

# ANNUAL PERFORMANCE REPORT 2022/23

Western Cape  
Police



**ombudsman**

**TABLE OF CONTENTS:** **PG**

**PART A: GENERAL INFORMATION**

1. <b>Foreword by the Ombudsman</b>	5
2. <b>Vision</b>	12
3. <b>Mission</b>	12
4. <b>Values</b>	12
5. <b>Legislative and other mandate</b>	13
5.1 Constitutional Mandates	13
5.2 Constitution of the Western Cape	13
5.3 Western Cape Community Safety Act, 3 of 2013	14
5.4 Additional Legislation	18
6. <b>Organisational Structure</b>	20

**PART B: PERFORMANCE AND GOVERNANCE** **19**

7. Internal Auditors Report	22
8. Complaints and Statistics	26
9. Risk Information	46
10. Expenditure	50

**PART C: HIGHLIGHTS**

11. Significant and Systemic Investigations	52
12. Perception Survey	76
13. Marketing	81
14 Conclusion	89

# PART A

## Acronyms

CEI	-	Centre for e-innovation
CIVOC	-	Civilian Oversight Committees
CPFs	-	Community Police Forums
CSCs	-	Community Service Centres
CSFs	-	Community Safety Forums
CIDs	-	City Improvement Districts
DC	-	District Commissioner (SAPS)
DVA	-	Domestic Violence Act
HOD	-	Head of Department
ICT	-	Information and communication technology
IPID	-	Independent Police Investigation Directorate
ISS	-	Institute for Security Studies
MEC	-	Member of the Executive Committee
MOAs	-	Memorandum of Agreements
NGOs	-	Non-governmental Organisations
NHWs	-	Neighbourhood Watches
PGWC	-	Provincial Government of the Western Cape
PNPs	-	Policing Needs and Priorities
SAPS	-	South African Police Service
WCG	-	Western Cape Government



## 1. Foreword by Major General OD Reddy (RET)



I am delighted to submit this Annual Performance Report (APR) of the Western Cape Police Ombudsman (WCPO) for the 2022/2023 Financial Year. As of 31<sup>st</sup> March 2023, it is 18 months since I assumed office, and this is the second Annual Performance Report which I submit during my tenure.

The Ombudsman is required in terms of Section 13 (1) of the (WCCSA, 2013) Western Cape Community Safety Act, 2013. (Act 3 of 2013) read with Regulation 16 (1) of the Western Cape Provincial Police Ombudsman Regulations, 2020 as amended, to report annually to the Provincial Minister of the Department of Police Oversight and Community Safety (POCS), on the activities of the Ombudsman during the previous financial year.

After assuming office, I crafted a 5-Year Strategic Direction 2026 draft document highlighting my priorities, strategic intent, and focus for my tenure in office for consultation and discussion internally and externally.

The draft document was presented for discussion and inputs from personnel and key stakeholders of the WCPO with a view of compiling a 5-Year Strategic Plan for the WCPO.

### **Internal consultation**

From 11<sup>th</sup> to 13<sup>th</sup> May 2022 an internal strategic planning bosberaad was held at the Cape Town Lodge facilitated by Dr Andrew Faull and the team from the Institute for Security Studies (ISS) and funded in partnership with the Hanns Seidel Foundation (HSF) and Bavarian State Chancellery.

On the first day, a Performance Review Session was conducted for the 2020/2021 Financial Year. The second day's focus was on a Strategic Review of the WCPO where a SWOT Analysis was conducted. The highlight on the second day was the keynote address by the WC Department of Police Oversight and Community Safety (POCS), MEC Minister Reagen Allen who highlighted his vision for a safer Western Cape, his priorities and the importance of the role of the WCPO relating to improved levels of service delivery to the people of the Western Cape by the police and law enforcement agencies.

On the third day, the 5-year Strategic Direction 2026 draft document was presented and discussed providing the way forward.

### **External consultation**

On 27<sup>th</sup> July 2022, an external WCPO Strategic Planning Stakeholder Engagement was held at the Cape Town International Convention Centre (CTICC) with representatives



from the SAPS, Public Protector, the South African Human Rights Commission (SAHRC), Community Police Forums (CPF), Metro Police, the United Nations High Commissioner for Refugees, the Civilian Secretariat for Police, the Department of Police Oversight and Community Safety (POCS) Non-Governmental Organisations, the HSF, etc. This engagement was facilitated by Dr Faull and the team from the Institute for Security Studies (ISS) The focus was on the relevance and impact of the WCPO. The PESTEL analysis was conducted to understand the key external factors that the WCPO needs to consider over the next 5 years.

I discovered that despite the legislative independence of the WCPO in terms of Section 14 of the Western Cape Community Safety Act, 2013, the office of the WCPO is uniquely structured and placed under program 3 of the WC Department of Police Oversight and Community Safety (POCS) which has its own 5-year Strategic Plan for the period 2020-2025, and I further came to understand that there is no legislative requirement for a separate Strategic Plan for the WCPO as per the DPME and Treasury guidelines for Government Departments and/or State Owned Entities.

Considering the above, these Annual Performance Reports (APR) will be aligned accordingly and will provide more insight and detail relating to the progress made in implementing the Strategic Direction 2026 document.

### **History of the WCPO**

The WCPO was established in December 2014 and remains the first and only office of its kind in South Africa and will be in existence for a decade in 2024.

In 2012, the Khayelitsha Commission of Inquiry was established, by the Premier of the Western Cape, to investigate various aspects of police service delivery to the people of Khayelitsha, specifically and in the Western Cape, generally.

Therefore, the reason for the establishment of the WC Police Ombudsman office was and remains an initiative to improve service delivery to the people of the Western Cape by focusing on investigating service delivery inefficiencies and a breakdown in relations between the community and police.

The WCPO however, maintains its independence and impartiality as per the legislative prescripts in Section 14 of the WCCSA, 2013.

### **Is there still a need for the WCPO?**

In response to this question, one needs to ask oneself what is the current levels of service delivery to the people and are the people satisfied with the levels of service delivery by the police in the Western Cape some 9 years after the establishment of the WCPO?



I have initiated a basic quantitative service delivery perception survey during the period under review focusing on the 8 Batho Pele Principles and added trust and confidence in the police to the survey instrument questionnaires. The sample group consisted of the Community Police Forums (CPF), Neighbourhood Watches (NHW), Government departments, Non-Governmental Organisations (NGO) and other key stakeholders who were invited to attend the Policing Needs and Priorities (PNP) engagements at the various District Municipalities throughout the province.

Further, I simultaneously initiated a basic quantitative service delivery perception survey relating to the office of the WCPO. These results will be presented in greater detail further on in this report.

It is important to note that the levels of trust in the SAPS as per the HSRC Provincial trends in police confidence, 2011-2021 indicate an all-time low of 27 % in South Africa and 22 % in the Western Cape during 2021.

Since inception until 31<sup>st</sup> March 2023, the office of the WCPO investigated 4333 complaints. More information relating to this aspect will be provided further on in this report.

The Vision, Mission, Motto and Mandate of the WCPO focuses on building trust and improving relations between the people and police in the Western Cape.

In addition, the following also focus on building trust and improved relationships between the community and police:

- Section 206 (3) (c) of The Constitution of the Republic of South Africa, 1996, Each Province is entitled to promote good relations between the police and the community.
- Section 5 (1) of the WC Community Safety Act, 2013 (Act 3 of 2013)
- Recommendation 2 of the Khayelitsha Commission of Inquiry – Adopt a procedural justice model of policing for Khayelitsha.
- The Department of Planning, Monitoring and Evaluation DPME Research and Knowledge Management Unit<sup>1</sup> in The Presidency has issued a policy brief in August 2021 relating to “Trust in Government” for all Government Departments and State-Owned Entities in SA.
- The Institute for Security Studies has also published a “Procedural Justice and Policing – Building trust in South Africa's police” in their January 2023 Southern Africa Report 54<sup>2</sup>.

In view of the above, for my strategic direction 2026 I will focus the WCPO efforts on building the trust relationship between the community and police through procedural justice.

---

<sup>1</sup> H. Dayal, & C. Van Zyl. Policy Brief, TRUST IN GOVERNMENT, DPME, Research & Knowledge Management Unit, DPME. August 2021, Pretoria.

<sup>2</sup> J. Van Der Heyde., A. Faull., & M. Sycholt., Procedural justice and policing, Building trust in South Africa's police. ISS, Southern Africa Report 54. January 2023



### **What is Procedural Justice?**

Procedural Justice offers a means to improve police-public relations and trust.

It is a process-based model concerned with how the public comes to view police as a legitimate authority.<sup>3</sup> B Bradford et al.

### **Procedural Justice 4 Basic Principles:**

(1) **Voice** (letting people speak while really listening to them before making decisions)

(2) **Neutrality** (enacting unbiased decisions, conduct and procedures)

(3) **Respect** (people are treated with dignity, fairness, and their input is taken seriously)

(4) **Trustworthiness** (demonstrating care and concern; working to solve people's problems).

### **Police Organizational Justice:**

If police officers are expected to treat all people with dignity and respect, they should expect the same from their superiors, and the organization in which they work.

In relation to some of the matters reported on in our previous APR 2021/2022, the following can be highlighted:

1. Additional consultations and inputs have been provided in relation to the amendments to the Western Cape Community Safety Act, 2013, once again focusing on own initiative investigations, post monitoring and/or remedial powers for the WCPO. The matter remains in progress by POCS.
2. The WCPO continues to submit Quarterly Performance Reports to the WCG Standing Committee on Police Oversight, Community Safety and Cultural Affairs (WCPP). The South African Police Service remains accountable to the said Standing Committee for the implementation of the recommendations of our substantiated investigations.
3. Quarterly meetings are also held between the MEC/HOD of POCS, and the SAPS Divisional Commissioner of Inspectorate and the WC Provincial Head of Inspectorate focusing on the complaints received and investigated during the preceding quarter.
4. The Evidence Based Policing report was finalized and is available on request.

---

<sup>3</sup> B. Bradford et al., What price fairness when security is at stake? Police Legitimacy in South Africa, Regulation & Governance. Wiley-Blackwell. 2014.





5. The process of recruitment of additional investigators and personnel is at an advanced stage.

The Ombudsman activities will be provided in greater detail in the report; however, some activities will be highlighted for information.

During the period under review, there were 3 specific inspections conducted at the office of the WCPO as follows:

- 1) Internal Audit
- 2) Safety and Security Risk Assessment
- 3) Privacy Assessment for the office of the WCPO.

The findings of these reports are being addressed by the management and personnel of the WCPO.

The SWOT Analysis weaknesses identified during the 2022 Strategic Planning Bosberaad are being addressed on an ongoing basis.

During the period under review, we conducted investigations into 520 complaints. Amongst them, the office has conducted 2 systemic investigations as follows:

- 1) Alleged failure by SAPS to close known Drug houses in the WC.
- 2) Alleged failure by SAPS to address the number of Kidnapping and Extortion cases in the Western Cape.

Amongst the significant complaints investigated, the WCPO dealt with a complaint from the Premier of the Western Cape Honourable Alan Winde regarding allegations of Western Cape SAPS senior management involvement with gangs based on a judgement by Honourable Thulare J.

As an oversight establishment, my office is guided by the standards and principles of the International Ombudsman Institute (IOI) as well as the African Ombudsman and Mediators Association (AOMA).

The WCPO is a registered member, and, in good standing, of both these prestigious institutions.

To this end, my office has been afforded opportunities to attend online webinars / Seminars and international meetings all with the view of enhancing the WCPO service delivery standards. I also had the opportunity to present the mandate, role and functions of the WCPO during an online webinar (Showcasing Sectoral Ombudsman – Municipal, Police and Military) and received a letter of thank you from Advocate Kholeka Gcaleka, the acting Public Protector, South Africa who serves as the current acting Chairperson of the AORC Board.

I wish to thank the AOMA, the ISS, the HSF, and the Bavarian State Chancellery in addition to the South African Police Service and the Cape Town Metropolitan Police Department and our many stakeholders for their continuous cooperation with and support for our



office. I would also like to acknowledge all the loyal and hardworking officers and members of these agencies.

In December 2024, the WCPO will turn 10 years old. We intend to host an event in celebration of our existence and the service we have provided for the past 10 years since inception. We invite you to celebrate this milestone with us.

Lastly, I also wish to thank every employee of the WCPO for their contribution, loyalty and hard work in ensuring an improvement in the overall performance of our office. The statistics in the latter part of this report bears testimony to the hard work and commitment displayed by the WCPO staff members.

Best wishes



**Western Cape Police Ombudsman**

**Oswald D Reddy (Retired) Major General**



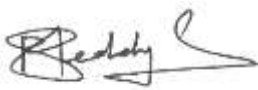
Major General Reddy (Centre) with representatives at the strategic session from left Mr Luyanda Qhomfo (CSP) General Mancini (SAPS) Mr Hobwane (UNHCR) and Minister Reagan Allen provincial Minister for the Department of Police Oversight and Community Safety.



## Western Cape Police Ombudsman

It is hereby certified that this Annual Performance Report:

- Was developed by the management of the Office of the WCPO
- Accurately reflects the performance targets which the office of the WCPO has endeavoured to achieve with the resources made available to it in the budget for 2022/2023.



Western Cape Police Ombudsman

Oswald D Reddy (Retired) Major General



Major General Reddy (Centre) with the Children's Commissioner, Ms C Nomdo



**2. Our Vision**

A society where there is trust and mutual respect between the people and the police.

**3. Our Mission**

We seek to enhance the efficiency of police services and improve relations between the communities and the police (SAPS/CTMPD) by:

- a. conducting impartial and independent investigations of complaints in relation to police inefficiency, and/or
- b. a breakdown of relations between the police and the communities, thus enhancing trust and public confidence in policing.

**4. Our Values**



## 5. Legislative and other mandates

### 5.1 Constitutional mandates

#### Section 206, Constitution of South Africa Act 108, of 1996

Subsection (1) states: “A member of the Cabinet must be responsible for policing and must determine national policy after consulting the provincial governments and taking into account the policing needs and priorities of the provinces as determined by the provincial executives”.

Subsection (3) provides that:

“Each province is entitled:

- a) to monitor police conduct.
- b) to oversee the effectiveness and efficiency of the police service, including receiving reports on police.
- c) to promote good relations between the police and the community.
- d) to assess the effectiveness of visible policing; and
- e) to liaise with the Cabinet member responsible for policing with respect to crime and policing in the province.

Subsection (5): “In order to perform the functions set out in subsection (3) a province:

- a) may investigate, or appoint a commission of inquiry into, any complaints of police inefficiency or breakdown in relations between the police and any community; and
- b) must make recommendations to the Cabinet member responsible for policing.

### 5.2 Constitution of the Western Cape Act 1 of 1998, Section 66 Policing functions of Western Cape Government

#### 66. (1) The WCG is entitled to —

- Monitor police conduct.
- Assess the effectiveness of visible policing.
- Oversee the effectiveness and efficiency of the police service, including receiving reports on the police service.
- Promote good relations between the police and the community; and
- Liaise with the national Cabinet member responsible for policing with respect to crime and policing in the Western Cape.



### 5.3 Western Cape Community Safety Act, 3 of 2013

The Premier of the Province of the Western Cape, on 5 April 2013 assented to the Community Safety Act which was published in the Provincial Gazette no. 7116 dated 5 April 2013.

The Western Cape Community Safety Act provides for the carrying out and the regulation of the functions of the Province and the Department of Community Safety under Chapter 11 of the Constitution of the Republic of South Africa, 1996 and Chapter 8 of the Constitution of the Western Cape, 1997, to provide for the support of and cooperation with the Civilian Secretariat and the Provincial Secretariat establishment in terms of the Police Act.

The WCPO has the authority to investigate complaints relating to allegations of service delivery inefficiencies.

We categorize the concept of service delivery complaints as follows:

#### **Poor communication**

- Supply incorrect information,
- Lack of telephone etiquette,
- Failure to provide feedback,
- Language barriers

#### **Poor investigation**

- Failure to obtain statements,
- Failure to attend to a crime scene,
- Poor crime scene management,
- Failure to arrest suspects,
- Failure to follow-up on information,
- Failure to submit dockets to court,
- Failure to subpoena witness(es)/summon suspect(s) for court,
- Failure to compile identikits,
- Failure to send exhibits for analysis,



- Failure to use investigation aids/experts,
- Failure to properly register a missing criminal case docket.

#### **Poor response**

- Failure to follow-up on or respond to information,
- Unnecessary delays in assisting clients at the Community Service Centre (CSC),
- Failure to answer telephone,
- Failure to attend to a complaint,
- Lack of police visibility,
- Unnecessary delays in attending to victims/complainants,
- Improper crowd management

#### **Abuse of power**

- Making an unlawful arrest
- Threatening or intimidating a member of the public

The Act has conferred the following powers to the WCPO:

General:

- The WCPO may institute an investigation into alleged police inefficiency and / or a breakdown in relations between the police and any community, if the complaint is not manifestly frivolous<sup>4</sup> or vexatious;<sup>5</sup>
- The WCPO must conduct an investigation relating to a complaint lodged by a member of the Provincial Parliament into alleged police inefficiency and / or a breakdown in relations between the police and any community, which is not manifestly frivolous or vexatious.
- The WCPO may request written representations from any person regarding investigations being conducted via a Notice in the Provincial Gazette.
- Refer a complaint to another competent authority if the complaint can be more appropriately dealt with by that authority.
- If the WCPO is of the opinion that a complaint is of a serious nature or that it may more appropriately be dealt with by a Commission of Inquiry, the Ombudsman may recommend to the Premier that a Commission of Inquiry to be held into the complaint.

