the three Khayelitsha areas do not show an overall decrease in numbers. There has been no significant change in the number of murders and culpable homicides recorded comparing 2003/4 to the most recent year, although there has been a great deal of fluctuation, with a local peak of 430 murders occurring during 2006/7.

Figure 9

### Murder and culpable homicide recorded in Khayelitsha areas, 2003/4 - 2012/13

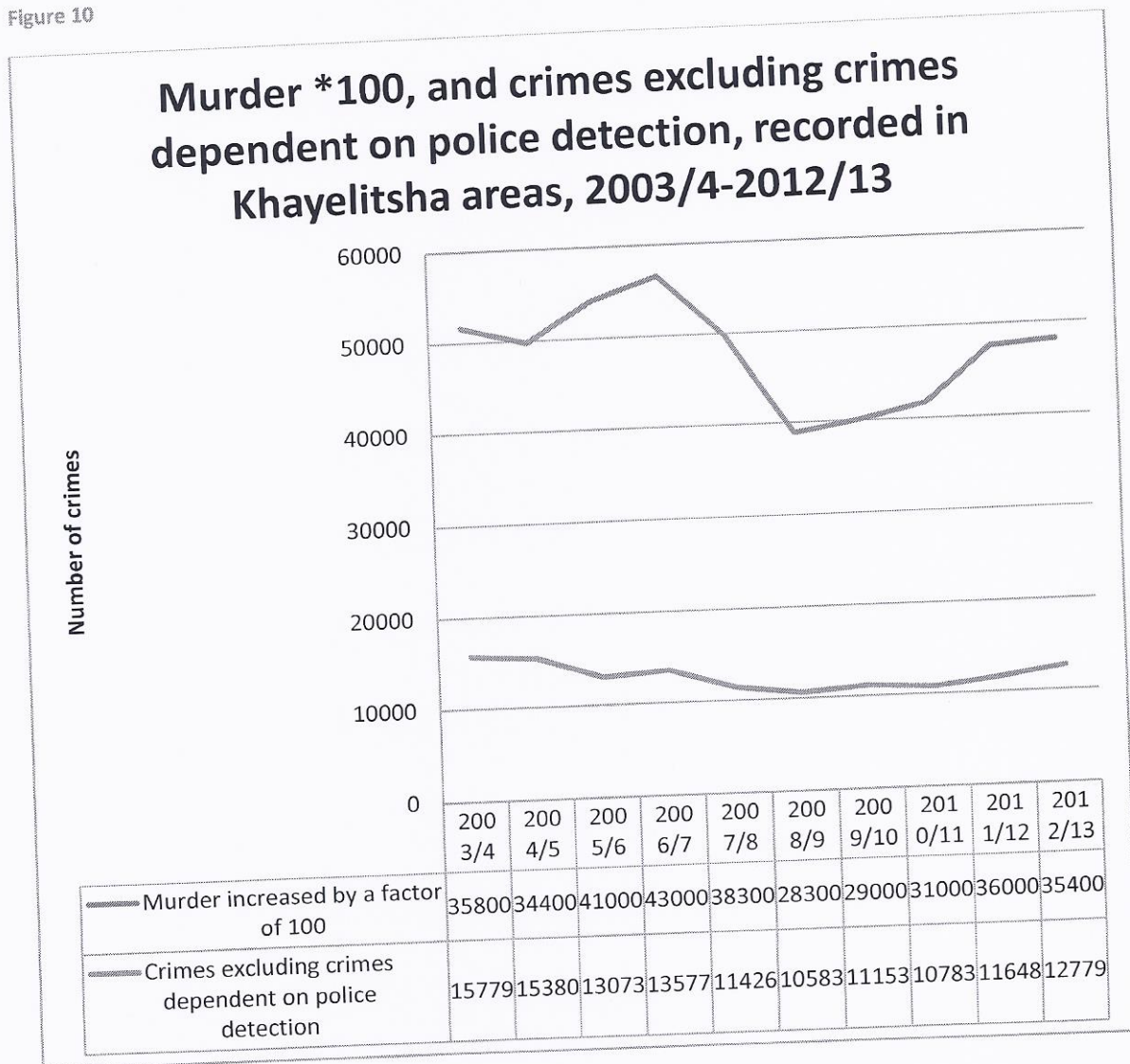


41. This suggests there is a significant dissimilarity between the trends for both culpable homicide and murder, particularly murder, and the trend for other crimes, in the three Khayelitsha policing areas.

42. In the figure below murder is multiplied by a factor of 100 to place it on the same scale as other crimes. Murder comprises some 2% of all crimes excluding crimes dependent on police action in Khayelitsha, which makes the line for the number of murders multiplied by 100 appear above the line for crimes excluding crimes dependent on police action. This is in

contrast to the situation in the in the Western Cape, as a whole, where murder comprises only 0.6% of all crimes excluding crimes dependent on police action.

