

April 20, 2020

Dear Dr Kinnes and Ms Mbengo,

RE: Submission to the Parliamentary Portfolio Committee on Police, ahead of meeting with IPID and SAPS on allegations of lockdown abuses

Daneel Knoetze here, I am a journalist but I write to you in my personal capacity. I have been investigating challenges in police oversight in South Africa, particularly within IPID's management of cases, for almost two years. I have monitored reports of police brutality during lockdown and I have made a series of original findings which I believe may be beneficial to the committee as it prepares to meet with SAPS and IPID on Wednesday. I would like to share these with you and the committee:

- **Police brutality is pervasive in SA.** Exceedingly high levels of abuse by police officers is the norm in South Africa. Abuses during national lockdown are not an anomaly, though the lockdown has focused the nation's attention on this scourge. Equally, the interventions needed are not only unique to the police's enforcement of lockdown regulations, but should aim to have an impact beyond lockdown. The lockdown will soon end in South Africa, high levels of police assault, rape, torture and killings will not. I unpacked this point in a recent article, available at this [link](#).
- **Stats of police brutality during lockdown are down.** Statistics released by IPID of its case intake during the first week of lockdown showed a marked decrease in caseload. IPID usually takes in an average of about 119 cases per week. During the first week of lockdown, IPID only registered 21 new cases of these. Many fewer cases related directly to alleged lockdown abuses. At a time when there is a perception of heightened police brutality in South Africa, this should come as a significant fact. It is not yet certain why this decrease happened. With fewer people on the street, there is fewer interaction between police and the public and thus fewer opportunities for abuse to occur. But, it may also be that reporting channels to IPID were disrupted by lockdown restrictions. If cases aren't reported, i.e. if IPID is inaccessible to the public, then there is little or no hope for police officers to be investigated or held accountable.
- **IPID committed to reform.** Before the Covid-19 pandemic disrupted the Parliamentary program, IPID management had [committed to significant policy reforms](#) to improve its impact on police conduct and accountability. This commitment came in light of a series of findings published by the African Policing Civilian Oversight Forum. IPID's main commitment related to amending the performance targets within its new Strategic Plan to be more impact orientated.
- **IPID's decision to clear police in Ravensmead death investigation should be tested.** During the first week of lockdown IPID concluded that Petrus Miggels, the man who died after allegedly being assaulted by police in Ravensmead, had died of "natural causes" on the basis of a post-mortem report which found that Mr Miggels succumbed to a heart attack. IPID used this finding as the basis for closing its file. The closing of the file appears to have cleared police of wrongdoing, even though there was circumstantial evidence that Mr Miggels was unlawfully assaulted by police earlier on the day that he died. It is well-known in pathology that trauma, especially when combined with pre-existing conditions, can trigger a heart attack in a patient. A sudden adrenaline surge brought on by an intense experience, such as being unexpectedly assaulted, can also have a delayed effect in causing a heart attack. I hope to publish my findings on the Miggels case in an article before Wednesday's committee meeting.
- **Miggels case raises question mark over IPID "natural causes" death statistics.** Last year I published findings that IPID had a propensity to rush poorly investigated cases to completion to inflate performance targets. As with the Miggels case, I have identified at least one "death in custody" investigation where it appears that IPID used a finding of "natural causes" to prematurely complete an investigation without making adverse findings against the police. This should be interrogated to see whether it is a trend, as IPID has designated more than 450 "death in police custody" as having been caused by "natural causes". Almost universally, such a designation clears the police of wrongdoing.

Best regards,

Daneel Knoetze