

NTSHOLE COMMISSION OF ENQUIRY

To Investigate Allegations of Racism, Tribalism &

Ethnicity at Certain Police Stations

**VERIFICATION PROCESS TO ESTABLISH WHETHER
RECOMMEDATIONS OF THE COMMISSION WAS IMPLEMENTED**

RESEARCH UNIT

JUNE 2010

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1. Introduction and background

The Constitution of Republic of South Africa, 1996 [Act 108 of 1996] section 206[3] mandates the Department of Safety, Security and Liaison to monitor police conduct, to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service, to promote good relations between the police and community, to assess the effectiveness of visible policing, and to liaise with the cabinet member responsible for policing with respect to crime and policing in the province.

Pursuant to the Constitutional mandate, the Department of Safety, Security and Liaison establish research unit with the aim of coordinating and facilitating commissioned research project.

By 2001/ 2002 research project on the Impact of Racism, Ethnicity and Tribalism on Service Delivery of the South African Police Service in Limpopo Province was commissioned. A consultant by the name of Ntshole Consultin was appointed to investigate the allegations. A report was prepared and presented to the MEC for her consideration and further action. It formed part of a wide ranging investigation from the MEC's Office on allegations of Racism, Ethnicity and Tribalism around the province. Extensive consultations took place between the MEC's Office, the HOD's Office and the SAPS Provincial Office.

The SAPS Provincial Office gave assurances that the matter would be thoroughly investigated and disciplinary action would be taken against all members of SAPS implicated in Racism and Ethnicity. They also gave assurances that the recommendations as outlined in the Ntshole Report would be considered. ***[Attached find letter from provincial office].***

By April – June 2010 the research unit conducted site visits to the affected police stations to monitor the implementation of recommendations contained in Ntshole Research Report on the Impact of Racism, Ethnicity and Tribalism on Service Delivery of the South African Police Service in Limpopo Province.

In determining the implementation of recommendations, research unit relied heavily on the Ntshole Report – this became the 'benchmark' by which the affected stations were measured.

2. Objective / Aim

The aim of verification project was to determine the extent to which the recommendations of Ntshole Report on Racism, Ethnicity and Tribalism were implemented. And to establish whether the problems associated with Racism & Ethnicity are still prevalent at the affected stations.

Further details pertaining to the Verification Process include ...

- a) In terms of our brief, our mandate was to establish whether the recommendations as contained in the Ntshole Report were implemented.
- b) Secondly, to determine whether there were problems at the stations that could be linked to Racial and ethnic tensions, and
- c) Prepare a status quo report of our findings and to make recommendations that would add value to the Ntshole Report.

3. Methodology

A monitoring tool [with clear indicators] was developed and used as guideline to collect data. In terms of briefing, findings / allegations and recommendations as stated on the Ntshole Research report was outlined to establish whether the recommendations as contained in the Ntshole Reports were implemented, to determine whether there is any problems at the stations that could be linked to Racial and ethnic issues and prepare a status quo report of the findings and make recommendations.

Data was collected from all the affected police stationsⁱ, namely: *Dendron, Giyani, Haenertzburg, Levubu, Louis Trichardt, Mokopane, Maake, Messina, Northam, Pietersburg, Tzaneen and Warmbad*ⁱⁱ. The participants were Station Commanders and the 2nd most senior person that formed part of the Top Management structure, at the affected police stations. In all the stations that were visited, group interview sessions were held.

4. Limitations

It should be noted that the Ntshole Report was commissioned sometime during 2002.

It formed part of a wide ranging investigation from the MEC's Office on allegations of Racism and Ethnicity which featured prominently in newspapers around the province.

DSSL established a RTE [Racism, Ethnicity & Tribalism] Task Team in June 2003 headed by Mr. Themba Shabangu. The Team was to oversee and ensure that the recommendations of the Report were implemented. However, the 'Task Team' was disbanded in 2004.

It should also be noted that allegations contained in the Ntshole Report and the recommendations are not aligned. In addition to this, some recommendations do not speak to the allegations at all. This is a serious shortcoming in the Report.

It should also be noted that the information related to the Ntshole Commission of Enquiry is confined to the actual Final Report. No data [for example: actual transcripts of interviews; correspondence between DSSL and the consultant, etc. are available]

About eight (8) years has passed since the release of the Report. This has proved to be a challenging exercise, because:

- Many changes have already taken place at the affected stations;
- SAPS transformation processes have been ongoing since 2002;
- SAPS have their own internal monitoring mechanisms and training programme on aspects of change / diversity management [such as leadership and attitude] amongst others.
- The context during which the allegations were made – has drastically changed – management structures have also seen substantial changes [promotions, transfers, resignations and deaths];
- In determining the implementation of recommendations, we relied heavily on the Ntshole Report – this became the 'benchmark' by which the affected stations were measured.
- Calcutta is no longer part of Limpopo and was left out of the verification programme.