Figure 10



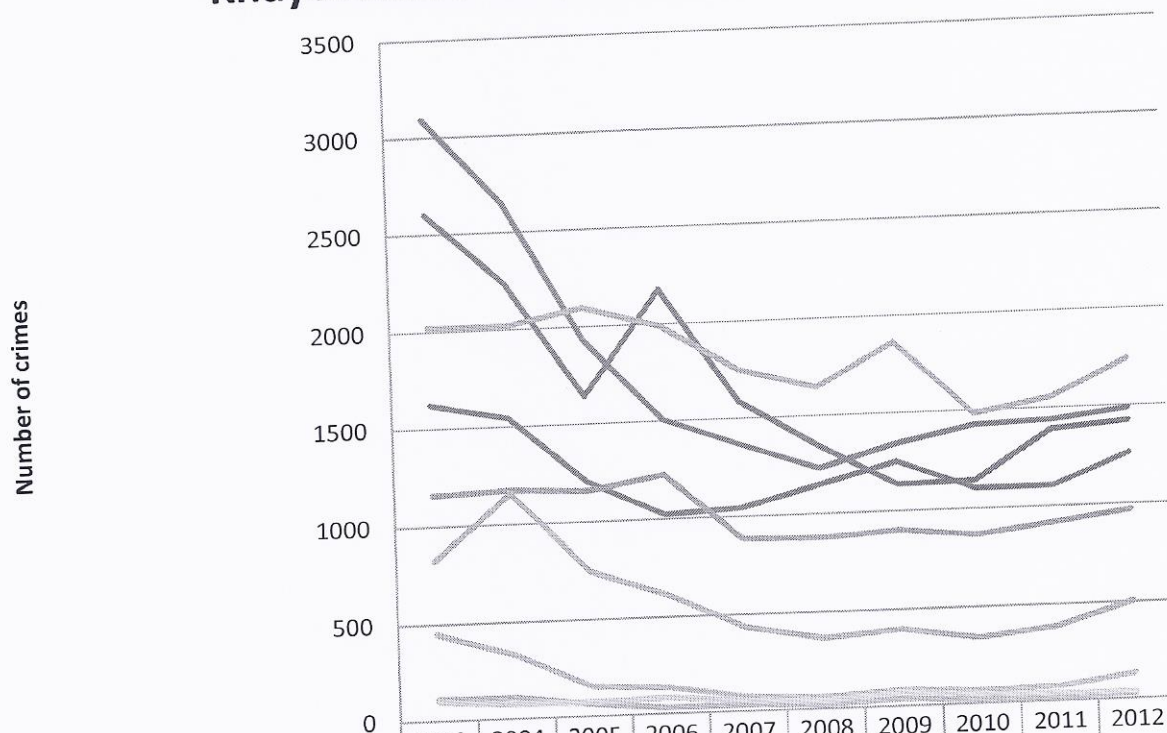
43. The analysis suggests that the large overall trend toward a decrease in in total crime numbers in Khayelitsha may be attributable to a decrease in reporting and recording rates of these crimes rather than a decrease in the underlying commission of offences

44. Further, the decrease in total crimes recorded in Khayelitsha reporting areas can largely be attributable to “less serious” crimes such as common assault or residential burglary. The crimes types which have shown an overall decrease in number, appear in the figure below.

The largest decreases have been recorded for assaults and ordinary thefts. These crimes are more likely to experience a decline in reporting rates due to their less serious nature.

