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

Brigadier Leon Rabie

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ON RESUMPTION ON 25 MARCH 2014: (at 09:00)
COMMISSIONER: You're very welcome. Mr Arendse, could I start by just talking about a couple of documents that we have been promised and I wondered if progress has been made. One is the Project 54 report that Brigadier van Zyl mentioned in his testimony. Is there progress on – I'm not sure if I should be talking to you or Advocate Masuku, progress on getting that from Brigadier van Zyl?
MR ARENDSE: I reminded Brigadier Solomons about it on Sunday.
COMMISSIONER: Right.
MR ARENDSE: I will have to follow up.
COMMISSIONER: You will follow that up. Excellent. Then the other information that we're still waiting for and which was set out in our letter of the 17th of March was the information around the Khayelitsha Site B Police Station having been declared a presidential station and what the implications of that were. It's set out in paragraph 5 of our letter of the 7th of – 17th of March. So if that could be looked into.

And then the third issue was the critical needs assessment for the three police stations, which I understand had to be submitted by January 2014. All of these obviously are very material and would be helpful to us in being able to pose appropriate questions to witnesses during the course of this week.
MR ARENDSE: Could I request, just for convenience and for ease of reference, if Ms Dissel could just send me an email to that effect. Because we communicate these things as soon as we receive them to Colonel Benting and she tries her best and ...(intervention).
COMMISSIONER: Okay. Well we will do it during the tea adjournment. We will do a short email during the tea adjournment mentioning those three issues and anything else that seems appropriate.
MR ARENDSE: Okay.
COMMISSIONER: Good. Well good morning, Brigadier Rabie. It looks to me like you have got a presentation for us. Is that correct? No. I am just looking at your – is your computer adequately connected there? Is your computer connected? Are you happy with your ...(intervention)?
BRIG RABIE: ...(Indistinct – off microphone).
COMMISSIONER: Well would you like – we will give you two minutes to sort that out and just make sure it's in order. Are you ready, Brigadier?

BRIG RABIE: Yes, ma'am.
COMMISSIONER: Good. Well welcome to the proceedings of the Commission. Thank you for your affidavit and the documents that you have made available to us. You're aware that the proceedings of the Commission are in public and that your testimony may be made public both through the media and through the report, and you have no objection to that?
BRIG RABIE: That's fine.
COMMISSIONER: Good. Do you have any objection to taking the oath?
LEON RABIE: No, ma'am.
COMMISSIONER: And you're happy to testify in English, or you are content to testify in English. Am I correct?
BRIG RABIE: Ja, I will try my level best.
COMMISSIONER: Thank you very much. We're grateful to you for that. We have had some difficulty with triple translations, so we're grateful to you.
BRIG RABIE: That's fine.
LEON RABIE: (Sworn states)
COMMISSIONER: Thank you. Advocate Arendse.
EXAMINATION BY MR ARENDSE:

Thank you, Madam Commissioner. Brigadier, you are stationed at head office in Pretoria, in the organisational – in the human resource division, but you are the head of the – the section head of performance management in organisational development. Is that correct?
BRIG RABIE: Ja. The name of the section is performance measurement.
MR ARENDSE: Performance measurement?
BRIG RABIE: That is correct, ma'am.
MR ARENDSE: For how long have you occupied that position now?
BRIG RABIE: I have been at head officer since 2006. I have been the section head of this specific component since 2009.
MR ARENDSE: And for how long have you been in the service?
BRIG RABIE: I am in the South African Police Service for 27 years now.
MR ARENDSE: For 27 years. Now your main function or job is to calculate the human resource requirements for police stations within the service. Is that correct?
BRIG RABIE: Ja. In my capacity I am responsible for the calculation of human resource requirements of police stations; that's correct, sir.
MR ARENDSE: Now that's obviously a very important function. But let's maybe start at the beginning; what are the statutory prescripts, what does the law say about how police stations should be or must be resourced?
BRIG RABIE: I think, ma'am, starting with the – if you look at the Constitution it is clearly stipulated in the Constitution that we have a responsibility to ensure that we promote effective and efficient economic utilisation of resources that are made available to the South African Police Service. More closely to home, when you look at the SAPS employment regulations it clearly states that as the – the national commissioner has the responsibility to determine organisational structures. That is also applicable to station level.

We also need to define the number of posts that are necessary to perform the

functions associated with police stations. We are also supposed to do the grading of posts associated with police stations to determine on what level they should be. And then we should also then allocate resources that are funded in terms of the medium-term expenditure framework and the budget of the South African Police Service to police stations.

And then also in the – that relates to that, is the fact that in section – in the Public Finance Management Act, it is once again emphasised that as the South African Policed Service we have a responsibility to promote effective, efficient and economic use of resources. And the aim of the whole exercise or the activities that we embarked on in my environment is to ensure that we actually use the resources that are available effectively and efficiently.

MR ARENDSE: Madam Commissioner, are we going a bit too fast for the translation?

COMMISSIONER: I beg your pardon?

MR ARENDSE: Are we going a bit too fast for the interpreter?

COMMISSIONER: Yes, they are going a little bit too fast, yes. We're having simultaneous translation; if you could speak a little bit more slowly. This is the – and I'm not the person to be instructing you in that because I speak very fast. But if you could, it would be helpful.

BRIG RABIE: Thank you.

MR ARENDSE: Who is responsible for fixing the establishment in the South African Police Service?

BRIG RABIE: If we refer to the fixed establishment of the South African Police Service it is managed by a committee, a human resource establishment committee, at head office that reports to the human resource committee that is chaired by the national commissioner. Now the purpose of this commission – of the human resource establishment committee is to identify the theoretical requirements of the different entities or business units within the South African Police Service.

Then secondly, to determine the number of posts that have been funded in terms of the current budget and the medium-term expenditure framework, and then to initiate actions to ensure the distribution of those resources to the different business units relative to the theoretical requirements that's been determined for those business units. So the responsibility to determine the fixed establishment and manage it lies with the human resource establishment committee.

MR ARENDSE: Under the national commissioner?

BRIG RABIE: Ja. Reporting to the human resource committee chaired by the national commissioner.

MR ARENDSE: Now we're going to unpack all that in due course. How many police stations do we have in this country?

BRIG RABIE: We currently have 1 137 police stations. One was recently added, roundabout a week ago; so it's 1 137.

MR ARENDSE: And obviously all of them have to be resourced?

BRIG RABIE: That is correct.

MR ARENDSE: And all these police stations, are they split into different categories; and if so, what are these categories; like you have captain stations, colonel stations, brigadier stations? Can you just explain that?

BRIG RABIE: If we look at the approved structures for police stations in the South African Police Service, we categorise police stations as small, medium and large police stations. Now the small police stations are the stations on the level of captain, where a captain is the station commander.

Then we have the medium police stations or the category – sorry, the first one is category A stations. Category B is our medium police stations, where we have a lieutenant colonel in charge of that police station. And then as far as the large stations are concerned, we have two categories; C1 is the colonel stations and C2 are the brigadier stations, and those two constitute a so-called large police station. So those are the three categories.

MR ARENDSE: So when we come closer home, Harare is headed by a colonel, Lingelethu West by a colonel, Khayelitsha Site B by a brigadier. So they are C1, C2 category stations?

BRIG RABIE: Ja. The two colonel stations are C1, category C1 stations, and the brigadier is a category C2 station.

MR ARENDSE: Now are there minimum requirements in terms of resourcing these stations, starting with the lower category stations, and what are these minimum requirements?

BRIG RABIE: Chair, what we do is, if we refer to the requirements associated with the specific police stations, what we do is we go through a process biannually and sometimes annually to determine the theoretical human resource requirements of all police stations in South Africa, all 1 137 of them.

Now going through that exercise we determine what we refer to as the theoretical requirement or the paper requirement. And yes, if you look at specific minimum requirements, there are minimum requirements applicable. For instance, a decision was taken by the management of the South African Police Service that all police stations in South Africa should operate 24/7, that means that you are open all the time.

Now to achieve that you need to allocate minimum number of resources to a specific police station. So to run a community service centre you need a minimum of 16 people, that is only attending to the CSC. So you may go through an exercise to determine, if you look at the activities performed at the police station, that the theoretical requirement is actually less because of, you know, the low number of activities performed there.

But you cannot staff the CSC with less than 16 people because you need to run a shift system and there needs to be two policemen on duty at any given time; you cannot have one single person working. Now the same principle applies when it comes to the implementation of sector policing, etcetera. So ja, there are certain minimum requirements that are applicable when we look at the theoretical requirement of all police stations.

MR ARENDSE: And is that – that minimum requirement or that threshold, is that set by this HR committee that reports to the national commissioner?

BRIG RABIE: The minimum requirements are determined by means of a work study investigation or work study methodology; we determine the total criteria. So there is a manual available that we drafted that reflects all the minimum requirements that are being set for the specific environments.

It needs to be mentioned that this is endorsed by management; it is presented to the national management forum to indicate what principles we apply. For instance, if the national management forum takes a decision that all police stations must function 24 hours, then automatically certain minimum requirements will kick in. You cannot render a 24-hour service if you have only four policemen.

So basically the moment that certain operational decisions are taken, we calculate what should be the minimum to be allocated to that specific station, you know, to implement that specific decision.

MR ARENDSE: Now we have heard much throughout our sittings here about the resource allocation guide, the RAG. What is the RAG and how does that differ from the theoretical human resource requirements? It the RAG still applicable?

BRIG RABIE: Ja, ma'am. I think it is a topic that I need to explain properly because there is a lot of misperceptions about what exactly is the RAG and what is interpreted as the RAG.

When you look at the process that we implement in the South African Police Service to determine the resource requirements of police stations, there are three different processes in this or sub-processes within this process. Now normally what happens, if we engage with station commanders, etcetera, the piece of paper that they get that reflects the distraction of posts or the allocation of posts to that specific station is referred to as the resource allocation guide.

Now that piece of paper or the resource allocation guide that is made available to the station commander is then interpreted as the allocation that we made to the specific station saying that it is the number of people that you need to perform your policing duties within this specific environment.

I just want to state it very clearly; that that allocation that we made to the police station on the RAG document is the allocation that falls within the budget and the MTF of SAPS. So it's an allocation of funded posts, it's an allocation process. It is not equal to the theoretical requirement of that police station.

On average, if we look at the total South African Police Service only at police stations, we are approximately 30%, 33% below the requirement of police station. That means the number of posts that we have available to distribute is less than the theoretical requirements that we calculated for those – all the police stations in South Africa.

So we need to understand that, that what we – what the policemen and policewomen commonly refer to as the RAG is the piece of paper indicating to them how many posts have been allocated to them. But I need to explain that this is the end result of a process that we follow.

When we calculate the theoretical requirement, Advocate Arendse referred to the theoretical human resource requirement and the RAG; the fundamental principles are the same. The theoretical requirement refers to the ideal situation. I think maybe during your proceedings you have heard policemen referring to the ideal situation and the granted situation.

Now the ideal situation is where we go through a process of gathering information, interpreting information and then coming up with a theoretical requirement for a specific police entity, ...(intervention).

MR ARENDSE: Now is that – that calculation or that exercise, is that conducted in

terms of this document?
BRIG RABIE: Ja.
MR ARENDSE: The second document to your affidavit?
BRIG RABIE: Ja.
MR ARENDSE: Is that second document, it's called "calculation of theoretical human resource requirements, clusters, police stations, satellite police stations and contact points"?
BRIG RABIE: Ja. This – ma'am, it's this document that was attached to my affidavit, and this document includes the methodology and the criteria that we apply to calculate the theoretical requirement. This is not the document that we – where we do the allocation; this is to calculate the theoretical requirement.

The allocation process, where we start distributing ...(intervention).

MR ARENDSE: So this is – I think maybe I speak for myself also trying to understand this. This is not a RAG document?
BRIG RABIE: No. This is a document, this is not the allocation document.
MR ARENDSE: Is this the manual that you work with in terms of calculating or determining theoretical allocations?
BRIG RABIE: Theoretical requirements.
MR ARENDSE: Requirements, sorry.
BRIG RABIE: Not allocations, ja.
MR ARENDSE: Sorry, sorry, requirements.
BRIG RABIE: That is correct.
MR ARENDSE: So and this document is still a valid working document that you use?
BRIG RABIE: Ja. This document is still applicable as it is, ma'am. I also need to mention that we have to realise that the calculation of the theoretical requirement is reviewed on a continuous basis; because new legislation are implemented, new responsibilities are allocated to police stations. So as it is there it is still valid today, but it is subject to review on a continuous basis, depending on what happens in the SAPS environment.
MR ARENDSE: Now do – just maybe explain to us the exercise that you embark upon or that you enter into in the lead-up. What does that Minister take to Parliament when he says to Parliament, I need so much money to fund so many posts? Are you part of that exercise?
BRIG RABIE: No, unfortunately. We play a role, we are indirectly involved, Chairperson. Because that process in itself is managed by financial services, where they compile the estimate of national expenditure, they compile our medium-term expenditure framework. But what we do is we feed into that process.

Because after we have calculated the theoretical requirement we will inform financial services that this is the theoretical requirement that is applicable and then they consolidate the total demand for police officials within SAPS and that is then presented by financial services and the Minister. But we are indirectly involved in the process.

MR ARENDSE: So is your evidence that what then eventually Parliament allocates to police services as a budget, there is a difference or a gap between these theoretical requirements and what is actually allocated to the police?

BRIG RABIE: Ja. Unfortunately I am not an expert in that field. Because once again, it is managed by financial services, where our allocation is made by Treasury. Now up to now, if I may use the example, from 2002 to 2012, if we take the last 10 financial years into consideration, the South African Police Service has been a growing organisation. So annually there was an increased allocation based on the submissions that we made to Treasury.

Now that – we have grown from an establishment of approximately 120 000 to almost 200 000 over the last 10 years. So the number of policemen that we currently have at police stations today is almost equal to the total South African Police Service in 2002. So there was quite a significant increase.

But unfortunately in 2012 / 2013 indications from Treasury came that we will no longer be a growing organisation as SAPS and we have to stabilise our establishment on a specific level. Initial indications were that we may even have to reduce our establishment, but after negotiations on that level between finance, Treasury and all the other stakeholders agreement was reached that the establishment of SAPS will for the next couple of years be maintained on a specific level.

So the consequence of that now is, if we submit any additional demands now there is a – it's highly unlikely that we will get additional funding. An example that I can use that doesn't specifically relate to police stations, for instance, is our request for additional funding to increase our public order policing capacity.

Now up to now we have not been in a position to get that additional funding. So that capacity within SAPS now need to be established with the resources that we have available. So also now, even if we establish a new police station we have to fund that establishment from a human resource perspective within the current allocation. So we are just shifting resources around at the moment to fill the demand that we have identified within specific communities.

MR ARENDSE: Now ...(intervention).

COMMISSIONER: Sorry, Mr Arendse. Can I just ask a question while we're talking about this issue of the growth of the SAPS establishment over the previous 10 years. So what you're saying now is that in the SAPS establishment approximately 120 000 are allocated to police stations and the remaining 80 000 are allocated elsewhere; so a ratio of 12 to 8 in terms of police stations, according to other. Has that ratio changed since 2002? In other words, have we seen a shift in the way in which human resources are deployed in that 10 years?

BRIG RABIE: Chairperson, ja. We must just keep in mind that over the last 10 years we have been through a couple of restructuring processes within SAPS that influenced the distribution ratios that you are referring to. For instance, in 2006 we closed down areas where quite a significant bulk of the resources were allocated to and then those were – some of those resources were distributed to police stations.

We also had – in the same period we scaled down on our public order policing capacity; the FCSs were closed down and those personnel were placed at police stations. So it's difficult to determine exactly, you know, how the ratio changed. If you want me to give an exact answer we need to go back and do proper research on how did the ratio change.

But if you look at the allocation to police station, over the last 10 years, 12 years it is more or less in line with what you've indicated now, where approximately 60%, 65% of the resources that we have available are being allocated to police stations and the remainder ...

But please keep in mind that the remainder of the resources are not only allocated to national head office or provincial offices; that includes all types of specialised units. It includes our training institutions; it includes, for instance, your K9, your public order policing, your TRTs. So the other 40% is then dedicated to that specific capacity.

COMMISSIONER: But you couldn't say offhand that – I mean, you've used the figure 60% to 65% for the current allocation to police stations. Is it very different to what it would have been in 2002 or is it more or less the same number?

BRIG RABIE: No, no, I wouldn't say it's very different. It will more or less the same as the principle that we applied then, ja.

COMMISSIONER: Thank you.

MR ARENDSE: Thank you, Madam Chair. But perhaps maybe can you – because I heard you also give a qualified answer. Perhaps the question should be, has the ratio between what is allocated to the operations of the police and the rest, has that ratio changed or has it stayed the same?

Because I also hear you saying what has happened was a sort of rationalisation where you have these specialist or specialised units operating at national and provincial level that then also render services to other police stations.

BRIG RABIE: Ja. Okay, to give an exact answer on the ratio specifically we will have to do proper research. Because keep in mind that even if you have an operational component like you cannot accept if a certain portion of the resources that we have available, let's say approximately 117 000 is allocated to police stations, keep in mind that not all 117 000 of those people are performing operational duties.

A portion of that are support duties. So you have to do a proper detailed analysis to determine exactly what portion of the allocation that were given to the operational units are used purely for operation duties and purely for support duties. When it comes to provincial and national head office, that is straightforward because on that level we are support, so you know, we're performing support functions.

But when you go to your operational duties or your operational functions within SAPS, keep in mind that the portion that has been allocated there is not totally 100% operational because you need to cater for support capacity within each one of those operational units as well.

But what you have available for police stations; if you look at the other specialised units that have been established within the South African Police Service, like your K9s, your tactical response teams, your public order policing, etcetera, those units operate across station boundaries, so they are basically used as force multipliers and that can be deployed within specific precincts to address a specific crime threat.

So the resources that you have available to, for instance, police Khayelitsha, Harare and Lingelethu West, is not limited to what you have at that specific police

station. You can, as provincial management, deploy other resources into those specific areas to address – you know, identify crime threats.

Yes, it is a temporary solution, because there is also a thing like crime migration, where you can force crime out of a specific area into neighbouring areas. So then you have that flexible capacity where you can move resources around to manage your crime threat.

MR ARENDSE: Now just while you're on a point that you made a few minutes ago about there being every likelihood that in fact the service needs to stabilise and even rationalise. We know that Makhaza has been earmarked now as an additional police station in the bigger Khayelitsha area. How will that station be resourced?

BRIG RABIE: Given the current scenario, if we are going to split – is it Makhaza Police Station? If we are going to split Makhaza Policed Station there's two or three fundamental principles that we need to understand.

Number one, the moment that you do the split it means that the workload and the environment that that station function in is no longer the same. So firstly, you have to decide where exactly are you going to do the split, then you have to review the old police station.

Because remember, the environmental factors, the workload, everything that is taken into consideration to determine the theoretical requirement of that station is no longer the same. So in very simple terms, you are taking away, let's say, half of the work from that station. So the capacity associated with that station cannot stay the same any more.

But it's not a pure 50/50 split. It doesn't work like that because you have span of control and a management structure that you have to take into consideration. But the current reality is, given the current scenario, if you are going to split that station and create another police station you will have to do that with the resources that we have available. That is the current reality. So even if we split it ...

And there's also risk associated with that. Because in the current – if you have one station, you have resource – for instance, one support capacity to assist that station. Now you do a split, now you have to create a second support capacity within that – you know, in the new precinct to support that operational capacity. So you are actually losing a number of your resources to the support environment.

You could either consider an alternative, you know, for instance, where you establish a contact point or a satellite police station or such an alternative where you don't decrease the capacity that you have available, you take your service point closer to the people but you stay within the specific framework of the resources that you have available.

But to answer the question. The current scenario, if we are going to split that station we are going to, how do they say, rob Peter to pay Paul, something like that; because we are going to take them from neighbouring stations. There are alternatives; we can advertise those posts hoping that we will draw people for other provinces. But the same principle applies; somewhere you are going to rob people to establish that specific police station. Because in the current scenario there is not going to be an increase in resources.

MR ARENDSE: Has any work been done on determining what allocation Makhaza

– in fact, categorising Makhaza as a station, and what the initial theoretical requirements would be and then what they actually will get?
BRIG RABIE: Ma'am, the preliminary – please, this is not the final product yet. My understanding is that they are currently busy with the investigation. But the preliminary indications are, if you are going to split Makhaza station that's currently on the level of colonel you are going to end up with two lieutenant colonel stations.

The total capacity associated will slightly increase, so you will have more policemen, slightly more policemen in that environment but the rank levels of the commanders will most probably go down; because your span of control is going to get less, your calculated theoretical requirement is going to be less.

When we do these type of investigations, we are very careful in the process that we follow to ensure that we maintain the original station on the original level. But that is not always possible, because it is – you have to go through an exercise to cut, cut, cut and put back and play, you know, like building a puzzle to get to a level where you can say that this station remains the same.
MR ARENDSE: Advocate Pikoli has got a question.
MR PIKOLI: Thanks. Good morning, General.
BRIG RABIE: Brigadier, sir.
MR ARENDSE: You have just been promoted.
BRIG RABIE: I have been promoted; thank you, sir.
MR PIKOLI: Can you explain more about the grading of the police stations, classifying them as small, medium and large, captain, lieutenant colonel, colonel and brigadier? I just want it clear about the factors that are taken into account when you do this grading. And if there is a change in the variables, does that lead to downgrading or upgrading, you know, depending on the variables? How do you do it?
BRIG RABIE: The grading of police stations, sir, we have to go back to this document where we calculate the theoretical requirements; because the grading of the police station depends on the theoretical requirement of the police station.

So the first exercise that we go through is we consider all the variables that relates to that station, ranging from your crime, your community service centre activities, your environmental factors; all the factors that are included in this booklet. They are all taken into consideration to calculate a theoretical requirement.

Now based on that theoretical requirement we have certain ranges. If we calculate the theoretical requirement – if you just allow me to page to the relevant page in my document.
MR ARENDSE: This is the same document that's attached to the affidavit?
BRIG RABIE: This is same document; because we apply this methodology to do the grading of the police station as well. And then what happens is, if you calculate the theoretical requirement, the number of human resources that you need at that police station, we have certain ranges that has been identified.

