



# **PETITION: NICOLETTE KINNEAR**

## **SOUTH AFRICAN POLICE SERVICE**

**Portfolio Committee of Police**  
23 February 2021

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# KINNEAR DOSSIER – NOVEMBER 2018

- On **29 December 2018** Lt Col Kinnear submitted a formal complaint to the Deputy National Commissioner: Crime Detection, Divisional Commissioner: Detective Service, Divisional Commissioner: Crime Intelligence, Provincial Commissioner: Western Cape, Acting Provincial Commissioner: Western Cape, Deputy Provincial Commissioner: Crime Detection (Western Cape), Commander: Anti-Gang Unit (Western Cape), Provincial Head: Crime Intelligence (Western Cape) and the National Director, IPID – The dossier included a number of allegations, including reference to dockets not adequately investigated as well as a “rogue” unit operating in the Western Cape Province.

# KINNEAR DOSSIER – NOVEMBER 2018

- On **18 January 2019** the Divisional Commissioner: Crime Intelligence formally informed the National Commissioner of aforementioned, who appointed a team of three Deputy National Commissioners (Lieutenant Generals Tsumane, Masemola and Mgwanya) to investigate the allegations included in the dossier. On concluding the preliminary investigation, the task team recommended that all allegations be formally investigated by Detective Service, Head Office.
- The Deputy National Commissioner: Crime Detection, Lt Gen Tsumane, appointed Maj Gen Magson and a team of investigators to investigate a total of 29 dockets which were ultimately referred to court for decision. The public prosecutor declined to prosecute in all dockets submitted for decision.

# INTERIM PROTECTION – NOVEMBER TO DECEMBER 2019

- On **13 November 2019** a threat was identified involving four police officers, including Lt Col Kinnear.
- On **14 November 2019** Lt Col Kay, attached to the Provincial Firearms, Liquor and Second Hand Goods was shot and killed.
- Following aforementioned two incidents the Commander of the Western Cape Anti-Gang Unit, deployed an armoured vehicle and two members, on a 24-hour basis, to provide static protection at the residence of Lt Col Kinnear. This arrangement stayed in place for the period **15 November 2019** to **13 December 2019**.
- On **23 November 2019** a suspect was searched and arrested, by the static protection capability, at the house of Lt Col Kinnear, for being in possession of a hand grenade.

# INTERIM PROTECTION – NOVEMBER TO DECEMBER 2019

- On **13 December 2019** a decision was taken to withdraw the static protection capability, based on the following:
  - The deployment was an interim measures to provide protection pending the outcome of a formal threat assessment by National Counter Intelligence.
  - The threat assessment was, however, not finalised as a result of Lt Col Kinnear's reluctance to cooperate with National Counter Intelligence. Consequently the threat could not be confirmed at the time, resulting in the withdrawal of the static protection.

# THREAT ASSESSMENT – LT COL KINNEAR

- The threat and risk assessment associated with Lt Col Kinnear was initiated on **14 November 2019**.
- After several attempts to conduct the threat and risk assessment, the assessor met with Lt Col Kinnear on **11 March 2020**, in Cape Town.
- Due to operational commitments, Lt Col Kinnear requested that the assessment be postponed to a later stage.
- Subsequent to the outbreak of the COVID-19 pandemic and associated restrictions, the finalisation of the assessment was further delayed.

# ACTIONS INITIATED BY THE DIRECTORATE FOR PRIORITY CRIMES INVESTIGATION (DPCI) - SEPTEMBER 2020

3 September 2020	DPCI Gauteng received information on a potential threat against Lt Col Kinnear. Phones of both Maj Gen Lincoln and Lt Col Kinnear were regularly "pinged". An enquiry was opened in this regard. Maj Gen Lincoln was informed accordingly.
4 September 2020	Western Cape DPCI informed of the illegal monitoring of senior officers attached to the Western Cape Anti-Gang Unit.
7 September 2020	The Provincial Head: DPCI, Gauteng, formally informed (Information note) the National Head: DPCI and the Divisional Commissioner: Crime Intelligence of the monitoring of the whereabouts of senior police officers attached to the Anti-Gang Unit, Western Cape.
8 September 2020	The Provincial Head: DPCI, Gauteng, briefed the National Head: DPCI on the pending threats involving abovementioned senior managers. The National Head: DPCI directed that the immediate commander of Lt Col Kinnear be informed which was done.
9 September 2020	Copy of threat information note hand delivered to the office of the Divisional Commissioner: Crime Intelligence.



# INTERNAL INVESTIGATION INTO THE ASSASSINATION OF LT COL KINNEAR

- On **21 September 2020** the National Commissioner appointed a Divisional Commissioner, to conduct an internal investigation into the assassination of Lt Col Kinnear.
- The preliminary investigation was concluded on **6 October 2020** and a recommendation made that a more senior officer be appointed to investigate the matter further.
- On **16 October 2020** the National Commissioner appointed a Deputy National Commissioner to investigate further.
- The departmental investigation was concluded on **17 November 2020** including the following recommendations:
  - Disciplinary proceedings be initiated against identified senior officers;
  - An urgent intervention be initiated by the National Commissioner to restore order and stability in the Western Cape, facilitated by independent experts; and
  - Criminal investigations on other related matters be pursued.

# INTERNAL INVESTIGATION INTO THE ASSASSINATION OF LT COL KINNEAR

- The **criminal investigation** relating to the assassination of Lt Col Kinnear is currently being conducted by DPCI, Western Cape.
- Three senior managers were identified and served with notices, with regard to disciplinary proceedings.
  - The required functionaries have been appointed to handle the disciplinary proceedings.
- The Independent Police Investigative Directorate (IPID) was informed of the matter, on **1 December 2020** and provided with a copy of the report.



**THANK YOU** |