Figure 11

### Recorded crimes showing a decrease in Khayelitsha areas, 2003/4 - 2012/13

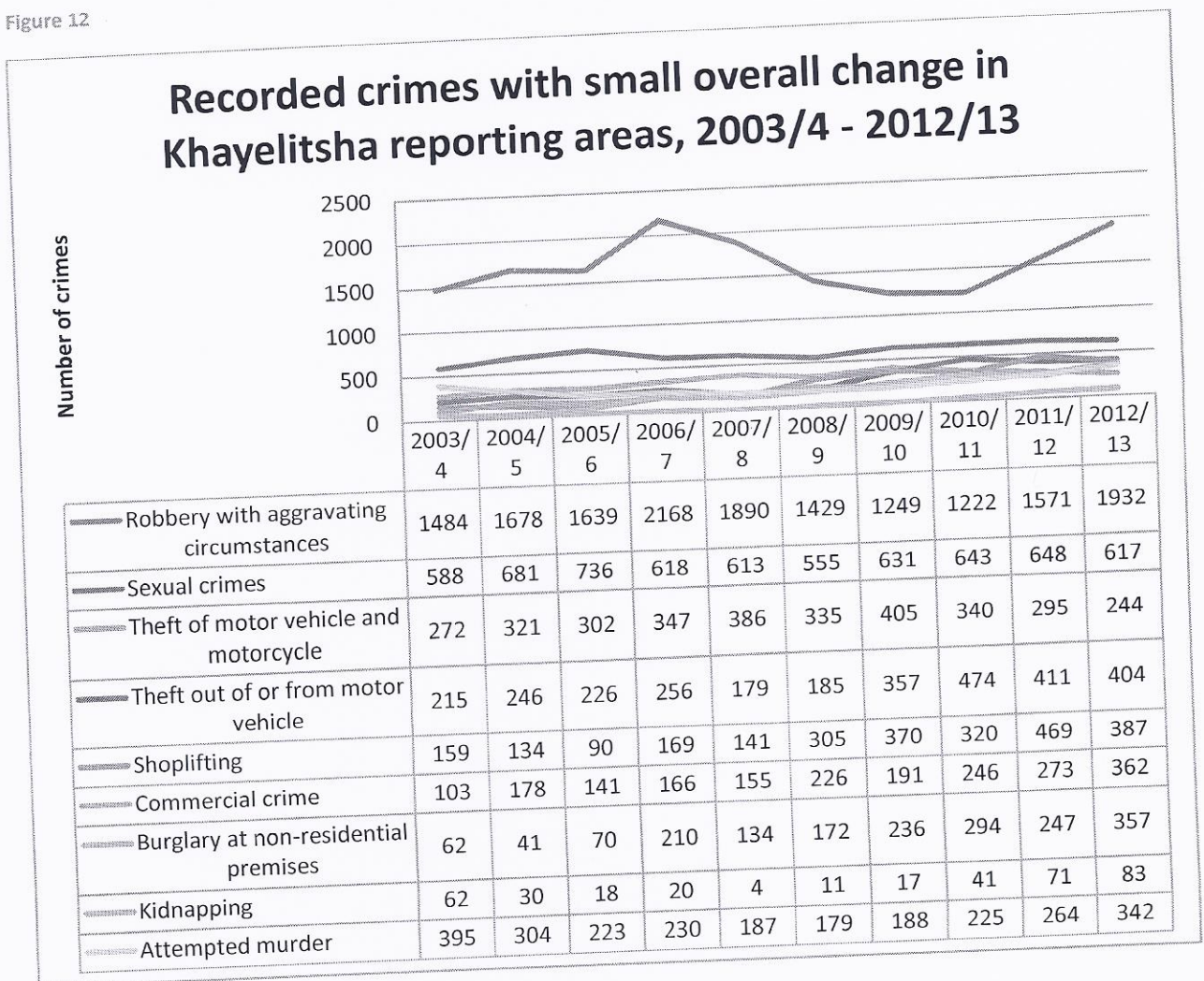


	2003 /4	2004 /5	2005 /6	2006 /7	2007 /8	2008 /9	2009 /10	2010 /11	2011 /12	2012 /13
Assault with the intent to inflict grievous bodily harm	3089	2647	1932	1510	1367	1232	1345	1426	1439	1486
All theft not mentioned elsewhere	2601	2236	1642	2177	1586	1346	1137	1145	1392	1423
Common assault	2020	2018	2100	1991	1753	1649	1866	1483	1557	1742
Burglary at residential premises	1621	1543	1207	1024	1046	1150	1254	1104	1105	1261
Malicious injury to property	1161	1177	1160	1228	884	877	903	866	917	971
Common robbery	824	1160	750	615	437	367	400	344	390	506
Crimen injuria	449	334	155	138	75	61	85	70	79	136
Neglect and ill-treatment of children	113	109	65	34	36	22	38	20	20	29
Arson	100	77	76	83	54	42	72	50	41	40



45. The more serious violent interpersonal crimes, such as aggravated robbery, sexual crimes, and kidnapping show an increase in number.
46. The trend for crimes affecting commercial businesses, such as non-residential burglary, shoplifting, and commercial crime, show an increase in number.
47. Crimes affecting motor-vehicles show an increase.
48. Violent interpersonal crimes, crimes affecting commercial business and motor vehicles, are suggestive of additional motivations for reporting.
49. The crimes showing an increase or insignificant change in number appear below.

Figure 12



50. Analysis of the recorded crime trends for the Khayelitsha policing areas suggests that there has been a decrease in the willingness of the public to report certain types of crime to the police in these areas.

51. Analysis of crime trends for the Khayelitsha policing areas further suggests that there has been an increase in the number of violent interpersonal crimes and crimes affecting businesses in the Khayelitsha reporting areas.

#### THE 2011 DEPARTMENT OF COMMUNITY SAFETY BAROMETER REPORTS

52. The Western Cape Department of Community Safety (DOCS) has since 2009 compiled a "Community Safety Barometer" of selected policing "precincts" to measure perceived levels of safety and fear of crime. The methodology comprised a household survey and a set of focus group discussions.

53. According to the summary report, the project "aimed to measure perceived levels of safety and fear of crime in *selected gang-infested and crime-ridden communities* (emphasis added) in the Western Cape Province".

