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

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**STATEMENT**

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I, the undersigned,

**DAVID MZILIKAZI MOLO**

do hereby state under oath that:

1. I am a Major General in the South African Police Service, situate at the SAPS Provincial Office: Western Cape, 25 Alfred Street, Green Point. I am responsible for the detectives in the Province. Prior to this, I was the provincial head of the detective service in the Western Cape. In 2004, I was transferred to Boland as the area commissioner responsible for overall policing. At that time, I held the rank of Major General (Assistance Commissioner). In the restructuring of the Service, I was then deployed to Khayelitsha Cluster as a Cluster Commander in 2006 until 2008. The stations of Khayelitsha, Harare and Lingeletu were under my command. In 2008, I was transferred to the Provincial Office as Provincial Head of the detectives, a position I still hold to date.
  
2. I have advised that the Commission of Inquiry was constituted to determine two things;




- 2.1. First whether the SAPS in the three stations are inefficient or incompetent having regard to the complaints that were given to the Commission;
- 2.2. Second, whether there is a breakdown of relations between the community and the SAPS as a consequence of this alleged ineffectiveness.
3. In my aforementioned position, I am able to give to the Commission a unique perspective on the policing challenges faced by the SAPS in Khayelitsha, more specifically those faced by our detective service.
4. In this statement I will address the following issues:
  - 4.1. The structure of the Detective Service;
  - 4.2. The Training of Detectives;
  - 4.3. The Provincial Strategy on Detectives;
  - 4.4. The Performance measurements of the Detectives;
  - 4.5. The Standing Orders governing the Detectives Service;
  - 4.6. The resources required for effective detective service- the RAG;
  - 4.7. The challenges of detectives in the stations;

*Dns [Signature]*

4.8. Community relationship between the SAPS and the community.

*The structure of the Detective Service*

5. The structure of the Detective Service at a station level is set out in national instruction attached herein as “GENM1”.
  
6. The composition of the Detective service in the various stations are as follows:
  - 6.1. For the Khayelitsha Police, there are 60 detectives who are granted in accordance with the allocation guidelines. There are 53 investigators. The investigators are directly involved in the process of investigations and they report to their heads.
  
  - 6.2. Detectives are all trained in Basic Crime Investigation Programs. I attach a copy of this courses that are covered under this program. This is a two-week course.
  
  - 6.3. The second course that detectives must undergo is called the Revolving Of Crime (“ROC”). I attach a copy of the courses covered under the ROC as “GENM2”, “GENM3” and “GENM4”.
  
7. All the detectives of Khayelitsha have received detective training and achieved the basic crime. 23 detectives in Khayelitsha have not yet completed the ROC course but have completed the basic. 37 detectives have completed ~~the basic~~ both the basic and ROC

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course. Seven of the detective <sup>5</sup> form <sup>1</sup> the management structure and have done and completed management courses. 4

8. There are 35 vehicles allocated to the detective service and in accordance with the allocation guide there are two detectives per vehicle. There are 51 laptops allocated to 51 detectives. Orders are made for those detectives who do not have laptops. This procurement takes time sometimes and largely depends on availability of funds.
9. There are 12 cellphones allocated to the branch commander, and those on stand-by duty. There is no cell-phone policy in the allocation guide. At present only the management and stand-by detectives have access to cell-phones. In terms of communication, all cars are fitted with radio transmission devices, which allow them to communicate with each other or the management.
10. In my view the allocation of resources to Khayelitsha detectives meets the allocation guide. However the current resources would be reasonably adequate if the policing environment itself was favourable. For example, if the housing challenges, road infrastructure, sporting amenities, street markings and unemployment were tackled, then the current resources could be relatively sufficient. Policing in Khayelitsha or any area with high levels of youth unemployment, homelessness, under-housing, poor sanitation and amenities etc. presents ~~very~~ circumstances for effective and efficient policing.
11. In Harare there are 48 detectives and 44 investigators. Four members constitute the management of the detectives. All the detectives in Harare have completed the basic course. 28 of the total have yet to complete the advanced course, ROC.



12. There are 27 vehicles allocated to Harare detectives. There are 35 laptops and 8 cellphones. All vehicles are fitted with radio communication devices. There is, in terms of the allocation guide, a shortage of 8 detectives.
13. In my view these resources are relatively adequate to meet the basic challenges of crime investigation. However, the Harare area, just like Khayelitsha poses various socio-economic challenges that would justify further resources allocated to the detectives.
14. In Lingeletu, the allocated number of detectives is 29. There is however 32 members of the detective service. All the detectives are trained in detective courses. There are 17 vehicles, 31 laptops and 10 cellphones allocated to the detective service.
15. In my view the allocated resources are relatively adequate. However, the socio-economic challenges facing Lingeletu, which is similar to that of Khayelitsha does not create a perfect picture for policing.
16. In my oral evidence I will address the complaints directed at detectives in the three police stations. I will also address questions arising from dockets in which it appears that detectives have not done their work properly. I readily accept that detective work is not a perfect art and there is room to increase investigative skills. However, the policing environment in Khayelitsha presents various challenges that cannot depend on textbook detective skills.