If the theoretical requirement is – okay, it will never be zero, but anything from zero to 90, the theoretical requirement, then that station will be classified as a category A police station with a maximum number of 90 people, that includes

your captain at the top and then your span of control and your section commanders lower down.

From there on we double the ranges. So the next range is from 91 to 180. If the calculated theoretical requirement falls within that range, let's say 160 people that we need for that police station, then that station is graded as a lieutenant colonel police station or a category B station.

Then we double it again from 181 to 360. Then anything between 181 and 360, if the calculated theoretical requirement falls within that range it will be categorised as a category C1 or a colonel police station. Anything higher than 361 will then constitute a category C2 police station or a brigadier police station.

So that is the methodology that we apply. So the level of the station commander and the grading of the station depends on the number of theoretical posts that we calculate for that.

We must also keep in mind that it is – we do not take into consideration the actual personnel when we do the categorisation of – we take into consideration the theoretical requirement and also the grading of the station commander is determined based on that. Secondly what we are doing is, for the last year we have embarked on an exercise where we test the grading of police station commander posts with the equate system.

The equate system is a system that is approved by the – developed by the DPSA that is used to grade posts in the public service, and then we correlate between the two so we apply the two systems then to see whether it's been correctly graded on that specific level.

MR PIKOLI: Now what I am having in mind is the situation where within a particular police station precinct you have achieved, you know, sufficient levels of stabilisation of crime, you know, and also given the crime ...(indistinct) patterns as well. Is there a possibility then of downgrading or upgrading that station?

BRIG RABIE: Ja. As I said, at least we review the total environment of every police station biannually. We are currently finalising the latest one. And based on that information it may happen that the station is upgraded to the next level, depending on what happened in that specific environment.

Let's say, for instance, there were new developments and there's an increase in the population, etcetera, or any of the other factors that can – you know, that contributes to the calculation of the theoretical requirement; based on that, that station can be upgraded to a certain level.

But the opposite is also true. Keep in mind that when we calculate the theoretical requirements there are a number of variables that we take into consideration; that ranges, you know, environmental factors, crime, etcetera. So it may happen that in a certain scenario that you have a migration of people out of the – you know, the population got lower or crime is getting lower, etcetera. That means that your demand for resources in that station precinct is actually now lower, and it happens that it takes you into the lower category.

But the policy that we apply within SAPS is, if that happens, if it happens that a station is falling now into the lower category, that we maintain it on the original category, we don't immediately downgrade it but we monitor it over a period of three years. Because you must keep in mind that anything in any environment can

change at any given day.

So we monitor it over a period of three years to determine whether that station should then actually be, you know, downgraded to a specific level. But from an OD, organisational design, perspective downgrading a police station is absolutely the last resort unless, as I previously explained, that you take a decision to split a police station into two separate or two new precincts.

Then it's a total new ball game; because the factors you know, and the methodology that you apply differs because the precinct is not the same anymore. So it's a total different approach.

MR ARENDSE: Just on that, just two related issues. The one is – and I think, with respect, what I pick up from Advocate Pikoli's question is this. You have had Khayelitsha initially declared a presidential station. Then it had two satellites, then two new stations were subsequently opened in 2004.

So the Khayelitsha precinct, the broader Khayelitsha precinct, has been identified in various projects; 101, 54, 31, Project 6. In other words, it's always been given a high – it's a high priority station. So I think we sort of all know ...

So you've got areas – so like a popular example has been Camp's Bay, you know, relatively crime-free, maybe the odd break-in or whatever. But you have an area here where there's high levels of crime. And if you compare the resource allocation to these three stations compared to those stations then a burning question is, why – and, you know, and you must just help us here; why can't you just sort of take from those stations where crime is relatively stable and move it to other stations where there are high levels of crime so that we can deal with the situation here?

BRIG RABIE: Remember, that will always be an alternative. In terms of section 12 of the SAPS Act, the provincial commissioner has the prerogative to move resources within the province to wherever, you know; for instance, where there is a burning point. But keep in mind that at Camp's Bay, which is most – sorry, ma'am, I do not know the Western Cape that well. I assume Camp's Bay is a small place. So in Camp's Bay you have to keep in mind that there is still a police station that needs to render a 24-hour, 24/7 service.

MR ARENDSE: It's a captain station.

BRIG RABIE: Ja. So you need to maintain a certain staffing level at that specific station to make sure that it's able to render a 24/7 service. So you can move resources up to a certain point but you will have to be careful that you don't totally deplete that police station that it's no longer in a position to render a 24-hour service.

And keep in mind that police stations are not performing only crime prevention. For every single police station in the country there are three primary disciplines. You have to do proper investigation of crime; you have to do prevention of crime, and that includes your CSC, your sector teams, etcetera, that is associated with that as well as rendering a support service, and there are minimum requirements associated with that.

If I may use a very simple example. If you have two police stations that are very similar in terms of crime and reported crime and the one police station you have a population of 1 000, at the next police station you have a population of 2

000; the minimum requirement to maintain a 24-hour service at that specific station for both the stations will be exactly the same.

Because if you took, for instance, only population into consideration we will most probably allocate three or five or 10 people to Camp's Bay Police Station, and you cannot render a 24-hour, you know, service that is related to that station.

Keep in mind, that station must still do exactly the same that is – like Khayelitsha is doing, maybe on a smaller scale, but they still have to prevent crime, they still have to investigate crime and they still have to render a support service and to do that there is a minimum requirement. So to do a pure comparison on population alone is a little bit risky because you need to take note of the fact that there is minimum requirements that are applicable.

MR ARENDSE: Now is this allocation of resource requirements to say Camp's Bay and Khayelitsha, is that a purely mathematical exercise? What formula, what calculation is used to determine that?

BRIG RABIE: Are you referring to the allocation process?

MR ARENDSE: Yes.

BRIG RABIE: The allocation process where you distribute the posts that has been allocated to that – to the province, you know, the bulk of posts that ... (intervention).

MR ARENDSE: And that document – that distribution, Madam Chair, is in the document that we have made available. It's headed – well it's to the provincial commissioner, Western Cape, distribution of fixed establishment clusters and police stations. It is – the first – on the second page it's dated 14 June 2012.

COMMISSIONER: We have received, I think, four documents and ...(intervention).

MR ARENDSE: Ja, I'm going to refer ...(intervention).

COMMISSIONER: I am just wanting to label them for the purposes of the record, if that's okay. So this first document, which is a letter to the provincial commissioner from the national commissioner, dated the 14th of June 2012 will be LR1. I am just checking that everybody has copies of these. So that's the letter. Then we ... (intervention).

MR ARENDSE: And then the next document ...(intervention).

COMMISSIONER: Then we have got two documents which are distributions.

MR ARENDSE: Well then the same document has got the unsigned letter and then the implementation guideline, which I want to ... Is that all part of LR1?

COMMISSIONER: I think that should all be LR1, because we've got it all clipped together.

MR ARENDSE: Yes.

COMMISSIONER: So that will be LR1.

VARIOUS DOCUMENTS iro DISTRIBUTION HANDED IN – EXHIBIT LR1

COMMISSIONER: What we then in addition have is two documents labelled 'distribution' and they are sort of ...(intervention).

MR ARENDSE: There are two different versions; the one is version 1.2.

COMMISSIONER: That's right. One is 2013 and one is 2014.

MR ARENDSE: One 2014.

COMMISSIONER: So should we label 2013 LR2 and 2014 LR3.

2013 DISTRIBUTION DOCUMENT HANDED IN – EXHIBIT LR2

2014 DISTRIBUTION DOCUMENT HANDED IN – EXHIBIT LR3
COMMISSIONER: And then the last document we have got is in very small print, it's the THR requirement police station ...(talking simultaneously).
MR ARENDSE: The theoretical requirements for the three stations.
COMMISSIONER: Ja. So that will be LR4.
THE REQUIREMENT DOCUMENT HANDED IN – EXHIBIT LR4
COMMISSIONER: Go ahead, Mr Arendse.
MR ARENDSE: Thank you, Madam. Brigadier, so just discuss with us the allocations in the provinces and how that works, with reference to your implementation guideline. We know that in terms of section 12 for the provinces it's at the discretion of the provincial commissioner. But you guide the provincial commissioner in that process?
BRIG RABIE: Ja. Chairperson, what is important is, okay, first we have to note that we are now moving to the second phase in this process. We first went through the exercise where we determined the theoretical paper requirement. Now we moving to a process where we start allocating the posts that we have available that has been funded in terms of the medium-term expenditure framework and the current budget.

Now first of all what we do is, based on the theoretical requirement of each province a specific allocation is made to each one of the province. For – this is just an example, please don't quote this as accurate figures. But we will – based on the theoretical requirement we will determine that 20% of the posts will go to Gauteng, 17% will go to the Western Cape, differentiated now per rank level depending on the theoretical requirement.

Now then the expectation is, the bulk of posts that we make available to the provinces ... Now in this case, if you look at the Western Cape province, the specific implementation guideline on page 5 of 5, on – ma'am, if I ...(intervention).
COMMISSIONER: Just pause again. Sorry, Brigadier, just to interrupt again. What you're saying is that the percentage allocation, as it were, out of the overall pot, out of the overall budget, is based on the theoretical human resource requirement per province?
BRIG RABIE: Ja.
COMMISSIONER: So you look at each province and you say, you know, Gauteng needs 10, KZN needs 12, whatever, and then you work that out as a ratio and then that is applied to the allocation. Is that correct?
BRIG RABIE: Ja. We calculate it as a percentage of the total demand.
COMMISSIONER: Of the total TRH demand, as it were?
BRIG RABIE: Ja, the theoretical requirement.
COMMISSIONER: The theoretical human resource?
BRIG RABIE: Ja.
COMMISSIONER: Okay. Thank you.
BRIG RABIE: And then it's allocated proportionally. Now, ma'am, and I hope I have numbered my documents correctly. If you look at the document that you've indicated, LR1 on page 5 of 5, you will see the number of posts that were allocated to the Western Cape.

Now that in total, if you just ignore the clusters at the bottom, the stations is

16 965, then it's differentiated per salary level, and the CIOs, the crime information officers, that we were managing a total of 313. So that is the number of posts that we made available to the Western Cape.

Now I want to state it now that that number of posts, that 17-odd posts that we make available to the Western Cape is not equal to the demand of the Western Cape; it is a portion. Now it's roughly roundabout 70% of the total demand of the Western Cape.

Now when we allocate the posts to the Western Cape we need to provide them with certain implementation guidelines. Because remember, ultimately we are accountable for the distribution of posts. On rank levels, numbers that we distribute, we must be accountable and it's subject to audit. So we must be in a position to explain how did you get to this number allocated to that station. So that whole process is subject to audit, so we give them certain guidelines.

MR ARENDSE: So just to pause there. So the 17 000-odd that is reflected on page 5, that is something some 30% less than the provincial need or that they demanded?

BRIG RABIE: No, what I was theoretically calculating.

MR ARENDSE: And that you also worked out in terms of the theoretical requirement?

BRIG RABIE: Ja. Because our funding that we have is not sufficient to fund the total demand for precinct ...(intervention).

MR ARENDSE: So this allocation is now post the allocation of funding in Parliament, post the budgetary process?

BRIG RABIE: After we have received the budget allocation from Treasury and we have calculated the number of posts that we can fund on the different levels. So that allocation is now made.

Now what we do then is, we issue a guidelines to the provinces to assist them with the distribution of the posts, because we must be able to explain how the posts were distributed. Now that allocation, the guidelines that we give is, for instance, the category of stations. You must allocate according to the category of stations.

So if you look at the list, an example is LR2, the version 1.2 that was updated previously, this document, for each of the stations in the province we indicate what category of station it is and what is the theoretical threshold that we have calculated at that specific time for that specific police station. Now the team in the province that's now responsible for the distribution of posts needs to take this into account.

Now let me give you just one example why this is important. In terms of our Treasury guidelines on irregular expenditure, if you fund a post on a higher level than has been graded it is regarded as irregular expenditure. So that is why this becomes important. So if a station has been categorised as a category C1 station, a colonel, you cannot go and put a brigadier there, because then it immediately constitutes irregular expenditure. So that is – so we have to provide this guidelines.

MR ARENDSE: Now just take us to – on version 1.2 and 1.3, the 2013 / 2014, just look at the stations specific to the inquiry, Harare, Khayelitsha and Lingelethu

West.
BRIG RABIE: Okay. I think ...(intervention).
MR ARENDSE: Harare is 50.
BRIG RABIE: 50, ja.
MR ARENDSE: 50.
BRIG RABIE: Now what we – if you look at Harare specifically, we have calculated a theoretical requirement of 273 police officials for this specific police station. It is categorised as a category C1 police station and we have indicated the requirement for the Vispol environment, for the detective environment, for the support environment and then the total allocation.

Now the intention is, remember that if you – if it is a category C1 station, like Harare now is, we give them a specific span of control. That means you start with the station commander that's on the level of colonel. If you go back to the document that I have referred to, LR1, and you page to page 7 of that specific document, and it's page 7, the bottom of page 7 and then the total of page 8 and the top part of page 9.

There you will see how we explain the span of control that must be allocated to this station and how these – on what levels these people will be. Now that is to prevent a situation where you allocate – for instance, the colonel is your station commander, on the next level you have section commanders. Now those section commanders, in this guideline that we give to them, will be on the level of lieutenant colonel. So we must then make sure ...

Because remember, it's not only the station commander post that is graded on a certain level, it's every single post in the structure. So we must provide them with a guideline and say, if you put a colonel there then it must be three lieutenant colonels and under that lieutenant colonels you have captains. So we explain the total span of control there in this specific document, to guide them in the process, to make sure that when you apply the model for that specific station that it's uniformly applied in the country, that we don't have a situation that at – if you compare category C1 stations with each other at one station the Vispol head is a captain and at another station the Vispol head is a colonel. You know, it doesn't make sense.

So it to ensure that the standards are being applied in terms of the span of control as well as the grading of posts on specific levels. So this is more or less the purpose, you know, for implementing or drafting this guideline; is to ensure that we apply a uniform approach nationwide when it comes to the staffing and distributing of posts to police stations.
MR ARENDSE: Is the provincial commissioner wedded to what's in the guideline or is he also – can he also be flexible and use his discretion?
BRIG RABIE: The portion that comes to the discretion is about specifically or more relevant to your production core, you know, where you're working with a bulk of people that's been allocated to a specific discipline at police stations. Now, for instance, if you look at the tables that you have referred to, we say that the number of detectives at Harare is 66. Now out of that 66 a certain portion falls within the command structure. You know, there will be a detective commander, there will be group leaders and then there's your production core.

Now as far as the management structure is concerned, you cannot deviate from that because the posts have been graded on that level, and you need to allocate according to the grading. So if the station commander is a colonel then you have your lieutenant colonels. So you cannot deviate from that. The moment that you deviate from that it may, for instance, constitute irregular expenditure.

But when it comes to the production core; remember, the number of posts that we made available to the Western Cape is not equal to the demand. So you are sitting with approximately 65%, 70% of the posts that you have available. So the provincial commissioner can take a decision to allocate those resources and say, when it comes to Khayelitsha I will staff them 100%, you know, total in terms of the theoretical requirement, based on whatever the specific circumstances may be.

But the moment that you do that you start compromising the principle of equal distribution, because there are other stations that you are now going to have to staff at a lower level to compensate for that 100% staffing level. So the provincial commissioner has the discretion in that case to move your posts, your production core, and staff according to the principles that they apply in the province.

We propagate. You know, in terms of the – if my memory serves me right, in the Constitution it refers to the fact that we must ensure equal access to services, etcetera, etcetera. So we must make sure that we distribute resources equally. But the moment that you start staffing stations one station higher than other stations, you're doing it at the cost of another station because you don't have all the resources that you need.

MR ARENDSE: Okay. Ma'am, other questions on that? Now just go to the example of Camp's Bay; it's number 17. Just talk us through that one.

BRIG RABIE: In the case of Camp's Bay, it has been categorised as a category A station and a total allocation of 78. Now we must keep in mind that the 78 that is indicated there in the theoretical requirement includes the application of minimum requirements.

So if we calculated the requirement for Camp's Bay totally on the variables that we consider, for instance crime, population, etcetera, that calculated requirement would have been significantly lower because it's a small station, there's low crime, there's low population, etcetera.

But you must cater for the fact that the station is supposed to render a 24-hour, 24/7, service. So in terms of your community service centre, immediately you have to grant seven or to calculate that you – let's say the theoretical requirement is calculated at seven posts for the CSC, that is then immediately increased to 17 to allow you to implement a shift system and rotate, you know, on a 24/7 basis.

If you look at your environmental factors, your crime, etcetera, for the sector policing concept and prevention of crime, the same principle apply because that is also a 24/7 service. So your theoretical calculation may indicate a staff establishment of six or seven or eight people but you have to immediately increase it to 16, and with contingency 17, to cater for a 24/7 service.

Then your detectives; the same principle applies, where you have to make

sure that you have sufficient capacity in terms of detectives there in Camp's Bay. We indicate a total of 11 detectives based on the criteria that we applied ... (intervention).

COMMISSIONER: Can I just pause there. Because one of the things that strikes me is that there is no correlation between the number that you – no steady correlation between the number that you allocate for visible policing and the number you allocate for detective services. So presumably, when you're doing the detective service allocation you do it on the number of crimes reported in that area and you calculate how many detectives you need to deal with it.

So one can run through and you can see the closer the correlation between visible policing and detective services on a one-to-one basis probably the higher the crime rate there, because you're going to need more detectives to deal with the crime. Am I right?

BRIG RABIE: Ja, no, definitely, ja.

COMMISSIONER: Okay. So one of the questions, and it really goes to the way in which you formulate the calculation for your THR requirement, now assuming we're working at the 100% theoretical human resource requirement, is how you weight visible policing to detective service.

In other words, these are both core functions of SAPS, but do you give addition – are they weighted equally? How do you weight visible policing as opposed to detective services?

BRIG RABIE: Ma'am, we just have to keep in mind that visible policing, both the CSC discipline and the sector policing discipline functions on a 24-hour basis.

COMMISSIONER: Yes.

BRIG RABIE: That means you have a shift system that runs there.

COMMISSIONER: Yes. And that increases your requirements significantly?

BRIG RABIE: Ja, that significantly increases the number of resources. Whilst in your detective environment you work on an 8 to 4 – okay, not specifically 8 to 4, I mean, they work flexible times, etcetera, but you ...(intervention).

COMMISSIONER: You see, it's exactly that that underlies my question. Because if you have got only 70% of the resources we need nationwide, it seems to me that what you're doing is you're weighting visible policing. And you know, you say that this is a decision taken by the national management forum, that visible policing is important, and I am sure that many communities feel it is.

But in many ways, if one is looking at this from a managerial perspective, it seems very much less cost-effective. And you know, if you were to say, actually I really want to get as much value for money as I can here, it may be better to have more detectives who are more effective at actually, you know, detecting crime and cut back on visible policing, particularly in places where you don't have high levels of crime. Does that make sense?

BRIG RABIE: No, no, it makes sense, ma'am. But also keep in mind that your visible policing capacity at stations is your frontline defence. The moment that you weaken that you can expect, for instance, an increase in crime levels. Because the capacity that you use to prevent crime from happening, if that is depleted then you can – for instance, what can happen is that you can expect an increase in crime immediately that will put an additional load on your detective service.

What we do is, taking into account the – you know, you also have to be careful to create a pie in the sky expectation or demand that is totally unaffordable in terms of what government has available to fund your policing activities.

What we do is, at the large – at your medium and large stations, your category B and your category C1 and C2 stations, we capacitate an additional capacity at the detective service, the detective service centre that functions on a 24-hour basis, where you have detectives available on a continuous basis to immediately attend to crime scenes. That principle is unfortunately not applicable at the smaller stations.

COMMISSIONER: It probably makes sense. Because again, what makes you a C1 and a C2 station is high rates of crime ...(talking simultaneously).

BRIG RABIE: The same, ja, yes.

COMMISSIONER: So it seems to me that it might be quite logical. I mean, if you look at Albertinia, for example, which happens to pop out at the top of the list, 42 for visible policing, 6 for detective service. Now that's one of the lowest ratios, which suggests to me that the people of Albertinia don't have very higher crime rates but nevertheless they have high levels of policing. And as you go down and you look at the areas that we know have very high crime rates, like Kraaifontein, Harare, Khayelitsha, you suddenly see this proportion increase.

And that doesn't make no sense to me; but I am really probing you on the – and I understand that it's not your decision at the end of the day, but I am really probing you on this idea of how one should value visible policing or how you should resource visible policing versus detectives in an environment in which you can't get all the resources you need and in an environment where you have high crimes rates.

BRIG RABIE: I think, ma'am, to try to explain the difference between the two, and I have already said that, is the fact that in the visible policing environment you're sitting with the responsibility to run two shift systems. That drastically increases your resource requirement. And I think, to a certain extent, that contributes to the fact that it appears to be disproportionate when you compare the two.

MR ARENDSE: Now the other document, I think it's been marked LR3, that is the one that specifically relates to the Khayelitsha stations. Have you got that document?

BRIG RABIE: Is it this one?

MR ARENDSE: Ja, this one with the small ...

COMMISSIONER: ...(Indistinct – off microphone).

MR ARENDSE: Oh, sorry. LR4, thank you. Now can you just talk us through this document?

BRIG RABIE: The document that you have there, what we do is, when you calculate the theoretical requirement for human resources at the specific station it is calculated in detail, you know, based on all the functions and activities at the specific police station. So for instance, you start with the station commander, you take it down through your shifts and for each one of these disciplines we calculate what is the theoretical requirement and for each one of these disciplines there is a different set of variables that are considered.

So if you look at the community service centre, the variables associated with

that is not the same variables as the detective service; there's a different set of variables that are considered there. So then we apply the applicable variables and factors within each one of this disciplines to calculate what is the theoretical requirement and we apply a principle of span of control and, you know, to implement a management structure, etcetera.

So this document, what it does then, it indicates for each one of the disciplines that you have at the station what will be the theoretical requirement. For instance, if you start at the community service centre, we need a total of 32 people. But keep in mind – and that is now to run a 4-hour shift. But keep in mind that from our perspective we do not consider the CSC as being responsible to attend to complaints, you know, the vehicle that go ...

That responsibility is part of the sector that, you know, that are deployed within the police stations. So you will then see that your sector teams is a total of 136 people that you can then – that is then deployed within the different sectors, depending on what the requirement of that specific station is. So the purpose of this document is then to explain to you in detail, you know, how many people – what is the theoretical requirement associated with each of the disciplines at station level.