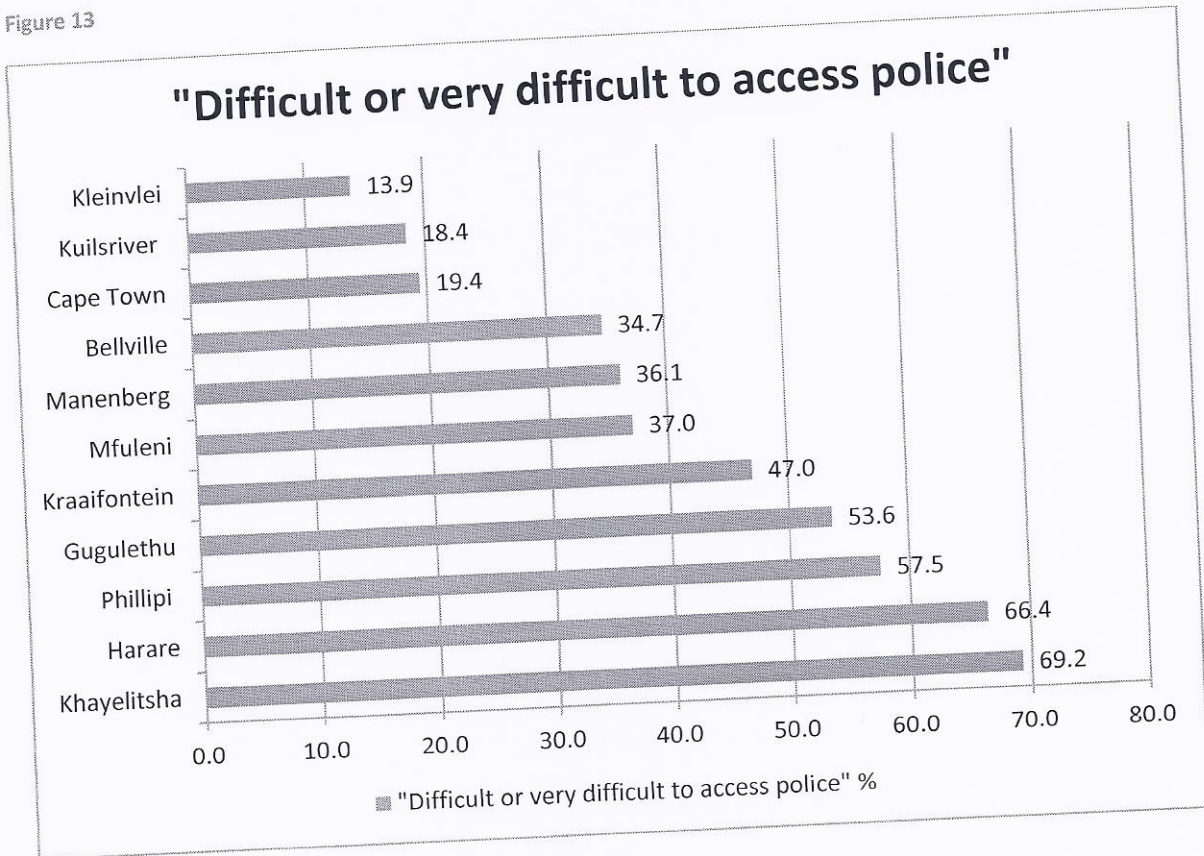
54. In late 2010, WCDCS embarked on the third phase of the Barometer Study in the selected 11 police districts, viz. Khayelitsha (Thembani, Bongweni & Khwezi and Site C), Harare (Mandela Park & SST and Kuyasa & Enkanini), Mfuleni (Bardale Squatter Camp and Wesbank), Gugulethu (Khikhi, NY1 & Lotus River Informal Settlement and Barcelona & Kanana), Cape Town (CBD area, Vredehoek and Oranjezicht), Kleinvlei (Melton Rose, Malibu Village & Tuscany Glen), Kraaifontein (Wallacedene and Bloekom Bos), Kuilsriver (Highbury and Kalkfontein & Sarepta), Bellville (Boston & CBD area), Manenberg (Heideveld), and Phillipi (Hanover Park and Pinati Estate) precincts.



55. The Barometer reports, dated 2011, relating to research conducted in 2010, were provided by DOCS. The underlying survey data was requested, but not provided. The Barometer Survey data referred to is drawn from the aggregated data presented in the written Barometer reports provided by DOCS.
56. The 2011 Barometer reports show that in Khayelitsha 45.2% of households had been affected by crime in the last three years, 18.4% once, 9.2% twice, 8.4% three times and 9.2% four or more times.
57. Using Census 2011 data, it can be determined that there are 48 396 households in the Khayelitsha policing area. Combined with the victimisation findings above it is calculated that at least 48 348 crimes over three years were experienced, or 16 116 per year.
58. The SAPS recorded 6676 crimes in the Khayelitsha policing area in 2012/2013, which is 41% of the number of crimes estimated by the survey data.
59. In Khayelitsha it was found that 69.2% said that it was "difficult" or "very difficult" for them to access the local police in their area. This was the largest extent of difficulty experienced recorded among all of the eleven "gang-infested and crime-ridden" precincts surveyed.
60. In Harare, it was found that 66.2% said it was "difficult" or "very difficult" for them to access the local police in their area, the second highest rate of difficulty experienced and recorded among the eleven (Table 7, summary report).
61. The findings for Khayelitsha and Harare, as well as Phillipi and Gugulethu, are highly suggestive of significant problems being experienced in accessing the police by citizens.



Figure 13



62. In Khayelitsha it was found that 45.5% were of the opinion that survivors of crime report the crime to the police most or all of time (see figure 14 below). (Note that the question did not relate to respondents' own behaviour, but rather to their perceptions of how people who are survivors of crime act) (Table 7, summary report.)

63. The percentages recorded for Gugulethu (31%), Manenberg (38%), Khayelitsha(46%) and Harare (55%) are indicative of very low belief that others report crime. The percentages are significantly lower than those recorded in the other seven areas surveyed.

Figure 14



64. Statistics South Africa's Victims of Crime Survey 2012 found that the extent to which a household crime is reported to the police depends on the type of crime. Murder was most likely to be reported (98,2%), followed by car theft (92,2%). About 60% of housebreaking/burglary, deliberate damage of dwelling, and home robbery was reported to the police.

