**Report of the Select Committee on Security and Justice on an oversight visit to the Free State Province to conduct oversight of the Phuthaditjhaba Police Stock Theft Unit in QwaQwa, the management of border operations with the SANDF and to determine the effectiveness of the rural safety policing strategy in QwaQwa, held on 1 August 2018, report dated 21 August 2018.**

**Mafube Police Station, Mafube Local Municipality**

1. **Background:**

The Select Committee on Security and Justice (the Committee), as part of its mandate to provide a national forum for the public consideration of issues affecting the provinces, conducted an oversight visit to Phuthaditjhaba police station following observations by the Select Committee to ensure the SAPS are equipped and resourced to reduce the incidence of crime in rural areas. The objectives of the Select Committee included the stock theft operations of the Phuthaditjhaba unit and the cross border operations with the SANDF to patrol the Lesotho border.

1. Delegation:
	1. The oversight delegation was composed of the following members:

|  |  |  |
| --- | --- | --- |
| **Province** | **Political Party** | **Present** |
| Eastern Cape | African National Congress | Hon T Wana |
| Free State | African National Congress | Hon Mr MJ Mohapi  |
| Gauteng | Democratic Alliance | Hon B Engelbrecht |
| KwaZulu-Natal | Democratic Alliance | Hon Mr M Chetty |
| Limpopo | African National Congress | Hon Dr HE Mateme |
| Mpumalanga | African National Congress | Hon SG Mthimunye (Committee Chairperson) |
| Western Cape | African National Congress | Hon Mr DL Ximbi  |

The following parliamentary staff supported the Committee: Mr G Dixon – Committee Secretary, Ms A Van Der Burg – Content Advisor, and Mr N Mangweni – Committee Assistant.

1. **Briefing by the SAPS Phuthaditjhaba Cluster Commander, at the Phuthaditjhaba Police Station, Free State Province**

The Select Committee met with Lieutenant Colonel Zimu, the Cluster Commander, and his team who presented the Phuthaditjhaba Cluster statistics.

The Phuthaditjhaba Cluster covers the towns of Phuthaditjhaba, Harrismith, Makwane, Namahadi, Tseseng, Tseki, Kestell, Verkykersdorp, Warden, Vrede and Memel. In total the Cluster covers 2623 farms and 88 cattle posts. The Cluster has three stock theft units situated at Phuthaditjhaba, Kestell and Vrede with Phuthaditjhaba bordered by Kwazulu-Natal Province to the East and Lesotho to the South.

1. **Challenges**
	1. Vehicle resources: There are three stock theft units in the Phuthaditjhaba cluster and they are resourced with seven vehicles at the Phuthaditjhaba stock theft unit. The Vrede stock theft unit has 5 vehicles and the Kestell stock theft unit has 8 vehicles. The units are resourced as per the police allocation ratios but during discussions the following matters were highlighted:
		1. Many of the vehicles were either old or are used quite regularly and have high mileage, with some in excess of 500 000km. This wear and tear results in many of the vehicles requiring maintenance or repairs in the event of breakdowns. The books might indicate the stock theft units are well resourced but operationally they often only have 50% of the vehicles on the road.
		2. The Cluster reported that in certain circumstances the incorrect vehicles are utilised for the job. The transport of livestock to the pound requires a truck with an appropriate load bay to transport livestock to the impound yard situated 250km away. At present the stock theft unit has to transport stock via a trailer hitched to a 4x4 vehicle. The trailer is small and many trips must be made to transport all the livestock. This impacts negatively on the lifespan of the vehicle. If the 4x4 is not operational the unit must then use the 4x2 vehicles and this places additional strain on this vehicle’s engine.
	2. The Cluster reported a lack of mechanisms to curb the costs incurred when impounding stock. Depending on the amount of livestock recovered, the cost to transport the livestock, house, feed and provide veterinary care can be exorbitant.
	3. The cooperation between the SAPS and famers in the area is vital to ensure that cases are reported on time and followed up immediately. The Cluster noted that while they have active Rural Safety Chairpersons to convey the requirements, each farmer must follow in terms of the Animal Identification Act and the Cluster itself hosts information sessions. Despite this, challenges still exist:
		1. The reporting time of stock theft cases is problematic. Farmers look for livestock themselves and then report cases late.
		2. The proper marking of livestock by South African livestock owners according to the Animal Identification Act No 6 of 2002 does not occur regularly.
		3. The use of cheaper undocumented Lesotho citizens as farm labourers.
		4. Lesotho livestock owners do not brand their animals and illegally use grazing land in South Africa.
	4. The high unemployment rate in the area is identified as a factor in the prevalence of stock theft in the area.
2. **Briefing by the SANDF on border operations in South Africa**

Colonel Motloung and Colonel Mda presented the details of Operation Corona and its objectives in protecting the international borders of South Africa.