When you look at your detective service, for instance, you will have your groups, the different groups, and those groups are determined in terms of the types of crimes that are reported. Now for instance, group A, we have a dedicated capacity that deals with violent crime and the total requirement there is 28.

Then your group B that deals with economic crimes, your general crimes, your docket management centre and there at the bottom you can see you have a detective service centre. Now that detective service centre is a 24-hour capacity that will immediately react to crime scenes, etcetera. So they're forming part of the investigation cycle, etcetera.

So that, in short, is the purpose of this document; to illustrate to you, you know, how the resources have been determined for each one of the disciplines at station level.

MR ARENDSE: And ...(intervention).

COMMISSIONER: Sorry, just to interrupt. But on the detective service centre; when it operates 24 hours, it operates on the same shift system as visible policing, does it; that's 12 hours on, 12 hours off, four days on, three days off, that system?

BRIG RABIE: That is correct, yes, ma'am.

COMMISSIONER: Thank you.

MR ARENDSE: Now inputting into this document that you have just explained would be your – the data that you receive from the stations and the provinces. And that's the first document that's attached to your affidavit?

BRIG RABIE: That is correct.

MR ARENDSE: The input sheet?

BRIG RABIE: Data input sheet; that's correct, ja.

MR ARENDSE: And that will play also a significant role in the allocation of requirements, that exercise that you do?

BRIG RABIE: Chairperson, ...(intervention).

MR ARENDSE: Or just explain what role does it play, what does it serve. Because

we have had evidence from all the station commanders, they fill in the sheet. Is this their sort of wish list, this is what they need, this is what they want ... (intervention)?
COMMISSIONER: Sorry, a point of clarity there. This is one of the things we're actually asking for. We got them from Harare, if I recall correctly, but not from the others. Oh, we don't have them at all. Ms Bawa?
MS BAWA: Sorry. We asked it for Harare, but then what we got in response was not a copy of what looked like Annexure A, nor did it contain all the information that was related. And it seemed to be historical data, not anything that Colonel Raboliba recreated.
COMMISSIONER: We got a needs analysis that looks like this for Harare. But we would quite like that. That's one of the things I asked you for this morning. But do ahead; it would be – proceed.
BRIG RABIE: Chair, ...(intervention).
MR ARENDSE: Well just explain what processes followed. So an annual basis you sit in Pretoria and you get all this information coming from all the stations throughout the country. What information is contained on these data sheets and how do you process them and how do they fit into or figure in the calculations that you then make?
BRIG RABIE: What has been – I think what we need to emphasise here, ma'am, is once per annum or when applicable biannually we go through a very extensive exercise to consult every single police station in the country, all 1 137 of them. We send out of OD practitioners to visit these stations and to facilitate a process of data gathering.

Now that data that is included in the data input sheet is required to calculate the theoretical human resource requirements of stations. Some of the data that we need to calculate the requirements are available on our police systems; you know, for instance how many crimes, that is on the system available.

But when it comes to data like how many schools do you have, how many hospitals do you have, how many roads, how many this, there's a number of variables. It's a long list of information that we request from the station. Now it is absolutely crucial that when that information is submitted and completed by the station commander that they make 100% sure that it's accurate.

Because whatever is submitted to us will be used in that format to determine the theoretical human resource requirements and one single mistake can make a significant difference. For instance, if you say that you are – let's say there's no courts, the moment that you say there's no courts you are not going to get an allocation for courts if you make that mistake.

So that's why we would like to know – make sure that it's accurate; because the theoretical calculation is based purely on that information that is submitted from the stations and that information must be verified by the station commander to make sure that it's 100% correct.

Yes, there are risks associated with this because it's difficult to verify all the factors. You know, for instance, we ask issues on how many butcheries do you have. You are totally dependent on the integrity of the station commander and the people completing that form, because we need to get accurate information.

We have found in the past that in some instances some of these data is inflated, you know, to secure an increased allocation. So we have built-in mechanisms to check the – to try to validate this as far as possible.

But it's a difficult task; because I don't know at ...(indistinct) or Ashton, I don't know how many butcheries there are, I don't know how many speculators there are that's selling and buying stock, I don't know how hospitals there are, guesthouses and those type of things. But this form, that data input form, is absolutely crucial.

MR ARENDSE: But is it not – who collects these forms? Isn't it the provincial office and aren't these forms or this information audited?

BRIG RABIE: Ja. What we do is, in the case of – if we focus on the Western Cape; the data collection process, when we recently went through the latest one, is facilitated by Colonel Vermeulen that is also going to testify tomorrow. What they do is, we have dedicated OD practitioners that facilitates this process.

That means they go to the station, they explain the process, they explain to them what is required and what is the importance of submitting this information, etcetera. And then when it gets back to them they do a valid – as far as possible validate, you know, comparing it with previous forms that were submitted; you now have 10 schools, last time you said it's five, is it now five or is it now 10.

For instance, a mechanism that we've built-in to try and improve data integrity is, if you say you have 10 schools, give us the name of the 10 schools. You know, if you have guesthouses, do this; give us the details so that we can at least try to validate this. So yes, what we do is as far as possible, but I think you can imagine for yourself that it's actually a very difficult task to check every single factor and say yes, it's right or it is wrong.

So that information is then validated at the provincial head office, checked for correctness. It is then forwarded to national, where we then input it into a national database where the theoretical calculation is then done.

May I mention that we now redeveloped this whole system as a web-based application. That means it's remotely accessible, so I can sit wherever in the country and I can start, you know, capturing this information on a system, it's automatically updated to a central database and it's then calculated.

And the advantage of that is we can now, you know, accurately save historical data and those types of things. So ja, that is how we facilitate the process, but we are now moving to a more advanced approach when it comes to that.

MR ARENDSE: Now the whole theoretical human resource requirement process that you've described, that methodology; are you satisfied that that methodology is still relevant? Is it still applicable? Is it still – does it still cater for the policing requirements or the needs of different communities throughout the country? Is there enough flexibility built into that process?

BRIG RABIE: Chairperson, as I indicated initially, I will be the first person to say that we will never get to a 100% accurate product because of the variables that we deal with in the specific environments and the specific communities. So our system is an open system that is continuously developed.

For instance, some of the examples that I've quoted earlier about the

livestock and the butcheries and that type, it's something that we added in the previous financial year because it's a responsibility that was then allocated to police stations; it was taken away from stock theft and added to police stations.

So we continuously develop this programme. We also made the whole manual and the whole process available on the intranet of the South African Police Service, where we invited all policemen or anybody in the South African Police Service to give us input on this to, you know, if they have a better way of doing certain things, let's test it. I mean, that is the important thing of this.

You must remember, organisational development principles are not cast in stone. I mean, you have different methodologies that you can apply to get to an answer. And there's not always a wrong and a right, so it may become possible for us ...

For instance, one of the things that we are now developing is, when we look at the support environment what we do is we use a ratio analysis. That means we allocate, for instance, one admin clerk for every 20 people at the police station. We are now redesigning that to use time studies to get to a more accurate allocation.

COMMISSIONER: Now one of the things that – it looks like an extremely sophisticated system. But what I still don't understand is, what you have given us is what the inputs are and you have then given us the outputs. But what's missing is the bit in the middle, which is what is the formula for the weighting for each of these considerations.

So in other words, you know, how do we weight butcheries versus the number of informal houses versus the number of bus stations. I can see that there is a whole range of data that's put into a formula presumably or into a calculation, and I can see what the outcomes are, but it's not clear to me exactly how you do the weighting. Is that available in this manual described?

BRIG RABIE: Ja.

COMMISSIONER: Could we have a copy of that?

BRIG RABIE: I made a copy of the manual available, ma'am.

COMMISSIONER: So is that – but does that provide the actual weightings?

BRIG RABIE: Yes.

COMMISSIONER: So could you take us through that?

MR ARENDSE: And just related to the chairperson's question; the weighted averages, the ratio analyses, standard times, time percentages, time estimates, how these all determined? Are they all dealt with in the manual or are they all addressed in the manual?

BRIG RABIE: Where applicable they are explained. Ma'am, remember, the calculations that we do is embedded in – previously in an Excel – it's a number of calculations.

COMMISSIONER: Well I'm sure that's true. It is some time since I did maths and stats. But it would be very helpful to know exactly what they are.

BRIG RABIE: Ja. We can explain, we can use one of the examples as – one of the environments as an – do you want me to go through ...(intervention)?

COMMISSIONER: Yes. The reason I would, and I'll be completely direct, is that unless we know how you weight things it's very difficult to know whether this is a

good or a bad system. In other words, were you to say that in fact whether there's butchery or not is the most important consideration for determining how many police you have, I would think that's not a very important system. So I need to understand the weighting and what – and how that impacts on the actual outcome.
MR ARENDSE: I think, Brigadier, that links back to an earlier enquiry made by Advocate Pikoli also; is to try and explain to us, here you have an environment where there are high levels of crime, they have been rate or categorised like in the case with Khayelitsha Site B, a brigadier station, but it's got a complement of say 279 officers.

And then you've got another station that's also rated C1, C2 or a brigadier station, where the levels are not the same or much lower. I think that is what we are trying to understand; why can't more resources be allocated to these stations? So I think that ...(intervention).
COMMISSIONER: It's more pertinent than that I think, Mr Arendse, if I could just be clear; that indeed it was put in a letter to you some time ago, we want to know what the formula is. How does this – what are the weightings attached to each of these and how does that produce the outcomes?
MR ARENDSE: Brigadier, is that addressed in the manual?
BRIG RABIE: ...(Talking simultaneously).
MR ARENDSE: And maybe then take us there.
BRIG RABIE: Can I just confirm; do you want me to read through the whole manual and highlight every ... Because for every function and for every discipline there are different sets of variables that are taken into consideration. Can I do one example?
COMMISSIONER: ...(Indistinct – off microphone) if I understand how it works then I probably can work out – we can work out the rest ourselves. But if you could take us to one example, that would be good.
BRIG RABIE: I think one that we can easily explain is on page 52 of the manual, where we look at the detective service investigation groups. Now first of all, we have – we need to determine how many detectives are being required to investigate the crime that is being report ...(intervention).
MR ARENDSE: Sorry, just to assist myself and other ... Are we on – page 52 is indicated at the bottom right of the document that is attached to your affidavit?
BRIG RABIE: Yes.
MR ARENDSE: Yes. Thank you.
BRIG RABIE: Now the criteria that we apply to calculate the detective requirement is, we basically determine the requirement for the various groups and the theoretical requirement is then based on the number of reported crime.

Now let me state first before I get into the detail, when you look at the investigation of crime, it is not possible to conduct a time study from an OD perspective to determine how much time does it take to investigate a specific crime. Because no single crime is the same in terms of the content; you can get a murder case that is a single docket with maybe this thick and then you get a murder case that is this thick, so the dynamics differ.

So what we then do in this case is, we consult with the experts in that environment, detective services, and ask them an expert opinion on how many

detectives or how many of a specific type of case can a single investigator deal with in a specific period of time per month, in this case per month. Now that is then after consultation process and this is also then reviewed on an annual basis.

For instance, if you look at page 53 you will see the different crimes are listed there, starting from murder on the top, attempted murder, culpable homicide. So based on that the detective experts indicate to us that a trained detective can deal with four murder cases per month; that is the criteria or the ratio that we then determine.

It goes on, attempted murder five, culpable homicide five, per detective per month, robbery aggravating four, and it goes down the list. I don't think it is necessary to read through the whole list.

What we then do is, we then take into consideration how many of these crimes have been reported, and then based on that and based on this ratio ... For instance, it means that if eight murders are reported on average per month it means that you will require two investigators to investigate that. So based on that we determine the amount of investigators.

So that's the first exercise that we do, we first apply the ratio to determine how many detectives do you need to investigate the crime as it is being reported at that specific station.

The next exercise is then, we allow then for a contingency allowance of 27% that is added. Let's say after we've determined that, taking all the reported crime into consideration, the total number of detectives that we need at this station is 100 detectives, based on the ratio analysis.

The second step then is to apply a contingency allowance. Now internationally, in terms of the international labour organisations rules, they apply a contingency allowance of 6.67%. We apply a contingency allowance of 27.12%.

Now the reason why you have to apply a contingency allowance is, you need to understand that the number of people that you calculated to perform the work associated with that environment are not always there at work. Number one, they attend meetings, they will go and book out stationery, they will go to the toilet, they will have consultation sessions with their commanders.

That contingency allowance, if you allow me to page back to that same manual, if you page back to – let me just get to that, page 8 of the same manual, we explain the contingency allowance. Now when it comes to the absenteeism of personnel the contingency allowance is, number one, made up of, and that's on top of that page, of a 6.67% allowance that caters for unavoidable contingencies.

Now that includes contingencies that relates to your daily work routine, as I have indicated, your hygiene needs, your meetings, your lectures, your reporting on and off duty. So you have to cater for the fact that the person – that the post that you've calculated, that person will not be available fulltime just to investigate crime. That person will be absent for a certain period of time due to those contingencies.

Then we also allow a second contingency of 6.25% for recovery from fatigue. So in every workday the person will be absent for two tea breaks of 15 minutes each; so we are losing 6.25% of the potential time that that person is available due to the fact that the person was going to take a break and drink a cup of tea or

coffee.

Then we also have to allow for the fact – I think, ma'am, by now you know that in SAPS taking your annual leave is compulsory, otherwise you lose it. So we have calculated that this is the number of people that we need but they are also going to take leave.

COMMISSIONER: What about sick leave?

BRIG RABIE: At the moment what we do here is we cater only for the factors that we know of are definitely going to have an impact on that specific environment. Sick leave is difficult in the sense that we don't know – people are not entitled to it, you know, they must not take 12 days a year sick leave. There are a number of variables that needs to be managed by the manager.

COMMISSIONER: Do you think maybe you could determine that by some sort of examination of what your past experience has been? So you could take the last five years and you could say, on average we have members off on sick leave for x-many % of their time.

BRIG RABIE: We can add that. We work with an acceptable level of absenteeism due to sick leave on 4.7%. That is roughly one day per month that we lose due – that you can lose. Remember you get 36 days over a three-year cycle, so that boils down to 12 days per year and one per month.

COMMISSIONER: But you don't add that into your contingency?

BRIG RABIE: Yes, we do not allow that into the contingency allowance yet because those are factors that needs to be managed by the manager to make sure. Because remember there are other categories as well, study leave, things like, what do you call it, family responsibility leave; those are all categories. The concern from us is now that we may end up with a contingency allowance that is so high that it creates an unrealistic demand.

COMMISSIONER: The reason I am asking these questions is that the evidence before the Commission on levels of absenteeism is that it is very high for a range of factors. But the real concern is that it seems to be threatening certainly visible policing; there is a lot of evidence which suggests that on most days the sector shifts are not adequately staffed. And that seems to be as a result of absenteeism.

Now exactly why that is, I don't know. But it's noticeable that a lot of the reasons that we've been given for the absenteeism, which are sick leave and to some extent study leave or, you know, going on training courses, doesn't seem to be put into your contingency.

BRIG RABIE: Ja. Those are factors – but as I said, those are factors that you can put into your contingency allowance. It's difficult to determine, you know, to determine an exact standard application for that, because we cannot guarantee that at a specific station or a specific period in time how many people will be on sick leave or how many ... So those are variables that are difficult to consider, ja.

COMMISSIONER: I would be correct in concluding that 6.6 – the 22.12% and 4.9 does not include any allowance for actual sick leave or training leave? It talks about the unavoidable contingencies and the personal needs, but it's not actually covering training and sick leave?

BRIG RABIE: To a certain extent your unavoidable contingencies, the first one,

the 6.67%, includes catering for training, you know, in-service training and those types of things as well. Whether it's covered 100% in terms of the total training package that is presented by SAPS, ja, we may consider, you know, increasing the contingency allowance. But as I said, the risk associated with that is you're going to inflate your demand.

COMMISSIONER: I have been told of some quite, you know, significant and important training programmes, like the 5-day domestic violence one or the long period of training for detective service and upgrading; these are quite long periods of time and people are away from the station on training. But thank you.

BRIG RABIE: I think, if I may mention it, that there is also a certain responsibility that lies with the manager to ensure that, you know, a certain level of staffing is maintained at any given time. It doesn't make sense to send all your people on training courses, if you have five and send three of them at the same time, because that's definitely going to influence your ability to render a quality service.

So and then if we add all of that up we come to a 22.12% contingency allowance that we cater for. And then we are sitting in SAPS with, and the question was raised with, we have – in certain environments we have a level of intangibility because we cannot measure certain activities.

When you apply organisational design principles, as far as possible you try to accurately measure the activities that are associated with a specific environment. In the police that is not always possible. And one example that I want to raise is a normal police patrol; how do you measure, you know, and quantify the police vehicle traveling or, you know, driving through a specific area.

Because they are there for a specific reason, you cannot really determine the impact of that specific activity, because we assume that the mere presence of the police vehicle in that environment will deter people from committing crime.

But to measure that activity is basically impossible, because at any given time a person can be sent – we cannot, you know, for instance ask but how many times are you conducting foot patrols and what is the time associated with that; because foot patrol can be five minutes or it can be five hours, depending on what happens in that specific environment.

So to cater for those type of things we added another 5% for things that we cannot measure. At the time when the development was done a couple of years ago they started listing all, for instance, the activities associated with the station and tried to determine which of these can we not really measure.

One of the police responsibilities is, for instance, to provide assistance to members of the community. You are stopped next to the road and people ask you directions or you help a person with fixing a tyre; I mean, that's part of policing responsibilities. But you cannot accurately measure that and there's no recordkeeping of that. You know, so those are the things that we have to cater for.

Your interaction with your informers in the community; you cannot predict that, you cannot in some instances plan that. You will come across a person in the street that provides you with information. Those types of interactions, those are the things that we are trying to cater for.

So the point that I am trying to make here, ma'am, is that we have quite a lenient contingency allowance in terms of, you know, if you take into consideration

what is applied internationally in terms of the ILO. But at the same time I want to say that remember SAPS is not a factory, it's not a factory floor, you know, where you start producing jam or TVs or cars. So the same rules do not apply; you have to apply different contingencies.

Okay. So let me then go back to page 54 of that manual to explain to you how we're progressing now with calculating the detective requirement. So based on the number of cases reported we have calculated that we need 100 detectives for this specific environment.

The second step now is to apply a contingency allowance. So we say we assume that all the people that we have just calculated will not be present all the time, they will be absent due to the reasons stated, so we add 27%; so let's roughly say then the theoretical calculation goes up to 127 posts.

Now the third step is, now we say okay, there are environmental factors that influences the detectives' the ability to work and to be, you know, available to investigate crime the whole time. The initial requirements said, for instance, a detective can deal with four murder cases. But that is on the assumption that he works fulltime on the four cases. But he's not, in reality, working fulltime on those cases because there are factors that influences him in addition to the contingencies.

Now we are looking at other factors that may influences the availability of that detective. We are starting with distances that they need to travel; distances to magistrates courts, to regional courts, and I know, sorry, the Supreme Court. There was a question about the Supreme Court, the High Court. I do apologise for not referring to the High Court there; but distances that these people need to travel.

Because due to the fact that you are going to spend time in the vehicle, you are going to be absent; you know, you cannot investigate the docket while you are traveling. Now there's where certain weights now comes into play. If you have to travel more than 200 km to your magistrate court, we give you a 5% additional allowance on that. If you have to travel – for instance, your places of safety is also more than 200 km, we apply an 5% additional weighting.

COMMISSIONER: So let me just understand this. Say you have now allocated 127 to your detective services, you would say 5% of 127 and you would add that on?

BRIG RABIE: We add on now.

COMMISSIONER: Okay. And in relation to the population figure, informal versus formal, how does that criterion work?

BRIG RABIE: What we try to distinguish there is, we – the question that we ask ourselves, ma'am, with the development of these is what are the factors that will, if I may use the word, complicate your policing efforts

Now when you have a high level of informal population in a specific precinct that means immediately you are confronted by problems, you know, where you have lack of street names. So the investigation time, the time that we spent on the investigation, is now longer because of the difficulties associated with that specific environment.

For instance, if you have mountainous areas, if you have urban versus rural-type of areas, ...(intervention).

COMMISSIONER: I can see that. I just want to go back to the population figure, informal versus formal. So is that – do you take a ratio of the number of people who live in formal dwellings as opposed to the number of people who live in informal dwellings? Is that – how does that exactly work? Or does it say if 1% to 2.5% of your community is in informal ... I'm just not sure how this actually works.
BRIG RABIE: Ja. What we do there is, the information that we get from the station commander – remember the population figure is a given as we get it from Stats South Africa, broken down into enumeration areas. What we then do is, we ask them what portion of your total population is regarded as informal population, where you define informal population as people where there is a lack of electricity, running water, those type of factors that is then – where they're living in informal settlements.

So what happens in this case is, if you have an informal population in your precinct between 1% to 2.5% we will add an additional 1% to the allocation. If it's more than 10%, if your informal population is more than 10%, if it constitutes more than 10% of your total population, then we add 5%.
COMMISSIONER: Then you get 5%. No, I mean, in the case of Khayelitsha Site B and Harare we're running at 50%.
BRIG RABIE: Ja.
COMMISSIONER: And it seems to me that a lot of the evidence we have had is the difficulty of policing in the absence of proper street lighting, house numbering, the narrowness of getting around in informal communities. And it seems to me that that doesn't really – that figure underestimates that. And I don't think that's by any suggestion limited to Khayelitsha, I would have thought all over the country given the large number of people who are living in informal communities, informal housing.

But actually you probably need to expand that, to say that either you go up to 10% as you go higher, I mean, because I just think there's a huge difference between 10% of your policing precinct living in informal settlements and 50% or probably in some cases, Kraaifontein, it might even be higher.
BRIG RABIE: That's why I said we must keep in mind that the total criteria is not case in stone. If we find that certain criteria needs to be reviewed to cater for certain aspects then we can build that into this specific ...

What we have done here is to try, you know, try to identify factors, as I said, that indicates policing. The problem that we are facing is, you know, how do you quantify the impact of that specific variable based on policing. That's not as you – it's more or less a trial and error exercise that you have to go through.