65. Household crimes least likely to be reported were theft of crops (18,3%), theft of livestock (40,1%), and motor vehicle vandalism (40,8%) (page 3). The levels of reporting recorded in the Victims of Crime Survey appear to be higher than the perceptions of the extent to which victims of crime report as recorded in the Khayelitsha Barometer survey.


66. In Khayelitsha it was found that 90.2% would "not feel safe" or "would not feel safe at all" providing the police with information after having witnessed a crime (52.8% "not feel safe" and 37.4% "not feel safe at all" ). Some 88.8% said similarly of testifying in court about a crime they had witnessed (51.5% and 37.3% respectively) (Khayelitsha report, p82). This

variable was not consistently reported on in the 11 written Barometer reports, nor addressed in the summary report. On the face of it, however, the percentages found are indicative of an extremely high level of fear of engaging with the criminal justice system as a witness.

#### **THE 2012 DEPARTMENT OF COMMUNITY SAFETY BAROMETER REPORTS**

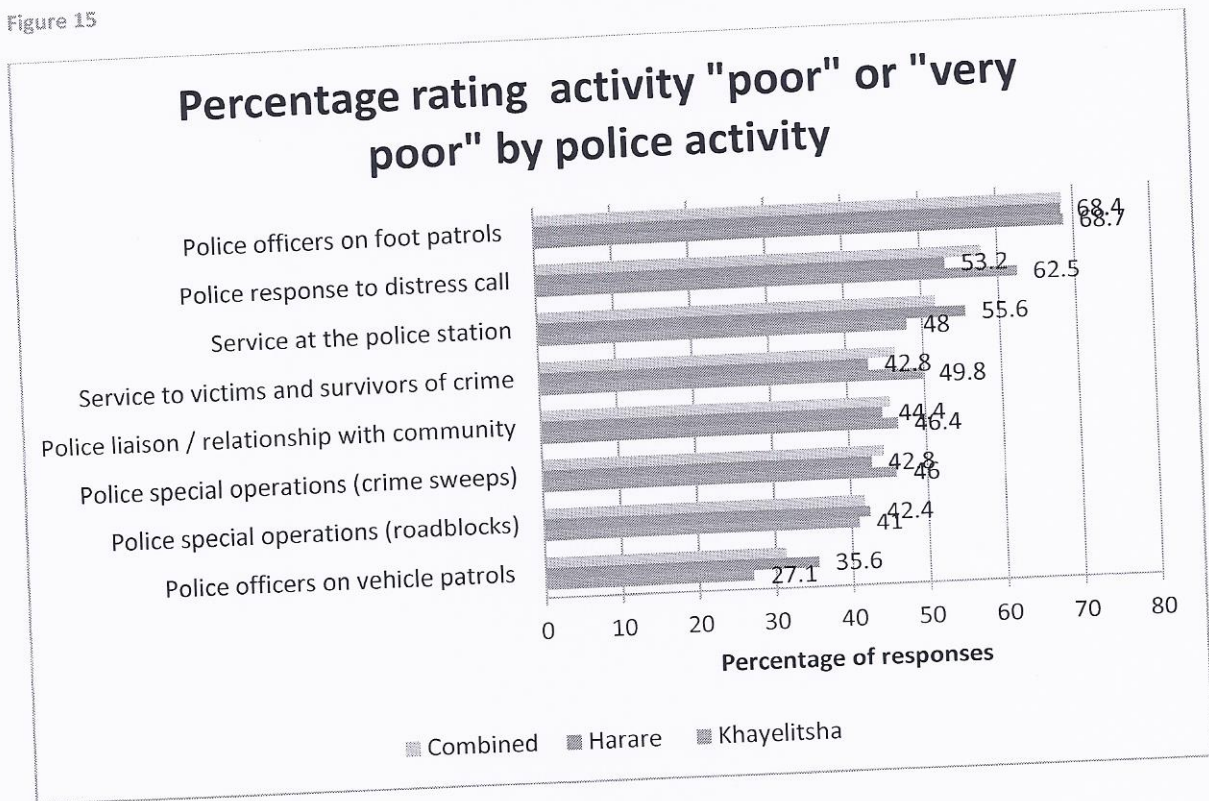
67. Barometer surveys were conducted by a different service provider in 2011, and published in abbreviated reports dated 2012. Reports relating to the three policing areas were provided by DOCS, but not reports for any other policing areas. It is unclear whether there exist reports for other areas. The underlying data was not provided. The data referred to is drawn from the aggregated data presented in the written reports provided.

68. The reports provided for Khayelitsha and Harare provided ratings of policing activities. The report for Lingeletu- West provided by DOCS did not contain these variables.



69. Significant percentages of people in Khayelitsha and Harare rated the policing activities on which they were asked to give a rating as "poor" or "very poor". The worst ratings were for foot patrols, response to a distress call, and service at a police station.

Figure 15



70. In addition, for each question significant proportions (approximately one fifth) responded "neither good nor bad". "Neither good nor bad" responses are frequently indicative of respondents not being willing to venture an opinion.

71. The 2011 and 2012 Community Safety Barometer reports (based on 2010 and 2011 data) are highly suggestive of lack of confidence in policing in the Khayelitsha areas.

