



"ALJY"

**MINISTRY OF POLICE  
REPUBLIC OF SOUTH AFRICA**

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27 August 2012

Dear Premier Zille

**ESTABLISHMENT OF A COMMISSION OF INQUIRY INTO ALLEGATIONS OF SAPS  
INEFFICIENCY IN KHAYELITSHA**

I trust that you are well.

I write to you in the spirit of co-operative governance and co-operative intergovernmental relations. I sincerely hope that you will view my letter in this light as well. I also desire that by writing to you we shall avert an intergovernmental dispute. This is necessary as organs of state are constitutionally bound to co-operate with each other in mutual trust, good faith, to assist and support each other.

I am deeply concerned by media reports that on 24 August 2012 you appointed a Commission of Inquiry into allegations of police inefficiency in Khayelitsha and of a breakdown in relations between the community and police in Khayelitsha. You did so without either discussing the matter with me or notifying me of your intended actions. I am aware that you had discussed the establishment of a Commission of Inquiry with the National Commissioner of Police who has taken steps to address your concerns. This aspect will be ventilated more fully, at a later stage, should it become necessary to do so.

I absolutely respect your right to establish a Commission of inquiry, but believe that the appointment of such a Commission at this stage is premature and may impact on other

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initiatives currently underway. I am concerned about crime, particularly gender-based violence in the Khayelitsha district. I am however, of the view that given the challenges, police continue to do their best in dealing with the situation.

I, therefore, request that you postpone the commencement of the work of the appointed Commission of Inquiry so that we may discuss the matter to enable us to find possible alternative resolutions, if any, to the challenges that you believe exist in Khayelitsha.

To facilitate the resolution of the challenges I invite you to meet with me to discuss, amongst other things—

- (a) your correspondence to the National Commissioner of Police;
- (b) processes underway in the office of the newly appointed National Commissioner of Police;
- (c) the structures that exist which aim to deal with matters of this nature;
- (d) why you believed that a commission of inquiry is the most appropriate mechanism to establish the veracity of the allegations of police inefficiency and a breakdown in relations between the community and the police in Khayelitsha.

Given the urgency and seriousness of the matter I would appreciate a response to my invitation by Wednesday, 29 August 2012 and confirmation that you will postpone the Commission of Inquiry. I am approaching this request with an open mindset, mindful that through our pending discussions, should I become convinced that this Commission of Inquiry is necessary, I shall ensure that my department co-operates fully with it.

Since the announcement of this Commission, I have accordingly received a report and a briefing relating to the matter from the National Commissioner of Police. I have also requested that my legal team consider the matter and provide me with advice as soon as possible. In preparation for our impending meeting and to further equip me to deal with the matter I would be pleased to receive all documents considered by you which informed your decision to appoint the Commission of Inquiry.

Yours sincerely



Mr EN Mthethwa, MP  
Minister for Police