But also the same as the contingency allowance that we're talking about, you must keep in mind that if we add a number of factors, the more factors you add the hard – the more you're going to increase your demand for police officials.

Because in this case, if you take the table on the right-hand side here, if all these factors are present at a specific station at the highest level, we are talking about 58% additional allocation to that specific police station. To cater for those factors on 100 posts, on 127 posts, that can basically boil up to, you know, to 60 more posts that you have to allocate to cater for those variables in the environment.

COMMISSIONER: And yet at the end of the day it seems to me to make a lot of sense.
BRIG RABIE: It does make sense, ja.
COMMISSIONER: That you actually have to recognise that it's very different if you are policing in an area where you don't have mountains, your magistrates court is very nearby, etcetera, etcetera. So these are important considerations and it may have an impact. And you're quite right that it's not a precise art to design exactly ...
BRIG RABIE: No definitely.
COMMISSIONER: ... to decide exactly how much more time is taken. Thank you.
BRIG RABIE: Now after we have done that, let's say in the scenario that I've just used where all the factors are present at the highest level, we have to allocate an additional 58% posts on the 127. Now I am not very mathematical, but let's say that is approximately 60 posts that we must add. So now we are standing on 187. So starting from the original 100 based on the workload, catering for environmental and internal factors, we have increased this to 187 to cater for those type of things.

The point that I am trying to make is that when we calculate these requirements it is not only based on purely workload; we do take into consideration a number of variables that may influence the functionality of that specific person in that specific environment. Now what we have done then is, now we have calculated the theoretical requirement of 187.

I don't want to explain the tables at the next – on the next page, the allocation of the posts, but what we basically do there is we just explain to you how we now distribute those posts. Because remember, within your production core that 187 posts that we've just calculated represents your production core.

Now your production core, what we use in SAPS, say for instance at a brigadier station, 20% of the production core will be on the level of warrant officer, 30% on the level of sergeant and 50% on the level of constable; that's how you distribute that.

And then the last part of the exercise is then to top it up with a commander structure, where you put – in the case of a brigadier station we give officers, for every 12 non-commissioned officers we give an officer on the rank of lieutenant, and then you give a subsection commander on the level of major.
COMMISSIONER: Would that be on top? So if you took your 187, your 20 / 30 / 50 ratio would take 100% of that 187, and would you top up on top of that?
BRIG RABIE: Then on top of that we add the command structure. Now, ma'am, explained very – that's one dimension. Now the same principles that I have just explained, as it is explained in this booklet, is applicable to all the different disciplines at the station.
COMMISSIONER: That's very helpful. When I looked at the booklet, it wasn't clear to me what these percentages were, etcetera. Now I can see that that's – and each time you do it and that then produces a THR requirement which is then, by and large, reduced by 30% because of budget requirements?
BRIG RABIE: That is correct, ja.
COMMISSIONER: No, thank you, that's very clear.

BRIG RABIE: Ultimately you end with the situation that let's say taking the command structure into account, that the total requirement for these detectives is let's say 195 posts, now you go to the funding principle, you cannot fund the total 195, as you rightfully said, then we fund a certain portion of that so you have to scale down, you see, you can fund approximately 70% of that. At all times we fund the management structure. Where you have to cut down, you cut down on the production course, so the management structure will be funded but you are going to sacrifice in terms of your production core based on the number of posts or the money that you have available for funding.
COMMISSIONER: 70% is done on a provincial-wide basis. In other words – or do you do it on a station-by-station basis?
BRIG RABIE: Ja, the responsibility to do the distribution lies with the Provincial Commissioners so they can decide what principle they're applying.
COMMISSIONER: What I understood you to say at the outset of your testimony was that you do the THR for each province, so you would add up all 1 137 police stations, you would say that's actually the THR and you make a provincial total for each of those and then you 70% across the board cut or not. How do you do - when do you do the actual allocation cut or it just done equally at each police station saving management but in relation to all the lower level stuff.
BRIG RABIE: Ma'am, if I understand you correctly, what we do is, when we get the budget allocation and based on the budget allocation we can determine what portion of the demand we can fund. The proportional distribution to the different business units is based on what is the theoretical demand of every province. Now the theoretical demand of the province is made up of the individual stations that's speeding into that process so based on that you will find that the demand of the provinces will differ. I mean, Gauteng, for instance, 20% and Western Cape 18 and it goes down like that so then based on that what we have available is then distributed in line with that calculated requirement.
COMMISSIONER: What I'm really trying to understand is whether head office does any much play outside the 70% or whether that's an across the board cut and then leave provinces to decide if they want to move or down within their actual allocated amount.
BRIG RABIE: Ja, we cater for the – when we do the allocations to the provinces we cater that they can staff all the stations equally on let's say 70% but the Provincial Commissioner has got the prerogative to prioritise certain stations above others and then based on that they can move as long as they stay within the theoretical calculated limits.
COMMISSIONER: Mr Arendse, I've taken a lot of your time.
MR ARENDSE: Madame Chair, I want to move on to – there's a number of questions, 44 actually that were put to the Brigadier by Ms Bawa. He has prepared written responses to them and I'm going to ...(intervention)
COMMISSIONER: Did you say prepared written responses?
MR ARENDSE: Yes, I'm going to ask that because I hadn't – indicated this morning or late last night or early this morning to Ms Bawa and to Mr Searle(?) that I'll see to what extent I get through them in the evidence, there's quite a few of them that I've haven't had the opportunity, a number of them you've raised.

COMMISSIONER: Yes.
MR ARENDSE: And I think it would be useful that this also then be handed in.
COMMISSIONER: That will be helpful, Mr Arendse, let's label LR5 and I just want to think about how to – are there other issues that you want to traverse with Brig Rabie other than the questions that Ms Bawa raised because I think we should do those issues that you may want to traverse in chief then take a tea adjournment which would allow us at LR5 and then come back and Ms Bawa will put her questions.
MR ARENDSE: Madame Chair, I think I've covered most of the ground that I wanted to in-chief and I think at the table you've also raised quite a number of important issues that the witness has already dealt with so I'm quite happy to rest at this point and if there's anything further, if I have an opportunity to re-examine, I can pick it up.
COMMISSIONER: Certainly. Alright, well I think what we will do then now is well take an adjournment until five past eleven. Adv Arendse if you could make LR5 available to Ms Dissel so we can have copies made for the legal representatives and the Commissioners and then we will reconvene at five past eleven. Thank you, Brigadier ...(intervention)
MR ARENDSE: I think again that may just be subject but I can discuss that with Brig Rabie if there's anything that he wants to change or amend later today or after today, if we can just be given leave to do that.
COMMISSIONER: I mean the way we .proceed it's not written in stone, if there's something that occurs to him that he thinks would be more accurately formulated in a different manner that would be fine, but it would be helpful to us to have it in front of us and I think it would speed the process a little bit when Ms Bawa puts her questions.
MR ARENDSE: Thank you.
COMMISSIONER: Thank you very much, we will adjourn.
COMMISSION ADJOURNS: (at 10:50)
ON RESUMPTION: (at 11:10)
COMMISSIONER: Good morning again Brigadier, you're still under oath. Ms Bawa?
BRIG LEON RABIE: (s.u.o.)
CROSS-EXAMINATION BY MS BAWA: Before I promote you, let me say Brigadier rather than General. Morning Brigadier.
BRIG RABIE: Morning, Ma'am.
MS BAWA: I am very grateful that you took the time to answer the questions in a very short space of time and I've tried to work through the ones that I think has become self-explanatory and the ones that require some input, further input and explanation to that and maybe the way to do this, to get it through methodically is to take from the start of your affidavit and see where you've offered some explanations for elaboration purposes. So I want to take you to paragraph 2 of your affidavit. Do you have a copy of your affidavit there? Okay, you talked about the developing and entailing a procedure and the document which we've gone through this morning, the document headed Calculation of Theoretical Human Resources Requirements, I understand there's a manual which has been published

on your intranet since 2012. How does this differ from what existed prior to 2012?
BRIG RABIE: The fundamental principles basically state the same over the last couple of years from around about 2002 so the aim of the developing – the reason why we compiled a manual on the process was to basically communicate it with all members of SAPS so that they can access to that but the fundamental principles remained the same. There were – as I indicated earlier, remember we are continuously developing this but stayed the same more or less so.
MS BAWA: So in this evolving process one learns as one goes along and one improves on the previous system in place so if we take the judge's example of informal and formal settlement you said well, if needs be, the criteria need to be looked at then we need to look at the community development further. Similarly, a previous draft might not have had a criteria in it and a subsequent manual would have. Is that how I understand the evolution of the process to have evolved?
BRIG RABIE: Ja. No, definitely, ja.
MS BAWA: So, for example, with the implementation of the Child Justice Act you would take into account that there's further requirements that's could to be met and that would be borne in mind as to further responsibilities which are part of the crime prevention at the community service centre so that would be factored into your – can we call it your THR system just for short? I'm going to get my tongue twisted on this. Is my basic understanding of that correct?
BRIG RABIE: Ja. We have to continuously review developments in SAPS to make sure that we cater for that. The Firearm, Liquor, Second-hand Goods is a good example of something that we added two years ago to cater for that specific responsibility.
MS BAWA: How in that process do you the take into account backlogs which might have evolved in a process which preceded an improvement and I put into context, if we take crime currently – let's take the crime statistics for Khayelitsha, for example, right, and we look at the crime statistics and we take the example that you used in working out the THR that you gave us which made it all so much clearer, I must admit. How do we take into account a backlog which exists at the time you do this calculation, do you have regard to the SAP6 in any way?
BRIG RABIE: Now what we do is, when we calculate theoretical human resource requirement it is based on reported trends over a four year period. Now when it comes to the backlogs that have been created over that period of time the intention should be to address – remember, you have to work through the backlog and the appropriate to deal with that is first of calculate what the requirement is considering that there is no backlog based purely on a reporting rate, then how we will need to address the backlog specifically is you can initiate a project to work through and get the backlog worked through because it's permanent capacity. You cannot allocate a permanent capacity to create with – you know to deal with the backlog in itself. You'll calculate a theoretical requirement based on your normal trends that's being reported over the four year period.
MS BAWA: So when you say you're looking at crime statistics and I'm specifically looking at the detectives as the example that we can use to run through. You don't solely look at your crime statistics as reported in that year but essentially your crimes which exist over your four year period.

BRIG RABIE: Ja, what we do is we take your reporting trends over a four year period in to consideration but there are weighted average that are applicable, it's making sure that the most recent year carries the highest weight, so you have a 40, 30, 20, 10 weight associated with reporting years so the earliest year will carry a 10% weight, then 20% weight, then 30 and then 40% weight. The reason why we do that is to ensure that your most recent trends carries the highest weight but we take four years reported figures into consideration.
MS BAWA: So if any stations got cases which is beyond four years still lying in a backlog then that falls out the system, that falls into your intangibilities.
BRIG RABIE: As I said we work with what has been reported in a four year period not what is brought forward and carried over during that specific period because backlogs can be created artificially and for instance if your detectives accumulate dockets, right, they receive – if you do a calculation and you see but your – if you look at a specific station on average the detective receives ten cases per month but in reality they are sitting with 150 dockets on hand, that means they are not working through the dockets at the rate that they received them, you have, you know, a continuous flow of dockets in and out, you're starting accumulating dockets so you're going to reach a specific point in time where you have that specific backlog. Now what we need to do then is to deal with the backlog through by means of a project, to work that down. You know, a specific project for a specific period of time, to work the backlog down so that you then can start working on the ratios that we use in the document to calculate a requirement.
MS BAWA: So if I digress and probably if you want to within – and our entire discussion must take place within what is our budget because we must accept that we can't exceed the budget which is allocated to the province, right?
BRIG RABIE: Hm.
MS BAWA: If you want to take care of these backlogs you're going to have something like the cold case project which they implement to get rid of cold cases, for example?
BRIG RABIE: That's alternatives, ja.
MS BAWA: Okay, right. So when you work out these weighted averages, ratio analysis, standard times, time percentages, you say that you did that in consultation with stakeholders at national, provincial and station level, are those solely within the SAPS ranks?
BRIG RABIE: Ja, because it's each – most of these things, the things that we measure relates to our internal processes itself so when we do the consultation process, for instance when we determine, get an expert opinion on the time that it takes to investigate specific cases we will do consultation with detective service. When it comes to other issues that relates to visible policing we will consult with the visible policing environment.
MS BAWA: And when you determine these factors do you take into account that in no two areas geographically or in the same kinds of population densities can you take the same amount of time to investigate crime, for example? Are those factors that you take into account in determining weighted averages, etcetera?
BRIG RABIE: That's – in the example that I've explained to the Chairperson where we look at the detective service you start from a baseline assumption that

this is the number of dockets that the detective can deal with, then you most into a – the next stage is to move to an environment where you take certain variables into consideration that are unique to that specific environment and those variables caters for the different, you know, different things that can happen within that specific environment.

MS BAWA: Now if I move on, when we – you talk in paragraph 3 about your external environmental requirements, external environmental factors and you say, example size of the station's area and its population density. What are those other external environment requirements? Are we talking about illegal shebeens, legal shebeens, (indistinct) schools, anything which has an impact, are those the kinds of factors we're talking about?

BRIG RABIE: Ja, if you – if you just allow ...(intervention)

MS BAWA: The ones that are listed in paragraph 2 of the inputs sheets I think.

BRIG RABIE: Ja, they are listed there but I think for purpose of quick reference we can page to page 27 of our manual that explains the process where we highlight the external factors that we take into consideration, roads, shopping malls, liquor outlets, liquor premises to consume liquor, second-hand goods, we're looking at the unemployment rate, students, independent settlements, tribal areas, overnight accommodation, your topography, your infrastructure in terms of street lights, telecommunication, social degradation.

MS BAWA: Is this the entire list?

BRIG RABIE: This is the total list that you see for instance on – when it comes to crime prevention on page 27 and 28, we have the factors listed that we do take into consideration but Ma'am I just want to add that we've recently added new factors that are not in the manual yet that relates to stock theft-related issues, you know, the butcheries, the dealers in hides and skins and – those things have been added to the software but not to the manual yet.

MS BAWA: That's explains why butchers at the top of your mind, it's one of the recent (indistinct). And for this information you almost exclusively rely on the station commander's input?

BRIG RABIE: No, definitely we have no other option, they are the only people that can provide us with that information, ja.

MS BAWA: We had evidence from all three station commanders before this Commission and I stand to be corrected but I asked the question of almost all of the four station commanders we had here, do you know how your granted RAG is allocated and I got an answer that said no.

BRIG RABIE: Okay, do you want me to respond to it?

MS BAWA: I would like you to respond on that.

BRIG RABIE: I think, ja, I think in SAPS we've been through an extensive exercise to communicate how we go through this process. I mean, we've published the total – the methodology we've published on the intranet, we've sent emails to every single SAPS employee inviting them to study the document and give feedback on this. We conduct visits to stations, when the data gathering process is initiated, only practitioners will visit the police stations and explain what is the purpose of the exercise and why they need to complete this and how it's going to be taken into consideration. So I think it is not fair to state that you don't know

how it is calculated. Yes, I understand maybe you are not hundred percent familiar with the very technical aspects but to understand the basic fundamentals that there are considered, you know, when we calculate this. Personally at many forums where I addressed station commanders, cluster commanders, for instance we've emphasised the importance of completing these forms properly because it influences the way that station RAGS are calculated. Then are individual visits where stations send a request to us that we must come and evaluate there, we personally send out teams to go and sit with those stations, conduct interviews and revisit the data and everything, I mean we're sitting with the MIO of that specific station. Sometimes it happens, you must remember station commanders when this process is delegated it's very easy to delegate the responsibility to the MIO and say listen they need data, you deal with it.

MS BAWA: With respect, Brigadier, one of the most important things that the station commander should be concerned about is how much people he has under him and if this is the process which determines how much rank and file members he gets it must be one of the most important processes that he keeps his finger on top of, don't you think?

BRIG RABIE: Ja, definitely because what you go through here is the input that we consider, so if you neglect this we're going to have a distorted allocation or a distorted requirement.

MS BAWA: Now on the issue of – I asked you how is the station commander meant to get some of the information which you require on this input sheet and one of the questions – you answered it by saying station profile, he must know his environment, he must consult with the local authority and other government departments. Part of what is contemplated in policing are sectors, you stations divided up in – precinct is divided up into sectors and your national instruction on sector policing requires that there must be a sector profile. We have had a look at these sector profiles, a more incomplete and inadequate sector profile for all three policing stations you could not have seen. Either we were not provided with complete information or this information is just not properly provided from basic schools that are left out, basic clinics that are left out, basic businesses that are not included, they do very well on illegal shebeens, one of the stations do pretty well on illegal drug outlets but essentially there seems to be absolutely no regard for keeping these sector profiles in order and one would expect that it's these sector profiles that inform your station profiles that inform the information that eventually ends up by you because if that wasn't so then when the station commander or the person in command of the sectors looked at these sector profiles they would have said no, no, no, but these aren't right, we have this information, we fed it through to the national department, fix it. Would that make sense? If your sector profiles aren't right you're going to run into problems all the way.

BRIG RABIE: Definitely, I think if you are a station commander, the factors that we take into consideration that are listed in the template are factors that directly or indirectly influence your ability to police a specific area so you need to know these things, you need to understand these things. So yes, it's definitely a problem and I mean I think for a station commander to not properly keep, you know, a proper

profile on its station is basically irresponsible because how do you direct operations, how do you direct a utilisation of resources, how do you decide to intervene where if you don't have a proper profile and understand the environment that you function in because I always say if you want to solve a problem you need to understand the problem and you have to have the detail on the problem so that is basic detail that must be available at the station. I mean, these are not difficult questions, it's straightforward questions, it's straightforward issues. If you have a responsibility to attend to, for instance, issues relating to stock theft – I don't know whether it's a problem in this specific area, that then you need to understand, where are the abattoirs, where – who is the speculator selling, you know, in this area, where are the butcheries, where are the second dealers in hides and skins and those type of things because it relates directly to the responsibility, you know, to police that specific problem.

MS BAWA: When we – and obviously, correct me if I'm wrong, the only way for this Commission to ascertain whether at the root of the problem it lies with the information being fed into the system by the stations, we would have to look at the critical needs analysis, the annexure A forms which the station forwards up to the province, do you agree with that?

BRIG RABIE: No, but definitely.

MS BAWA: Right. So now the station commander gives this from to the province, do you know – you mentioned Col Vermeulen, is he the person to whom these forms are likely to go to from the respective stations?

BRIG RABIE: Say again?

MS BAWA: Is he the only person dedicated in the province to deal with these forms coming up from the stations?

BRIG RABIE: Ja, there's a dedicated capacity at the provincial office, I think there are three people that is responsible for validating the information that is has been, you know, submitted by police stations but we need to acknowledge the fact that the validation process is easier said than done because we don't know the specific environment. You can do basic checks and balances, you know, compare with the previous year what was submitted in the previous year to see if there are any deviations, you know, cell stat doesn't make sense, I mean, you get obvious mistakes and those types of things so it's sent to a central point in the province where it is validated as far as possible.

MS BAWA: Part of this enquiry is twofold, you look at what the station gives you, you look at your crime statistics and you look at what your electronic data which the input into your system show you, your ECAS system, your Persal system, your leave system, all those things that's electronically there, your only person that the province would also have access to.

BRIG RABIE: Ja.

MS BAWA: Okay, now this is a case of most big organizations where the left hand doesn't know what the right hand is doing. If your inspectorate reports on stations come back for almost two or three years running, questioning the date integrity of that particular station, do you think the red flag should go up to your OD practitioner when he looks at your electronic data?

BRIG RABIE: Ja.

MS BAWA: The question is, does your OD practitioner get the information from your inspectorate that there's a problem with the data integrity coming from the station?
BRIG RABIE: No, no, if that – if the possibility is identified, what we do here is – in specifically here in the Western Cape your OD practitioners has been to stations, specific stations more than once and even in some instances three times to make sure that data is correct. Now if you remember, one of the risks associated with the data gathering process is that people will inflate statistics with the hope to get, you know, a larger allocation, so we must be very careful to ensure that the data integrity is hundred percent right. So if the red flag comes up then – and I mean then the possibility that the data submitted in terms of this requirement that there's problems with that is not excluded.
MS BAWA: So when a station commander tells you my registers aren't complete properly, my – I have difficulties with my registers, I may not have met all these technical requirements in filling out all these forms or input in it, but that doesn't affect crime prevention because my back office might be out of order but my front office is working, surely that must be an incorrect approach to take because your faults in your back office is going to have a long term impact on exactly how much resources you have at your station. Would you agree with that?
BRIG RABIE: Can you rephrase it?
MS BAWA: We have a station commander who tells us the inspectorate report show that there's lack of first level inspections sometimes lack of second level inspections that registers aren't always completed properly, that his data is not always inputted into the computers proper, he says to us that does not affect the service delivery at his station because when the people come into his station they are dealt with by his community service centre, even if the back room where all his registers are being attended to are not operating properly it has no impact on his service delivery, would you agree with that?
BRIG RABIE: Well it depends on what you – the majority of the factors that we – or the variables that we take into consider – for instance, to calculate the CSC requirements are for instance registers that you don't have an option, you must complete that register, I mean you cannot detain a person if you don't complete the SAP14 so, I mean, that – the accidents that are being reported, all those type of things are actually - I want to say compulsory and we assume that all those transactions that actually takes place are recorded within the relevant registers. There may be registers where they - you know, they indicate that things have not been recorded that may or may not have influence on how we calculate this you must keep in mind that we can only work with what has been reported to us and we work with a specific register. For instance, your visit to key points, I mean it's something that we take into consideration. If the register is not completed we are going to miss that activity and if you – some of the information that we need - recently we decided to add the criteria to calculate a requirement for, you know, for security guards and access control. We need information on the approximate number of visitors coming to a police station. Now if there's no record of that we are going to miss that activity but I'm quite comfortable in saying that the factors – the registers that we take into consideration for purpose of calculating this, that's

basically compulsory to complete that, it will be highly that those registers are not completed.
MS BAWA: I was interested now that you raise it how you actually count how many people come to a police station.
BRIG RABIE: There's different techniques to apply, I mean, you can observations, you can have a sample size and observations. In some instances you have access control where people need to complete a form to come into a police station and so you have to decide what methodology you apply. I know by now that the police stations do not keep accurate record of the number of people visiting the station but by through a simple observation over a short period of time you can determine, you know, approximate number of people visiting the police station.
MS BAWA: And who decides on the methodology to be used to determine how many people visits a police station?
BRIG RABIE: WE can advise the station commander with regard to that, that's the role of the OD practitioner vesting the station can advise the station commander on what methodology to use. The same applies to a number of the other questions that are also - for instance, what is my unemployment rate, you know, where do you get that information? We will advise the station commander to go to your local authority to see if there is information available on that.
MS BAWA: We heard evidence on very experienced station commander, I think he had something like 28 years experience in SAPS and in his 2010 or 11 needs analysis he set the population statistics for Harare at just over 600 000 which on the latest statistic figures now it's roughly about 173 000 so I asked him how did he get to his figure and he said to me, well, it took him nearly over a month, he used the Google maps, he counted the shacks and he estimated about three or four people per shack and that's how he came to his figure. Now with a little bit of guidance that station commander would have been told that there's bodies out there with a flick of a computer would have given him a statistic and he didn't have to take a month to do it but just to give you an example, it seems as if other government bodies are not being utilised by SAPS to obtain information crucial to the determination of what should go into your DHRR, would you agree with that?
BRIG RABIE: No, no, we – at the moment we're consulting with different government departments to get more accurate information on the - you know, the factors that we would like to take into consideration. The DPSA, the Department of Public Service Administration around about a year ago, two years ago, initiated a project where you have interaction between different government departments to get, you know, spatial data on specific environments, that is why in my office we recently established the GIS capacity that deals with spatial analysis where we analyse spatial information that we get data sets from different other government departments where you get data on schools, we get data on hospitals, we get - for instance we negotiate population figures up to numeration area, that is definitely not available to everyone where we can actually pinpoint population now up to street block level to see, you know, the number of people that is staying where, so we are interacting definitely with other government departments to get an accurate database and we have established the GIS capacity to determine that. I mean, doing - for instance, Eskom has done a household count, where they've done

exactly the same, putting dots on everything but remember, that – for a person that is not trained, that can become a very risky exercise because you cannot put a dot on every structure and then assume because – and then assume that's the number of people staying there. I mean you can – and from 600 000 to 120 000, we went through exercises in the past where you get an estimated population from station commanders and when you add the total, you get a total population in South Africa that is more than the total Southern Africa so you have to decide now what option do you use? Now the only official statistics on population that is certified as official statistics released by Stats South Africa.