## LIEUTENANT-GENERAL TSHABALALA'S TASK TEAM REPORT

72. Lt. Gen. Tshabalala's Task Team report refers to the number of people disciplined in the Khayelitsha areas. The rate of disciplining in Khayelitsha can be compared to the rate of disciplining for the country as a whole.
73. The SAPS Annual Report 2011-2012 (Table 12.2, p229) for the period April 2011 to 31 March 2012 records 5540 misconduct and disciplinary hearings finalised for the whole of the SAPS. The total employment of SAPS over that time was 199 345. This suggests an average rate for South Africa of SAPS misconduct and disciplinary hearings of 2,8 per 100 employees in 2011/2012.
74. The SAPS Annual Report 2012/2013 (Table 11.2, p183) for the period 1 April 2012 to 31 March 2013 records 5861 misconduct and disciplinary hearings finalised for the whole of the SAPS. The total employment of SAPS over that time was 197 946. This suggests an average rate for South Africa of SAPS misconduct and disciplinary hearings of 2,9 per 100 employees in 2012/2013.
75. Lt. Gen. Tshabalala's Task Team report (Annexure AL87) records that 701 members "were disciplined" in the three Khayelitsha policing areas from January 2011 – December 2012 (paragraph 9.2, p15 et. seq.). The phrasing "were disciplined" suggests imposition of a penalty after a guilty finding at a disciplinary procedure. For the purposes of comparative analysis the phrase is interpreted as referring to disciplinary procedures only.
76. The total actual employment recorded in the same report for the three stations was 656 persons (paragraph 10.1.1). This suggest a rate of 106.9 disciplinary procedures per 100 employees in the three Khayelitsha stations in 2012. This is more than one disciplinary proceeding per employee.





77. The rate of disciplinary procedures in Khayelitsha is 38 times (3800%) higher than the national average. If Khayelitsha were to exhibit the average rate, only 18 disciplinary procedures would have been expected. This suggest an extremely high rate of misconduct by police officials in the three Khayelitsha policing areas.

#### HOMICIDE DATA FROM FORENSIC PATHOLOGY SERVICES OF THE WESTERN CAPE GOVERNMENT

78. Data for the years 2008-2013 on alleged murders in what is referred to as “the Khayelitsha drainage area” for the period 1 January 2008 to 22 October 2013 was provided by forensic pathology services of the Western Cape.

79. Over 5 years the number of murders recorded by SAPS is 1.7% less than the number of homicides recorded by forensic pathology. This may be accounted for by the classification by SAPS of some homicides as culpable homicide rather than murder. This indicates the extent to which the murder figure alone undercounts the homicidal violence.

80. The data appears on homicides and murders appears in the table below.

Table 1: Khayelitsha drainage area homicides and murders

Source	2008	2009	2010	2011	2012	TOTAL
Forensic Pathology (January to December) Homicides	308	312	294	356	361	1631
	2008/9	2009/10	2010/11	2011/12	2012/13	TOTAL
SAPS Murders	283	290	310	360	354	1597
Forensic Pathology (March to February) Homicides	306	301	312	350	355	1624
Difference	23	11	2	-9	1	27

81. Forensic pathology services data records the nearest police station to the site of injury, and the suburb of injury. In their email attached to the data provided, it was explained that



there exist entries in which either the "suburb of injury" or "nearest police station" is not within the Khayelitsha drainage area (the majority of police stations recorded are Khayelitsha, Harare and Lingeletu West).

82. In these situations either the case was received from a Medical Service Area, outside of the Khayelitsha drainage area, and as such, a case was registered with the nearest Police Station to that Medical Service Area, or, the information received at the time, stated that the incident took place in another suburb, but after investigation it was determined that the incident took place within the Khayelitsha drainage area.

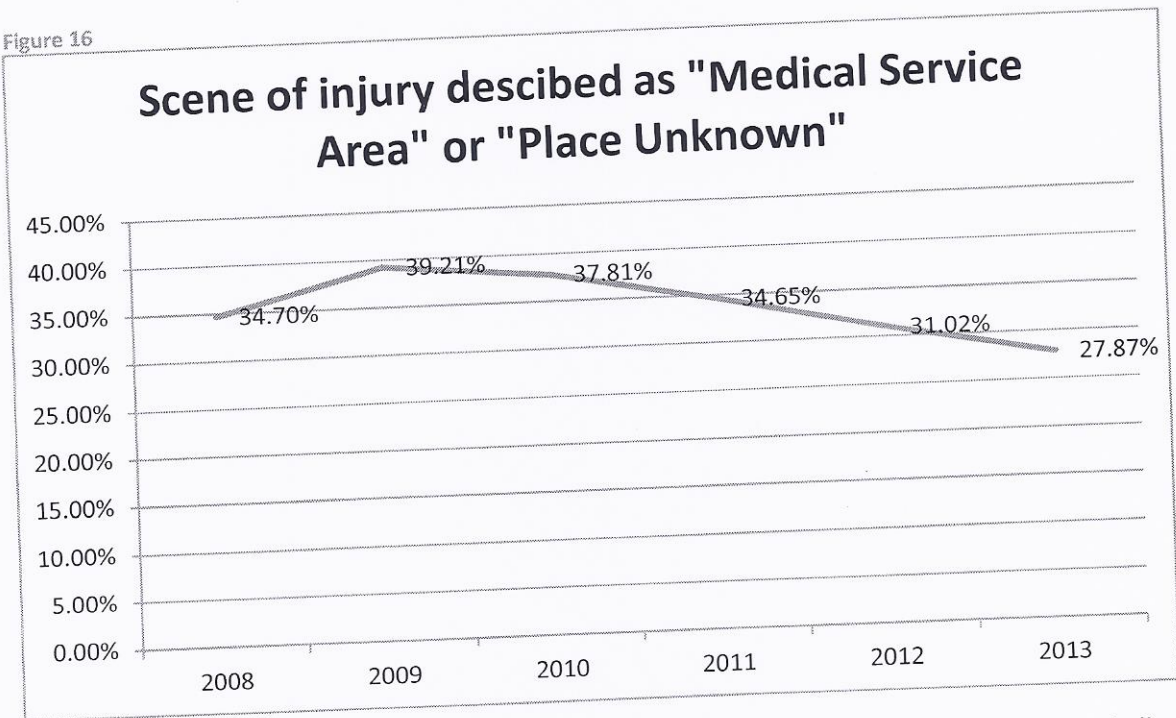
83. In these instances the exact location of the homicide incident was not known at the time of intake so data was initially captured using the information available at the time of intake.