---

<sup>4</sup> The Cambridge dictionary describes frivolous as not having any serious purpose or value, as well as being silly or light-hearted rather than having any serious value.

<sup>5</sup> The Cambridge dictionary describes the word vexatious as [difficult](#) to [deal](#) with and [causing](#) annoyance, frustration or worry. Its approach is argumentative.



Investigative powers of the Ombudsman and the designated Investigating Officers are as follows:

- Gain reasonable access to any building, premises, vehicle, property, information, or document under the control of the Organ of State concerned.
- Direct any person to submit an affidavit, or affirmed declaration or to appear before him, or to give evidence, or to produce any documentation that is in a person's possession or under his control and may question that person.
- Request an explanation from any person whom he or she reasonably suspects of having information which has a bearing on the matter being investigated or to be investigated.

It is an offence for any person who—

- (a) without just cause, refuses, or fails to comply with a direction or request by the Ombudsman, or refuses to answer any question put to him or her, or gives to such question an answer which to his or her knowledge is false; or
- (b) hinders or obstructs the Ombudsman or an investigating officer in the exercise or performance of his or her powers or functions in terms of the Act

Such person is guilty of an offence in terms of the Act and liable on conviction to a fine or imprisonment not exceeding three years or both.

**A complaint is concluded by the Ombudsman under the following circumstances:**

- before or after conclusion of an investigation where the complaint is rejected because it does not fall within the ambit of the Act or if it is frivolous or vexatious.
- if the complaint is resolved by means of agreement, negotiation, or conciliation.
- after conclusion of an investigation where it is found that:
  - there is police inefficiency or a breakdown in relations, but it could not be resolved the Ombudsman must submit a recommendation on the investigation and his or her findings to the Provincial Minister and inform the complainant that he or she has done so.
- there was police inefficiency or a breakdown in relations and if the said police inefficiency or a breakdown in relations is remedied; or
- there was police inefficiency or a breakdown in relations and the said police inefficiency or breakdown in relations has been reported to the Provincial Commissioner of SAPS or the Executive Head of the Municipal Police Service concerned to deal with the matter further.
- if a complaint is withdrawn by the complainant and the Ombudsman is satisfied that there are no compelling reasons to proceed with the investigation; or
- If a complainant despite request does not provide further information that is within his or her knowledge and which is required to finalise the investigation of the complaint.

Citizens are encouraged to lodge complaints with the office, by fax, email, telephone, and in person at our offices. Future enhancements to the website will ensure that citizens may lodge complaints online.





If the Ombudsman decides not to initiate an investigation, the Ombudsman must inform the complainant of his or her decision and the reasons thereof.

Furthermore, upon completion of an investigation and if the matter could not be resolved, the Ombudsman must submit a recommendation on the investigation and his or her findings to the Provincial Minister for Community Safety and inform the complainant that he or she has done so.

Thereafter, the Provincial Minister must make a recommendation to the Minister of SAPS on the investigated complaint that could not be resolved by the Ombudsman and must inform the complainant of his or her recommendation made to SAPS.

In order to avoid unnecessary duplication, the Ombudsman must coordinate his or her functions and activities with other authorities that have jurisdiction in respect of the investigation of complaints against the police. Hence, continued stakeholder interaction is imperative.

In terms of the Act the WCPO must report annually, in writing within 30 days of the end of each financial year, to the Provincial Minister of Community Safety on the activities of the Ombudsman during the previous financial year including—

- (a) the number of complaints investigated.
  - (b) the number of complaints determined to be manifestly frivolous or vexatious under Section 17(1).
  - (c) the outcome of investigations into the complaints; and
  - (d) the recommendations regarding the investigated complaints.
- (2) The Ombudsman must report to the Provincial Minister on his or her activities in terms of this Act as and when requested to do so by the Provincial Minister.
- (3) The Provincial Minister must table the report to the Provincial Parliament within 30 days of receiving the report.

The financial year covers the period of 1 April until 31 March the following year.



## 5.4 Additional Legislation

National Legislation	Act
Basic Conditions of Employment Act, 1997	Act 75 of 1997
Broad-Based Black Economic Empowerment Act, 2003	Act 53 of 2003
Constitution of the Republic of South Africa, 1996	Act 108 of 1996
Civilian Secretariat for Police Service Act, 2011	Act 2 of 2011
Control of Access to Public Premises and Vehicle Act, 1985	Act 53 of 1985
Domestic Violence Act, 1998	Act 116 of 1998
Employment Equity Act, 1998	Act 55 of 1998
Labour Relations Act, 1995	Act 66 of 1995
Independent Police Investigative Directorate, 2011	Act 1 of 1998
Local Government: Municipal Systems Act, 2000	Act 32 of 2000
National Archives of South Africa Act, 1996	Act 43 of 1996
Occupational Health and Safety Act, 1993	Act 85 of 1993
Preferential Procurement Policy Framework Act, 2000	Act 5 of 2000
Private Security Industry Regulations Act, 2001	Act 56 of 2001
Promotion of Access to Information Act, 2000	Act 2 of 2000
Promotion of Administrative Justice Act, 2000	Act 3 of 2000
Protected Disclosures Act, 2000	Act 26 of 2000
Protection of Information Act, 1982	Act 84 of 1982
Protection of Personal Information Act, 2013	Act 4 of 2013
Public Finance Management Act, 1999	Act 1 of 1999
Public Administration Management Act, 2014	Act 11 of 2014
Public Service Act, 1994	Act 103 of 1994
South African Police Service Act, 1995	Act 68 of 1995
Provincial Legislation	Act
Constitution of the Western Cape, 1998	Act 1 of 1998



Provincial Archives Records Service of the Western Cape Act, 2005	Act 3 of 2005
Western Cape Community Safety Act, 2013	Act 3 of 2013
Western Cape Liquor Act, 2008	Act 4 of 2008
Western Cape Liquor Amendment Act, 2010	Act 10 of 2010
Western Cape Liquor Amendment Act, 2015	Act 3 of 2015

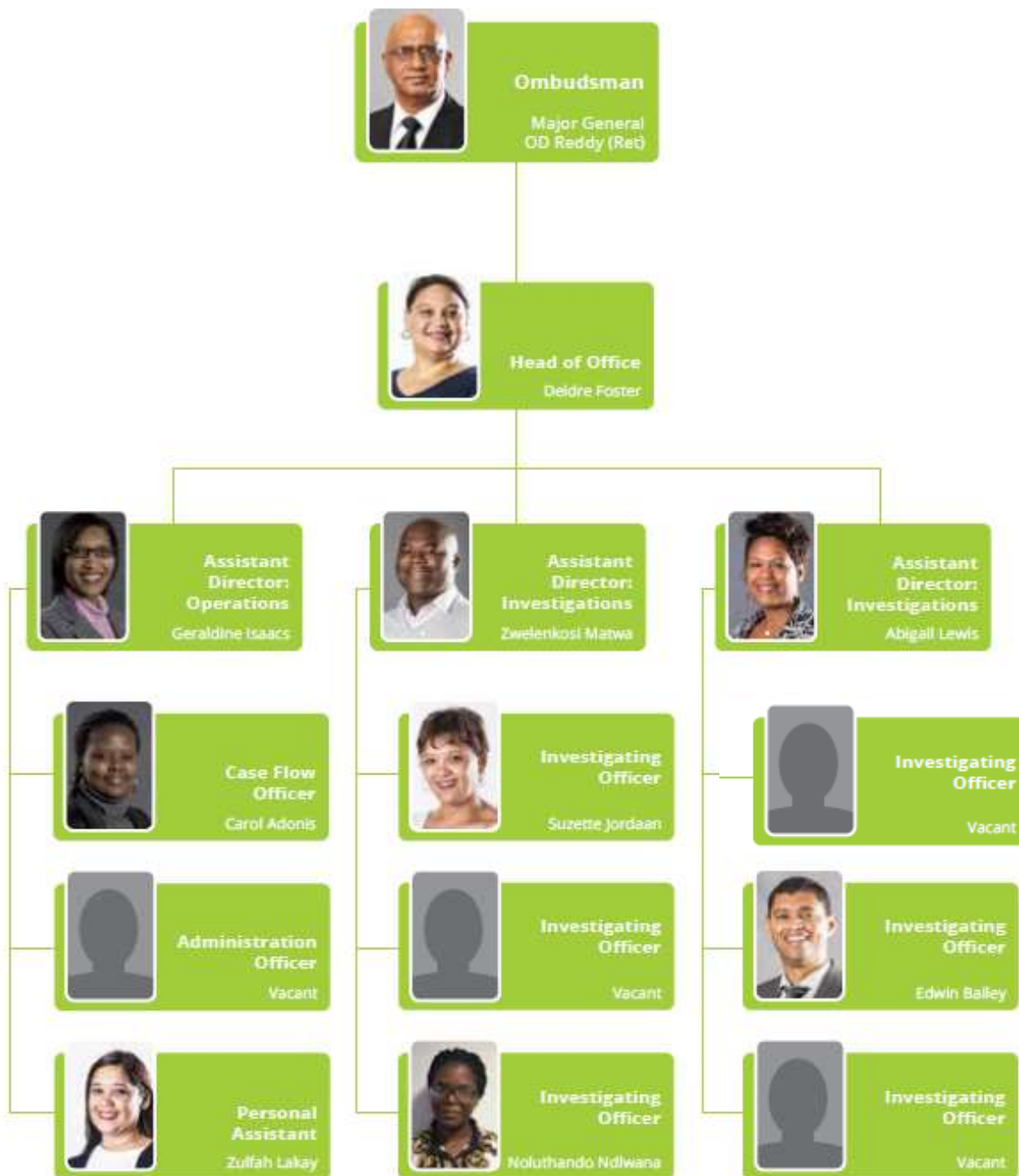


Deidre Foster (third from left) with a youth contingent from Riviersonderend for the Heritage Day program, with their leader, and event organiser, Mr Heinrich Sauls (far right)



## 6. Organisational Structure:

The organogram herein below depicts the current organisational environment:



# PART B



## 7. Auditors Report:

As noted in the foreword, the office of the Western Cape Police Ombudsman was audited by the Internal auditors' corporate assurance branch. The Internal Audit report states that the aim of the audit is to provide the assurance that risk treatments which are covered in the business process for the WCPO are adequate and that they effectively contribute to the management of the risk which impacts on the objectives of the office of the WCPO and the overarching Department of Police Oversight and Community Safety.

The final report was signed off by Chief Audit Executive: Ms B Cairncross and Director: Mr P Swartbooi. The office of the WCPO understands the importance of the work of the Internal Auditors and wishes to thank the Corporate Assurance Branch in their entirety for the work carried out in respect of this office.



Major General Reddy (Centre) with General Masondo, the Military Ombudsman and representatives from both offices.



The following table represents some of the findings:

<b>Risk: The Western Cape Police Ombudsman may not have the required resources and powers to provide an effective and efficient service to the citizens.</b>		
RT17: The Head of Office (DD Head of Office) reviews the assessments of the screening committee to ensure consistent application of the criteria and timely processing of complaints received.	<ul style="list-style-type: none"> <li>• WCPO Head of Office reviews and approves the minutes of the steering committee meeting to confirm that the committee has consistently applied the criteria when assessing complaints received.</li> <li>• It was however noted that the screening committee did not consistently assess complaints within the prescribed 48 hours of receipt which resulted in delays.</li> </ul>	
RT18: Weekly monitoring of outstanding complaints are taking place.	<ul style="list-style-type: none"> <li>• Although weekly monitoring of complaints is happening, various instances were noted where the investigation outcomes i.e., substantiated, or unsubstantiated, were not finalised within 90 days since the case was assigned to an Investigating Officer resulting in delays.</li> </ul>	
<b>WCPO Response: The office is in the process of filling posts and additional resources will ensure that there are less delays.</b>		



**Risk: The Western Cape Police Ombudsman may not have the required resources and powers to provide an effective and efficient service to the citizens.**

	<ul style="list-style-type: none"> <li>• Although a departmental Business Continuity Plan (BCP) and Strategy is in place, the following was noted:             <ul style="list-style-type: none"> <li>○ The documents are outdated as it still refers to the Police Complaints Centre system (PCC) and not the Complaints Management System (CMS) that is currently used by WCPO.</li> <li>○ WCPO staff is not aware of the departmental BCP and Strategy as it was not communicated to office of the WCPO.</li> <li>○ Departmental Business Continuity Management Committee (BCMC) is not functional as no evidence exist of meetings held.</li> </ul> </li> </ul>	
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

**WCPO Response: The responsibility lay with Security advisory services in respect hereof.**

**The Western Cape Police Ombudsman may not have the required resources and powers to provide an effective and efficient service to the citizens.**

<p><b>RT 20:</b> Ce-I provides reports as and when required on regular back-ups and tests conducted.</p>	<ul style="list-style-type: none"> <li>• Ce-I performs back-ups on monthly basis on the CMS information system and provides reports on the outcomes of the back-ups and testing performed as and when required by the Department.</li> <li>• Although a departmental Business Continuity Plan (BCP) and Strategy is in place, the following was noted:             <ul style="list-style-type: none"> <li>○ The documents are outdated as it still refers to the Police Complaints Centre system (PCC) and not the Complaints Management System (CMS) that is currently used by WCPO.</li> <li>○ WCPO staff is not aware of the departmental BCP and Strategy as it was not communicated to office of the WCPO.</li> <li>○ Departmental Business Continuity Management Committee (BCMC) is not functional as no evidence exist of meetings held.</li> </ul> </li> </ul>	
----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--





<p><b>RT22:</b> The complaints management system has an audit trail for actions performed on complaint cases.</p>	<ul style="list-style-type: none"><li>• The data fields for capturing dates on the Complaints Management System have inadequate controls to reduce likelihood of inaccurate capturing of dates.</li><li>• The CMS does not have a functionality to record or keep an audit trail of user access that were revoked and or modified. User access exception reports are not available and cannot be extracted in a report format; it can only be screened and accessed per incident.</li><li>• User access to the CMS is granted to staff using a walk-in method instead of following a formalised process dealing with request for access to the CMS.</li></ul>	
<p><b>WCPO Response: In progress</b></p>		



## 8. Complaints and Statistics

Complaints received per financial year since the inception of the WCPO and the status thereof on the 31 March 2023. During the period under review, the office received a total of **520** complaints, bringing the total number of complaints received since the inception of the WCPO to **4333** since the inception of the Office. This is reflected in Table 1.

Financial Year	Status		Total Complaints Received
	Finalised	Under Investigation	
2014/15	83		83
2015/16	316		316
2016/17	540		540
2017/18	513		513
2018/19	433		433
2019/20	734		734
2020/21	724		724
2021/22	470		470
2022/23	401	119	520
<b>Total</b>	<b>4214</b>	<b>119</b>	<b>4333</b>
%	97.25%	2.75	

Finalised: When an investigation has been finalised and the finding/outcome is approved.

Under Investigation: Complaints still being investigated by investigation officers

Total Complaints Received: Total number of complaints received by the WCPO

Ready for screening: Complaints was registered and must be screened by the screening committee

Awaiting Approved Minutes: Complaints that was screened and the minutes of the meeting must be approved

To be allocated: The minutes has been approved and the complaint must be allocated to an investigation officer



Complaints received since inception.