MS BAWA: What is the role of the cluster commanders in this process?

BRIG RABIE: It differs from province to province. Remember it depends on what methodology they've implemented in the Western Cape, I'm not sure, I must be honest. What we advise is that the cluster commander and associate we also work through that documents and that they also, you know, acquaint themselves with the data that has been submitted to the province so but that depends on what, you know, what methodology they followed in the Western Cape. Sorry, I cannot say whether they've applied exactly the same methodology.

MS BAWA: When we – if I understand the process, you have your theoretical, you have your granted and you have your actual. Let's work with our granted because our granted is what fits within our budget. So you as national say to province and you – the granted which is allowed to this province for the 2013/2014 period is 17 278, which is the answer to question 2, entry level enlistments, an additional 668 entry level posts and 25 handymen were allocated to the Western Cape. What is the 668 entry level posts you're referring to?

BRIG RABIE: Okay, what happened, in 2012, at the end of 2012 the South Africa Police Service initiated a project, a national project, to stabilise and normalise our establishment because of imbalances in the distribution of personnel. Now part of the allocation is what we found is that the number of actual people in the provinces in some provinces the actual number was – they were in a better position than other provinces. So as part of the normalisation project, we had 1 070 entry level constables that we could enlist in SAPS now based on that, we then conducted an analysis and we've determined that there's three provinces in South Africa that is below the average staffing level of the - you know, in all the provinces in South Africa, that included the Western Cape, Northern Cape and Mpumalanga. Now out of the 1 070 posts the decision was taken to allocate approximately 60% of those posts to the Western Cape because they were in - you know, one of the provinces that were the worst off, you know, in comparisons to other provinces so we allocated –there's 300 and 200 to the other two provinces but the bulk of those was then allocated to the Western Cape so that they can, you know, get them on par with the other provinces as far as the staffing level is concerned.

COMMISSIONER: While we're on this issue of the Western Cape, one of the pieces of information that's been placed before the Commission is an article published in the media by the Chairperson of the Parliamentary Portfolio Committee – oh sorry, obviously asking you a question that Ms Bawa was going to ask.

MS BAWA: The next one.

COMMISSIONER: Thank you. The Chairperson of the Portfolio Committee Ms van Wyk and she talked about the increase in the size of SAPS establishment since 2003, as you yourself as testified to, and she stated that in the period between and 2003 and 2013 – do you want to deal with this Ms Bawa? I don't really want to take over your job. She said that in the period between 2007 and 2013 the Western Cape had increased from 19 321 – sorry beg your pardon in 2006, 19 321 to 20 841. So, you know, roughly 1 500 additional posts at a time when the actual overall size of the establishment SAPS had increased more in – well over 30%, the Western Cape had increased very slowly. If you're looking down the article you'll see it's the first, second, third, fourth, fifth, sixth, seventh, eighth on that left column, seventh on the left column, it starts on "Furthermore..." and we actually have been trying to establish from her exactly, you know whether these figures are correct or not but what is apparent is that the Western Cape establishment has grown materially more slowly than the other provinces and I have to say that we thought maybe it was because there had been an historical imbalance in favour of the Western Cape and maybe that is the case, I don't know, but perhaps you can shed some light on this, you know, that there has been this very much slower allocation to the Western Cape than there has been in terms of the overall growth in the size of the establishment of SAPS.

BRIG RABIE: Ma'am, okay first of all I need to be very honest in indicating that I've taken the responsibility to assist with the normalisation of the SAPS fixed establishment only late in 2012 so I'm not really acquainted with what happed prior to hat but the methodology what we indicated that we need to follow is that we have to look at the staffing level of the different provinces and but looked at – because of the distortion in our rank levels, you know, we had a high number of constables more than what we are supposed to have relative to a serious shortage in terms of the sergeants on specific levels.

COMMISSIONER: Just pause there again, presumably that's because you've had this big growth so you brought in a lot of junior people and so you're bottom heavy in a sense.

BRIG RABIE: Ja.

COMMISSIONER: Which a very substantial growth had happened but those people will slowly make their way up to the ranks.

BRIG RABIE: Ja, ja. So that – if you take into consideration what's been happening over the past ten years, there's been significant in the organisation in adding figures but the internal processes to migrate people from the higher to the lower level didn't keep up with that processes so you have this bottleneck at the bottom. Now what we've done is, when we initiated the project to stabilise the SAPS establishment, we did an analysis of the nine provinces, taking into account, you know, what is your staffing level relative to other provinces in terms of your - you know, the allocation that we had available and what we found at that stage is due to historical practices. You know, what happened in the past is all – when we looked at entry level constables, posts were allocated to all provinces, all of them got a share of the cake irrespective of a specific staffing level. We said we cannot purely base it on that, you need to look at the requirement of that business entity to determine what are the shortages and based on that you do the allocation. So

when we did the last allocation now for the current financial year, for 2013/14, we went through that analysis and we determined that Western Cape is one of the provinces – there's one of three provinces where the number of people that they have relative to the requirement differs significantly from the other six provinces. In one scenario the one province was staffed at 125%.
COMMISSIONER: So that (inaudible – microphone not on) staffing compared to THR requirement.
BRIG RABIE: Ja, where we compare, you know, the actual – you know, what we take into consideration is the total bulk of posts that we have available and then how this was distributed and based on that we determine that we need to staff certain provinces more than others to bring them up on the same level and that is where we've identified that due to some practices in the past, as you indicated, it seems that the Western Cape started lagging behind in terms of the allocation, so that is when the decision was taken to allocate 600 of the new – the latest posts that we have available to the Western Cape. Now that will then allow us – if you take the production core into consideration, to bring the lower three provinces up to 103% staffing level but it's not that the – the national average is still 106% on the production form.
COMMISSIONER: A 106% is calculated a percentage of what?
BRIG RABIE: In terms of the calculated requirement, you know, that we've calculated for the different requirements.
COMMISSIONER: So you do one calculated requirement which is the THR.
BRIG RABIE: Ja.
COMMISSIONER: You then do a budgeted allocation which is about 70% of the THR.
BRIG RABIE: Ja.
COMMISSIONER: What's this 103%?
BRIG RABIE: No, it's calculated relative to the funded establishment that we have available.
COMMISSIONER: Okay. So in other words, you're three percent over the funded establishment?
BRIG RABIE: Ja, ja.
COMMISSIONER: And because you see again going back to Ms van Wyk's article in the press she was saying that there had been a growth in SAPS establishment from 131 500 to 197 000, roughly 50% since 2003.
BRIG RABIE: Ja.
COMMISSIONER: The Western Cape growth from 2006 – so it's not quite apples and apples, but nevertheless Western Cape growth had been from 19 300 to 20 800. Now that seems considerably less than the national growth, would that be correct, that the Western Cape has grown?
BRIG RABIE: I think if we want to come to a logical conclusion that we are in a position to quantify we need to take into consideration what happened in SAPS at that specific time. Keep in mind that a number of new capacities were established, for instance, your Railway Police, that also, you know, where these posts were allocated to, we established to TRTs.
COMMISSIONER: Yes.

BRIG RABIE: So those are the – unfortunately for me to give an answer that I can justify, we will have to do proper research on that but I'm just asking that we take that into consideration.
COMMISSIONER: But is look at this number, the actual number she's given, which is 20 841, that is higher than the 17 000 that you've given, so presumably that 20 841 is not only police station cluster allocations, it's other allocations as well.
BRIG RABIE: Ja. No, this should include more than just the police stations.
COMMISSIONER: But there may be other - in other words, would you say just looking at this that that 20 841 would not be the entire SAPS establishment in the Western Cape including provincial office, the various TRTs, public order policing, clusters and stations or do you think that's probably the whole lot?
BRIG RABIE: It's likely that it includes that the total establishment is included there but also keep in mind that there are national units that are operating in the provinces as well that will not be included in this.
COMMISSIONER: Okay.
BRIG RABIE: That, you know, for instance you crime intelligence capacity is considered a national capacity of around about 8 000 people that is operating in the provinces but not counted as part of the provincial allocation.
COMMISSIONER: So presumably this process of, as you say, normalising the establishment and stabilising the establishment will take a few years to do?
BRIG RABIE: Ja.
COMMISSIONER: But would I be correct in taking away from what you've said that there is a sense in which the Western Cape has an historical disadvantage which requires to be adjusted over that period?
BRIG RABIE: No, if you take into account the analysis that we've done it is obvious that they are lagging behind in terms of getting them on par with the other provinces.
COMMISSIONER: Okay.
BRIG RABIE: Now even with the number of posts that we had available we were not able to close the total gap because as you said, normalising an establishment of approximately 200 000 people is going to take you around three to five years.
COMMISSIONER: No, I understand.
BRIG RABIE: It's not going to happen overnight.
COMMISSIONER: And what you are saying is that the norm or the average across the provinces is to be – the established is 106%, you've got province that goes as much as 125, where would the Western Cape be about?
BRIG RABIE: Shoo, I think it was in 90's, 94% of something like that.
COMMISSIONER: Okay, we'll work on 94 but if that's incorrect perhaps you could let us know in due course. Thank you.
BRIG RABIE: Ja, I have it available on my computer somewhere but I stand under correction.
COMMISSIONER: Ms Bawa?
MS BAWA: When I look at what's reported in the annual report for the Western Cape Police Service for the previous year, 2012 to 2013, they say that they've go 17 126 police members and in the 2013/2014 it's increased but they also put in 3 930 Public Service Act personnel. When you give us the figures of 17 278 you're

only talking about Police Act or both?
BRIG RABIE: The total establishment of the police station, that includes support personnel in the Public Service Act as well, that's the total allocation.
MS BAWA: Well, there I'm a bit lost because if I look at the demographic profile of the province as provided in its annual report it says total SAPS personnel in the Western Cape 21 056, which is Police Act and 17 126 and Public Service Act of 3930, now that then means when you give us the figure for the 2013/2014 year there's a 3 000-odd decrease if you're saying your Public Service Act.
BRIG RABIE: Remember the figures that I quoted here is the total South Africa Police Service allocation for the Western Cape.
MS BAWA: Okay. So ...(intervention)
BRIG RABIE: What I'm referring to in my document is the allocation made to police stations.
MS BAWA: And your allocation is the police stations including Police Act and PSA?
BRIG RABIE: That's correct, ja.
MS BAWA: Right. Do you not deal with the balance of the allocations to other units such as special SAPS units like I take it the TRT and the Public Order policing or the FC or the crime unit or the provincial staffing itself would then be the balance?
BRIG RABIE: That is not – if I may say, that's not part of my job description, I focus on police stations but I've been appointed as project leader to address the establishment of SAPS so currently in that capacity, *ad hoc* capacity, I'm looking at the total SAPS establishment but my field of responsibility is police stations.
MS BAWA: Can I ask you a question, besides staffing your provincial offices and besides staffing your specialised units where else would police be in a province because I'm trying to work out where else is the 3 000 policemen. There's a number of places that they could be. If you look at what – okay, starting with the bulk of the policemen will lie at your police stations, right? Then you have specialised uniform capacities like Railway Police, you have K9s, you have TRTs, you have public order policing. In the detective environment you have FCSes, you have – there's tracing teams, there's – what's the other examples that I can use – your stock theft, I don't know whether there's stock theft capacities here, there's ports of entry that we also deploy people to, so there's a number of business units within SAPS where these people can be deployed.
MS BAWA: They're listed on the sheet that I've just forward to you and maybe I should put it out to make it – there's list of what's called the provincial organisational profile, that is essentially what you're referring.
COMMISSIONER: Can this marked LR6?
MS BAWA: Ja. On the list on the ...
BRIG RABIE: This one?
MS BAWA: Yes, if you look at the bottom part that says Provincial Organisation Profile, your 101 call centre, your Flying Squad, or border policing, those are the ones which would effectively staff the balance. Is that...?
BRIG RABIE: Okay, what we have, it's difficult to respond to this specific table because what we have is we have a workforce profile for every business unit

including the province where we can accurately indicate to you where the people have been distributed to you, so every single post has been allocated to the specific province and where it's been allocated to. Now this a breakdown and what makes it difficult for me is, it seems that you are trying to determine of the total 21 000 – okay, 17 000 are more or less at police stations so where is the other 4 000. The other 4 000 can either be at the provincial office, it can be at specialised units, it can be at a number of places within the province now what is relevant to what we are dealing with today is the fact that what specific allocation we've made to police station in itself, that is being accounted for in the distribution letter that I've distributed to you.

MS BAWA: Okay. Then if I can take you to the document which was forwarded to us this morning, the LR2 which is your implementation guideline.

COMMISSIONER: That's annexure to LR1.

MS BAWA: Oh, it's annexed to LR1, ja. In paragraph 1.5 as I understand it, those 313 posts would have now been integrated into posts that would be available to allocate into the stations and there's no longer a separate crime intelligence office for the stations. Is that how I must understand it?

BRIG RABIE: Ja. That capacity, those 313 posts, the crime intelligence offices, as we indicated there were previous part of the national capacity, so they were counted as part of the national capacity but now they're been integrated with the police stations so that must be added onto the allocation made at police stations.

MS BAWA: If we go to your paragraph 2.2.2 on page 7 of 19 in the third line of paragraph 2.2.2 you say:

"Note that this is a fixed allocation and should not be exceeded."

It can be diminished but it can't be exceeded. Is that how I can understand it?

BRIG RABIE: Just note that that comment that is made there relates to the – must be in the context of that specific paragraph.

MS BAWA: Yes.

BRIG RABIE: The paragraph 2.2.2 refers to the populating of your command structure of your station, now the command structure is a generic structure that caters for the different disciplines and what we mean with that, is you cannot allocate more posts than what the command structure caters for, so the command structure, say for instance that you have one post that is responsible for the – or four captains for the Community Service Centre if you're a category C2 station. That means you cannot allocate six captains to that specific capacity because the moment that you do that, that allocation is not in line with the approved structure and it will then be regarded as irregular expenditure so you allocation in terms of the command structure must related directly to this – the framework that is set out in this paragraph. So the point I'm trying to make here is that that sentence, the exceeding, refers to the fact that you cannot deviate from the approved structure for the police station.

MS BAWA: Well, let me test this, I read this together with the – it's page 15 of the report where you set out the category C1 and C2 police station, you've got a diagram on page 15 of your report which puts it from top down, that's correct? I would read that with that diagram.

BRIG RABIE: Ja. That, the distribution methodology there relates to that

organisational structure on page 15.
MS BAWA: Now let me test this with you, so you essentially say that whilst the Provincial Commissioner has the discretion to determine the distribution of funded posts within his province he can't deviate from this.
BRIG RABIE: The commander structure is a generic fixed structure.
MS BAWA: Now if I got to your explanation on page 8, let me take an example, for instance, because it's one I can easily latch onto. When we look at operations commanders and we take your colonel station and we say your operations commander, as I understand it, is the – is what you call your sector commander?
BRIG RABIE: No.
MS BAWA: No? Your operations commander would be your?
BRIG RABIE: That is the capacity – the operations commander is the capacity that was created within the newly adopted police structure to make provision for somebody working on that specific shift that will be in charge of all operations being conducted within that and he will liaise with the sectors teams. Remember, sector commanders are not operating 24/7, sector commanders is a single person that's been dedicate to a specific sector that is not – they were not working on a shift system.
MS BAWA: My apology, I must go further down, there's a category called sector manager, that's what I'm referring to.
BRIG RABIE: Ja.
MS BAWA: Your sector manager is precisely what you explained now.
BRIG RABIE: Ja.
MS BAWA: Now on your table here you say your sector manager must be either a captain or a warrant officer.
BRIG RABIE: If you look at page 8 of 8 on that distribution guideline, we say – when we look at the sector managers, what you do is, if you are a category C2 brigadier police station, you can allocate one captain or lieutenant because they are on the salary level per sector, as a sector manager. If you are on a category C1 colonel station, then it's one warrant officer per sector because you have maintain your span of control and your line of command so they will not be – between the two different stations, the rank level of the sector commanders will not be the same.
MS BAWA: So I can't put a constable in charge as a sector manager?
BRIG RABIE: If you don't have captains, this structure makes provision for captains, alright?
MS BAWA: Yes.
BRIG RABIE: But there's a risk associated with that, right? Well, not with the fact that it makes provision for captains, the structure makes provision for captains as sector commanders, if you don't have sufficient captains to fill the – let's say there's five sectors and I don't have five captains to appoint as sector commanders then we can appoint somebody but that person must then be – if it's a funded post that person must be paid and acting allowance.
MS BAWA: I wonder if the constables are currently acting as sector managers actually know that they should be getting a higher salary than what they are.
BRIG RABIE: When the person is appointed as the sector manager in terms of the

– you cannot have a constable acting in a captain's post, I mean…
MS BAWA: Well, the reason why I asked you this question is because we have sector managers in Khayelitsha who are constables.
BRIG RABIE: Ja, no but remember the latest national instruction on sector policing doesn't prescribe the sector manager for every sector. Depending on the posts that you have available you appoint sector manager so you can have a sector manager as responsible for more than one sector. Now if that person is then – if that person has got a job title of a sector manager, that person – now that is – will be irregular.
MS BAWA: Okay. So essentially if they don't have the ranks available at the police station they can deviate from what's put on page 8?
BRIG RABIE: No. Just qualify exactly what you were saying?
MS BAWA: Let me say for example, let's take another example, you've got custody management, you say 1 x a captain and 1 x captain, that's your command structure at custody management but if this station has only – in his actual only have two captains, then he doesn't have sufficient captains to fill all the slots. He can then put a captain into that – a lower rank into that position.
BRIG RABIE: But there's a number of alternatives available if you don't have sufficient number of posts. Remember ultimately the – this is an approved structure, that is we are in a process of implementing, we must also acknowledge at the same time that we do not have sufficient funding to implement this structure in - you know, as it has been approved whereas if you look at the deputy station commanders, currently at the moment due to the fact that where our funding has been cut down or been stabilised on certain portion we are not in a position to fill the deputy station commander post although they've been identified as part of the structure. So what you can do, as a manager, if you don't have sufficient number of people on a specific rank level to appoint somebody on that level that's it's been graded on then you can combine certain functions where you assign the responsibility to another – you say this captain will be responsible for both custody management and court duties although on the structure is indicated as two separate functions. So that is – you have to deal with the realities as well and you have to implement actions to ensure that all the functions, you know, receives the necessary attention in line with the capacity that you have available.
MS BAWA: Sorry, I've lost my train of thought. If we turn the page to page 10 of your document and you look at table 5, you set out a post distribution of percentages between warrant officers, sergeants and constables, is that the proportion in which it goes to – in which your granted RAG is also allocated?
BRIG RABIE: I just want to make sure that we're on the same page, you are referring to page 5?
MS BAWA: Paragraph 2.2.6.
BRIG RABIE: Of which document?
MS BAWA: Of your – sorry, of your implementation guideline.
BRIG RABIE: 2.2.6?
MS BAWA: It starts:

"In the distribution of posts…"

It's page 10.

"...it is important that an acceptable span of control is maintained. The span of control applicable to the management structure is discussed in paragraph 2.2 and table 4. As far as the lower level production core posts are concerned, the following span of control should be maintained."

And then you say:

"If it's a warrant officer, a sergeant and a constable it's 20%, 30% and 50%."

BRIG RABIE: That is in theory, that is the span of control that we need to maintain but as a result of the distortions that we experience in SAPS in terms of the rank levels, you know, I've earlier, I've referred to the fact that we are currently busy with the stabilisation and normalisation project in the sense that we have significant numbers of constables, then we have a shortage on sergeant level and then we have an oversupply on warrant officer level. So what the indication that we give there is that in terms of a logical span of control we need to – we must try to maintain a staffing level of - you know, the hundred percent that you have available within your production core that 20% of that should be warrant officer 30% and 50% constables but you will find in reality when you come there that it is not exactly when you look at the actual personnel it doesn't up 20, 30 and 50% because of the distortions that we have in our rank levels at the moment.

MS BAWA: If we go back to your detectives page on page 53 of your THRR report, I'm sorry, I'm jumping around because I only want to ask questions that I require clarification on because you've answered quite a bit of them in the document that you've provided.