84. A possible interpretation of cases being initially recorded with the "scene of injury" described as "Medical Service Area" or "Place Unknown" is that neither the SAPS nor Emergency Personnel were present at the scene of injury nor involved in the transportation of the victims to the Medical Service Area from the scene of injury. If they had so been involved, the information regarding the actual scene of homicide injury would have been supplied and available.

85. The data was analysed by year to determine the extent to which the scene of injury was recorded as "Medical Service Area" or "Place Unknown". The trend toward this occurring appears to have been highest in 2009 at 39% and has reduced in subsequent years.

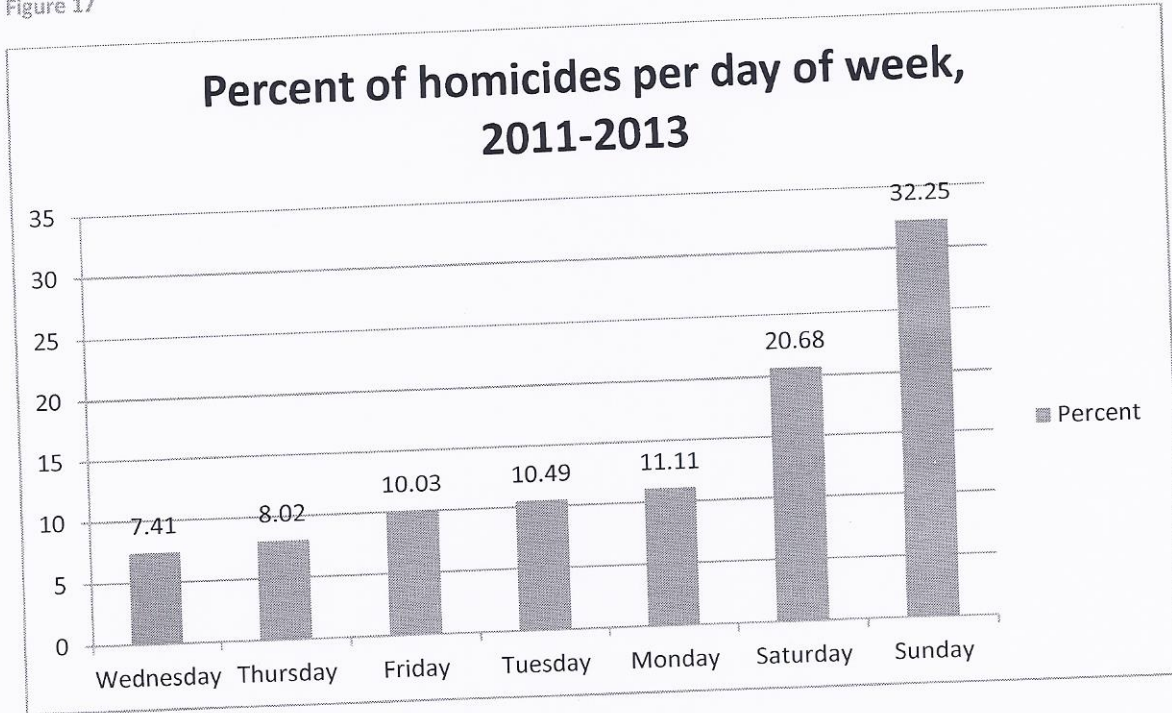


Figure 16



86. The data for 2011-2013 were analysed to determine the day of incident. The data indicates that half of all homicides are recorded on a Saturday or Sunday.
87. As the "time of call" is recorded as between 21h00 and 05h00 in 55%, suggesting that "Saturday" and "Sunday" as the day of incidents frequently refers to the early hours of those days, following a Friday or Saturday night.
88. The data suggest that homicide prevention resources should prioritise on weekend hours of darkness.

Figure 17



89. Most (95.21%) of victims were stabbed, shot or suffered blunt trauma: 46.90% of the victims were stabbed, 30.97 % were shot and 17.34% suffered blunt trauma injuries.