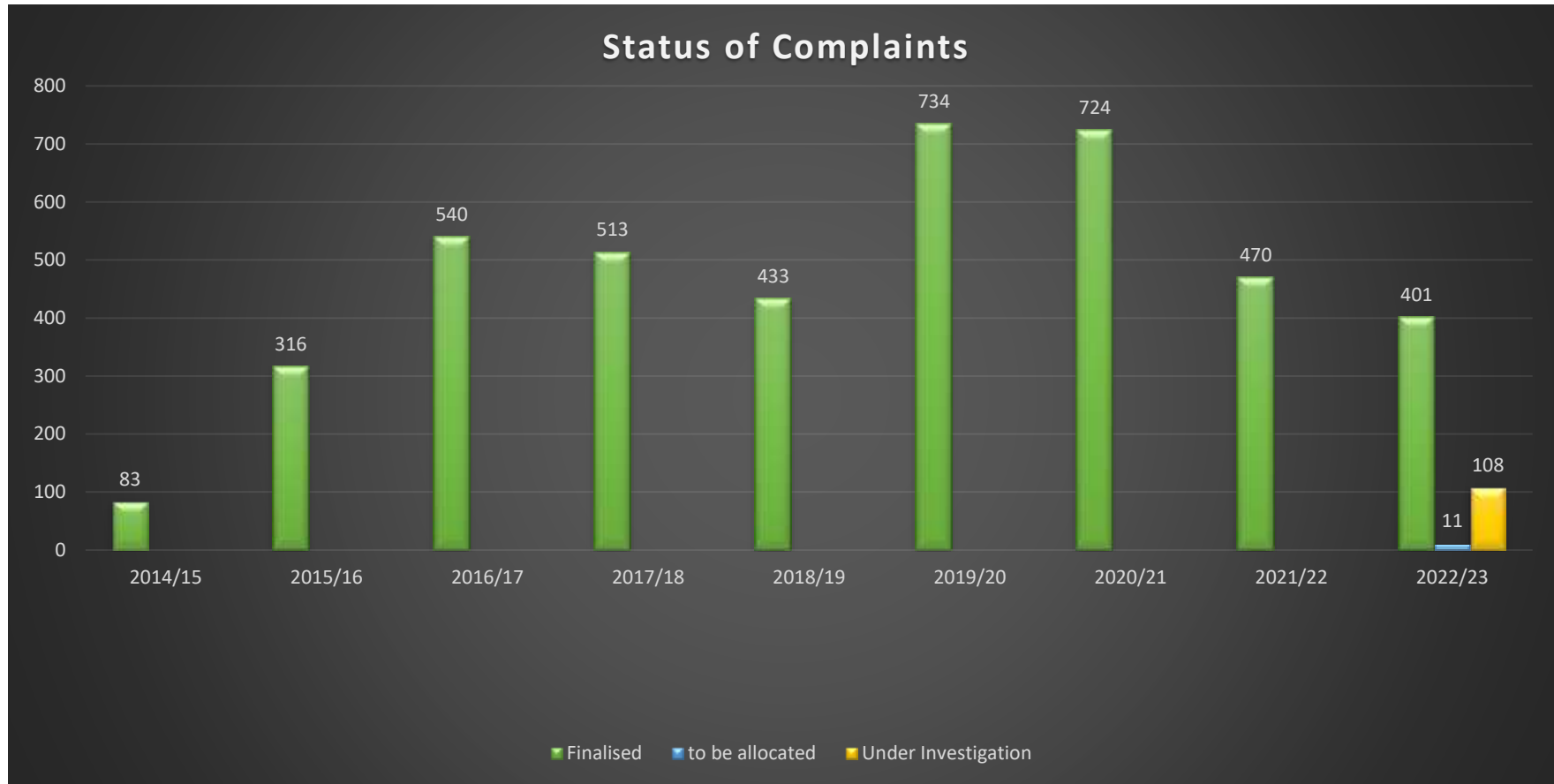


Figure 1: Number of complaints received per financial year



Financial Year	Financial Quarter	Status			Total Complaints Received
		Finalised	To be allocated	Under Investigation	
2022/23	Q1	91			91
	Q2	154			154
	Q3	119		8	127
	Q4	37	11	100	148
<b>Total</b>		<b>401</b>	<b>10</b>	<b>108</b>	<b>520</b>

Financial Year	Financial Quarter	Month	Status	Total Complaints Received
			Finalised	
2022/23	Q1	April	22	22
		May	30	30
		June	39	39
<b>Total</b>			<b>91</b>	<b>91</b>

Financial Year	Financial Quarter	Month	Status	Total Complaints Received
			Finalised	
2022/23	Q2	July	55	55
		August	63	63
		September	36	36
<b>Total</b>			<b>154</b>	<b>154</b>



Financial Year	Financial Quarter	Month	Status		Total Complaints Received
			Finalised	Under Investigation	
<b>2022/23</b>	<b>Q3</b>	October	45	3	48
		November	57	4	61
		December	17	1	18
<b>Total</b>			<b>119</b>	<b>8</b>	<b>127</b>

Financial Year	Financial Quarter	Month	Status			Total Complaints Received
			Finalised	To be allocated	Under Investigation	
<b>2022/23</b>	<b>Q4</b>	January	14		25	39
		February	17	1	44	62
		March	6	10	31	47
<b>Total</b>			<b>37</b>	<b>11</b>	<b>100</b>	<b>148</b>



Comparative statistics of the status of complaints at the end of each financial year since the inception of the WCPO

Financial Year	Status						Total Complaints Received
	Finalised	Follow-up	Ready for Screening Meeting	Under Investigation	Awaiting approved minutes	To be allocated	
2014/15	72	0	0	11			83
2015/16	146	0	0	170			316
2016/17	170	0	4	366			540
2017/18	153	0	3	357			513
2018/19	145	0	21	267			433
2019/20	584	2	3	145			734
2020/21	452	0	0	271			724
2021/22	291			163	10	6	470
2022/23	401		1	108		10	520
<b>Total</b>	<b>2414</b>	<b>2</b>	<b>32</b>	<b>1858</b>	<b>10</b>	<b>616</b>	<b>4333</b>

Note: 2014/15 and 2015/16 Financial Year was submitted together in our 2015/16 Annual Report

AR: 2015/16	Finalised	Under Investigation	Total Complaints Received
2014/15			
2015/16	218	181	399

**Footnote:**

**Follow-up:** To try and get more information or further clarity about the complaint

**Ready for Screening Meeting:** Complaints received that must be discussed at the screening meeting to determine if it is within our mandate or not

**Awaiting Approved Minutes:** Complaints that was screened and the minutes of the meeting must be approved

**To be allocated:** The minutes has been approved and the complaint must be allocated to an investigation officer



### Complaints received per Cluster for 2022/23

Table: Represents the total amount of complaints received per cluster.

Cluster	Categories of complaints received								Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	Poor Administration	
Beaufort West	2					3		1	6
Blue Downs	9	1	1	12	14	8	10		55
Cape Town Central	4			11	17	10	6		47
City of Cape Town							3		3
Da Gamaskop	2			2	3	1	2		10
Eden				1	6	6	2		15
Khayelitsha	6		2	12	8	10	8		46
Law Enforcement	2								2
Milnerton	9		1	9	12	5	6		42
Mitchells Plain	14	2	4	21	26	11	12	1	91
Nyanga	7	2		8	11	5	5		38
Overberg				2	1	3	2		8
Pretoria	1								1
Prov. Head Office	7	4		7	4	4	6		32
SAPS National Head Office	1								1
Tygerburg	3		2	6	16	6	5		38
Vredenburg	2		1	3	2	3	1		12
Vredendal		1		1	1				3
Winelands	4	1		2	2	3	2		14



<b>Worcester</b>	<b>3</b>			<b>11</b>	<b>10</b>	<b>7</b>	<b>3</b>		<b>34</b>
<b>Wynberg</b>	<b>3</b>			<b>3</b>	<b>8</b>	<b>6</b>	<b>2</b>		<b>22</b>
<b>Total</b>	<b>78</b>	<b>11</b>	<b>11</b>	<b>111</b>	<b>141</b>	<b>91</b>	<b>75</b>	<b>2</b>	<b>520</b>

**Footnote:**

**Cluster:** A number of Police Stations that falls within the same Area forms a Cluster

**Enquiries:** Complaints received that is not within our mandate or complaints that is immediately resolved due to it being reported to our office prematurely eg complainant had no contact with SAPS or went to SAPS and came to our office immediately after opening case at SAPS.

**General:** Any other complaint not mentioned within all the categories that management believe falls within our mandate eg. Train Fires, WCPO to investigate service delivery challenges in Victim Empowerment Programme Rooms



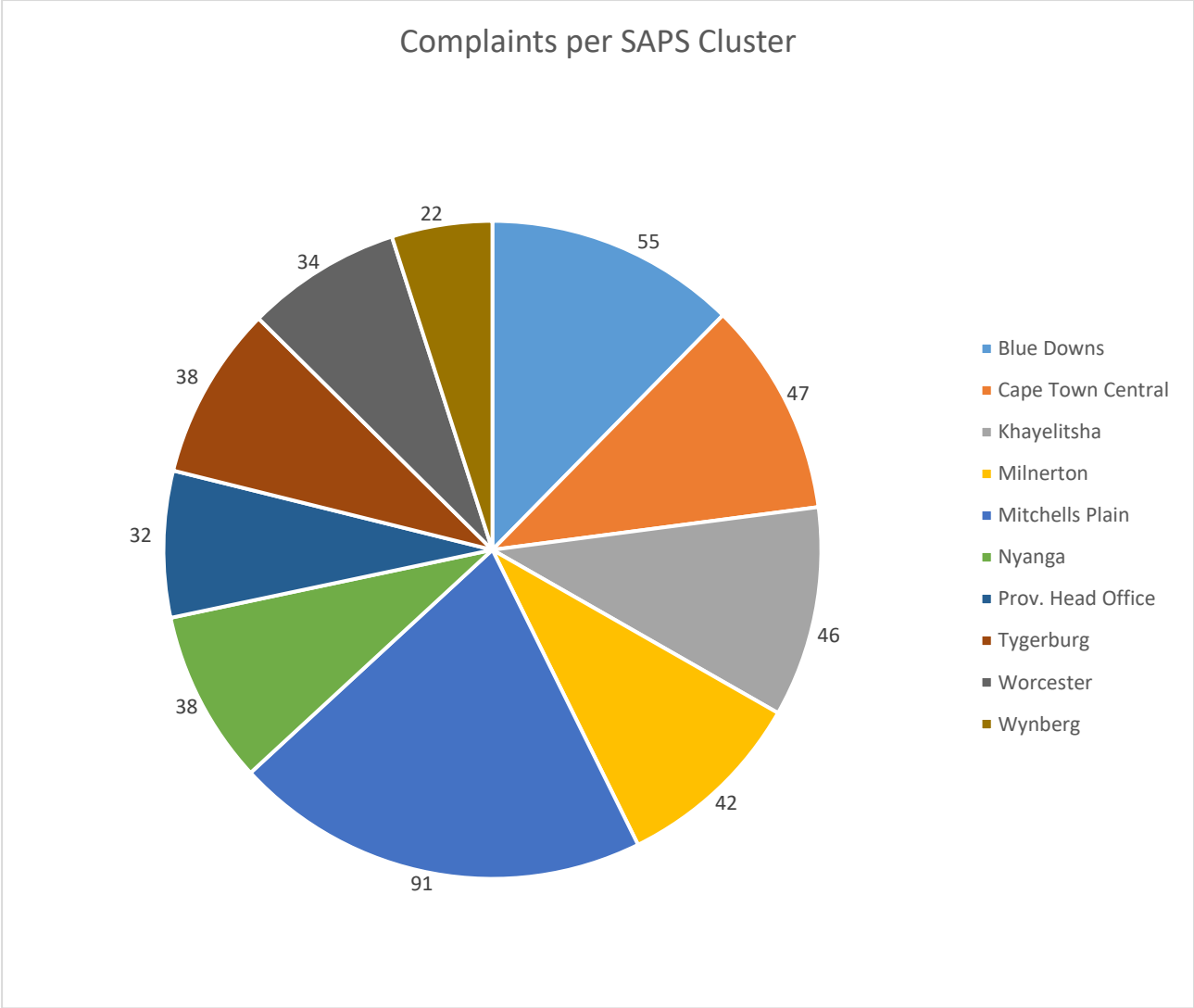


### Top 10 Cluster for 2022/23

Table: Represents the Police Clusters with the most complaints received

Financial Year	2022/23								
Cluster	Nature of Complaints								Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	Poor Administration	
Blue Downs	9	1	1	12	14	8	10		55
Cape Town Central	3			11	17	10	6		47
Khayelitsha	6		2	12	8	10	8		46
Milnerton	9		1	9	12	5	6		42
Mitchells Plain	14	2	4	21	26	11	12	1	91
Nyanga	7	2		8	11	5	5		38
Prov. Head Office	7	4		7	4	4	6		32
Tygerburg	3		2	6	16	6	5		38
Worcester	3			11	10	7	3		34
Wynberg	3			3	8	6	2		22
<b>Total</b>	<b>64</b>	<b>9</b>	<b>10</b>	<b>100</b>	<b>126</b>	<b>72</b>	<b>63</b>	<b>1</b>	<b>445</b>





**Figure 2: The complaints per top 10 SAPS Clusters**



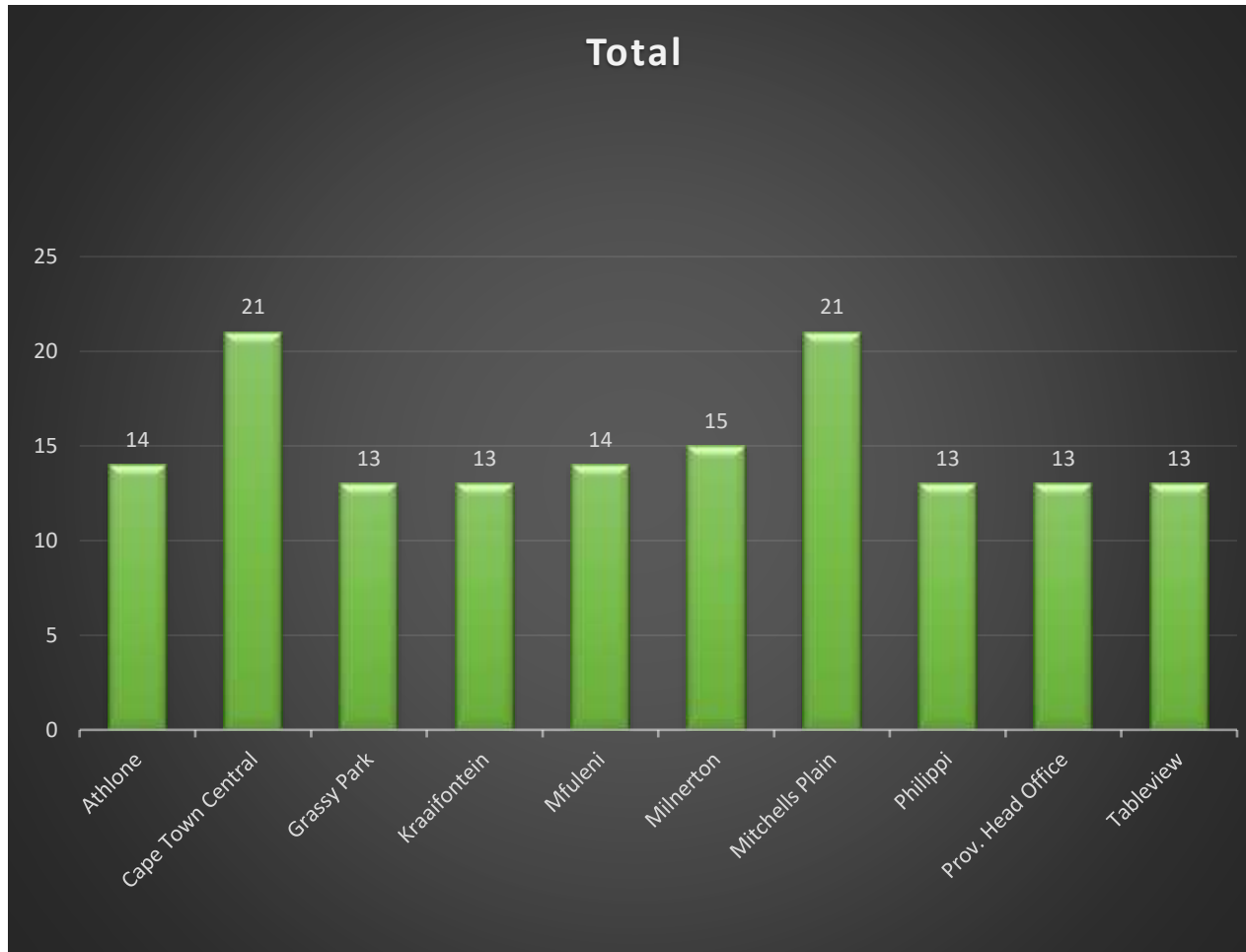
## Top 10 Police Stations

Table: Number of complaints at the 10 police stations with the highest number of complaints

Financial Year	2022/23							
Police Station	Nature of Complaints							Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	
Athlone	3			3	4	2	2	14
Cape Town Central				6	11	3	1	21
Grassy Park	2			1	4	3	3	13
Kraaifontein			2	2	5	1	3	13
Mfuleni	2		1	2	3	3	3	14
Milnerton	1			3	5	3	3	15
Mitchells Plain	4		2	6	6	1	2	21
Philippi	1		1	3	3	4	1	13
Prov. Head Office	5	2		3	1		2	13
Tableview	4			3	3	2	1	13
<b>Grand Total</b>	<b>22</b>	<b>2</b>	<b>6</b>	<b>32</b>	<b>45</b>	<b>22</b>	<b>21</b>	<b>150</b>



**The 10 police stations with the highest number of complaints**



**Figure 3: The number of complaints at the 10 police stations with the highest number of complaints.**



### Categories of Complaints received since the inception of the WCPO

Table: The categories of complaints received since the inception of our office.