BRIG RABIE: Yes, I'm there.

MS BAWA: It's page 53. When we talk about number of cases per member and you say murder four, are we contemplating that that detective only has that four murder dockets?

BRIG RABIE: Ja.

MS BAWA: He doesn't have any other dockets?

BRIG RABIE: Anything else. What we do here is – remember I explained that when it comes the investigation of crime it is basically impossible to conduct a time study because of the nature of every – the dockets differ, so in this case we rely on an expert opinion from the detective environment, so when we develop these ratios we say that how many – if you have for instance the crimes as they are stated there, one single detective can deal with four murder cases per month only, not anything else, so in essence it means that you will have to allocate a body for every four cases that's been reported.

MS BAWA: What does that – let's – you've looked at this and you've got an expert opinion and you've done the crime management and you say one detective can deal with only four murders in a month, what does that do to the real life detective that's sitting with 30 murder dockets on his desk?

BRIG RABIE: It affects that person's ability to deal with crime effectively because the question that was asked here, if you have the ideal situation, right, and the ideal number of detectives, we say for a detective to effectively investigate a certain number of dockets, there is a limit that you – before you go into a situation

where you can no longer, you know, investigate this properly. So if you have an expert detective that deals with murder cases, for instance, that's got 50 murder cases on hand, it's definitely going to impact that person's ability to investigate those crimes properly.

MS BAWA: But then if I look at your table on page 15, you contemplated detective services being divided up into group A, violent crimes, group B, economic crimes, group C, general crimes, as your three, and if you're sitting with a group A which let's take Khayelitsha for example where you've got maybe 16 detectives in your group A dealing with violent crimes and you're sitting with – I think the evidence was, and I stand to be corrected, that they're probably – the best of your detectives are in that unit, the most experienced are in that unit and they essentially deal with over a hundred dockets of serious crimes, you run into the great danger of those cases falling through the cracks of not being investigated properly.

BRIG RABIE: No, if you built up a backlog, remember we work on the assumption that there's a continuous flow of dockets that's handed to this detective. Now if you have to – if you want to maintain an acceptable level, it means that if you receive four you must deal with four. Now if you receive four and you deal with two, it starts accumulating so now you're sitting – so when you receive the next four you're sitting with six and if you deal with another two it accumulates until you sit with 100 dockets on hand and the detective that's falls outside this criteria then we must start asking the question whether that person is able to deal with that investigations properly, if you start exceeding this criteria. So if you're sitting with 100, 150 dockets on hand it's definitely going to impact on your ability to effectively investigate crime.

MS BAWA: But has there been any investigations done in the studies you've done that investigates how this backlog happens because I'm sure it's not solely Khayelitsha-related.

BRIG RABIE: No, no, it's – I'm not sure whether such an investigation or a study was done in the operational environment where they deal with the detective service specifically and there's a number of reasons that can contribute to the fact. You must also keep in mind that a lot of the dockets that the detective has on hand are court dockets that has actually been fully investigated currently in the court process, that means it doesn't require further investigation – it's not investigated, it is going through the court process. The dockets on hand that a detective have got, we must go and do a proper analysis to understand what portion of that is lying in court, what portion of that are currently being investigated because there's a difference between the two.

BRIG RABIE: And then there's the portion that's actually withdrawn from court because there wasn't proper investigation done in the first place.

MS BAWA: How does duty arrangements affect all of this?

BRIG RABIE: If you get an allocation of people, let's say I have ten people investigating 100 cases, that means on average I'm sitting with ten cases for every person. The moment that I – when I establish, for instance, a task team and I withdraw two of my detectives and, you know, as a duty arrangement to go and work at another project team or whatever the situation is, the dockets remaining

there needs to be investigated so they are carrying over to the remaining detectives, so you are increasing the workload associated with the remaining people so duty arrangements got an effect on workload and it's got an effect on, you know, the effectiveness of the investigators.
MS BAWA: You also have the difficulty of where people are reflected on the staff establishment of stations but they're actually not there and they haven't yet been transferred.
BRIG RABIE: That's correct, ja. For obvious – there's a number of reasons that contributing to that because tasks – remember on Persal where we record our approved structure we can only record or only register components that forms part of an approved structure so if a task team or anything else is established with and it is not reflected on Persal you will find that the person is carried on Persal on that specific station but in reality that person is sitting somewhere else at the station at the project team or something like that. So that is reality, that you will find that what is actually there doesn't correlate with what you find on the system but that is due to that we – you utilise people sometimes temporary structures to investigate or to do crime prevention, etcetera.
MS BAWA: You mentioned a minimum requirement to operate a station for 24 hours. What's the minimum requirement?
BRIG RABIE: It's just below 60 posts.
MS BAWA: 60 posts?
BRIG RABIE: Ja, let's say 60 posts depending on exactly what needs to happen at that station, so now you can imagine what is the implication of that. Now if we have a station and this is applicable to all police stations in South Africa, we have police stations where there's very few crimes recorded but for the purpose of calculating the requirement to render a 24 hour serve you must make provision for 60 people working at that station. So ja and that minimum requirement influences our ability to direct resources to, you know, more critical places because you must staff – I mean, in an example that we referred to earlier this morning of Camps Bay, although it's a very small station, capacity is needed there to run a 24 hour service.
MR PIKOLI: Brigadier, just one small question from me. You know, numbers always baffle me, they won't fail to make me look foolish at times, I'm just looking at this figures here, it looks like for the last three years there's been some stagnation in terms of numbers. When I look at the total number of SAPS personnel in the three police stations, what I'm able to get from here is that 2012 to 2013 I've got 894 for all three stations. 2013 to 2014, 894 and according to the latest update as of the 24 March 2014, the number is still the same. Can you confirm this?
BRIG RABIE: To which document are you referring, Sir?
MR PIKOLI: LR1, LR2.
BRIG RABIE: Oh, you're talking about all the figures that has been submitted?
MR PIKOLI: Yes.
BRIG RABIE: Just take into account the figures that we are presenting here are the figures that – or the theoretical requirements that we've calculated in the previous financial year. So for the purpose of the document that's been carried

over into the new financial year although the new theoretical requirement is in the process of being calculated. So ja, in a sense – remember, when we're at the budget – sorry, can I just clarify this, are you referring to the theoretical requirement or the actual personnel?
MR PIKOLI: If you look at LR2, for instance.
BRIG RABIE: Ja?
MR PIKOLI: Is this a theoretical requirement or is the actual establishment?
BRIG RABIE: No, this is a theoretical requirement and it relates the 2013/14 financial year.
MR PIKOLI: So what we have here is all theoretical requirements?
BRIG RABIE: Ja, it's theoretical, it's the actual situation, the actual number of the people at that police station I assume may be less than the figure that is indicated there but although ...(intervention)
MR PIKOLI: Makes me even more scared about these figures.
BRIG RABIE: Say again, Sir?
MR PIKOLI: I'm saying I'm more scare when you say these are just the theoretical requirements.
BRIG RABIE: For the previous financial year?
MR PIKOLI: All these three, ja, for the last three years.
BRIG RABIE: But that is why I'm saying just keep in mind that we are now recalculating the theoretical requirement for 2013/14. This – the document that we've distributed to you is for the previous financial years but for the purpose of the current allocation, that is what we use.
MR PIKOLI: So these figures are approximately 30% less in terms of the actual establishment?
BRIG RABIE: The actual people outside?
MR PIKOLI: Ja.
BRIG RABIE: Ja, it's approximately 30% less than what you see there.
MR PIKOLI: 30% less?
BRIG RABIE: Ja.
MR PIKOLI: Okay.
MS BAWA: There seems to be a mathematical error and I'm trying to find my 2012/2013 because your cross rows don't add up. If you look at – take Harare, for example, the numbers across on the two documents don't quite add up to the total at the end – and I've now misplaced the – you gave us two – we have two schedules one that say 2012/2013 and then there's the one that's for 2013 and the one was attached to the document, that was LR1, is that correct? Let me just find it. Just give me a minute?
COMMISSIONER: While Ms Bawa is looking for that, I just want to go back to this issue about dockets and how you calculate on your theoretical human resource requirement, how many detectives you require and your report and your testimony is that if one should work on basis of four dockets, four murder dockets per detective. Now that is so at odds with the testimony we've received as to what the lived experience of detectives in Khayelitsha is that it's really extraordinary. You know, people are talking of the detectives who are carrying murder dockets are carrying in excess of a hundred. Now I'm quite sure that you're right, that some of

that is backlog, indeed Col Wiese's testimony yesterday was that most of these police station are working with a backlog about five times their new cases, some of them four times and some of them five or six times and she was saying that, you know, good practice is to have a roughly even ratio, or one to one ration between carried over and the new dockets, so you know that does make sense if even if you worked it on that basis and assuming that there is six times – backlog of six times, you would imagine that people maybe carrying 30 murder dockets because you take four, six times, you know? Whereas what we're looking at, it's just way beyond that.

BRIG RABIE: Ja.

COMMISSIONER: Now, I mean, it seems to me that an enormous amount of thought and care is put into the system that you're described this morning but it seems to be entirely unconnected or disconnected to what the experience on the ground in Khayelitsha is.

BRIG RABIE: I think, Ma'am, what is important here is that this reflects the ideal situation if you look at the methodology that we apply that you should not have - you know, as the ratios that are indicated here, but as you say, when you come – when you deal with reality you will find that the actual numbers that the people are dealing with are far more than the ideal situation that we would like to see. Now the problem associated with that is if the number of dockets that you are dealing with starts exceeding this ideal situation it influences your ability to effectively investigating those type of cases and I mean with a chain reaction through the total process.

COMMISSIONER: You see, I mean, if you look at the way you've calculated, really what you're saying is we should be expecting to see a shortage of in the region of 30% of needs, roughly, you're saying that by and large countrywide we're looking at – we can fund 70% of what we need and then we look at how you calculate your needs but that's not what we are saying. Now it may be that backlog is a real problem and in that case then maybe then needs – and I also quite understand your testimony that it doesn't make sense to permanently fund backlogs because backlogs in a sense should be a short term problem, address result and you need forever to have the personnel to deal with them, but in your knowledge of SAPS is there backlog team that can go around because again what the testimony here has been is that when we have a - you know, whatever they call it, the cold squad, basically the cold squad are not new detectives that are allocated to Harare, Khayelitsha, you take off, you know, five or ten of current detectives and now they're doing the cold squad. So, you know, it's Peter and Paul again, you're just robbing one to pay the other.

BRIG RABIE: That's what's going to happen, yes. The reality that we have to deal with her as well, is in terms of the ideal situation you have a ratio that we specify in the document an based on the number of dockets that are registered at that specific station, you should have, let's say 100 detectives, but we are only able to fund 70 of the 100 detectives, so the direct implication of that is, that the number of dockets that are being received by that detectives now exceeds the ideal situation so then that is where your accumulation of dockets starts because we say that a detective can effectively deal with so many dockets but now instead

of receiving ten per investigator per month due to the fact that we cannot fund the total requirement you start receiving 12 or you start receiving 14 dockets. Now your ability to deal with that 14 – because we can say according to our estimates that you should be able to effectively deal with ten. Now that means that you're going to start building up a backlog because every time there's four left behind, the next month another four is added on that and that's how these backlogs are created and as you said, we can – I know about – I'm aware of certain stations where project teams were sent in to close down, to look at the dockets, you know, to help with the investigation, those type of things, to try and resolve the issue. The challenges associated with that is the moment that you withdraw that team, it's the same people that continues with the process with the same docket load coming in they just start building up another backlog again, so it's a continuous process. Now to test the methodology hundred percent we must decide let's allocate the detective one hundred percent of what the need is and if we then still sit with a backlog then we may have to review the criteria, do you understand what I'm trying to say?

COMMISSIONER: I do.

BRIG RABIE: But due to the shortage, the risk of building up a backlog will always be there.

COMMISSIONER: You see, this a management tool that you're working with, if the management tool is so far detached from experience on the ground I kind of wonder how much use it is as a management tool. I mean, you're sort of setting up the detectives – I mean, let's focus on the detectives because they are – the work that they are getting is so far removed from the ideal, it's not 30% removed from the ideal, it's in the region of several percent removed from the ideal and I can't see how one can expect detectives to try and do that if on a reasonable assessment they ought to be having four dockets, well sorry, you've got 120, and all sorts of knock-on things happen, they don't contact witnesses, they don't feedback to people, they don't take the dockets to court, the matter then gets struck off, so that doubles their work, they've now got to try and get the matter re-enrolled but actually they haven't got time to get it re-enrolled because they've got another 119 dockets and I don't know whether we don't need a better tool which is a bit more of a triage tool, a tool which says we can only fund 70% and we're going to prioritise, we're going to have a system for prioritising, we're going to make – and we're going to have say to some members of the community, I'm sorry, your case is not within or priorities, we can only – we are prioritising this and then do those ones well but to try and burden people with dong something that is just physically not possible because you say the accumulated effect of years of being underfunded, it worries me as a management system.

BRIG RABIE: Well, we must remember also that the purpose of the methodology that we apply is to calculate the requirement. The problem that has been created now is not by the requirement, it is the actual situation relative to the requirement. So I agree, if we then have to decide what are we going to put in the middle, you know, to say that we cannot deal with the total demand, we will have to start prioritising, you know, to see how close we can get to the demand but it won't change the situation that you still have a requirement or a demand that is set at a

certain level, so ja maybe ...(intervention)
COMMISSIONER: In a sense the problem is not the fact that it's appropriate to determine a theoretical human resource requirement and say that's what we should fund, it's what you do when you realise you can't fund that, it's actually the next step in a...
BRIG RABIE: That's – ja.
COMMISSIONER: Because it seems to me that it's quite problematic to say to a branch commander in Khayelitsha you must just keep doing this and you must discipline all your detectives who can't do this even though they're actually carrying, you know, a hundred times or fifty times what they ought to be carrying. That's not a workable system.
MS BAWA: Could I maybe add something to that? We use the criminologist who gave us some statistical information on murders and I emailed to her your figures this morning and she concentrated on using murder as a crime, as one of the more serious crimes and she got back to me with a statistic where she worked out resources per murder allocated to the respective stations taking into account your allocation per station over the number of murders which the crime statistics report. What was very interesting about this statistic is that if we work out personnel per murder per station, number one, is Nyanga at 1.58. Number two is Harare at 2.07. Number three is Guguletu at 2.23. Number 4, is Khayelitsha at 2.36. Number 4 is Philippi at 3.01. Number 6 is Mfuleni at 3.47 . Number 7 at Delft is 3.7. Number 8 is Kraaifontein at 3.7. Number 9 is Philippi East at 3.8. Number 10 is Luwadla at 4.08. Number 11 is Lingelethu West at 4.33. Number 12 is Mbekweni at 5.48. Now in your top 12 which shows your lowest personnel per murder you have the three stations in Khayelitsha and if memory serves me right you probably have the other three which has been identified as part of project 6. If I'm right.
COMMISSIONER: Is done on the Western Cape or is this done...?
MS BAWA: Only the Western Cape, it was based on the statistic which was provided by a brigadier and I emailed it through to Jean (indistinct) to work it out. We'll ask her to put something more formally in on it but essentially we're finding that there's a correlation between our highest murder rates and our lowest profiling stations, the ones who are not performing.
BRIG RABIE: But that has compared to the actual situation.
MS BAWA: Ja. No, no, no, sorry, your 273 figures, your THRR figures, that's what she's used, she's used your THRR figures to come to that, not the actual figures. We don't have the actual figures.
BRIG RABIE: Okay.
MS BAWA: But let me – Brigadier, I was looking for something, attached to your LR1 was the distribution of the fixed establishment for the 2012/2013 financial years. Do you have that document there? I was attached...
BRIG RABIE: Is it this one?
MS BAWA: That one. Right, you then emailed which was LR2 the version updated to the 30 May 2013. Now let's take number 50, Harare, this might well just be me being pedantic, or something. If you look at the 2012/2013 figure, we've got visible policing at 162, detective services at 36, support services at 43 and we come to total of 273. On your updated figure we have 162 for Harare, detectives

at 66, support services at 43 and you still come to a total of 273. That three added up, by the way, is not 273, it's 271, but it seems as if there's a mathematical error which – I've used Harare as an example and I've checked some of the others, there's a cross mathematical error, your totals are not adding up to your total column. There's two short on the 2013 version and it doesn't quite add up – on the 2013 version it should be – no, no, the detective goes in 2012 from 36 to 66 but your total can't stay the same. That's why I went to look at it, it's the last version, it's the difference between the 2012/2013 schedule and 2013 schedule, it's a simple mathematical error.

BRIG RABIE: Ja.

MS BAWA: Could you just recheck it and give us the revised schedules?

BRIG RABIE: Ja.

MS BAWA: So that we can do that. I'm just pointing that out to you. Finally, I've got two further questions to ask you. I was very pleased to note that when you started your evidence-in-chief you started with the Constitutional responsibilities that lie with SAPS and underlying Constitutional responsibilities on any organs of state is the founding values which in entrenched in the Constitution and chapter 10 which governs public administration and SAPS falls under that by definition of it and those values include the values of openness, transparency, and – let me get this right, accountability, responsiveness and openness and your testimony before the Commission today espouses those values and I am very proud to say that you've testified taking into the account the values as entrenched in the Constitution but can you explain to me why the granted RAG and the actual RAG is kept such a big secret?

BRIG RABIE: Ja, it's not supposed to be a secret, the allocation it's made available to the different station commanders, it's from a national perspective, I mean everybody has got access to that information, if it is requested we will provide access to that information. I do not understand why it should be a secret in terms of, you know, determining what has been, you know, how many posts have been granted to specific station, many posts or how many people are actually at a police station in terms of the Access to Information Act, I mean any person I assume can ask to have access to that information. I don't know whether we – do you want a situation where it's displayed somewhere in a place where everybody can see it?

MS BAWA: No, no, no, that's not what I'm going – I mean, one of the values of public ...(intervention)

COMMISSIONER: I would wonder, why would it not be on your website? I mean basically these are all funded by South African citizens and I'm just wondering why we shouldn't e able to know it. I will say that even the Department of Community Safety, the head of Department of Community Safety are very senior and respected civil servants who really cares a lot about safety and security in this province and who has served under many administrations here has not been able to get this information. I just couldn't understand why not?

MS BAWA: The Provincial Commissioner says it's operational information, it can't be made public.

BRIG RABIE: Okay but can I just request that I'm not in a position to respond and

what the prerogative of the Provincial Commissioner is, I mean – ja, it's difficult for me to answer that question.
COMMISSIONER: We're asking it from an expertise point of view, I mean just – your view is that there isn't a particular reason why it should be secret from your perspective.
BRIG RABIE: Ma'am, what happens in my office specifically, we deal with these type of requests on a regular basis and whenever is it requested, we make the information available, so from – but remember, we are sitting at national level, we don't' have this, you know, specific interaction directly with communities, etcetera. On our level we will most probably deal with other government departments or those type of entities and when it requested we will make that information available. For instance recently – I know it doesn't relate specifically to personnel figures but we recently published all our spatial data on the internet so that everybody can access it from anywhere and see where's the station boundaries, where at the station locations, those type of information, and later on what we can do is, we can add attributes to those station information so when you access it on the intranet to get – you know, the location of the police station, with that you get the attribute data that could be, you know, telephone numbers, staffing levels, those type of things, so those are options that we can consider.
MS BAWA: But the intranet is only available to people within policing, it's not publicly available.
BRIG RABIE: No, no, it's open, it's under open SAPS website, not the intranet, under internet, ja.
MS BAWA: Sorry, can I then ask you another question? It's not simply that the Department of Community Safety hasn't been able to get hold of this information, I must be facetious in saying that's what the Provincial Commissioner says, but every criminologist whom we've consulted with extensively have said to us we don't know what the RAG figures are, we can't get it out of SAPS and it might be that they're not asking you or you're not the person to be asked but from a professional point of view is that your evidence before the Commission that this work which you've done and you provided to the Commission there is no reason why this can't be made publicly available.
BRIG RABIE: No, it's – I mean, if we in terms of the request that we deal with in my environment that people – they apply in terms of the Access to Information Act and we make that information available. I mean what – the number of posts that we grant to specific police station, I cannot see why that should be secret information, that's my opinion. I mean, the Provincial Commissioner and his management has got the prerogative to decide, they can, you know, for other reasons decide not make it available but I can't - from my point of view I cannot see why this cannot be made available so that people can see what the resources are that we've allocated.
MS BAWA: If I just on your theoretical calculations, you essentially say we take into account the external environments and that means you take into account the socio and economic conditions which prevail within a policing precinct when you determine the human resource requirements, would that be fair?
BRIG RABIE: Ja.

MS BAWA: Okay, so when you assess policing in Khayelitsha taking all of that in account, can you actually say that you can't use the standards of policing found in Constantia or Camps Bay or Rondebosch and expect to be the same in Khayelitsha because you take that into account when you calculate it.
BRIG RABIE: Sorry Ma'am there as a vehicle passing, I couldn't hear you.
MS BAWA: Well, given that your socio and economic conditions form part of your determination of your theoretical human resourcing can you actually say that you can't use the standards of policing found in Constantia or Camps Bay or Rondebosch and expect it to be the same in Khayelitsha? `
BRIG RABIE: In terms of the methodology that we currently apply we evaluate everybody in terms of the same standard criteria. If it is evident that we need to adopt a criteria to make provision for certain circumstances within certain precincts that factors be taken into consideration, I mean it is an open development that we are busy with. If the finding is that for the purpose of looking at areas like Khayelitsha, Harare and Lingelethu West that we have differentiate by means of other variables and use other factors to make sure that we get a more accurate allocation of resource then we can do within the framework of the development.
MS BAWA: Because essentially one of the Constitutional values that you started off with was that we provide an equality of policing so that the person in Khayelitsha can expect the same high quality of policing as the person in Constantia or Camps Bay or Rondebosch, that would be the ultimate that you would want to achieve, isn't that so?
BRIG RABIE: If you study the factors that we already take into consideration, I think it should be obvious that we are trying to identify those factors that impacts on policing specifically, it is not that we've been ignoring them up to now. Whether it's complete list is a debate that we can also agree, we can decide there's additional factors that we have to take into consideration but if you look at the factors that are listed there, I think it should be obvious that we are trying to build in factors to distinguish between the different types of environments and as far as possible quantity the dynamics associated with those environments which is, as I said, we can build on that, we can further expand on that, it's open.
COMMISSIONER: And would it be correct to say that the premise that you do that, the bottom line principle for that is to try to ensure that policing is equally provided across South Africa and taking into account the different considerations in which people live and work?
BRIG RABIE: Ja. Ma'am, the problem is to quantify the differences between environments is a very difficult exercise but we know that the purpose of including this environmental factors is an effort to try and cater or to make provision for the differences between the different types of environments that we take that into consideration.
MS BAWA: Finally, Brigadier, maybe off the point, can you tell me what is Mobilitate? It's a web page, it's called Mobilitate.
BRIG RABIE: Say again?
MS BAWA: Mobilitate.
BRIG RABIE: No, I'm not sure what that is.