The SANDF ensures the territorial integrity of South Africa by enforcing government authority on South Africa’s international border areas through focussing on the following activities:

* + 1. Apprehension of undocumented persons;
		2. Smuggling (contraband & narcotics);
		3. Anti-Stock theft;
		4. Stolen vehicles;
		5. Illegal weapons;
		6. Rhino poaching; and
		7. Illegal grazing.

The landward operations are realised through the permanent employment of SANDF SA Army units and support elements such as landward light mobile units in identified mission areas. The force structure elements are self-supported and sustained and able to conduct the operational functions for periods of up to 72 hours before being rotated or replenished. The total land border of South Africa amounts to 4 471 km, the total maritime border amounts to 2 798 km and the total air border amounts to 7 660 km.

The SANDF conducts regular cross-border management duties with the SAPS and in the Phuthaditjhaba area have recovered livestock. The SANDF is deployed to do vehicle and foot patrols, vehicle control points, standing patrols and cordon and search operations.

1. **Crime statistics and successes of Operation Corona**

Free State / Lesotho Border (Sep 2017 – March 2018)

Livestock Recovered

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Cattle | Sheep | Goats | Donkeys | Horses |
| 225 | 74 | 0 | 0 | 22 |

Illegal Grazing

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Cattle | Sheep | Goats | Donkeys | Horses |
| 1 775 | 106 | 32 | 11 | 4 |

Narcotics found in Phuthaditjhaba area is mainly dagga and is handed over to the SAPS. No challenges are experienced in this regard.

KZN / Lesotho Border (Sep 2017 – March 2018)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Narcotics | Undocumented Persons | Stolen Vehicles | Weapons Recovered | Cattle | Goats |
| 1553.4 Kg | 17 | 0 | 11 | 15 | 11 |

1. **Challenges:**

The SANDF reported a few challenges that impact their operational capabilities.

* + 1. Lack of Intelligence collection capability.

The SANDF does not have intelligence gathering units on the ground within the country and has to rely on the SAPS and National Intelligence Agency to gather information. This presents its own problems as the lines of communication need to improve to better support the efforts of the SANDF at the border. The SANDF in the past had the capability to gather tactical intelligence for operations within the country but this was reduced and now only focusses on strategic and operational intelligence.

* + 1. E-Procurement challenges

The SANDF raised an operational challenge with the E-procurement facility through which the requisition of food and resources are placed for resupply to deployed troops. The problem with the system is the time delay between placing an order and having the order filled. This can take months to fill because the system, for auditing purposes, requires three quotes but finding regular suppliers to fill orders for the SANDF is problematic. The SANDF may not have three suppliers registered with its supply chain management system. This would delay the filling of the order. The SANDF further explained that finding a supplier to deliver to the border, often in areas far from city centres, is not attractive to business owners.

The SANDF reported that deployed troops often have to buy their own food at nearby towns, with their own money, because the food requisition was delayed through the E-procurement system.

* + 1. Changes to the Rules of Engagement

The Rules of Engagement for deployed troops require the taking of hostile fire first before they may return fire. This places the SANDF at a disadvantage in hostile situations and at maintaining the minimum distance from border control points. The Select Committee sympathised with the presenters on the challenges of the Rules of Engagement and the need for further discussion with the SANDF command on ways to manage the situation.

* + 1. Border fence in disrepair

The SANDF noted that much of the border fence was in need of repair. This was a responsibility of the Department of Public Works.

* + 1. Stock theft operations

The SANDF noted that the stock theft operations were successful with the cooperation of the SAPS. The times when the SANDF find livestock that cannot be identified they can only keep the stock for a few hours and require the cooperation of the SAPS to collect the stock and impound the animals. There was often a delay in getting the Stock Theft Unit of the SAPS to identify stock that was recovered or getting the State Veterinarian to check livestock for illnesses.

**Committee Recommendations**

1. Intelligence – in the past there was a level of intelligence collection. Recommendation to restore and bring back intelligence collection.
2. Recommended that proper stock trade is encouraged in order to decriminalize the illegality of it.
3. The Cluster must follow up the outstanding stock theft cases and report to the residents about the progress of the cases within two weeks of the adoption of this report.

**Report to be considered.**