Financial Year	Nature of complaint										Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	Impact on Service Delivery	Poor Administration	Breakdown in relations	
2014/15	6	1	5	6	20	4	41				83
2015/16	73	7	2	71	48	42	73				316
2016/17	120	11	6	173	91	47	92				540
2017/18	30	5	13	179	91	57	137	1			513
2018/19	47		11	163	71	53	88				433
2019/20	116	7	24	235	148	118	86				734
2020/21	127	8	27	160	126	163	112		1		724
2021/22	67	11	24	114	101	93	59			1	470
2022/23	78	11	11	111	141	91	75		2		520
<b>Total</b>	<b>664</b>	<b>61</b>	<b>123</b>	<b>1212</b>	<b>837</b>	<b>668</b>	<b>763</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>4333</b>



### Method Finalised – complaints received and finalised in 2022/23

Table: The method of finalization of our complaints

Method Finalised	Category of complaint								Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	Poor Administration	
Duplicate	19			1	3	1	1		25
Lack of communication	1					1			2
Lack of information	7			1	1	4	1		14
Not within our mandate	47					1			48
Premature	3								3
Substantiated		4	2	47	50	28	21	1	153
Unsubstantiated		5	5	29	46	31	23		139
Withdrawn			1	3	5	3	5		17
<b>Total</b>	<b>77</b>	<b>9</b>	<b>8</b>	<b>81</b>	<b>105</b>	<b>69</b>	<b>51</b>	<b>1</b>	<b>401</b>



<b>SUBSTANTIATED COMPLAINTS</b>	
Substantiated with recommendations <sup>6</sup>	<b>119</b>
Substantiated and resolved <sup>7</sup>	<b>34</b>
<b>Total</b>	<b>153</b>

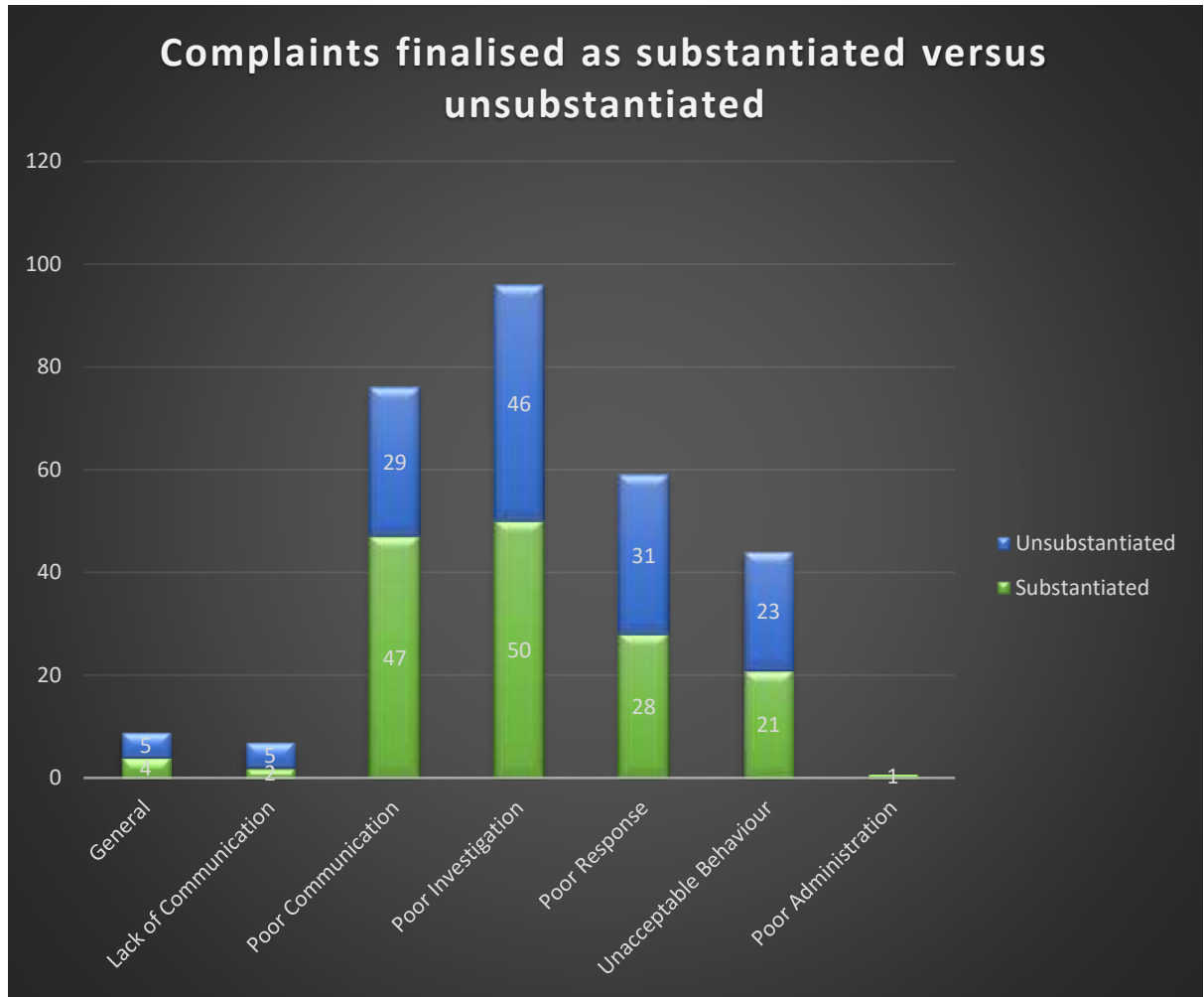
**Table 6: Categorization of substantiated complaints**

---

<sup>6</sup> Evidence was found in support of the complaint and recommendations were made to take appropriate action by SAPS or CTMPD.

<sup>7</sup> Evidence was found in support of the complaint and it was found that appropriate action was taken by SAPS or the CTMPD before the complaint was concluded.





**Figure 4: Complaints finalized as substantiated versus unsubstantiated.**





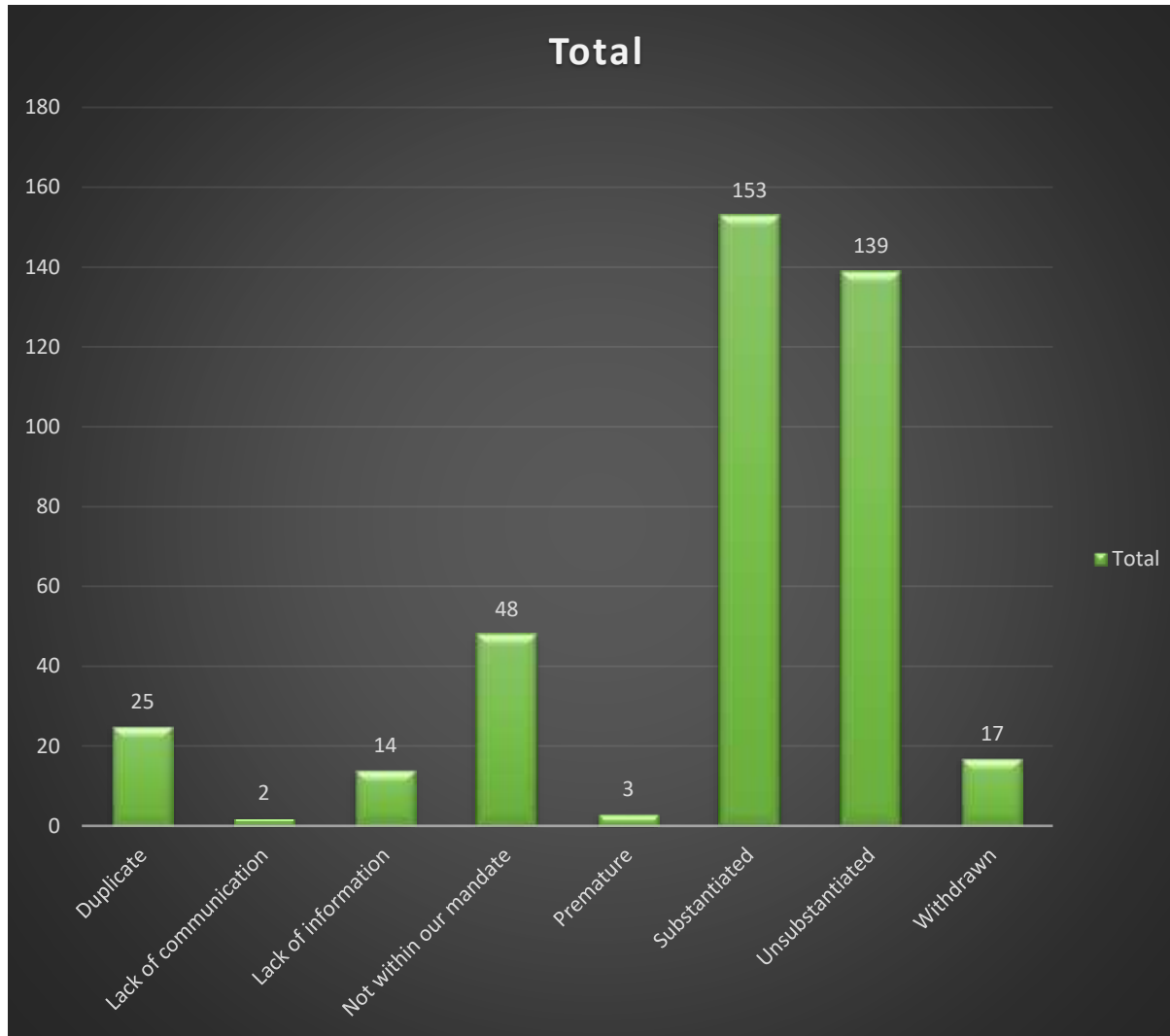


Figure 5: Manner of finalizing complaints.



Method received:

Financial Year	2022/23									
Method Received	Nature of Complaints									Total Complaint Received
	Enquiry	General	Lack of Communication	Poor Communication	Poor Investigation	Poor Response	Unacceptable Behaviour	Ready for screening	Poor Administration	
EMAIL	39	8	3	48	64	32	30		2	226
OFFICE	12	2	5	41	39	33	31	1		163
PHONE				4	2	2				8
TEL	1			3	4	4	1			13
WALK-IN	1	1		5	2		1			10
WEBSITE	25		3	10	30	20	12			100
<b>Total</b>	<b>78</b>	<b>11</b>	<b>11</b>	<b>111</b>	<b>141</b>	<b>91</b>	<b>75</b>	<b>1</b>	<b>2</b>	<b>520</b>



The preferred method of lodging complaints is depicted in figure\_

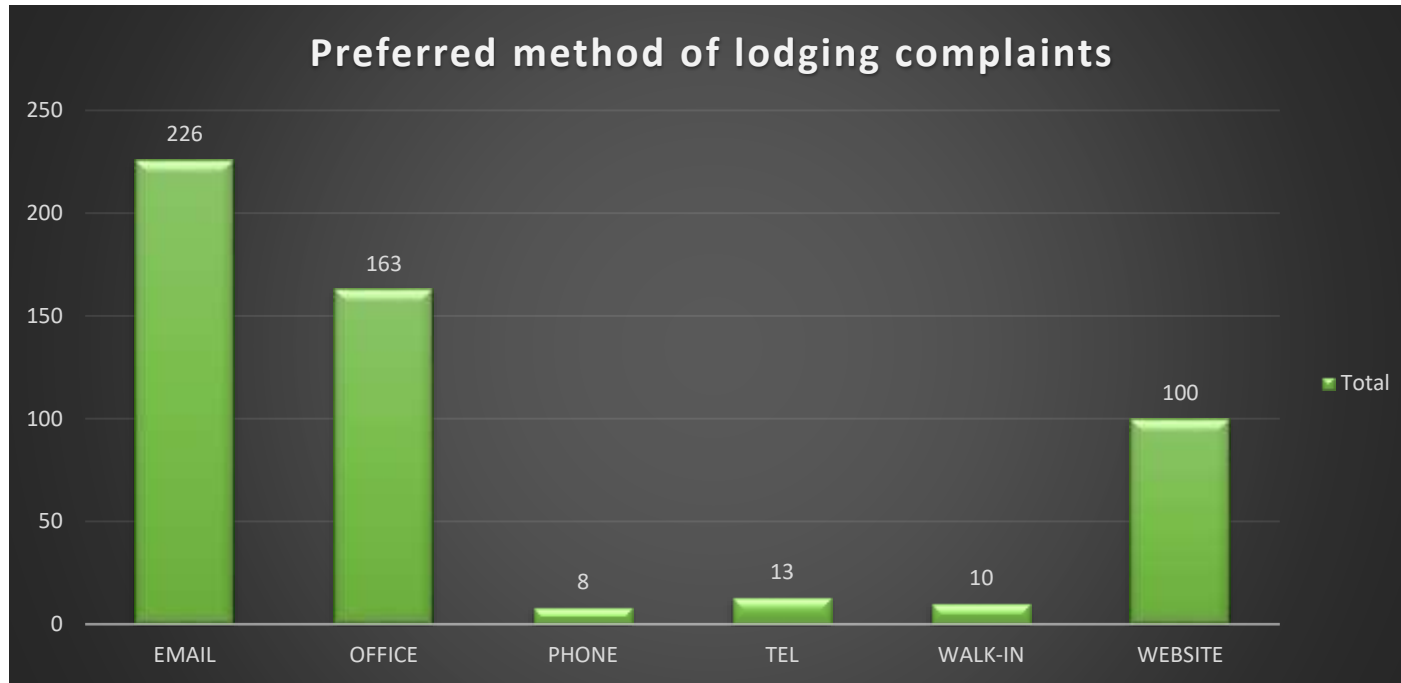
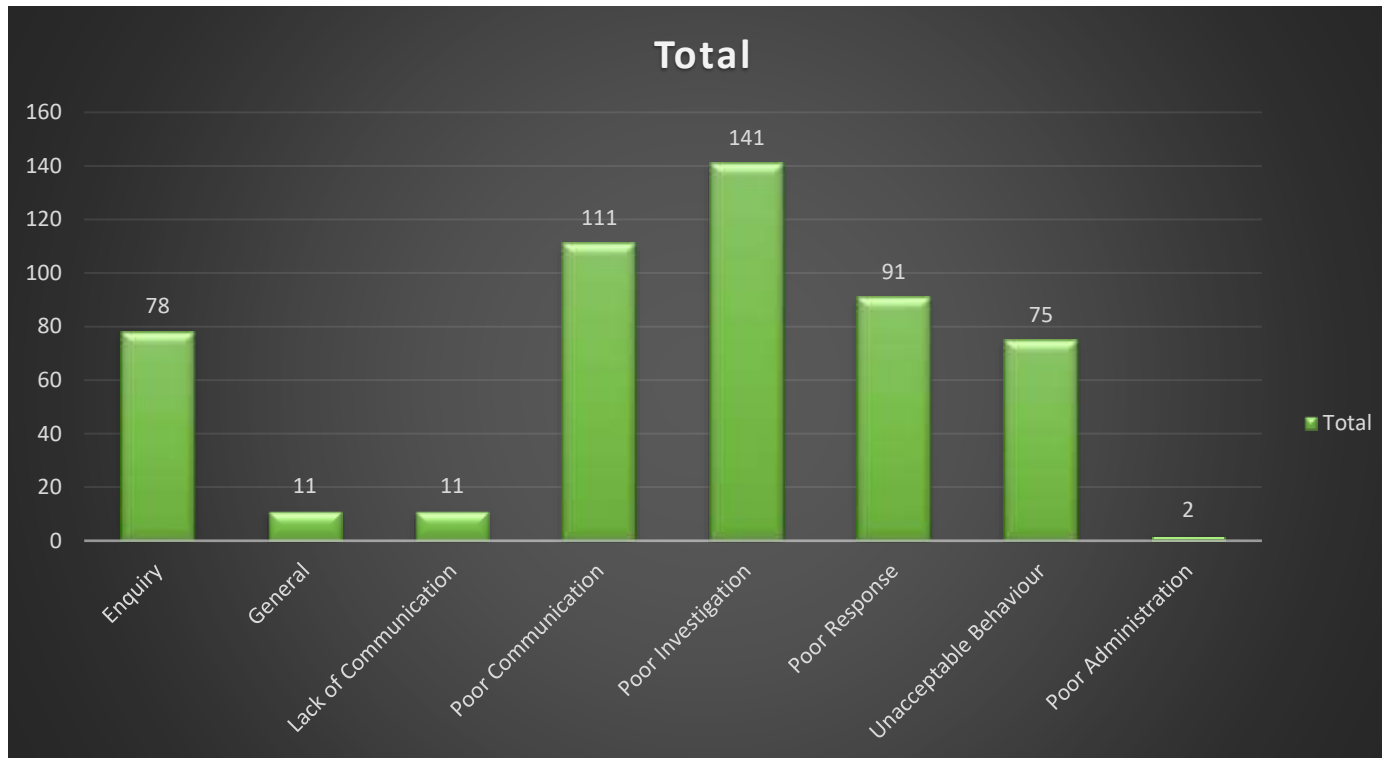


Figure 6: Preferred method of lodging complaints





**Figure 7: Different categories of complaints received.**



**DVA:**

No category exists for the DVA complaints, instead DVA complaints would fall within an existing category such as poor communication, or poor investigation. The amendment to the CMS Complaints Management system will be looked at, going forward, thus no complaints were categorized as DVA under the reporting period.