MS BAWA: It seems to be a Pretoria or a Johannesburg website called Mobilitate which deals with informing members of the public about crime that happens in the areas and things like that, it's like a – are you familiar with it at all?
BRIG RABIE: No.
MS BAWA: Thank you.
COMMISSIONER: Are we going to take a break now, Ms Mayosi, or Mr Bishop? Who is dealing with this?
MR BISHOP: I'm dealing with it Chairperson. Can we take the lunch adjournment now?
COMMISSIONER: Yes, we could take the lunch adjournment. We had planned, if I remember correctly, an hour's lunch adjournment, let me just check, that we don't get out of our schedule. Yes, so we'll take the lunch adjournment now until quarter to two if that's adequate and then you will just adjust the times appropriately from the schedule. Thank you very much, Brigadier, so we will re-adjourn and we will re-meet at quarter to two. Thank you.
COMMISSION ADJOURNS: (at 12:45)

ON RESUMPTION (at 13:45)
COMMISSIONER: Good afternoon. Brigadier you are still under oath.
BRIGADIER L RABIE – (s.u.o.)
COMMISSIONER: Mr Bishop.
CROSS-EXAMINATION BY MR BISHOP: Good afternoon Brigadier. First of all I'd like to thank you and echo the words of Ms Bawa; thank you for your openness in testifying today. It has really been very helpful. You've explained everything incredibly clearly and I understand everything much better than I did before you started testifying, so thank you. I've got three areas that I want to discuss with you; the first relates to the processes that you follow in determining the theoretical threshold. The second is about certain comparisons between the stations in Khayelitsha and other stations in the Western Cape, and the third relates to if we have crime, some of the issues that are mentioned in your letter about the difference between the problem of overstaffing and if I could, there seem to be more police than the actual establishment. So firstly about the process, you spoke earlier about the way that the detective establishment is determined and am I right from my understanding that the primary driver in determining how many detectives a station should have, is the crime rates, is that correct?
BRIG RABIE: Yes.
MR BISHOP: And then after you've got the crime rates then you use various other factors, distances from court and so on to adjust that number, that's correct?
BRIG RABIE: Correct.
MR BISHOP: So a station which has a higher crime rate, everything else being equal, should have more detectives.
COMMISSIONER: Sorry, just for a minute Mr Bishop – are you struggling to hear a little bit? There can be a little bit of feedback Brigadier.
BRIG RABIE: Ja, I can't hear.
COMMISSIONER: If you put on your earphones, the headphones then make sure that they are set to the correct station. You will find it a lot easier. There's quite a

lot of feedback and the noise can be quite difficult in this room.
MR BISHOP: Perhaps and a bit closer to the microphone.
COMMISSIONER: Ja, that can be a factor but I also struggle to hear from time to time.
BRIG RABIE: Which station is it supposed to be on? (Pause).
MR BISHOP: Can you hear me now?
BRIG RABIE: No.
MR BISHOP: Now, is it working? Not working?
BRIG RABIE: I hear nothing in the earphones.
COMMISSIONER: Can you hear better now? Can you hear now? Can you hear? Can you hear now? Sorry, can you hear? Is that better? Can you hear?
BRIG RABIE: Yes.
COMMISSIONER: Okay. Okay fine. Can you hear?
BRIG RABIE: Yes.
COMMISSIONER: Okay, good. Right, hopefully that will make it a little easier. In fact what is really remarkable is how quiet the hall has gone. Go ahead Mr Bishop.
MR BISHOP: Thank you Commissioner. Brigadier can you hear me now? Is that better?
BRIG RABIE: Excellent, thank you.
MR BISHOP: Okay, good. So I was saying, if you've got two stations where everything else is the same; your distances, your level of informal housing and so on but one has a higher crime rate, it's got more crimes, it would have more detectives?
BRIG RABIE: Depending on the type of crimes that's being recorded.
MR BISHOP: Right.
BRIG RABIE: Remember the ratios relative to the specific crimes are not exactly the same.
MR BISHOP: Sure. On that point, am I right that when, in a murder it says "four murders per detective", that's an estimation of the crime, how many murder investigations one detective can manage, is that correct?
BRIG RABIE: That's correct, it's based on – as I explained earlier, the problem with the investigation of crime, it is difficult to do a time study to determine the exact time because it differs. So in that case we rely on an expert opinion to indicate to us how many of these type of cases can an investigator deal with in a specific period of time.
MR BISHOP: So it's not a weighting of crime or a prioritisation in the sense that murder is deemed to be more important than offences under the Aviation Act for example.
BRIG RABIE: No-no, it relates more to the complexity of the crimes.
MR BISHOP: Right, okay. Then I just wanted to look quickly at the Vispol section and how those numbers are calculated. I have a little time so I'm not going to take you through it in detail but I just want to check; my understanding from the guideline that you provided – and I think it starts at around page 20 of the guideline – is that again, the primary drivers for that, for both the sector teams and the crime prevention are the population and the crime rates and then various other factors are considered, but those are the base variables that you use, is that

correct?
BRIG RABIE: Ja. In terms of the – as you said, the prevention of crime as well as the sector teams are considered, you start with crime itself and the number of incidents that's being reported, but there's also as indicated on page 26 of the manual, there's also numbers involved where we look at contact crime, we allocated one to every 20 reported, for property related crime 1 to 25, and then the other factors are added, so ja you are correct that crime also plays a role as well as the environmental factors, including the population etcetera.
MR BISHOP: And the population is one of the more important factors, is that, would that be fair? I mean if I look at – sorry, I'm just trying to find it – it's at page 26. No sorry, that's the reported crimes. Sorry, page 29.
BRIG RABIE: Ja, on page 29 we refer to population as a specific add on this. Remember the same, we follow the same process as with the detective service, where we go through several calculations, and then added to that there are certain things, so for instance in the case of – to try and quickly simplify this – if you look at crime prevention, first of all we do a crime analysis to determine the type and nature of crime that's been reported, and based on that we determine the number of resources required. Then after that has been determined, we make provision for a contingency allowance and then we start adding the environmental factors on top of that, so that's an add on. And then after we have added on to that we go further and then we look at station population, where additional posts are added on based on the total population in that specific area. But the crime prevention capacity that we calculate is not purely based on a police population ratio because the risk associated with that is you might get a distorted allocation. For instance if I may use the example of Cape Town Central, Cape Town Central is a small precinct but it's got a high level of crime, but if you look at the population itself, you know it's quite lower than any of the other areas but it's got a high influx of people. So if you based it purely on population the figure that you are going to end up with will not be representative of the crime threat associated with that area.
MR BISHOP: Right. So on the issue of population at one point during your testimony you said that you use, rely on Stats SA data to determine the population.
BRIG RABIE: Ja.
MR BISHOP: But then I understood you at another point to say that you rely on the Station Commanders to tell you what the population is. Can you just explain to me how do you figure out the population for each station when you are performing this analysis?
BRIG RABIE: What we do is we allow Station Commanders to give us an input on what they perceive their population to be, so they are allowed to populate that, but when we do the physical calculation we work purely with the Stats SA's figures and for that purpose we do a spatial analysis because we are provided with the Enumeration Area Date of Population, so we can determine it quite accurately for specific areas.
MR BISHOP: Okay.
BRIG RABIE: But when we do the calculation it's Stats SA.
MR BISHOP: Okay. Then the last issue on this question of process that I want to check with you is the issue of the internal station facilities because I see that in

the form that you provided where you fill in all the various variables, there's a section about the station facilities. It starts at page 15 of 20. Have you found it? It says "3. Internal Environment, Station Infrastructure."
BRIG RABIE: Ja?
MR BISHOP: Can you just explain – sorry, and it has things like the area and the size, the recreation areas, conference rooms, offices, parade rooms and so on – what is the relevance of that for determining the establishment?
BRIG RABIE: Is to determine the support personnel in terms of cleaners, groundsmen etcetera, the people – food service aids etcetera – to determine the number of people we require for the general maintenance of the buildings and day to day cleaning etcetera. So it's got nothing to do with policing.
MR BISHOP: Okay.
BRIG RABIE: It's about general maintenance of buildings.
MR BISHOP: So that wouldn't affect the number of Vispol or the number of detectives.
BRIG RABIE: No. It's purely about for instance your cleaners etcetera, it's got nothing to do with policing.
MR BISHOP: Okay. I would now like to move on to comparing the numbers of policemen according to your threshold in Khayelitsha compared to various other police stations. Firstly, you stated and you would agree that generally the service should be provided equally, no matter where you are in the country, is that right?
BRIG RABIE: That's correct ja.
MR BISHOP: And would you agree that if everything else is the same, the population is the same, the various other variables that you considered are the same but station A has a higher crime rate, higher unemployment rate, a higher level of informal housing, that it would then probably need more Vispol and more detectives?
BRIG RABIE: The method that we apply to do the calculation caters for that. If you have two precincts where you have more or less the same type of, you know makeup, but there are certain variables that distinguishes the one from the other. I think Ma'am what you referred to earlier is that the purpose of the whole programme is to make provision for specific variables in the environment that distinguishes the one from the other and then based on that increase the allocation to that specific station.
MR BISHOP: Okay. Can I hand up a document that I've prepared, which is just comparing the numbers that you provided to us? Commissioner can I distribute this?
COMMISSIONER: Yes. I think this will now be OR7 if I remember correctly, so it's a schedule of numbers based on Brig Rabie's numbers.
MR BISHOP: Yes, that's correct Commissioner. So this is based on the numbers that you provided in terms of the number of members at each station according to the theoretical ideal as you put it.
BRIG RABIE: Okay.
MR BISHOP: And for the population numbers I've used the 2011 census data which appeared in the documents before the Commission that SAPS provided to the Department of Community Safety by police station. So obviously it's not

identical to the population data that you use, because you have more detailed data that you get from Stats SA, but I hope it's more or less relatively accurate. I hope there aren't going to be too many massive differences but that's the best population data that we have available. So what I – now I also know you mentioned earlier when you were talking to Mr Arendse that you can't compare for example Khayelitsha stations to Camps Bay because Camps Bay is an A station.
BRIG RABIE: That's correct.
MR BISHOP: So I only here included stations that are either category C1's or C2's.
BRIG RABIE: Okay.
MR BISHOP: So the first three rows are the three Khayelitsha stations and the first column states how many members there are – this is according to your theoretical threshold, this isn't under actual numbers, this is the ideal. And then it has the population, and then it's a ratio of police to population. And then it states there the category, and these are the issues that were in your table; the custody in court. And then it's listed up by Vispol, Detective and Support and also those are ratios of for example Vispol to population. And then the last column is Vispol to Detectives, so those are the ratios. So if we look at those Khayelitsha stations, can you state what are the ratios, the police population ratios for Harare, Khayelitsha and Lingelethu West according to that table?
BRIG RABIE: Ja.
MR BISHOP: Can you just read them into the... I want to make sure we are on the same page.
BRIG RABIE: It's 1070,01 and 687,69. Those ones?
MR BISHOP: No those are the Vispol ratios, so it will be the fourth column where it says "ratio."
BRIG RABIE: On this side? Okay.
MR BISHOP: Yes, yes.
BRIG RABIE: 634,95.
MR BISHOP: That's what Harare and Khayelitsha is 388,02; Lingelethu West is 75,03 and Greater Khayelitsha which is just the sum of those three is 433,34. So now if you compare those numbers, I want to compare those numbers to the ones in the next set which I've labelled "Suburbs" – sorry, I know you are not from Cape Town Brigadier, you are from Pretoria, I'm also from Pretoria, so the suburbs I've listed here – Claremont, Sea Point, Steenberg, Muizenberg, are sort of more affluent suburbs in Cape Town, your Brooklyns, Waterkloofs, Hatfields, Arcadias of Pretoria, those sort of areas. And would you agree if you look at those, just to stay with the ones in column 4, that those are significantly lower than the ones for Khayelitsha?
BRIG RABIE: The suburbs?
MR BISHOP: Yes.
BRIG RABIE: That's correct ja.
MR BISHOP: And these are similar stations, they are all category C1's or C2's.
BRIG RABIE: That's correct ja.
MR BISHOP: Is that correct? So just to take one of these examples, if we look at... let's take Claremont, so Claremont has a population of 30 866 and it has 236

members for a ratio of 130 people per policeman, so one policeman for every 130 people. And if you compare that to Harare – or let's say Lingelethu West which has a similar number of members, that's 234 members, but it has a population more than double at 64 357 and a ratio of 275,03. And I can tell you, I mean that Lingelethu West definitely has a higher crime rate than Claremont. How would you explain that difference?
BRIG RABIE: You see Ma'am this is, and when I initially responded to the first questions that were sent through to me, I said we must be very careful to do a pure population police comparison because we are over simplifying the methodology that we follow to determine the police – or the policing requirements within that specific precincts. Now I would have appreciated more time to go through the detail in terms of this but I think I'm in a position, if I look at Cape Town for instance ...(intervention).
MR BISHOP: Let's stick with Claremont. I understand the problem with Cape Town and about the influx of people because you are coming to work there. Let's stick with Claremont, which is a suburb.
BRIG RABIE: Okay, but what you've done is the members that you've included, there's the total establishment of that police station. That includes support personnel, detectives and ...(intervention).
MR BISHOP: That's correct.
BRIG RABIE: ... the 236 people for instance that you've indicated to Claremont are not all crime prevention personnel focussing on purely crime prevention. They perform a variety of services. So what do is when we analyse the personnel that's been allocated to those specific stations you have to keep in mind that we have to cater for all three functions, the primary functions performed at that station. So we have to cater for a support environment, you have to cater for an investigation as well as a crime prevention environment. Now those different factors are taken into consideration to calculate requirements. Now for instance if you look at – even the crimes, the specific crimes that's being reported, the way that I explained the detective environment and the crime prevention environment, but we do not add weights to the crimes but we try to cater for the complexity associated with crime. So what... if you look at Claremont, Stellenbosch, those towns, what type of crimes are the dominant crimes that are being reported are relative to the other stations listed on top there. Now I think I can – what I can say is if I look at the population ratio that you've calculated here, we will be in a position to justify how we got to that from a pure viewpoint of comparing the population versus the... we can say that it is distorted because it's 1 to 130 in the one and then you have 1 to 634 in the other one. So if you look at that from that pure perspective, ignoring the functions associated with the station, ignoring the variables that we take into consideration then yes, then we can say that according to that it is you know, a disproportionate allocation. But to come to a logical conclusion you have to look deeper than that, you have to take a number of factors into consideration and not purely... I mean you are taking the total number of police and people at that station because the other thing that you also have to take into consideration, that we are working with ranges. Now a C1 station can be anything from – let me just get to those pages – if you compare the C1 stations with each other... if you will just

allow me to get to the ranges that we use. A C1 station can be anything from 180 to 360 personnel, so to compare the two you must use two stations that are more or less very close to each other in terms of the calculated theoretical requirements.
MR BISHOP: If we look at Lingelethu West and Claremont, those are very similar; 234 and 236.
BRIG RABIE: Ja. Claremont and...
MR BISHOP: Lingelethu West.
BRIG RABIE: Okay, first the questions that we need to answer is, are any of those stations accounting stations that we need to cater for specific functions? Because immediately that will indicate to you whether we've you know, allocated increased allocation for the support environment and then we will have to look at the specific factors. You know we have to go and study the input sheets because we will be in a position to explain any, you know in terms of the total calculation or the allocation that we've made to that station, we will be able to explain to you how we got to that specifically, because the variables are not the same. We are not comparing apples with apples here because it's two different environments and there are different variables in the two environments that plays a role in how we make the allocation.
MR BISHOP: Brigadier I would accept that if there was sort of one example, but what I'm trying to demonstrate here, if you look at all these numbers together, that the stations in Khayelitsha, and you compare those to all the ones that I've listed as suburbs are, with one or two slight exceptions routinely there's a much lower police to population ratio in the suburbs than there is in Khayelitsha, whereas I would have expected, based on the evidence that you've given and the explanation you've given for it to be the reverse; because the crime rates are higher in Khayelitsha there should be a lower police to population ratio in those areas. And it's not just the total. I mean if you look at the detective ratios, the detective ratios for Harare is 2 626, for Khayelitsha 1 974, Lingelethu West 1 496. If you compare that to Claremont, Stellenbosch, Sea Point, Steenberg, Muizenberg, they are all either under 1 000 or just over. So Khayelitsha is half the number or four times – well sorry, half the number or quarter the number of these other stations. It's not just one example. I mean there's a number of examples. And so it seems to me that – the proposition I want to put to you, and I'm running out of time, I'm very conscious of my time limits, is that there seems to be a problem with your model, because it gives these results that are difficult to justify when you look at the results. I understand that you can justify how you got to them by using the formula. What I'm putting to you is there's a problem, either with the formula or the application of the formula, because it gives these results.
BRIG RABIE: Yes but to come to that conclusion based on a single table where you've made a few comparisons I do not think that is fair first of all, because when we calculated these allocations to those specific stations, the variables that we've taken into consideration are not, definitely not the same. Now for instance if you look at your detective service, the detective capacity has been calculated on reported crime plus the environmental factors. Now to go and compare that to the population, I mean what do we imply if we compare that to the population? That all

the people staying there are criminals or something like that? Now I think that is not the statement that we are trying to make. What we need to justify here is what do we take into consideration and then we justify it relevant to that.
MR BISHOP: I understand that Brigadier but if you look at these stations, and I've done it as a population ratio just to give a sense, but the Khayelitsha stations are also at much, far higher crime rates than all those other stations, and if the crime rate is the primary driver, I don't understand how you can have four times as many detectives per person in a place like Stellenbosch. I mean we know that there's far more crime in the Khayelitsha stations.
BRIG RABIE: Do we have those figures available?
MR BISHOP: We do have rankings of the number of the crime rates. I mean Greater Khayelitsha scores the highest in – Harare, Khayelitsha and Lingelethu West are all in sort of the top 10 or 12 stations for serious crimes in the country and they definitely have higher crime rates than the stations listed here. Not the stations listed at the bottom. If you look at those, Guguletu, Mitchell's Plain, Nyanga, Grassy Park, but the ones in the middle section.
COMMISSIONER: I think Mr Bishop just to clarify, certainly on contact crime.
MR BISHOP: Contact crime.
COMMISSIONER: Ja. I think if you look at property crime you do see a different picture but on contact crime these three stations are absolutely not only the top provincially but in fact in the top ten nationally, well certainly two of them – Khayelitsha Site B and Harare. It does look worrying and in fact if you pull out Muizenberg, which is the one that looks a little bit against the run of play, in fact there is a very large informal area called Capricorn that falls within the precinct of Muizenberg and it does look as if we are not weighting sufficiently for the complexity of policing, particularly informal areas, and I imagine that what has gone into your calculation is calculations relating to business crimes and so on and so forth, which are important areas for the police to do, but of course informal areas you are not going to find any of that other than Spaza shops and so on. But you know you might find that you are acknowledging it to one level but you are taking it back with another, because as Mr Bishop has pointed out, the disparities here are really startling.
MR BISHOP: Brigadier also, I accept that there's a number of possible reasons for these differences, I mean it's not only a problem with the model. I mean like you said there are differences between these stations and you would have to look a lot more carefully to explain exactly why each one is like that, but I was thinking that there's two other possible explanations; the one is the one that Ms Bawa referred to earlier, as a problem with the information that you are receiving from the Station Commanders. So I just want to touch on that issue quickly. So would you accept that that is a problem, that you don't get accurate information from Station Commanders?
BRIG RABIE: Ja no, that is definitely a problem ja.
MR BISHOP: Either people are inflating it in order to get more police, which is a problem you referred to, or they are unable, as Ms Bawa indicated, to provide accurate information.
BRIG RABIE: Ja. No-no we definitely have a problem with that.

MR BISHOP: And would you accept that perhaps you and your office could be doing more to try and deal with that problem? And I would suggest either by training Station Commanders or as you indicated that you are doing already in some areas, taking over some of the determination of these variables. You mentioned that you are improving your GIS capacity. Do you think that you would improve the information going into the formula if you played a bigger, your office played a bigger role in determining the content of these variables?
BRIG RABIE: Definitely. I think I've explained earlier that we put a lot of effort in, ensuring that we have an acceptable level of data integrity. It's not always that easy, because you need to rely on what you get from 1 137 police stations. It's not only two or three that we do a data gathering on. So ja, we can – I think we are doing a lot but you will never do enough. There's always room for improvement and we can definitely do more to ensure that we get a higher level of data integrity.
MR BISHOP: I've got another proposition which might be a bit speculative, but that is perhaps part of the problem that your model is too complex, in the sense that – and this is very speculative so I'm just putting it to you as a hypothetical possibility – but that it's difficult for Station Commanders in areas like Khayelitsha to provide accurate information compared to Station Commanders in more stable and more established areas that aren't in as great a flux - areas like Claremont or Sea Point – and so that in a way the model, because it requires so much effort in order to get the variables that you need to make it work, disadvantages some types of stations compared to others.
BRIG RABIE: You see you have to keep in mind when you develop a model such as this, your ultimate aim is to get as close as possible to the correct answer, to make sure that what the station deserves has actually been allocated or calculated relevant to that specific station. You can simplify the model, you can take less factors into consideration but that is also going to have certain risks associated with this because we've already indicated this morning that it's obvious that there are actually additional factors and things that we can take into consideration. So for the purpose of data gathering ja, I believe that a lot can be done to simplify the what that, you know the data that we use and what we have to take into consideration. Although I think through a very basic consultation with your local communities etcetera and studying your crime patterns and knowing what's going on in the precinct you should get relatively close to getting an accurate answer on most of the issues that we evaluate.
MR BISHOP: The first explanation that I gave for these disparities is that you know, differences between stations. The second is a problem with information and the third is the one that Commission Regan referred to is that perhaps there's a problem with the model and the weighting in the model. So the one example is for the detective services, the way, instead of merely looking at the time that you are taking for each crime, weighting priorities of crime so that you prioritise contact crimes over other types of crime, independent of how long they take. And presumably there's other ways that you could weight it to favour policing of social contact crime over other forms of crime. I mean would that, could the model be changed to do that?
BRIG RABIE: Ja, but now you have to keep in mind, now you are moving to a

different, totally different dimension and that is how you manage crime. How do you calculate the basic requirements? I mean it will be very difficult for us to explain that we exclude or include or prioritise crime you know, that we initially take into consideration for the purpose of calculating this, but you can – remember, the implementation of this model doesn't stop and start and stop with applying the model. It's the implementation thereof, the methodology that you apply. There are certain priorities that you set for yourself, so definitely, remember Ma'am I said earlier it's an open model, it's not cast in stone. We are continuously working on improving this. And I think, and I want you to understand that this is not a simple exercise, it's very complex, taking into consideration the variables that we are working with and all the things that we have to take into consideration so, and what we are putting on the table, what we've put on the table it took us round about 10, 15 years to get to where we are now and it's a difficult exercise. Sometimes it's trial and error, some things work and some things don't work. Some things give you the right answer. Ultimately you will have to – you must have something that works for the total South African Police Service. It is... we found it in the past that you can do a test on one or two or three stations and come to a conclusion, but when you apply it to the total South African Police Service, you get a total different answer. Because if you take these principles and you go to Limpopo or to the Eastern Cape, you get a different set of answers. So those are things that we have to take into consideration.