90. Some 97.76% of the victims were black, 1,34% of victims were Coloured and 0.34% of victims were Asian; there was 1 white victim (0.06%) and 1 of unknown race (0.06%).

91. Some 92.39% of the victims were male and 7.55% were female. There was 1 victim of undetermined gender.

92. Some 10.82% of victims were under the age of 20. Victims aged 20-24 comprised 28.77%, victims aged 25-29 comprise 25.65%, aged 30-34 comprised 14.42%, aged 35-39 comprised 8.78%. Those victims 40 or older comprised 11.56%.

#### DATA ON DEATHS WHILE ON DUTY OF POLICE OFFICIALS

93. Over the period 1 April 2011 to 31 March 2012, 92 SAPS members, including 8 reservists and student constables, died while on duty (SAPS Annual Report 2012-2013, p xvi). The SAPS

employed 157 475 police members (excluding civilians) as at 31 March 2012 (SAPS Annual Report 2011-2012, p. iv). The rate of "on-duty" death for SAPS members is thus 58 per 100 000 for 2011/12. The rate is 53 per 100 000 if reservists and student constables do not form part of employment.

94. In the following year, over the period 1 April 2012 to 31 March 2013, 76 SAPS members died while on duty (SAPS Annual Report 2012-2013, p20 and the SAPS employed 155 531 police members excluding civilians (SAPS Annual Report 2012-2013, p12). This suggests a rate of "on-duty" death for SAPS members of 49 per 100 000 in 2012/13.

95. The average "on-duty" death rate of SAPS members for the two years is 51 per 100 000 police members.

96. The "on-duty" deaths recorded of SAPS members may be deaths from all causes, including natural causes. However it is likely the majority were from natural causes.

97. In 2010 there were 487 372 deaths of persons in South Africa older than 15 (Table 3.1, Statistical Release P0309.3, Statistics South Africa). Using an estimate of a population of 37 million people in South Africa older than 15 (Census 2011) suggests a crude death rate due to all causes of 1317 per 100 000.

98. Approximately 9% of deaths in South Africa in that year were unnatural in nature (Statistical Release P0309.3, Statistics South Africa). This suggests a crude unnatural death rate for South Africa of 132 per 100 000 in 2010.

99. The unnatural death rate for South Africa in 2010 is 2.6 times higher than the on-duty death rate of SAPS members calculated above.



100. In the Western Cape over the years 2009-10 to 2012-13 there were 10 murders of police officers while on duty and further 14 murders of police officers while off-duty (data supplied by the SAPS).

Table 2: Number of murders of police officials in the Western Cape

Year	On-duty	Off-duty	Total	Khayelitsha areas
2009-10	4	2	6	0
2010-11	0	3	3	-
2011-12	3	0	3	0
2012-13	3	9	12	2
<b>TOTAL</b>	<b>10</b>	<b>14</b>	<b>24</b>	<b>2</b>

101. In April 2013 there were 19 692 police members (excluding civilians) employed in the Western Cape, according to the SAPS website. Using this figure, an average rate over these four years of 30 murders of police per 100 000 police members per year in the province is calculated. The commensurate rate for Khayelitsha is 76 murders per 100 000 police members.

102. The average murder rate of ordinary civilians in the Western Cape over the same period is 41 per 100 000. The commensurate rate for Khayelitsha over the same period is 83 per 100 000 residents.

103. The rate of murder of civilians in Khayelitsha is higher than the rate of murder of police in both the Western Cape and Khayelitsha.

104. The number of attacks on police members in the Western Cape over the period 2009-10 to 2012-2013 appears below. The average rate of attack of police in the Western Cape for the previous two years is 911 attacks per 100 000 police members employed. The


commensurate rate for Khayelitsha is 2973 per 100 000. The rate of attack of police members in Khayelitsha is 3.3 times higher than the rate for the Western Cape.

Table 3: Number of attacks on police members in the Western Cape and Khayelitsha

Year	2009-10	2010-11	2011-12	2012-13
On-duty attacks on police, Western Cape	92	102	133	184
Off-duty attacks on police, Western Cape	10	1	20	22
Total attacks on police, Western Cape	102	103	153	206
Total attacks on police, Khayelitsha	-	-	17	22

105. The average rate of reported crimes with an element of violence (assault with the intent to inflict grievous bodily harm, common assault, malicious injury to property, common robbery, robbery with aggravating circumstances, sexual crimes, kidnapping, attempted murder, culpable homicide, murder) against civilians in the Khayelitsha area is 1823 violent crimes per 100 000 residents.

106. The rate of attacks against police members is 1.6 times higher than the rate of reported violent crimes against civilians in Khayelitsha.

  
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**JEAN FRANÇOISE REDPATH**

Signed and sworn before me at Claremont on the 21<sup>st</sup> January 2014, the Deponent having acknowledged the she knows and understands the contents of this Affidavit, which is deposed to in accordance with the regulations governing the administration of oaths as more fully set out in Government Notice R1258 of the 21<sup>st</sup> July 1972, as amended by Government Notice 1648 dated 19<sup>th</sup> August 1977 and Government Notice 903 dated 15<sup>th</sup> July 1998