**FRIVOLOUS & VEXATIOUS:**

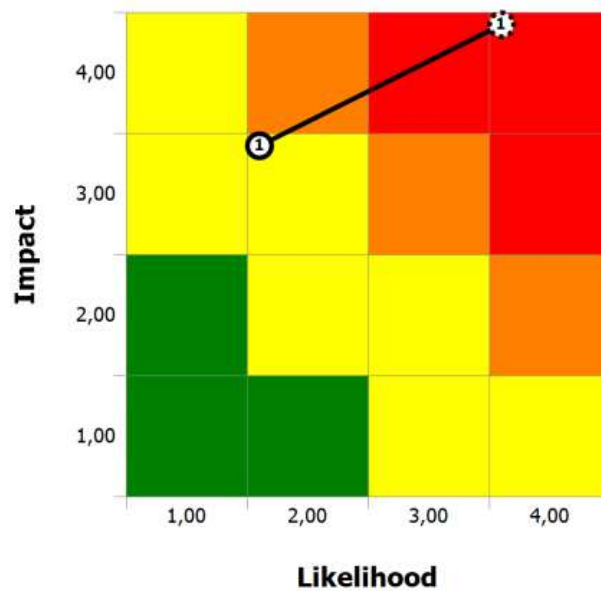
As per the formal definitions on page 17 No complaints we categorized as manifestly frivolous or vexatious during the reporting period.



## 9. RISK INFORMATION

### First bi-annual 2022.23 Western Cape Police Ombudsman

#### Risk Profile



Number	Title	IR	RR
1	The Western Cape Police Ombudsman may not have the required resources and powers to provide an effective and efficient service to the citizens	16,00	6,00

#### Comments for 1<sup>st</sup> bi-annual review 2022.23FY

The residual risk rating was reviewed but remained at 6 – moderate.

The following contributing factor was identified for the risk:

- Any disruptions to service delivery, e.g. Health pandemics, loadshedding, protest action, water crisis, etc



The following impact was identified for the risk:

- Delay in service delivery by the Office of the WCPO due to unforeseen disruptions

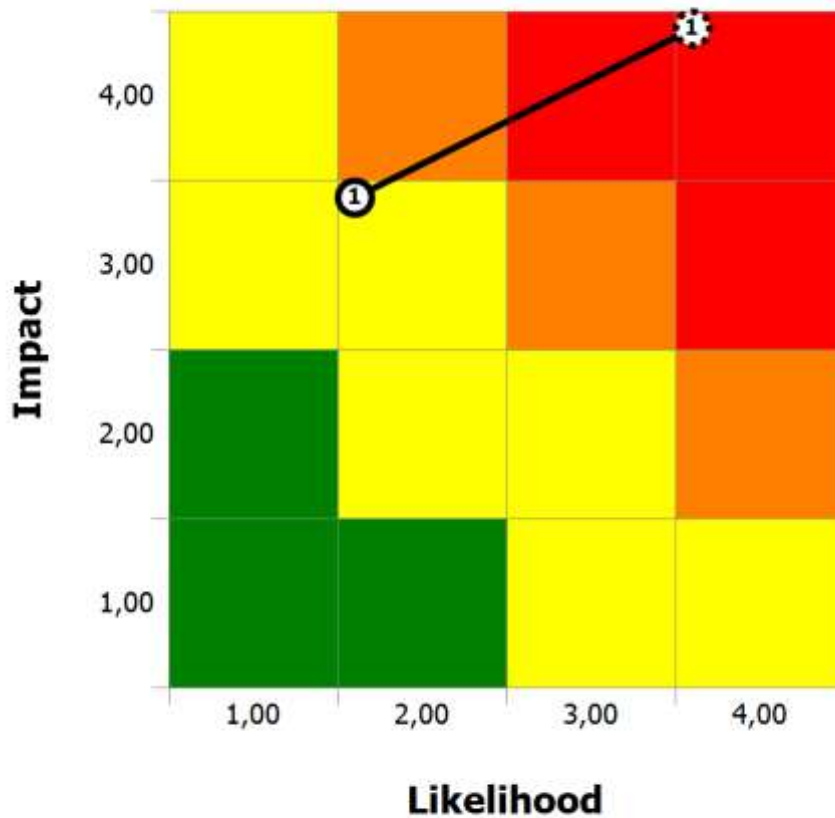
Control mitigations were identified to treat both the new contributing factor and impact identified in the risk register.

Progress on 1<sup>st</sup> bi-annual risk action plans:

- The Head Office followed up with Department of Community Safety (DoCS) Management support on the appointment of additional staff. The submission has been issued in respect of the posts, and approvals have been granted. The recruitment process is now in progress.
- The Organisational Design Investigation and finalisation of the modernisation process of DoCS was postponed to 1 April 2023. The Department is in the process of modernisation and the Office Western Cape Police Ombudsman is part of this process.
- The Personal Assistant of the WCPO and Assistant Director received training with DoCS staff on the uniform file plan. Communication was also provided to WCPO staff on the uniform file plan.
- A records management audit was done by WCG Archives and Records Services at the Office of the Western Cape Police Ombudsman.
- The Office of the Western Cape Police Ombudsman liaised with the Department of the Premier (DoTP) Legal Services to establish control measures in order for the Office to be compliant with POPIA Legislation.
- DoCS conducted a safety and security risk assessment at the Office of the Western Cape Police Ombudsman.



## Second bi-annual 2022.23FY Western Cape Police Ombudsman Risk Profile



Number	Title	IR	RR
1	The Western Cape Police Ombudsman may not have the required resources and powers to provide an effective and efficient service to the citizens	16,00	6,00

Comments for 2<sup>nd</sup> bi-annual review 2022.23FY





An Internal Audit was done in this area and the report findings were considered during the 2<sup>nd</sup> bi-annual risk review. Most key controls were found to work as intended and yielding results. All Internal Audit recommendations were taken up in the risk register. The residual risk rating was reviewed after considering the outcome of the Internal Audit report but remained at 6 – moderate.

Progress on 2<sup>nd</sup> bi-annual risk action plans:

- The recruitment process was in progress for the filling of vacancies, e.g., Investigating officers and admin staff.
- The Organisational Design Investigation of DoCS was postponed further to 1 June 2024 due to the Provincial Refresh Project.
- Enhancement of the Complaints Management System were requested from Ce-I (DoTP), e.g., turn-around time alerts for the system, user access request process to be formalised, creating functionality to extract user access reports and redevelop a portal user account management in line with WCG Active Directory.
- Regular engagements held with SAPS stakeholders to discuss challenges experienced with cooperations during investigations and to improve cooperation.
- The Office of the WCPO implemented Webinars and Social Media Platforms with stakeholders and community to share the mandate of the Office of the WCPO.
- The WCPO Radio and digital advertising campaign are continuing in light of limited community and stakeholder engagements taking place.



## 10. EXPENDITURE INCURRED BY THE WCPO:

The WCPO functions on a ring-fenced budget of over R10 M for the financial year ending March 2023. The table herein below expresses the annual budget for the office.

Description	Original budget 2022/23	Adjustments	Budget After the Adjustment	Total Expenditure as 31 March 2022	Overspend / Underspend	% Budget Spent	Reasons for the over / under spending
	" 000	" 000	" 000				
COMPENSATION OF EMPLOYEES	8,230	-887	7,343	6664	679	90.8%	Underspending due to staff attrition & delay in filling of posts
GOODS AND SERVICES	2,012	-640	1,372	1662	-290	121.1%	Overspending due to conservative budgeting during the adjustment budget process .
HOUSEHOLDS/TRANSFERS	31	3	34	34	0	100.0%	
MACHINERY AND EQUIPMENT	395	170	565	563	2	99.6%	Underspending due to lower than projected GMT daily tariffs
<b>GRAND TOTAL</b>	<b>10,668</b>	<b>-1,354</b>	<b>9,314</b>	<b>8,923</b>	<b>391</b>	<b>95.8%</b>	



# PART C



## 11. HIGHLIGHTS: *Significant and Systemic investigations*

Abigail Lewis

### Significant Investigation:

#### **COM28102022\_2: ALLEGED UNACCEPTABLE BEHAVIOUR BETWEEN SENIOR MANAGEMENT OF THE SAPS IN THE WESTERN CAPE WITH GANGS, AND POSSIBLE POLICE CAPTURE**

##### **Background**

Our office received a complaint from the Premier of the Western Cape, honourable Alan Winde in relation to unacceptable behaviour by members of the South African Police Service (SAPS) within the Western Cape.

The Premier referred to the judgement of Hon. Thulare J, in **Adams and another v The State** (WCHC Case Nos: A135/2022 and CC47/2021) which was reported on extensively in the media.

In the judgement, Hon. Thulare J, denied the accused's bail appeal, and the undermentioned findings of the Court form the evidence and basis of this complaint:

"[70] The evidence suggests not only a capture of some lower ranking officers in the SAPS. The evidence suggests that the senior management of the SAPS in the province has been penetrated to the extent that the 28 gang has access to the table where the Provincial Commissioner of the SAPS in the Western Cape sits with his senior managers on tactics and approach to the safety and security of inhabitants of the Western Cape. This includes penetration of and access to the sanctity of the reports by specialized units like the Anti-Gang Unit and Crime Intelligence, to the Provincial Commissioner."

The Premier further highlighted that "the statement of the Court quoted above raises fundamental questions regarding the integrity and efficiency of SAPS, and in particular, casts serious doubt on SAPS ability and/or will effectively combat the scourge of organized crime in the Western Cape. Simply put, it appears that the Court was in possession of sufficient evidence to come to the above conclusions and if shown to be true, there can be no doubt that SAPS has been structurally and fundamentally compromised to the extent that it cannot be trusted to deliver on its Constitutional mandate to ensure the safety of the citizens of the Western Cape."

Accordingly, the Premier requested that the Western Cape Police Ombudsman "urgently institute an investigation into this matter and given the structural and serious nature of the allegations, particularly consider and advise whether a commission of inquiry into the complaint should be appointed in terms of the Western Cape Provincial Commissions Act, 1998 (Act 10 of 1998), as you are empowered to do in terms of section 17(6) of the Western Cape Community Safety Act, 2013."

The Premier regarded the matter of the utmost urgency and deemed it to be essential to the Province's Constitutional Oversight functions set out in Section 206(3) of the Constitution.

##### **Mandate**

The complaint was registered and deemed to fall within the WCPO service delivery inefficiency mandate in terms of Section 16 (1) and Section 17 (1), read with Section 15 of the Western Cape Community Safety Act 3 of 2013 (hereinafter referred to as the Act).



On 2022-10-31, a Section 17 (1) Notification of the Complaint in terms of Regulation 5 of the Western Cape Police Ombudsman Amended Regulations 2020 was sent to the Provincial Commissioner of the SAPS who was afforded 7 days to respond to allegations levelled against them in terms of the “Audi alteram partem” rule.

### **SAPS Response**

On 2022-11-07, the SAPS response in terms of Regulation 5 of the Western Cape Police Ombudsman Amended Regulations 2020 in essence indicated the following:

“With regards to the intention to meet with the management of SAPS and members investigating this case as well as request to provide you with the written comments on the complaint, this office has already instructed the office of the State Attorney to provide an advice on the comments of the Judgment. Therefore, this matter is subjudi care, and until such time an advice is provided it is not going to be advisable to neither meet nor provide a written comment in regard.” (SIC)

### **Investigation Methodology**

The 7-step structured investigation methodology was utilized during this investigation.

#### **Step 1 – Complaint screening and registration**

#### **Step 2 – Plan the investigation.**

#### **Step 3 – Investigation and Data collection**

#### **Step 4 – Data Analysis and Processing**

#### **Step 5 – Root Cause Analysis**

#### **Step 6 – Findings**

#### **Step 7 – Recommendations**

#### **Finding: Comment – Background**

The investigation findings background relating to the complaint are enumerated hereunder:

During 2020 a police takedown operation was undertaken on a project of the Anti-Gang Unit against the 28 Mobster gang, where 14 accused were arrested on 60 counts of serious criminal charges, which included murder and contraventions of section 9 (1) of the Prevention of Organized Crime Act, 1998 (Act No. 108 of 1998) (POCA), with a lineup of 112 witnesses.

The SAPS project leader assigned a team of detectives to investigate the various charges against the 28 Mobster Gang.

On 2020-02-23, the alleged leader of the 28 Mobster gang was arrested. Immediately after the arrests, the accused lodged a bail application, which was denied.

The accused instructed their attorneys to lodge an appeal against the magistrate's decision to deny them bail.

The bail appeal proceedings CASE NO: A135/2022 over CASE NO: CC47/2021 in the matter between ELCARDO ADAMS – FIRST APPELLANT, ALFONSO CLOETE – SECOND APPELLANT and THE STATE – RESPONDENT was dealt with by Hon. Thulare J of the High Court, Western Cape Division, Cape Town.



On 2022-09-12 the Hon. Thulare J, began the appeal proceedings and handed down his Judgement on the matter on 2022-10-17 wherein he concurred with the decision of the magistrate to deny the appellants bail and he dismissed the bail appeal.

During the judgement, Hon. Thulare J included the contents of para. 70 which form the basis of this service delivery inefficiency investigation by the WCPO.

In relation to the contents of the SAPS response mentioned, the SAPS have not denied, acknowledged, or provided any response to assist this investigation except to indicate that the matter has been referred to the State Attorney for advice on the Judgement.

Although this office received and considered the proceeding of the bail appeal hearing, no copies of the dockets and or statements could be obtained due to the matter being sub-judice and set down for the trial during 2023.

Given that the Hon. Thulare J, made the remarks in an official Judgement of the High Court, albeit, in a bail appeal hearing and not the trial itself, serves as *prima facie* evidence for this office in this investigation that the Hon. Thulare J, considered all the information and evidence placed before him and duly reached the conclusion mentioned in para. [70] of his judgement.

On a balance of probabilities considering the investigation undertaken in this complaint, this office regards this complaint, which was categorized as unacceptable behaviour to be founded.

Therefore, the signed copy of Hon. Thulare J's Judgement serves as *prima facie* evidence of the complaint and supports the above finding.

## **Recommendations:**

### **Recommendation 1: Premier Western Cape Government**

After due consideration of all available information and evidence available, this office recommends the following:

That despite the serious nature of the complaint and allegations, the provisions of section 17 (6) of the Western Cape Community Safety Act, 2013 are not invoked to appoint a commission of inquiry, in terms of the Western Cape Provincial Commissions Act, 1998, at this stage.

### **Recommendation 2: Premier Western Cape Government**

That the following options be considered by the Premier, in lieu of a commission of inquiry at Provincial level:

#### **Option 1**

That the provisions of Chapter 8 Section 69(2) of the Western Cape Constitution, 1998 (Act 1 of 1998) be invoked, and or

#### **Option 2**

That the provisions of section 207 (6) of the Constitution, 1996 (Act 108 of 1996) read with Section 8 and 9 of the SAPS Act, 1995 (Act 68 of 1995), be invoked.



### **Recommendation 3: National Commissioner SAPS**

Due to the serious nature of the allegations, the following are recommended to the National Commissioner of the SAPS:

- a) that IPID conduct a thorough criminal investigation into the criminal elements and aspects of the Judgement of Hon. Thulare J. para. [70].
- b) the SAPS internal disciplinary investigation being conducted by a Lt General appointed by the National Commissioner as reported to the National Parliamentary Portfolio Committee on 2022-11-09, be expedited.
- c) that the National Head of DPCI (Hawks) initiate an OCTA (Organised Crime Threat Analysis) to address the collusion, cooperation, and doctrine of common purpose in terms of POCA (Prevention of Organised Crime Act) against those implicated by Hon. Thulare J in his judgement with a view of arrest and detention of the implicated officials to be charged with the 28 Mobster gang in the trial scheduled for 2023; and,
- d) that the National Head of the SAPS Anti-Corruption Investigation Unit to look into the possible corrupt relationship resulting in alleged police capture related elements of the judgement.

### **Conclusion**

The investigation is finalized, and the Judgement of Hon. Thulare J., para. [70] relating to this investigation serve as *prima facie* evidence in this investigation, and the complaint of unacceptable behaviour against the implicated officials referred to in the Judgement, is therefore found to be **substantiated with recommendations as mentioned above**.

Further, it is recommended that a risk assessment be undertaken regarding the safety of the previous investigating officer, the current investigation team, witnesses, the Prosecutor, Magistrate, Judge and other officials involved or who will be involved in the prosecution of the 28 Mobster gang and put appropriate measures in place to ensure their safety.

It is recommended that the National Commissioner of the South African Police Service take appropriate steps in order to address the recommendations relating to the identified service delivery inefficiencies.



**Abigail Lewis**

**Systemic Investigation:**

**COM01032022\_3: RE: ALLEGATION OF POOR SERVICE DELIVERY AGAINST WESTERN CAPE PROVINCIAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE**

This office received a complaint from a Member of the Western Cape Provincial Parliament (MPP). Mr. Reagen Allen lodged the complaint in his official capacity as the chairperson of the Portfolio Committee on Community Safety of the Western Cape Government on behalf of the people of the Western Cape.

**Background**

Numerous complaints have been received by the Western Cape Government and MPP`s regarding the drug problems in the Western Cape, specifically relating to the number of drug dealers and drug outlets that contribute to the high crime rate.

Further allegations indicate that the SAPS are aware of who the drug lords and dealers are and know where the drug outlets/dens/houses are in the province. The SAPS have failed to adequately address the problem of arresting and convicting the dealers and closing these known drug outlets.

**Mandate**

The complaint was registered and deemed to fall within our service delivery inefficiency mandate in terms of Section 16 (1) and Section 17 (1), read with Section 15 of the Western Cape Community Safety Act 3 of 2013 (hereinafter referred to as the Act).