MR BISHOP: I understand those complexities Brigadier and I appreciate this and I'm not, you know trying to denigrate the model or anything. You know clearly a lot of work has gone into it. What I am suggesting is that perhaps when we look at the results of the model for Khayelitsha compared to the other stations, I would suggest that maybe... as you said it's an open model that needs to change, trial and error, but maybe this indicates that some things in this model need to change. Obviously it's a very complex model and when you change one thing it has other effects, but perhaps it indicates that some changes need to be made. Because I think it's difficult to justify these disparities without looking at the model, just looking at them in terms of the types of communities that these stations are policing. It's difficult to justify these numbers. So would you agree that perhaps the model could be relooked at to try and address this issue that high crime areas in Cape Town are getting less detectives and less visible policing per person, than low crime areas?

BRIG RABIE: I think I made it clear from the onset that we will be... we can consider any recommendation in terms of factors that we have to, maybe you have to review the model and the way that we do things. I just want to sensitise you about the fact that if you look at the specific table that was handed to us, I mean it includes, as I said earlier, it includes the total spectrum of personnel that has been included too, so it's not properly purified to get to a more accurate... I'm not saying we are going to get a different answer or anything like that, what I'm saying is that if we follow this approach of this type of approach to initiate changes to the model that we do it in the right context, that we take the right factors into consideration and then based on that take the right decisions, because you must just remember, the smallest change in this model has got far reaching impact on different types of

stations. So I will support if there's any proposals in this regard, we will consider it but we would like to be part of the process then to clearly define how exactly are we going to address those proposals.

MR BISHOP: Yes thank you Brigadier. I mean obviously you don't want to just make changes that have consequences you haven't considered but I appreciate your openness to considering changes. Thank you Brigadier. Commissioner I have no further questions.

NO FURTHER QUESTIONS BY MR BISHOP

COMMISSIONER: One thing that comes to mind when I look at these figures is that we also had a survey done in Khayelitsha to look at the level of confidence in the South African Police Service amongst this community, and it was done, you know after a proper process by a group. They were able to do a statistically relevant survey, and we found that an exact mirror image of the confidence in SAPS exists in Khayelitsha to what exists in the rest of the Western Cape, so the surveys for the Western Cape show around about a 70% trust factor in SAPS in the Western Cape. In Khayelitsha it's about a 60 plus percentage distrust factor. Now I wonder whether this is not part of this overall picture that in other words what we are seeing is frankly too low a level of policing of contact crime which is one of the things that really makes people feel unsafe, probably more than any other sort of crime, is a physical sense of unsafeness in your environment and in your home, feeding into the sense of distrust. And frankly there's a lot more in the research and we could give it to you to have a look at, and indeed your lawyers could do that, but what is your comment on that?

BRIG RABIE: I'm totally, I didn't study the total research report; I looked at certain things and Ma'am you are asking for my personal opinion, is I don't, if you look at the situation as I understand that it is in Khayelitsha, the question comes up, are we going to solve it by adding numbers to the policemen or is the problem the attitude of the policemen, the people out there doing the work? Because my perceptions are formed based on experiences that I have, the way that I'm treated by people and whether people are accessible and those type of things. So I think there is a correlation between... you can look at numbers on the one side but on the other side also the way that people do their work, so ja it is ...(intervention).

COMMISSIONER: There's no doubt you're right, a sort of institutional culture factor is very-very important in terms of how people experience the service of policing.

BRIG RABIE: Yes.

COMMISSIONER: But on the other side – and I did put it to you earlier during your testimony, it has been striking I think, the, in relation to detectives, the burden of dockets the detectives are carrying seems extraordinarily high and basically they are set up to fail. I mean they just cannot, they cannot properly investigate 150 or 200 very serious contact crimes, particularly in an environment like Khayelitsha where just finding a witness could probably take you several days because houses are unnumbered, streets are narrow etcetera, etcetera, so it seems as if they've been set up to fail and that is a numbers question. It may also have an institutional culture aspect but it's got a serious numbers question to it.

BRIG RABIE: But I also do believe if we are able to bridge the gap between the

theoretical requirement and what we actually have at the station, that that could also make a significant difference.
COMMISSIONER: Coupled with some serious backlog intervention, which actually means that people aren't carrying a huge backlog.
BRIG RABIE: Ja. So if you take into consideration what you actually have there at the moment, this is what we calculated theoretically what you have, we must be careful now if what we have there is struggling to do the work, that we do not blame the tool that we calculated a theoretical requirement because the moment that we get from here to there, where your demand and supply are equal to each other and you are still not performing, then we can start asking questions about did we calculate it correctly.
COMMISSIONER: Yes, but again, you know police officer after police officer has come here and described how difficult it is to police in Khayelitsha. They are not saying it's difficult to police in South Africa, they are saying it's difficult to police in Khayelitsha. One for example described Khayelitsha as the university for police, this is where you really get to the tertiary level of knowing about policing.
BRIG RABIE: Ja.
COMMISSIONER: That suggests a different quantum of difficulty here than in Wynberg or in any other part of the Western Cape you care to mention, other perhaps than Nyanga, Kraaifontein, Delft. Do you have any comment on that?
BRIG RABIE: I think then maybe as the gentleman indicated, maybe there is a need for us to revisit the model in the sense that we must make provision for these unique issues that are sometimes very difficult to quantify and build into a model, because you know to state it into a concrete number and say this is the level that we are experiencing, so I think if that is the general perception of the people outside there and there is a need for it, then we can look at, you know what other factors we can add to this to get a more accurate indication.
COMMISSIONER: Thank you. Mr Arendse re-examination? Oh sorry, my colleague has a question first. Go ahead Adv Pikoli.
QUESTIONS BY MR PIKOLI:

Thanks Brigadier. Let's just take the issue of the gap a little bit forward. I just have two separate but connected issues to put. One accepts that the actual allocation of resources or posts cannot be equal to the theoretical requirements because of the constraints of the budget. Now being the head of the performance measurement and organisational development section, what do you think the impact is of this gap, which we have all agreed that it comes to about 30%. So we are saying here stations operate at 70% of their capacity. How does this impact then on the efficiency of the stations? That's one. The related question or issue is that Khayelitsha having been designated as a Presidential project or a priority area, one would then expect that there will be some deviation from the norm because one would like to see the full indications or what is really meant in practical terms of the designation as a presidential project, considering that a project has to have some time span. So one is interested in what are the full implications of Khayelitsha having been designated as a presidential project, because one would think that, you know it will be fully resourced, budget, even apart from capital expenditure the issue is to see the improvement in the lives of

the people and how policing is done in such project.

BRIG RABIE: Sir to respond to the first part of the... what is the impact of having a staffing level that is 30% below the calculated requirement, what we must keep in mind, that in essence what it means if you are working on a 70% staffing level, you are actually expecting 7 people to do the work of 10 people. I need to state it very simply. So, and this has got an impact on the different environments, starting with the detective service environment. The direct implication or the direct impact of not having a full complement of personnel as we've calculated means that you have an increased workload, because according to the calculation that we've done you need so many people to investigate the number of crimes that have been reported. Now you are given less people, so immediately you put more pressure on those people that are doing the work. So you expect them to perform at a level higher than the average worker in that specific environment. At the same time you have to deal with issues like absenteeism because even if we give you the 7 people those 7 people are not there all the time. Sometimes they are sick, sometimes they are fine, depending on the circumstances. So not staffing the police station at 100% of the calculated requirement has got a definite impact on the way that we do policing in that specific area. It even relates to your sector teams, because what may happen is according to our calculation the calculated resources for instance for crime prevention is a certain number of people to implement three or four sectors. The more sectors you have, the more – how can I put this – the more focused you can be in terms of your crime prevention activities. Now you don't have that number of people so immediately you have to reduce the number of sectors or whatever, or you have a situation that you don't have a 24 hour personnel in all of the sectors. So all the different disciplines at the police stations will be affected by that, in your community service centre base don the activities performed there. So now the same number of... so the work continues coming in, it continues to come in and you've calculated that you need five people per shift to deal with this work, the moment that you have four, four need to do the work of five. So I think I must, in conclusion I must say it's definitely going to have an impact, but I want to highlight it, it's all over South Africa, all the police stations are experiencing the same problem.

When we look at the Presidential stations, when Khayelitsha was declared a Presidential police station – and please, they must correct me if I'm wrong – it was still... it was only Khayelitsha Police Station – at that stage when it was declared a Presidential police station a decision was taken that we will staff those police stations 100% of the calculated requirement. So during that period you allocated the resources 100%, so if the requirement was 100, we will give them 100 posts. But since... we must also keep in mind that as we went along the station was subdivided into three different police stations. That also put a strain on resources because now we have to distribute what we had available between the three different stations and it's not a 33% split, you have to cater for a command structure and associated posts and all those type of things. So when the station is then considered as a Presidential station in its current format today, the intention should be in terms of staffing that police stations should get as close as possible to the ideal situation, or you know the calculated theoretical situation. But the

impact of that, or the consequence of that is because you are working with a limited budget and a limited allocation is you have to take the post away from somebody else. And that responsibility still lies within the competency of the Provincial Commissioner that is responsible for the distribution of posts in terms of Section 12 of the Act that we allow for. So they must apply their discretion, the Provincial Human Resource Establishment Committee must apply their discretion when they do the distribution of the posts to determine on what level are we going to staff these stations. There's not a rule that prevents you from, you know staffing the one more than the other, as long as you stay within the perimeters of the, you know the initial calculation. But you can take a decision as provincial management to increase my priority. I mean you can identify any station as a priority station to, you know to staff those stations not on 60% but on 70%. All my Presidential stations are on 80%. So that prerogative still lies within the provincial management; they can take that decision to do it.

MR PIKOLI: So as far as we know the position still remains the same, that Khayelitsha remains a Presidential project?

BRIG RABIE: I stand under correction, I'm not sure whether declaring these stations as Presidential stations – I believe it's still applicable today. I personally haven't seen any document that says that it's not a Presidential station anymore, although I know that it dates back a number of years, it was identified a long time ago, and whether it's still applicable, nobody ever said no, that I'm aware of but it could have happened that in the meantime it just stopped. The same as the ISRD nodes, the integrated rural development nodes that we use for the purpose of our studies, they also told us that there are now new nodes and those type of... new priorities that's been identified by government that we need to focus on. So those things constantly change.

COMMISSIONER: Mr Arendse re-examination?

MR ARENDSE: Yes Ma'am.

RE-EXAMINATION BY MR ARENDSE:

Brigadier just also trying to understand, because I agree with the observation and it's just that on the face of it, if you look at LR7, this document that has been presented by my colleague Adv Bishop, if you look for example at Bellville, you will see that Bellville has more than double the number of members but approximately the same population. So it does look stark and startling and all those words, but if you try and explain Bellville having regard to the socio-economic factors and even the influx of a population in any particular – especially working day – Bellville just anecdotally is also a high... it's an economic hub, there's a lot of people coming into Bellville, there's the Bellville taxi rank, so there's thousands of people at the taxi rank – are those the kind of factors that you are referring to?

BRIG RABIE: Ja no definitely. I think that's what... that also is a very good example that relates to Cape Town. When you ...(intervention).

MR ARENDSE: Cape Town is the same. I mean if you look at it's 710 personnel to a population of 34 938.

BRIG RABIE: But that's exactly the point, it's the same principle that applies. If you look at the population of Cape Town, it's 34 000 people that permanently stay there according to the census status, but during the day there's approximately – I

don't know – 500 000 people there. And you cannot ignore that because you have this daily influx of people into that specific area, so we also take into consideration the daily influx into those specific areas. So that's why I said earlier it is – and I don't want to use the word "unfair", maybe there's a better English word; this is where I have to start speaking Afrikaans now – onbillik. Dis onbillik – it is unfair just to do a pure comparison without consideration of all the relevant facts for instance. And you are right in stating that the influx of people is for instance one factor that we also have to take into consideration. And you see, where you see it very clearly is Cape Town and those type of... and the places listed here, where you have an economic hub, where you have a lot of businesses and a lot of things and people moving into those areas during the day but at night they move out and they go back to the other areas, so I don't, I'm not saying it is incorrect to do it like that, what I'm asking for is just an objective analysis of all the variables that influence the calculation of this.

MR ARENDSE: Because I think what we've all been grappling with and you having to answer these questions is really again just looking starkly at, you look at high population numbers, high crime rates and if you look at the number of members allocated it's the same or similar to much smaller precincts, smaller areas with less crime.

BRIG RABIE: Ja. Because you are going to have the same problem there if you do – the one that... I don't see it here, the one that we looked at is... the one small place?

MR ARENDSE: Camps Bay.

BRIG RABIE: Camps Bay for instance, now there's another set of issues that comes into play.

MR ARENDSE: The value of the property ja.

BRIG RABIE: Not necessarily. No, the fact that you have to render a service, the fact that you have to render a 24/7 service comes into play there. Now as I said earlier this morning, if you look at those type of places, although it's on a smaller scale, the challenge that you are sitting with there, if you have done a theoretical requirement calculation you would have ended up with, let's say 5 or 6 to 7 policemen, but you cannot render a 24/7 service with 6 policemen, so you inflate up to a certain level where you are in a position. Now that distorts when you do the calculation where you compare the population/police ration, because now you are taking a police figure into consideration that was actually adjusted to a level where you can render a minimum service. And those factors are not necessarily present at the other station that you are comparing it with.

MR ARENDSE: Now just related to this issue, the one thing that I didn't raise with you even during consultation but it just occurred to me to ask you this question now, to what extent, if you look at – and I'm still dealing with this document LR7, if you look at the suburbs, and you know being a Capetonian, if you look at the suburbs – Claremont, Stellenbosch, all these stations are all old, established police station relative to some of the other stations in terms of... has over time their numbers been adjusted or has it just been growing, almost like fiscal drag? In other words you know you had a complement at Claremont, Stellenbosch, Sea Point, these stations over the years, over many years. Has there been an

adjustment of their numbers at any stage or have... given that you add on 5% here and there, taking into account certain environmental factors, have their numbers actually been increasing?

BRIG RABIE: Ja, we have to keep in mind that when you apply a model like this, the one that is based on environmental factors and crime, the variables can have either one of two influences on the calculated requirement. There can either be an increase in the requirement or there can be a decrease in the requirement, so and this is adjusted every year, ever second year, depending on when we do this. So every time that we do a review of the theoretical requirements these stations can be adjusted. I cannot clearly indicate to you with relation to all of the ones listed here whether some went up and some went down. Our experience is, you will find that some stations will normally stay on a certain level for, you know for quite a length of time, whilst at other stations you can see significant increases in the requirements because the requirement is influenced by what happens in the environment. So if you have a significant increase in the reported crime your policing requirement increases and you must cater for that. But at the same time, and that's not always the nice thing to say, is if you manage to stabilise crime or you manage to reduce crime, then you would like to take those resources that you've used there and start moving them somewhere else, you know where they are needed, where you have another flashpoint. So it's not a constant allocation, these things change over time.

MR ARENDSE: Now just to move on, to be fair, all the Station Commanders, whether they now understand the RAG or not, all of them have said they regularly they do this, they fill in this input sheet, they do their needs analysis and they ask for more, because as the Commissioner Presiding has indicated to you, doesn't I come down to a numbers game, where they've said "we simply need more personnel"? And I think it was the evidence of Col Nel who actually went as far as – it seems as if he stood on the rooftops – he said he actually did a head count, because the population figures that he... he wasn't happy with them and he, and that was part of his document that he presented to Provincial. So what I'm putting to you is that the Station Commanders have said that whether it is scientifically based or not, they just need more personnel. And there's nothing more that they can do about it; they put in their request on a yearly basis.

BRIG RABIE: Sir I just want to state it again, what the Station Commanders have a concern about is the allocation that they got, and that allocation, once again, is significantly lower than the calculated requirement. Now you are right in saying that this is, we are playing a numbers game because the reality that we are facing is that this number that we have available to distribute to stations, in the immediate future there's - all indications are that we will not have a significant increase in the number of posts that we you know funded, posted, we have available to distribute stations. So how do we deal with that? You know maybe we should also start looking at how we manage resources, how we manage productivity. Can we really say that what we have available at stations are 100% productively or optimally utilised? But that relates to how we manage people. The point that I'm tying to make is we have to come to a certain point in time where we have to realise that we must make do with what we have, that there is not an

unlimited pool of resources that we can allocate to the police stations. The numbers that they request and what we give them, what they get is what we can fund within the budget allocation of SAPS although you wage for the compensation budget. There's nothing more. There is no reserve, there's no kitty that we can take from and give to these police stations. So we will have to decide how we deal with that specific situation.

MR ARENDSE: But now the Chairperson has made this observation which we obviously need to take seriously, is that what you do is you provide a management or a tool to management to allocate and reallocate the resources, but that this seems to be detached from the reality on the ground. And you've also said in your evidence that you rely crucially on the Station Commanders because they are the people on the ground, they know exactly what they need. And they are complaining that their needs are not being met by the rank as they put it very colloquially. So it's... I think we all understand, I don't think anybody has disputed or challenged you when you say look, you do this theoretical calculation, that gets inputted into Treasury and then it goes to parliament and then there's an allocation and there's a 30% gap between the theoretical, the ideal and the actual. Everybody accepts that. But then even within that model, now that you sit with the 70%, why is there not a spreading of resources to areas where there are very high levels of crime and high population, and then you sit with LR7 which you know, really looks... makes this disparity quite stark?

BRIG RABIE: Remember what we can do is there is nothing that prevents us from allocating resources to areas that have been highlighted or been earmarked or tagged as high crime areas or problematic areas. That discretion is still there. There's nothing that prevents us from moving resources to so-called problematic areas. That falls – but it falls within the discretion of the Provincial Commissioner who is responsible for the distribution of resources.

MR ARENDSE: Now just to come to that, I wanted to, I'm almost done Madam.

COMMISSIONER: I'm just a bit worried about your next witness, but ... (intervention).

MR ARENDSE: Yes. To what extent if at all, do you sitting at head office and having done the theoretical calculations and so on, to what extent do you sit down with Provincial Commissioners around the country, not only our Provincial Commissioner, where these things are discussed? I mean surely they would highlight to you that "we need more police in Khayelitsha than we need in Claremont or Stellenbosch or Camps Bay."

BRIG RABIE: Oh we ...(intervention).

MR ARENDSE: And then you point out to them "no, but we've made the provincial allocation to you, it's within your discretion to make cuts here and there and to reallocate to the more needy stations.

BRIG RABIE: If you take the Western Cape scenario into consideration, in the latest exercise that we've been through just now where we gave the allocation to the province, we sat with the Human Resource Establishment Committee of each one of the provinces and we discussed the principles, you know the general principles that need to be followed in terms of the allocation of resources. And in that process we, for instance in the Western Cape we allocated additional

resources in Lisbon, close to the specific province with the instruction you know, "these are the posts that we give to you, we are not prescribing where these posts are going to go to. You need to decide as a province where you are going to allocate these specific posts." Now nothing prevented the province from taking the 663 enlistments that we have now earmarked, although just keep in mind you don't enlist a constable today and he starts working tomorrow, they have to go through a two year training programme. But we could have, a decision could have been taken to take that total bulk of resources and allocate it to one single station – ag, not one single station but to your priority stations to increase the capacity of those specific stations. That discretion lies within the province. We don't interfere in how the posts are distributed. The only thing that we monitor is that you stick to your rank levels, because that is crucial in terms of the grading of the specific post, and the theoretical requirements, and that you – even if the theoretical requirement in terms of the production core is exceeded we will not force the... you know to withdraw those specific posts because that is still the discretion of the Provincial Commissioner to decide how we are going to allocate the specific posts.

MR ARENDSE: Thank you. Just lastly, Madam Chair it was put to the witness that the Provincial Commissioner would have said words to the effect that this RAG is a secret. That's not our recollection, and I checked with the PC. What was said was the enquiry was referred to National because it's a National competence, the enquiry was referred to National. And as far as the provincial situation is concerned, and I think the police population ratio, there was a document that was also sent to Mark Wiley I think who was the Chair of the Standing Committee at that time, so to that extent there has been co-operation. But in terms of the RAG itself, the enquiry was referred to the National Commissioner because it falls under her jurisdiction. Thank you Brigadier. I don't have ...(intervention).

MS BAWA: My apologies. Adv Arendse is entirely correct in that regard. I was trying to recall what was the submission (indistinct) making it.

COMMISSIONER: Thanks Ms Bawa. Thank you very much indeed Brigadier, we are very grateful to you for your testimony and for all the documentation you put before us. You may now stand down.

BRIG RABIE: Thank you Ma'am.

NO FURTHER QUESTIONS BY MR ARENDSE

WITNESS STANDS DOWN