*Provincial Strategy on detectives*



17. The provincial detective strategy was developed and is attached as “GENM5”. From this strategy, a 10-point plan was developed in order to operationalize the strategy. I attach a copy thereof as “GENM6”. As can be gleaned from, this is developed by the province and gives the vision of detective policing.
18. In oral evidence, I will answer any questions that may arise from the implementation of this strategy.

*Detective performance: Challenge analysis*

19. The performance evaluation involving detectives is an indication of how we have implemented the provincial strategy. I attach a copy of this analysis as “GENM7”. I further attach as “GENM8” the statistical analysis of detective work in the three stations titled “Management Information: Docket Progress”. As can be seen from the statistics, there is a general improvement in the delivery of detective services. In oral evidence I will address any questions relating to these statistics.

*Screening Protocol with the NPA*

20. As part of the detective service responsibility to the Court, a screening protocol was developed between the SAPS and the NPA. I attach a copy of the document as “GENM9”. In order to operationalize the screening protocol, the placement of detective court case officers was made. I attach the placement as “GENM10”.



Standing on applicable to detectives

21. Detectives are guided in their handling of dockets by standing orders issued by SAPS national. I attach relevant copies of standing orders applicable to docket management;
- 21.1. Standing Order (General) 321 Docket Management- Case Docket (SAPS 3M) as “**GENM11**”,
- 21.2. Standing Order (General) 326 Filing of Case Dockets as “**GENM12**”
- 21.3. Standing Order (General) 324 Checking of Case Dockets as “**GENM13**”
- 21.4. Standing Order (General) 325 Closing case Docket as “**GENM14**”
22. I am in a position to answer any specific questions arising from complaints and the duty to inspect these dockets. I will be able to answer any questions arising from dockets in the possession of the Commission.
23. A detective policy is reviewed yearly. It gives the framework in terms of which detectives carry out their duties. The detective policy must be read together with these standing orders and I would be able to address any questions relating to the implementation of this policy in Khayelitsha. Attached is a copy of the document as “**GENM15**”
24. Detective Service Center is open daily for 24 hours. The function is to screen dockets from CSC, interviewing the complainant, attending immediately to crimes that are



reported, crime scene management and the investigation of reported crimes. I would be able to answer any complaints relating to the work of detective service centers.

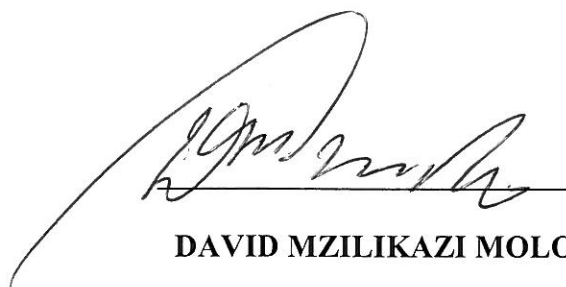
25. From my experience, I do not accept a generalized statement that the police in the Khayelitsha stations are inefficient. The area presents very unique and serious challenges. For example, there are specific guidelines relating to crime scene management that do not apply to Khayelitsha because of the environmental factors. There are no street lights in some areas, no proper roads, overcrowding of informal settlements and people. Informal settlements often burn in summers and in winter they get flooded. These factors do not stop crime. Often they encourage it.
26. The allegation that there is a breakdown of trust in the SAPS in the three stations of Khayelitsha is difficult to understand. There are specific complaints by individual members of the community but that does not justify a generalized view that the community has lost trust in the SAPS. People in the community report crime on a daily basis and the reports increase on a regular basis. Some of the investigated crimes have resulted in criminal prosecutions and convictions. Others have not for a variety of reasons. The quality of investigations can sometimes be criticized but in general and under the circumstances, it should be commended. There are discernable improvements in the conviction rate and general quality of work of the detectives, who work under extremely depressing conditions. I attach a copy of an SAP6 as **“GENM17.”**
27. The SAPS in Khayelitsha has direct relationship with community organizations like SANCO, KDF, Free Gender and statutory organizations like the CPFs, street





committees. We have a generally healthy relationship with these organization and with them we hold regular meetings to address community policing interests. Most times the concerns expressed in these meetings are directly related to service delivery complaints of housing shortages, sanitation, and general sporting or community amenities.

28. In my view the community of Khayelitsha are generally concerned about services delivery problems involving example housing, unemployment, sanitation, electricity etc. It is these social conditions that have created space for crime to thrive and increase the difficulties for policing. I am convinced that the work of the police would perform better if housing conflicts, sanitations concerns, environmental problems, street lights, proper road infrastructure with clear markings and general community amenities were resolved. This is not to say that the police are perfect. As conceded already, there are gaps that could be improved and that are subject to constant improvements.



**DAVID MZILIKAZI MOLO**

I certify that the above statement was taken by me and that the deponent has acknowledged that she knows and understands the contents of his statement. This statement was sworn to before me and the deponent's signature placed hereon in my presence at **CAPE TOWN** on <sup>24</sup>~~20~~ **JANUARY 2014.** *Dm*



**COMMISSIONER OF OATHS**

Ex Officio

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