A Section 17 (1) Notification of the Complaint in terms of Regulation 5 of the Western Cape Police Ombudsman Amended Regulations 2020 was sent to the Provincial Commissioner of the South African Police Service and is dated 18 March 2022.

As a result of the nature of the complaint and the systemic investigation, Government Gazette Notice 8581, dated 8 April 2022, was placed giving notice of the investigation by the Western Cape Provincial Police Ombudsman under section 17(3) of the Western Cape Community Safety Act, 2013 (Act 3 of 2013). The due date for these submissions was 20 May 2022.

The SAPS responded provided a response on 22 July 2022, communication marked Ref. no: 25/2/2/2(202200101).

**Investigation Methodology**

The 7-step structured approach to investigation is utilized during a systemic investigation of the WCPO as follows:

**Step 1 – Complaint screening and registration**

**Step 2 – Plan the investigation.**

**Step 3 – Investigation and Data collection**

Stakeholder Inputs

The following stakeholder inputs were received during the investigation:  
SAPS Provincial Commissioner, Western Cape





Government Gazette – consolidated public comments  
SANCA Western Cape  
City of Cape Town – Dept of Law Enforcement, Directorate: Safety and Security  
SAPS National Division Visible Policing  
WC Department of Social Development  
WC Substance Abuse Forum  
WC Provincial Community Policing Forum (CPF) Board

### **Random Sampling: Case Studies**

SAPS Langebaan - Rural  
SAPS Mitchells Plain – Metro

### **Step 4 – Data Analysis and Processing**

#### **Step 5 – Root Cause Analysis**

The investigation has revealed that the root cause of the drug problems is, inter alia, the following:

Lack of and or insufficient information and/or intelligence on the:

- kingpins of the drug trade in the Western Cape.
- source or origin of the various drug types (where are the drugs coming from).
- places where drugs are manufactured within the Western Cape and South Africa.
- Days, times, networks, means of transportation and distribution of drugs in the Western Cape.
- Alleged corrupt police officials colluding with and enabling the drug trade in the Western Cape.
- The SAPS chasing targets by focusing on drug users instead of drug dealers and drug premises.
- The poor conviction rate on drug related cases.
- The withdrawal rate of drug cases due to incapacity and or inability of the SAPS Forensic laboratory to analyse drug samples in an efficient and effective timeous manner.
- The SAPS in the Western Cape do not have a provincial implementation plan to give effect to the prescripts of the National Drug Master Plan 2019-2024.

### **Step 6 - Findings and Corrective Actions**

The finding of the investigation has identified the following:

- Lieutenant-General (ADV) T.E. Patekile was appointed as the SAPS Provincial Commissioner for the Western Cape on 1 July 2021.
- Mr Reagan Allen was appointed as the Western Cape Minister of Police Oversight and Community Safety on 26 April 2022.
- The known drug outlets submitted to the complainant in his previous capacity as the chairperson of the Western Cape Government – Portfolio Committee on Safety as at 2021-06-30 was 1577.
- The response by the WC SAPS Provincial Commissioner in relation to the number of known drug houses closed as at his report date 2022-03-31 was 118.



- There are therefore 1459 drug houses known to the SAPS that have not been closed.
- There was no explanation submitted by the SAPS during the investigation regarding the reasons for the failure to close these outstanding 1459 known drug houses. The SAPS did, however, indicate that their "Operations are ongoing in all clusters at identified outlets."
- There were 2646 drug actions focusing on drug users with 2191 arrests for drug possession by the SAPS for their reporting period.
- However, the Annual Report of the WCSAF Western Cape Substance Abuse Forum indicates that the Cape Town Metro Police Anti-drug and Anti-Gang Task Team, and the City of Cape Town Law Enforcement Unit also have contributed to some of these arrests.
- The SAPS is responsible for registration of the drug cases and the storage of the drug exhibits at local police stations.
- The individual contributions of each of these entities (SAPS, CTMPD and City of Cape Town Law Enforcement) were not specified during the investigation.
- There were 388 drug operations focusing on the drug dealers with 206 arrests.
- During the investigation SAPS did not provide any indication on whether there is any focus by them on the Asset Forfeiture aspect of the known drug dealers assets and the known drug houses.
- Whilst the provincial SAPS have provided a definition on the known drug premises, there is no clear definition and / or understanding of what is meant by closure of known drug premises by Station and Cluster commanders interviewed i.e., when is a known drug house regarded as closed. The National Drug Master Plan also does not provide any definitions on known drug premises and closure of known drug premises.
- There is a lack of trust from communities to provide confidential information relating to known drug dealers and known corrupt SAPS officials to the SAPS.
- There is a high withdrawal rate of drug cases, poor conviction rate and many outstanding laboratory results from SAPS Forensic department relating to drugs.
- That the drug issue is a social problem that requires all relevant role-players to address, in addition to SAPS.

### **Step 7 - Recommendations**

The investigation has revealed that the SAPS have closed 118 of the 1577 known drug houses/premises with a total of 1459 still operating as at the date of their reporting period 2022-03-31.

The complaint is therefore found to be substantiated and partially addressed.

It was recommended that the SAPS and other law enforcement agencies, jointly and collectively address the identified inefficiencies.

In view of the above, to ensure accountability and to monitor the level of compliance and progress made by SAPS in closing down the remaining 1459 known drug houses/premises, in the Western Cape, the following are also recommended:



- that the MEC, Minister Reagen Allen of the Department of Police Oversight and Community Safety WCG, request monthly progress reports from the SAPS, and engage in quarterly review sessions with the SAPS Provincial Commissioner and senior management to track progress of the closure of these 1459 outstanding known drug premises/houses.
- that the current chairperson of the WCG Portfolio Committee on Community Safety hold similar accountability sessions as per applicable legislation.
- that the SAPS drug operations be focused on the high crime priority hotspots, and
- that an Anti-Substance Abuse Summit should be hosted by the Department of Police Oversight and Community Safety in partnership with the Department of Social Development in the Western Cape to focus on Goal 2 Supply Reduction of the National Drug Master Plan 2019 – 2024 with all key stakeholders to ensure a comprehensive consolidated approach to addressing substance abuse, specifically liquor and drug abuse, arrest of drug kingpins, and closure of known drug houses.
- That an anonymous drug information hotline should be established for collection, analysis, processing and addressing of confidential drug information in the province.

## Conclusion

The complaint of poor response is found to be substantiated and partially addressed. It is recommended that the SAPS take appropriate steps to address the inefficiency.

**Abigail Lewis**

**COM15062022\_1**

## Background

The complainant alleges he have bought a car for cash from seller X. He allegedly had problems getting the original vehicle registration papers/certificate of the vehicle from seller X.

Seller X requested the car to be returned to him as he allegedly lost the vehicle registration papers and needed to take the vehicle for police clearance to obtain a duplicate certificate. Subsequently, the seller sold the car without the complainant's consent, and they have not received another vehicle from him nor their money back.

The complainant opened a case and has received no feedback on their case from the investigating officer.



## Findings

The SAPS submitted comments in line with Regulation 5 of the Western Cape Police Ombudsman Amended Regulations 2020. They indicated the following:

The relevant stations Parow SAPS and Durbanville SAPS were contacted in the presence of the complainant. Parow indicated that the crime scene falls under Durbanville, and Durbanville indicated that the crime scene falls under Parow. Neither station wanted to accept the docket.

The SAPS failed to communicate with the complainant regarding the challenges in allocating the case docket for further investigation.

The SAPS have failed to provide feedback to the complainant on which station is investigating his case and/or the progress on the investigation.

## Recommendation

The preliminary investigation is finalised, and the complaint of poor response is found to be substantiated.

It is recommended that SAPS take steps to address the identified inefficiencies.



Major General Reddy (Right) with General Masondo, the Military Ombudsman and his Deputy (Centre) Advocate S.T.B. Damane Mkosana



**Systemic Investigation:**

**COM26082022\_2:** RE: ALLEGATION OF GENERAL COMPLAINTS REGARDING AN INCREASE IN KIDNAPPING AND EXTORTION IN THE WESTERN CAPE, AGAINST WESTERN CAPE PROVINCIAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE

This office received a complaint from a Member of the Executive Council (MEC) of the Western Cape Government's Department of Police Oversight and Community Safety, Minister Reagen Allen.

A preliminary investigation has been conducted into the said allegations.

**Background**

On 2022-08-25, the Member of the Executive Council (MEC) for the Department of Police Oversight and Community Safety (POCS) of the Western Cape Government lodged a complaint with our office the Western Cape Police Ombudsman (WCPO), against the South African Police Service (SAPS) in the Western Cape.

The complaint relates to the alleged increase in the number of kidnappings and extortion cases reported in the Western Cape and the nature of the complaint is as follows:

- a) The number of incidents of extortion and kidnappings have been on the rise in the Western Cape
  
- b) The manner in which the SAPS is dealing with the matters is perceived to be questionable and there does not seem to be a clear strategy in place to deal with the increased number of incidents.

**Mandate**

The complaint was registered and deemed to fall within our service delivery inefficiency mandate in terms of Section 16 (1) and Section 17 (1), read with Section 15 of the Western Cape Community Safety Act 3 of 2013 (hereinafter referred to as the Act).A Section 17 (1) Notification of the Complaint in terms of Regulation 5 of the Western Cape Police Ombudsman Amended Regulations 2020 was sent to the Provincial Commissioner of the South African Police Service on 16 September 2022.

As a result of the nature of the complaint and the systemic investigation, Government Gazette Notice 8664 dated 30 September 2022, was placed giving notice of the investigation by the Western Cape Provincial Police Ombudsman under section 17(3) of the Western Cape Community Safety Act, 2013 (Act 3 of 2013). The due date for these submissions was 31 October 2022.



The SAPS provided a response on 10 October 2022, communication marked Ref. no: 25/2/2/2(2022000324).

### **Investigation Methodology**

The 7-step structured approach to investigation is utilized during systemic investigation of the WCPO as follows:

#### **Step 1 – Complaint screening and registration**

#### **Step 2 – Plan the investigation.**

#### **Step 3 – Investigation and Data collection**

### **SAPS Inputs**

The SAPS response was as follows:

There is an Anti-Extortion/kidnapping priority committee (ProvJoints) established at the Provincial level with the following key role-players:

- a) SAPS – South African Police Service
- b) NPA - National Prosecuting Authority
- c) POCS – Department of Police Oversight and Community Safety
- d) CoCT – City of Cape Town
- e) DoT – Department of Transport
- f) BACSA – Business Against Crime SA
- g) DHA – Department of Home Affairs
- h) SSA – State Security Agency
- i) SAPS – Detectives
- j) SAPS – Cluster/District Commanders
- k) SAPS – Vispol
- l) SAPS – Communication
- m) WC EDP – Economic Development Partnership

There is a draft Anti-Extortion Strategy and a draft SOP which is at an advanced stage of finalization for launch during 2023.

A “New Extortion – Toll Free Number 0800314444 has been launched and operates on a 24-hour basis from the Provincial Extortion Nodal Point, for anonymous and confidential information to be shared with the SAPS, specifically extortion and protection money in the Western Cape.

Pamphlets have been circulated in hotspot areas to proactively address extortions and kidnappings.

There is an Anti-Extortion Multi Sectorial Pillar Operational Approach document which highlights each stake-holders role and responsibilities e.g. deployment of SAPS, LEAP, Metro Police, etc.

The SAPS Social Crime Prevention also engages with the Spiritual Crime Prevention, CPF's Community Police Forums and NHW's Neighbour Hood Watches.



## **Random Sampling: Case Studies**

### **Case Study 1 – Rural Area – Hermanus**

### **Case Study 2 – Cape Town Metro**

## **Step 4 – Data Analysis and Processing**

## **Step 5 – Root Cause Analysis**

## **Step 6 - Findings and Corrective Actions**

### **Finding 1 – SAPS Response**

- The SAPS has a draft Anti-Extortion and Kidnapping Strategy and a draft SOP to address kidnappings and extortion in the Western Cape.
- The SAPS has a dedicated task team focussing on kidnappings and extortion in the western Cape.
- For the 12-month period of the previous financial year April 2021 to March 2022, there were 39 cases reported to the SAPS.
- For the 5-month period information provided by the SAPS for the current financial year April 2022 to August 2022, there were already 30 cases reported which is a clear indication that there is an increase in the number of these type of cases.
- The SAPS response indicated that 106 perpetrators were arrested during the period mentioned April 2021 to August 2022.
- The SAPS response also indicated that 66 victims were safely returned to their families, 3 were killed by the perpetrators, and 1 was still outstanding at their time of reporting.
- The SAPS have indicated that they have the resources required to carry out their duties.
- The SAPS have indicated that the families are reluctant to cooperate with them to bring perpetrators to book and that the families would negotiate releases without the involvement of SAPS.

### **Finding 2 – Systemic Investigation Provincial Government Gazette**

- It is regrettable that no responses were received despite the 30-day timeframe for submissions.
- The assumption of the WCPO is that due to the nature of this type of criminal offence and the associated dangers and threats, no inputs were received.

### **Finding 3 – WCPO Analysis**

#### **Perceived increase in the number of kidnapping and extortion cases in the Western Cape.**

The finding on this aspect of the complaint is substantiated due to the actual increase in the number of kidnapping and extortion cases as confirmed by the statistics provided by the SAPS for the period under investigation in this complaint.

The SAPS have managed to arrest both rival groups operating in the nightclub underworld security industry and some gang members involved in the spaza shop extortions, however,



there are many owners of nightclubs and almost all spaza shop owners who continue payments due to threats, fear tactics and violence inflicted on them or their staff.

There is therefore huge under-reporting on the actual number of extortion incidents occurring within the Western Cape.

**The SAPS ability to address these crimes are perceived to be questionable and there does not seem to be a clear strategy in place to deal with the increased number of incidents.**

The finding in relation to this aspect of the complaint is substantiated and partially addressed by SAPS due to the various types and categories of extortion ~~mentioned above~~ and the increase in the number of kidnapping and extortion cases in the Western Cape.

The SAPS have indicated that they have a strategy and SOP to address kidnappings and extortion in the Western Cape, albeit in draft form at present.

According to SAPS, the strategy and SOP are at an advance stage of finalization and will be launched during 2023.

The SAPS established a Task Team in 2019 to address kidnappings and extortion within the Western Cape.

The SAPS have established a 24-hour toll-free reporting line for anonymous /confidential information to be obtained for action and have also created pamphlets for distribution.

The SAPS have made 106 arrests with many of the kingpins of the underworld nightclub industry being arrested and in detention without bail, and some out on bail. Other syndicates/gangs involved in kidnappings and extortion are also arrested and bail has been successfully denied.

**That SAPS is perceived to be inadequately resourced to address these cases.**

This aspect of the complaint is also substantiated and partially addressed by SAPS due to the increase in the number of kidnapping and extortion cases and the various types and categories of extortion, in the Western Cape.

Although SAPS have indicated that they have allocated sufficient resources to address the kidnappings and extortions, the overall under-resourcing of the SAPS in the Western Cape needs to be addressed.

The allocation of SAPS resources needs to meet the operational requirement in support of the task team and all efforts to stabilize and reduce all categories of the number of kidnappings and extortions within the Western Cape.

**That PSIRA and the SAPS liaise with each other to establish if all night club's security personnel should be registered with PSIRA or not; if so, are all of them registered? That's where the extortion is evident as well as in terms of the protection fees.**





This aspect of the investigation confirms the cooperation between SAPS and PSIRA to address the crimes relating to the nightclub industry.

However, there seems to be inconsistency in relation to the bail applications for the underworld kingpins as one group have been arrested and are currently out on bail, allowing them to allegedly continue with their unlawful criminal activities whilst the other rival group are in detention with bail being denied. It is possible that their criminal activities are also continuing whilst they are in detention.

There are allegations that the underworld crime figures are venturing into legal legitimate businesses e.g. owning Petrol Stations, restaurants, Liquor outlets/taverns, night clubs, obtaining tenders for Government contracts through family members, etc.

Any delays in addressing the underworld figures in terms of the OCTA process and POCA legislation will result in the money obtained from their illegal activities being laundered through their new legitimate business ventures.

### **Step 7 - Recommendations**

In view of the above, and to ensure a sustainable reduction in the number of kidnappings and extortion within the Western Cape, the following are recommended:

The WCPO recommendations after due consideration of the investigation are as follows:

- That the draft Anti-Extortion Strategy and draft SOP be finalised and launched as soon as possible.
- That the SAPS consider developing a Public Reassurance Strategy to address the fear, concerns and perceptions of the victims, their families, and the public, and to improve the levels of trust and confidence in the SAPS.
- That the SAPS consider developing a Stakeholder Engagement Strategy to incorporate all necessary and relevant role-players (including SARS and AFU) to contribute jointly to the stabilization and reduction of all categories of kidnapping and extortion within the Western Cape.
- That further attempts and engagement be made to address and stop the extortion that is currently taking place at the spaza shops by “Boko Haram and Guptas” etc., gangs, nightclubs and in the taxi industry by engaging the key role players e.g. United Nations High Commissioner for Refugees and the Somalia Association of South Africa, etc.
- That additional resources be allocated to the task team to address all the identified types and categories of extortion and kidnappings identified during this investigation.
- That additional OCTA projects be identified to address the different types and categories of extortion and kidnappings focusing on and targeting the perpetrators of those specific types and categories of extortion.



- That the SAPS vigorously oppose bail for all underworld criminal elements, syndicates and gangs involved in extortion and kidnappings with support of the CPF and other key role players.
- That greater additional efforts be made to identify, target and legally neutralise the entire criminal network syndicate, gangs and perpetrators (including their families and associates serving as enablers) involved in kidnappings and extortion related criminal acts, with a focus on the POCA legislation, to seize their assets in terms of the Asset Forfeiture legislation including those business that are now legally established (restaurants, petrol stations, clubs, liquor outlets, etc) with the proceeds of crime.
- That the SAPS utilise an intelligence driven, focused deterrence and evidence-based approach in support of their current efforts to stabilize and reduce kidnappings and extortion in the long term in the Western Cape.
- That the MEC, of the Department of Police Oversight and Community Safety Minister Reagen Allen and the Chairperson of the Standing Committee on Safety in the Western Cape Government, request Quarterly progress reports from the SAPS, in terms of their legislative mandate, to determine whether kidnapping and extortion are stabilizing and whether the SAPS strategy is effective.

### **Recommendation 2: Global Initiative – Transnational Organised Crime (GI – TOC)**

The comprehensive report of Advocate Vusi Pikoli of GI-TOC is supported by the WCPO and therefore submitted as received for consideration by the relevant key role-players as follows:

- **GI-TOC Recommendations: Dealing with extortion.**

#### **A State Response**

For the state to address extortion effectively, it must first address the contradictions in its approach to this form of extortion and provide a more comprehensive strategy for dealing with systemic extortion. A critical component of this strategy is the role the criminal justice sector must play.

Effective policing and crime intelligence will be a prerequisite for effectively countering extortion. A policing approach is required that includes intelligence-led strategies to combat groups involved in extortion while also establishing common standards for investigations of cases involving extortion. Linked to this approach, there should be a mechanism for monitoring and accessing the police's approach to dealing with systemic extortion, including both the police responses to incidents of systemic extortion on the ground, as well as their follow-up on criminal cases linked to extortion.

#### **Creating a safe reporting environment**

Globally, the need to create an enabling environment for people affected by extortion to report these matters to the authorities is seen as an important step in addressing extortion. In this context, there is a need for the government, supported by businesses, to create a safe and effective means by which victims can report extortion. Internationally, there are several examples where permanent hotlines have been established to report extortion and these hotlines have been used not only to provide support to victims, but also to collect data for use in police investigations.



### **Building Partnerships**

Dealing with extortion will require strong solidarity between government, business, and communities. A coalition of private sector organizations, local communities, civil society organizations and state actors must be built and mobilized. One of the obstacles to developing partnerships aimed at addressing extortion will be the lack of trust that exists between these different actors. It will therefore be critical to rebuild trust among the different actors. Equally important is for all actors involved in the coalition to have confidence in the state's ability to address systemic extortion.

### **Dealing with the normalisation of extortion**

A major problem facing the country is the normalization of extortion practices. Successful campaigns against the normalization of extortion in other countries indicates that these campaigns have been most effective when they have focused on combating not only the different groups involved in extortion but also breaking down the complicity of businesses and communities. One example of a particularly successful initiative was a 2004 campaign run by the NGO AddioPizzo (which loosely translates as 'farewell extortion') in Italy. The core of this strategy was to change the incentive structures, and to build a community of citizens who are ideologically opposed to the mafia and extortion culture, thereby creating a united front against extortion. While its mission was to encourage opposition to extortion among businesses and consumers, it also provided legal support and economic alternatives to businesses by promoting ethical consumerism to counter extortion.

### **Addressing the capacity for violence**

Currently, many of the groups involved in extortion openly carry firearms, many of which are automatic and semi-automatic weapons. There is a need for the police to not only disarm such groups under the Firearms Control Act, but also to conduct a serious investigation into how these actors are able to access such weapons in the first place.

### **Involvement of Local Government**

Local governments have a critical role to play in addressing extortion. Firstly, of the groups involved in extortion are based in local towns controlled by municipal governments. Secondly, municipalities are often responsible for the implementation of some projects that have been affected by extortion. Based on this, it is essential that local municipalities develop clear and effective strategies to address extortion and become part of partnerships to fight systemic extortion.

### **Early warning systems**

Most researchers and investigators agree that it is easier to prevent extortion economies from developing than to eradicate them once they are established. It is therefore important that the country develop early warning and preventative systems to detect signs that an extortion economy is developing.

### **A socio-economic approach**

Extortion needs to be seen partly as a manifestation of a social phenomenon with deep roots in the local political economy. Therefore, dealing with this type of extortion will require a set of responses that take into consideration the need to address a comprehensive and equitable socio-economic development plan.

## **Conclusion**

The preliminary investigation is finalised, and the complaint category of general complaints is found to be substantiated and partially addressed by the SAPS.



It is recommended that the SAPS take appropriate steps to address the inefficiencies in relation to the above recommendations.

**Zwelenkosi Matwa**  
**COM03082022\_3**

**Background**

Our office received a complaint regarding allegations of poor investigation by members of Cape Town Central SAPS. The complainant alleges that after she opened a case of Domestic Violence, the investigating officer has not given her any feedback on the case. The complainant also alleges that her witnesses had not been interviewed, and none of the evidence (USB with all audios, video files and pictures) that the complainant sent to the police were in the docket.

The complainant further indicates that the State Prosecutor was never aware of the incidents that took place on 30 May 2022, 20 December 2021 as well as 5 October 2021, after she had allegedly on numerous occasions told the police what happened.

Therefore, bail was not contested, and the suspect was released on bail when he was arrested and brought before court in June 2022.

On 25 July 2022 the complainant met with the Prosecutor who indicated that she needed to open 3 additional cases for the court to consolidate all her cases: • Regarding the incident on 5 October 2021 – Assault GBH • Regarding the incident on 21 December 2021 – Assault GBH / Attempted Murder • Regarding the incident on 30 May 2022 – Attempted Murder.

The complainant went to the police station and the officer at the CSC refused to open these cases. Eventually the 2 cases were opened, and she was still waiting for SAPS to open the 3rd case.

**Mandate**

The matter falls within our mandate, and we opened the following complaints for investigation:

Reference: COM03082022\_3 • Regarding the allegations of the attempted murder case not being opened we have opened COM03082022\_3 • Regarding the allegations of witness statements not being obtained we have opened COM03082022\_2 • Regarding the allegations of the lost USB we have opened COM28072022\_1.

**Findings**

The SAPS conducted a service complaint investigation, and it was found that the officer and members allegedly conducted themselves in an improper manner towards the complainant and towards the investigation of these various cases opened by the complainant.

Disciplinary files were registered for internal investigation against a Captain and 2 other police members of Cape Town Central SAPS.

**Conclusion**

The preliminary investigation is finalised, and the complaint of poor investigation is found to be substantiated but resolved considering the internal steps instituted by the SAPS to address the identified inefficiencies.



*Note: The WCPO does not have a separate category for DVA complaints. What is done is at the very inception of the complaint, a complaint would be registered as an example: Poor Investigation or Poor Communication. Thus, no new category exists separately for DVA matters. The WCPO is in the process of enhancing its reporting capabilities so that in future, these reports may be extrapolated from our data, at a glance.*



Meshack Hobwane (left) and Major General Reddy (second from the left) with Ms Monique Ekoko, newly appointed Representative of the South Africa Multi-Country Office (SAMCO) and Ms Kiran Kaur, Head of Field Office Cape Town, UNHCR



**Ms. Suzette Jordaan**

**COM19092022\_1**

### **Background**

The complainant alleged that her ID number was mistakenly profiled and consequently she had a criminal record. In 2019 she applied for police clearance, and she discovered in 2022 that her record was not clear.

She visited SAPS in September 2022 and was advised to do another police clearance.

### **Findings**

The investigation revealed that the complainant was a security officer and that she reported a shoplifting incident in 2014. The SAPS wrongfully captured her ID details instead of the suspect's details, which resulted in her having a criminal record and losing her employment. A copy of the relevant docket confirmed that she was the complainant in the criminal case and not the accused.

The SAPS corroborates with the complainant in that they mistakenly captured her ID details as that of the accused which resulted in her having a criminal record. After the intervention of our office, the SAPS rectified the error, and the details of the complainant as the accused were removed from the SAPS criminal system.

### **Recommendations**

The complaint of the poor investigation was finalised as substantiated but resolved by the SAPS.

## **2. COM07022023\_4**

### **Background**

The complainant's vehicle was allegedly hijacked on the evening of 18 August 2022. The complainant's wife received a call the following morning 19 August 2022 from a member of the 10111 Command Centre, stating that the car that was hijacked had been retrieved by the SAPS. The member advised that they open a case for the vehicle to be handed over to them.

The complainant went to the police station to report the case. The complainant's wife then called the member and provided the case details. They were advised that they would be contacted with further instructions but to date, no one can advise where the vehicle is.



The initial investigating officer was not aware of the vehicle that was retrieved. He accompanied them to Bellville-South and Stikland VISS to enquire about the vehicle but there were no records of the vehicle. The SAPS is unable to locate the vehicle which according to the member of 10111 was retrieved.

## **Findings**

The investigation revealed that on 19 August 2022, members of SAPS attended to code 039 complaints (suspicious vehicle) twice. In the first instance, an anonymous caller reported a vehicle as abandoned and when the members tested the vehicle, it was not reported as stolen or hijacked and their feedback to the sender operator was negative.

In the second instance, the members found a 2nd vehicle positively reported as stolen. One of the members informed the sender operator that the 1st vehicle close by also appeared suspicious (the one not reported as stolen or hijacked). The sender operator tested the vehicle and obtained the ownership details.

He contacted the owner according to the information received on the system and she advised that she sold the vehicle. He spoke to the person who bought the vehicle who in return advised that the vehicle belonged to her son. He then called the son but he was not available and he spoke to his wife. The wife did not know anything about the vehicle and advised that she needed to get in touch with her husband.

The sender operator relayed the information to the members on the scene. The members on the scene later called again to ask for feedback about the vehicle. The sender operator called the number of the complainant again but spoke to the complainant's daughter who advised that neither the complainant nor his wife was available, and the daughter was unable to provide any information.

Approximately 30 minutes later the wife of the complainant called the sender operator back to advise that her husband was hijacked the previous night. He advised them to open a case as the protocol does not allow the SAPS to tow vehicles to a VISS Unit which has not been registered as stolen or hijacked. He contacted the members again to provide them with the information received from the complainant. The members advised that a man claiming to be the owner already came to collect the vehicle. The man informed them that it was his vehicle and that the vehicle had just gotten stuck without a battery. The man had a battery with him at the time which he inserted in the vehicle and drove off.

The sender operator went above and beyond to establish if the vehicle in question was stolen or hijacked. The owner only reported the vehicle as hijacked when he



advised them to do so. The delay in opening the docket is why the SAPS could not establish that the vehicle was hijacked. Had the case been reported when the incident occurred, the SAPS would have confiscated the vehicle when they called in for the vehicle to be tested.

The member attached to 10111 did everything possible to find information about the vehicle, however, due to the vehicle not being reported as hijacked, his efforts were in vain.

### **Recommendations**

The complaint of poor communication is found to be unsubstantiated.

**Ms Noluthando Ndlwana**

**COM09062022\_4**

### **Background**

The complainant alleges that she reported a case for her missing/stolen child. An investigation was done by SAPS and the allegations were unfounded. The complainant requested the assistance of a Senior Nurse in reading her medical report and the nurse confirmed that the assessment reports indicate that there were two kids inside her womb. The complainant is unhappy that no investigation went into her allegations, and that the SAPS do not believe that her child was stolen at birth.

### **Findings**

In their Regulation 5 comments, the SAPS indicated that their investigation revealed that the complainant was never pregnant with twins and never gave birth to twins. The outcome was communicated to the complainant and the investigation into the matter was closed on 13 March 2018.

In a statement provided to this office by the SAPS, the investigating officer, stipulated that he has obtained medical reports from Tygerberg Hospital regarding the complainant's maternity history, and nowhere has it shown two babies, he also requested the medical staff at Tygerberg hospital to explain the medical reports and they also confirmed it's one baby. He also tried tracing the midwife with the assistance of the Tygerberg hospital's liaising officer with no success. He phoned the Nursing council as well and they couldn't assist.





## Recommendations

The matter was closed as unsubstantiated. The matter was thoroughly investigated by the SAPS.

## Impact

The complainant was informed that without the evidence, SAPS cannot take her matter further.

## COM08072022\_3

The complainant alleges that he was wrongfully arrested at Beaufort West police station and wants to be cleared from the wrong accusation. He states that a Provincial Inspector, arrested him and asked for his driver's licence and ID after pulling him over for allegedly exceeding the speeding limit. The Provincial Inspector allegedly checked the disk of the car that the complainant was driving and stated that the disk is fraudulent. The complainant informed the officer that the vehicle is not his and the owner of the vehicle was sitting in the back seat.

The complainant further alleges that he was then charged with fraud and was given a fine of R500 and R200 ticket for exceeding the speed limit. The morning of 28 January 2021 at around 8h00 the complainant was brought bread and tea in a bottle that himself and the others in the cell had to drink together. At around 12h00 the same day the complainant was called by an officer who wanted to know what the complainant was arrested for, he showed the officer the ticket and he left with it, indicating that he will consult with the Prosecutor.

The complainant alleges that around 16h00, the officer came back and released him alleging he was wrongfully arrested. The complainant went to the officers in charge to get his documents. He waited for an hour for them to find it, but they allegedly told the complainant they could not find it, because it was in one of the offices that belonged to an official who has already gone home. The complainant had to drive to Cape Town without his license and ID.



The complainant also states that on the 29 January 2022, he phoned Beaufort West police station for his documents, but allegedly could not get help.

## **Findings**

The SAPS also provided this office with a SAPS 13 indicating that the complainant's car disc, Identity Document card, and his license card were handed in as an exhibit and sealed in a forensic bag P2B500030239. The exhibits were handed over to a Captain at Beaufort West Crime Intelligence on 3 February 2021. The captain is now late(deceased).

In a statement submitted by the SAPS, a Sergeant indicated that on 28 January 2021 she received exhibit marked SAP13/120/2021 in forensic bag P2B500030239 from the CSC Commander under CAS 534/02/2021. On 3 February 2021, the bag was handed to a Captain, CIG Unit, Beaufort West. The property could not be handed to the suspect because it was an exhibit.

An email received by this office from Beaufort West Support Services stated that Crime Intelligence could not account for the disposal of the exhibit. She then provided the contact numbers of the Commander of the Beaufort West CIG unit.

Ms Ndlwana interviewed the Commander of the Beaufort West CIG unit on 28 September 2022, and he advised that they cannot find the documents in the office that was occupied by the deceased Captain. He is not aware of any investigation that was done by his unit regarding this matter so he does not understand why the captain would have taken the documents from Beaufort West SAPS. He further indicated that the late Captain was an analyst and not an Investigating Officer.

A statement of the lady that works in the Kitchen at the Beaufort West SAPS stipulated that when preparing breakfast for prisoners the usual is, they prepare porridge, bread



with butter, eggs, onions, milk, and coffee. The coffee comes from the kitchen already mixed with sugar and milk. The coffee comes from the kitchen to the CSC for members to do feeding in the metal ketal. The police members will then proceed by going to dish for the prisoners using plastic plates and plastic cups.

### **Recommendation**

The matter was found to be substantiated because SAPS could not account for the complainant's documents. It was recommended that the SAPS take appropriate steps in order to address the inefficiency.

### **Impact**

The complainant was happy with the outcome of our investigation.



Major General Reddy (left) with the Deputy Military Ombudsman, Advocate S.T.B. Damane Mkosana (Far right) representatives at the Military Ombudsman Symposium



## 12. Perception Survey

The sample group for the Perception Survey consisted of representatives from the Community Police Forums (CPF), Neighbourhood Watches (NHW), Government departments, Non-Governmental Organisations (NGO) and other key stakeholders who attended the Policing Needs and Priorities (PNP) engagements at the various District Municipalities throughout the Western Cape.

The analysis of the survey instruments was conducted by ASD Abigail Lewis and team. The results of the basic quantitative service delivery perception survey during the period under review focussed on the 8 Batho Pele Principles and trust and confidence in the police is indicated hereunder:



WCPO Staff Members



RATING							
RESPONSE	1	2	3	4	5	EMPTY	TOTAL
CONSULTATION	34	50	115	49	66	15	314/329
%	10.8	15.9	36.6	15.6	21		
SERVICE STANDARDS	31	59	110	68	49	12	317/329
%	9.7	18.6	34.7	21.4	15.4		
ACCESS	29	50	105	85	47	13	316/329
%	9.1	15.8	33.2	26.8	14.8		
COURTESY	31	44	110	85	46	13	316/329
%	9.8	13.9	34.8	26.8	14.5		
INFORMATION	27	64	100	70	54	14	315/329
%	8.5	20.3	31.7	22.2	17.1		
OPENNESS & TRANSPARENCY	33	57	107	64	51	17	312/329
%	10.5	18.2	34.2	20.5	16.3		
REDRESS	52	56	105	58	42	16	313/329
%	16.6	17.8	33.5	18.5	13.4		
VALUE FOR MONEY	58	61	95	55	39	21	308/329
%	18.8	19.8	30.8	17.8	12.6		
TRUST	56	72	79	63	43	16	313/329



Rating Continued							
%	17.8	23	25.2	20.1	13.7		
CONFIDENCE	64	78	73	49	42	23	306/329
%	20.9	25.4	23.8	16	13.7		



General Reddy at the PNP Meeting



Further, a basic quantitative service delivery perception survey relating to the office of the WCPO was also conducted during the said PNP engagements.

The results of this perception survey are indicated hereunder:

AWARENESS ELEMENT	YES		NO		INCOMPLETE	TOTAL
	YES	%	NO	%		
DO YOU KNOW ABOUT THE OFFICE OF THE WCPO?	181	79.3	47	20.6	4	232
DO YOU KNOW WHAT THE MANDATE OF THE WCPO IS?	163	69	73	31	0	232
IF YES TO ABOVE 2, HAVE YOU EVER LODGED A COMPLAINT WITH WCPO?	33	14.6	192	85.4	7	232
WERE YOU SATISFIED WITH THE SERVICE YOU RECEIVED WITH WCPO?	68	65.3	36	34.7	128	232
WERE YOU SATISFIED WITH THE OUTCOME OF YOUR COMPLAINT?	50	52	46	48	136	232



ARE YOU AWARE OF HOW TO LODGE A COMPLAINT WITH WCPO?	156	71.5	62	28.5	22	232
DO YOU HAVE ACCESS TO ELECTRONICS TO LODGE YOUR COMPLAINT?	181	78	51	22	0	232
ARE YOU ABLE TO LODGE A COMPLAINT TELEPHONICALLY	147	84	28	16	57	232
DO YOU KNOW THE TELEPHONE NUMBER OR EMAIL ADDRESS OF WCPO?	116	64.8	63	35.2	55	232
CAN YOU ADVISE OTHERS OF THE SERVICE OF THE WCPO?	158	83.5	31	16.5	43	232





### 13. Marketing initiatives:

During the review period the office continued with their radio advertising campaign. The following radio stations were utilised to flight the radio adverts.

- HEART RADIO
- UMHLOBO WENENE
- BUSH RADIO
- CCFM
- EDEN FM
- GAMKALAND
- HEARTBEAT
- NAMAKWALAND
- OVERBERG FM
- PAARL FM
- PERRON FM
- RADIO PULPIT
- TYGERBERG FM
- VALLEY FM
- ZIBONELE

The office has furthermore been invited to the Department of Police Oversight and Community Safety's Policing Needs and Priorities (PNP) meetings. The invitation was warmly welcomed as these meetings offers the office a face-to-face opportunity to engage with the community and encourage citizens to make use of the service.



WCPO Staff Members



Major General Reddy and his team attended the following engagements during the financial year in review.

DATE	Details	Activity
2022-04-01	Meeting: Western Cape Commissioner for Children – Ms Christina Nomdo	Meet and Greet
2022-04-05	Meeting: Department of Community Safety – Monitoring and Evaluation	Online Meet and Greet – mandate clarification
2022-04-08	Meeting: Civilian Secretariat for Police – Mr L. Qhomfo	Online meeting – Khayelitsha Commission of Enquiry and Crisis action plan discussion
2022-04-10	ENCA News Live	Ombudsman interview – Systemic investigation on known drug houses not closed by police
2022-04-11	Cape Talk Radio	Ombudsman interview – Systemic investigation on known drug houses not closed by police
2022-04-11	Radio 786	Ombudsman interview – Systemic investigation on known drug houses not closed by police
2022-04-19	Online Conference – African Ombudsman and Mediators Association	Stakeholder engagement – Managing Evidence
2022-04-21	Meeting – City of Cape Town Law Enforcement Oversight	Meet and Greet – Chairperson CIVOC Ms Heather Tager
2022-05-06	Meeting with MEC – DOCS Minister R. Allen	Bishop Lavis complaint
2022-05-11 to 2022-05-13	WCPO Strategic planning bosberaad	Facilitation – ISS and HSF Dr Andrew Faull
2022-05-16	Meeting MEC – DOCS Minister R. Allen	Feedback Bishop Lavis complaint
2022-05-18	Meeting WC High Court – Hon. Judge J. Hlope	PEEC meeting



<b>2022-05-21 to 2022-05-28</b>	International Visit – USA with ISS and HSF	Evidence Based Policing Conference and DEA visit
<b>2022-06-02</b>	Police Reform Reference Group	ISS and REOS online meeting
<b>2022-06-06</b>	Community Engagement – WCPO mandate and Spiritual Crime Prevention	Belville (SAPS and Minister’s Fraternal)
<b>2022-06-07</b>	Meeting MEC – DOCS Minister R. Allen	Feedback Bishop Lavis Complaint
<b>2022-06-13</b>	Meeting complainant	Tygerburg
<b>2022-06-14</b>	Online Conference – African Ombudsman and Mediators Association	Stakeholder Engagement – Effective Investigation Strategies
<b>2022-06-16</b>	Khayelitsha Crisis Response Summit – Minister of Police Gen. B. Cele and DOCS Minister R. Allen	KDF Increase in crime and violence crisis Summit – key role-players
<b>2022-06-23</b>	ISS – Evidence Based Policing Mini Conference	ISS engagement – Cape Town Lodge
<b>2022-06-24</b>	Online meeting HOD – DOCS Advocate Y. Pillay	Meeting administration and workflow
<b>2022-06-29/30</b>	Meeting IO’s – Systemic Investigation SAPS failure to close known drug houses	Strategic direction and investigation guidance to IO’s.
<b>2022-07-06</b>	USA Consulate General	Attend Independence Day celebration event
<b>2022-07-12</b>	Online conference – African Ombudsman and Mediators Association	Stakeholder Engagement – Document storing and archiving
<b>2022-07-18</b>	Khayelitsha Mandela Day Ministerial Imbiso Gen B. Cele and MEC Min. R. Allen DOCS	Stakeholder engagement and Ministerial Imbizo
<b>2022-07-19</b>	Meeting UN High Commissioner for Refugees in Cape Town	Meet and Greet – complaints from Refugees against police
<b>2022-07-27</b>	WCPO External Stakeholder Strategic planning engagement	CTICC - Strategic planning Conference
<b>2022-07-29</b>	Systemic drug investigation	Consultation and information gathering



<b>2022-08-03</b>	Systemic drug Investigation	Meeting SANCA Belville
<b>2022-08-04</b>	Attend Police Reform workshop	ISS and REOS Cape Milner Hotel
<b>2022-08-10</b>	Systemic drug investigation	Meeting Chantelle Pepper – Chairperson WCSAF
<b>2022-08-16</b>	Attend JOC Launch - Mosselbay	Stakeholder engagement
<b>2022-08-23</b>	Online Conference – African Ombudsman and Mediators Association	Showcase WCPO mandate
<b>2022-08-24</b>	Meeting complaint CPF Fishhoek	Ombudsman and Mr Mills
<b>2022-08-25</b>	First Bi-Annual Risk session	WCPO management and DoTP Risk Management
<b>2022-08-29</b>	Quarterly meeting – SAPS Division Inspectorate – complaints management	Ombudsman and DivCom. Lt Gen P. Jacobs
<b>2022-08-30</b>	Seminar – Can we be Safe? (Accountability)	UCT Middle Campus – Associate Prof Irvin Kinnes
<b>2022-08-31</b>	Meeting WC High Court – Hon. Judge J. Hlope	PEEC Meeting
<b>2022-09-07</b>	SANCA – AGM	Belville
<b>2022-09-09</b>	Values conversation – WCG	CTICC
<b>2022-09-12</b>	SANDF Military Ombudsman – Lt. General (Retired) Masondo	Meet and greet at WCPO Boardroom
<b>2022-09-13</b>	Western Cape Commissioner for Children stakeholder workshop	Kromree conference centre – Stellenbosh
<b>2022-09-14</b>	Meeting WC High Court – Hon. Judge J. Hlope	PEEC Meeting
<b>2022-09-20</b>	Meeting HOD – DOCS Advocate Y. Pillay	Rural Safety and PNP engagements invitation WCPO
<b>2022-09-22/23</b>	DOCS – PNP and Rural Safety Overberg District Municipality	Bredasdorp - Stakeholder engagement – WCPO Mandate
<b>2022-09-24</b>	Oudtshoorn – Heritage Day event (OCY – Mr P. Seroux)	Guest speaker Ombudsman - WCPO Mandate and complaints



<b>2022-09-27</b>	Online meeting – Civilian Secretariat for Police complaints forum (9 x Province)	Complaints management – WCPO complaints
<b>2022-10-03/04</b>	DOCS – Rural Safety and PNP West Coast District Municipality	Saldanha Bay – stakeholder engagement - WCPO Mandate
<b>2022-10-05</b>	SAPS Crime Statistics – Maj General Sekukene and Dr Anine Krigelar	UCT Middle Campus – Associate Prof. Irvin Kinnes
<b>2022-10-11</b>	System investigation – Kidnapping and extortion meeting	Goodwood meeting
<b>2022-09-12</b>	KDF follow meeting	Belville Commissioner house
<b>2022-10-13/14</b>	EBP Conference – Pretoria	ISS Conference
<b>2022-10-17/18</b>	DOCS – Rural Safety and PNP Garden Route District municipality	George – stakeholder engagement – WCPO mandate
<b>2022-10-20</b>	WC Provincial GBV Summit	Online attendance
<b>2022-10-21</b>	Online interview – (Germany) Mr Jens Koy	HSF Partnership and projects
<b>2022-10-27/28</b>	Police Reform workshop – ISS and REOS	Glenburn Lodge Gauteng
<b>2022-10-27</b>	Complaint SAPS Provincial Management and Gangs: WC Premier A. Winde – Hon. Judge Thulare judgement	WCPO Investigation
<b>2022-10-31</b>	Attend National Violence Prevention Forum workshop – ISS Dr Chandre Gould	MOSAIC Ottery Road, WC
<b>2022-11-01</b>	Consultation Exe. Director IPID – Premier complaint – criminal aspects	Telephonic consultation – Ombudsman and ED IPID
<b>2022-11-03</b>	Consultation – SAPS Anti-corruption unit – Premier complaint	Telephonic consultation Ombudsman and SAPS National Head ACU
<b>2022-11-04</b>	Meeting IPID senior investigator – Premier's complaint	Ombudsman in-person meeting WCPO Boardroom



<b>2022-11-07</b>	Consultation – DPCI HAWKS National Head – Premier’s complaint	Ombudsman telephonic consultation with Lt Gen (Dr) (Adv) G. Lebeya
<b>2022-11-07</b>	Consultation – AGU WC – Premier’s complaint	AGU Commander and IO
<b>2022-11-08</b>	Meeting Informer – Premier’s complaint	Melkbos Strand with ASD IO A. Lewis
<b>2022-11-09</b>	Meeting CoCT – Director and IO	Goodwood TMC Building
<b>2022-11-11</b>	Attend SANDF Military Ombudsman Symposium	Pretoria
<b>2022-11-13</b>	Meeting informers – Premier’s complaint	Bishop Lavis
<b>2022-11-14/15</b>	DOCS Rural Safety and PNP – Winelands District municipality	Goudini conference centre – Worcester WCPO Mandate
<b>2022-11-17</b>	Finalize and hand over Premier complaint report	WCG Premier’s office
<b>2022-11-21/22</b>	WCG Speaker Parliamentary community engagement	Bredasdorp & Swellendam – WCG Speaker Masizole Mngqasela
<b>2022-11-23</b>	Online meeting – Police Reform	ISS and REOS
<b>2022-11-24</b>	Quarterly meeting – Division Inspectorate 2 <sup>nd</sup> Quarter complaints statistics	Lt Gen P. Jacobs and Ombudsman
<b>2022-11-24</b>	Meeting – Nigerian delegation Anti-corruption	ISS referral to Ombudsman
<b>2022-11-30</b>	Khayelitsha Crisis Committee Workshop	Somerset West – in person meeting
<b>2022-12-01</b>	DOCS – Workshop on Policing policy briefs	Park Inn Radisson Foreshore WC
<b>2022-12-05</b>	Meeting DOCS – Complaints management history and background	WCPO and Bhekithemba and personnel
<b>2022-12-06</b>	Finalize systemic investigation – Kidnapping and Extortion	WCPO IO’s and Ombudsman
<b>2022-12-07</b>	Meeting Civilian Secretariat for Police – complaint management forum	Mr L. Qhomfo online meeting
<b>2022-12-09</b>	Hand over systemic investigation report on Kidnapping and	Paarl – hand over report personally



	extortion to complainant DOCS MEC Minister R. Allen	
<b>2022-12-09</b>	Submit report on systemic investigation report on Kidnapping and extortion to Provincial Commissioner SAPS WC.	Email finalized report.
<b>2023-01-10</b>	Meeting SAPS – WC Provincial Prestige Awards Ceremony donation from WCPO	Meeting Col Terblanche and Ombudsman
<b>2023-01-14</b>	Attend and hand over WCPO Awards at SAPS WC Prestige Awards Ceremony	Century City Conference Centre
<b>2023-01-17</b>	Online Conference – African Ombudsman and Mediators Association	Mediation / Alternative Dispute Resolutions training session
<b>2023-01-25</b>	Online Police Reform meeting	ISS and REOS
<b>2023-01-25</b>	Meeting with UN High Commissioner for Refugees – mandate of WCPO relating to complaints against police	Representatives from Pretoria and Cape Town offices
<b>2023-01-26</b>	DOCS PNP – Cape Town Metro – SAPS District East	Brackenfell Conference Centre
<b>2023-01-27</b>	Risk Management Q4 feedback session	DoTP – Christell Cochrane and WCPO
<b>2023-01-30/31</b>	DOCS Rural Safety and PNP – Beaufort West District Municipality	Prince Albert Hotel conference centre
<b>2023-02-01</b>	Meeting wcpo boardroom – Bavarian State (Germany) Police Chief – WCPO Mandate	ISS/HSF facilitation – Police Chief Benard and Ombudsman
<b>2023-02-02</b>	DOCS M & E meeting with Minister Allen	Review by Minister Allen
<b>2023-02-03</b>	DOCS PNP – Cape Town Metro – SAPS District West	Durbanville conference Centre
<b>2023-02-09</b>	WCPO Management meeting	WCPO Management
<b>2023-02-10</b>	Meeting WCPO mandate and Crime in WC	Ombudsman and Mr Kuys
<b>2023-02-13</b>	Quarterly WCPO meeting with Minister Allen (mandate shortfalls)	WCPO Management
<b>2023-02-15</b>	Meeting Executive Director and management IPID – SAPS Senior management investigation	Meet and greet, MOU draft



<b>2023-02-16</b>	Attend WC SOPA – Premier Winde	WCG – Auditorium Wale Street
<b>2023-02-21/22</b>	Attend Police Reform workshop – ISS and REOS	Rosebank, Radisson Red Conference Centre
<b>2023-02-27</b>	Feedback meeting – Minister Allen	WCPO boardroom
<b>2023-03-01</b>	Attend Culture Journey to improve service delivery in the WC	Century City - WCG
<b>2023-03-09</b>	WCPO Broad management staff meeting – Culture journey {Competence} feedback	WCPO Boardroom
<b>2023-03-14</b>	Quarterly meeting with SAPS - Division Inspectorate Complaints Stats Q3	WCPO Boardroom
<b>2023-03-15</b>	Attend world ombudsman day initiative by Office of the City Ombudsman, CAPE TOWN	Meet and greet, exhibition and mandate of WCPO.
<b>2023-03-23</b>	Attend online Complaints Management / Police Conduct Forum with CSPS	DOCS x 9 Provinces and CSPS with WCPO. Chair Mr L. Qhomfo CSPS
<b>2023-03-24</b>	Feedback meeting Judge Thulare investigation	Premier's Boardroom, IPID ED & IO – Wale St



Major General Reddy at the World Consumer Rights Expo, doing the opening address.





## 14. Conclusion

Our office prides itself on partnerships and collaboration as it creates a platform with which we can truly realise our vision by creating an independent space for community members to lodge their complaints. It goes without saying that the year in review has been both a productive and a busy one, but also one which saw us furthering our strategic footprint within the realm of oversight through the creation of meaningful partnerships.

Our hope essentially is that you would also understand the impact of our office when reviewing the customer survey results as well as the investigations.

We are committed to ensuring that the recommendations made by the auditors are implemented for an enhanced service delivery experience by our clients and we hope to positively report on those enhancements, in our next report.

Each year our office has the opportunity to mentor a new group of interns. The year in review is no different and we cannot conclude the report without honouring their contribution to the success of our office, during their time spent with us. We wish them the best for the years to come and look forward to hearing of their success stories!

Lastly, just as a vehicle requires every part, whether large or small, to work effectively, our office acknowledges the contribution of each staff member, and for that we are eternally thankful.



Interns at the swearing in ceremony, from left: Sterlyn Fick, Akeela Salie, and Sufyaan Davids





The Western Cape Police Ombudsman  
Annual Performance Report 2022/23

80 St Georges Mall, Cape Town 8000

ISBN: 978-0-621-21250-2

PR: 157/2023