5. Findings

Station	Allegations (as per Ntshole Report)	Recommendations (as per Ntshole Report)	Monitoring Findings
<p>1. Messina</p>	<p>Please Note: The allegations made for this station is similar to that of Louis Trichardt & Maake— these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station Commissioner make decisions on his own ▪ Station Commissioner moved his wife from the Detective Section, where she was posted by the Area Commissioner, because he did not want her to work with blacks ▪ A white female officer has had account duties taken from her and given to a black male officer to do, then later moved from Human Resource and replaced by a black female ▪ A female civilian is sarcastically referred to by white officers as the 'beautiful one' because it is believed she got her job just based on her beauty and ethnic group ▪ Community Service Centre and cell guard duties are allocated to black officials ▪ Detective Section are allocated for white officials ▪ Special unit allocated to white officer ▪ Black officers shared office with blacks ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and member of public ▪ Car reserved for the senior white personnel ▪ White officer do not want to share the kitchen/ toilets/ office with blacks 	<p>Specific recommendations for station</p> <ul style="list-style-type: none"> ▪ Complaints against the appointment must be dealt as a matter of urgent by Provincial commissioner and Area commissioner ▪ Reshuffling of police member especially those who have been at the police station for more than five year must be done ▪ Integrations of members from the different racial and ethnic groupings at both management and staff level must be done ▪ Relocation of the head of Detective branch must be done immediately ▪ Management meeting in the police station must be held in the absent of Unions must be held at least once a month ▪ Management must take decisions collectively ▪ Management must meet at least once a month with union representatives to discuss labour related matters 	<ul style="list-style-type: none"> ▪ Station visited on April 19, 2010; ▪ Interviewed Station Commander Snr Supt Munzhedzi ▪ He was deployed to the station in January 2007 as 2nd in Command to the Station Commander Snr Supt Mathebuta; ▪ Not familiar with the allegation and recommendations as stated in Ntshole report ▪ Explained that the station does not have a problem of Racism, nor Tribalism; ▪ Has the full support of all his staff - they work as a 'collective'; ▪ Relations with Unions are good; ▪ Confirm that Station Management team has changed substantially since 2002; ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station;

Station	Allegations (as per Ntshole Report)	Recommendations [as per Ntshole Report]	Monitoring Findings
<p>2. Mokopane</p>	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt-- these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station Commissioner made decisions on his own ▪ Most black officers have been moved from offices and replaced with white civilians ▪ White officers do not want to share the kitchen/ toilets/ office with black ▪ White community do not want to be served by black officers - want to be served by a white officer ▪ Community Service Centre and cell guards duties are allocated to black officials ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officer(s) ▪ Black officers shared office with blacks ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and members of public ▪ Car reserved for the senior white personnel 	<p>Specific recommendation for station</p> <ul style="list-style-type: none"> ▪ Disband and relocate entire management, with the exception of the Head of Community Service Centre who has just left to Mokopane must be taken as matter of urgency ▪ Integrations of members from the different racial and ethnic groupings at both management and staff level must be done ▪ Relocation of at least 70% staff especially those who have been at the police station for more than five year must be done 	<ul style="list-style-type: none"> ▪ Station visited on March 24, 2010; ▪ Interviewed Station Commander Snr Supt Mogoaneng (started w.e.f. March 08) and Supt Mamaregane (Mrs. K.O. the Head of CSC) ▪ Not familiar with the allegation and recommendations as stated in Ntshole report ▪ Confirm that since 2001, no incidence of racism was reported at the station; ▪ That their has been four (4) station commissioners since 2001; ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station; ▪ Confirm that Station Management team has changed substantially since 2002; ▪ Has the full support of all his staff - they work as a 'collective'.

Station	Allegations (as per Ntshole Report)	Recommendations (as per Ntshole Report)	Monitoring Findings
<p>3. Haenertzburg</p>	<ul style="list-style-type: none"> ▪ White officer do not want to share the toilets and the office with blacks ▪ Management is divided and do not work as a unit and preference is given to white people ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and member of public 	<p>Specific recommendation for station</p> <ul style="list-style-type: none"> ▪ Ensure that the female toilets is open to all staff members 	<ul style="list-style-type: none"> ▪ Station visited on April 08, 2010 ▪ Interviewed Insp MJ Mohale – he was 2nd in command – deployed to the station in 2000; ▪ Station Commander [Capt VM Chaka (Mrs.) was not available – Station Commander was appointed in January 2009; ▪ Insp Mohale confirmed the allegations as contained in the Ntshole Report; ▪ Indicated that this was no longer the practice – many changes took place at the station; ▪ Toilets and kitchen used by everyone; ▪ There were at least 4 x station Commissioners at the station since the departure of Capt JG de Lange; ▪ Emphasized that everything is fine at the station – staff are very cooperative; good cooperation with the existing white staff;

Station	Allegations (as per Ntshole report)	Recommendations (as per Ntshole Report)	Monitoring Findings
<p>4. Dendron</p>	<p>Please Note: According to the Ntshole Report, there was no specific evidence of Racism, Ethnicity and Tribalism at this station but general allegations relating to the overall management of the station was checked.</p>	<p>No specific recommendation indicated for station. But general recommendation were monitored at the station</p>	<ul style="list-style-type: none"> ▪ Interviewed Capt Manamela on April 12 – he was 2nd in command; Station Commander is Supt MV Mashila (Ms); she was not available for the duration of our interview; ▪ Capt Manamela started at the Dendron Station in 2008; before this he was based at the Bochum Station; ▪ Not familiar with the allegation and recommendations as stated in Ntshole report. ▪ There were 4 x station commissioners at the station since 2001/02; ▪ Claimed that the station is functioning normally – cooperation of all staff at station is good; ▪ He emphasized that there are no problems at the station and that things have changed since the allegations of Racism of 2002. ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station;

Station	Allegations (as per Ntshole report)	Recommendations (as per Ntshole Report)	Monitoring Findings
5. Levubu	<p>Please Note: According to the Ntshole Report, there was no specific evidence of Racism, Ethnicity and Tribalism but general allegations relating to the overall management of the station was checked.</p>	<p>No specific recommendation indicated for station. But general recommendations were monitored as referred to for Messina, Louis Trichardt & Maake.</p>	<ul style="list-style-type: none"> ▪ Visited the station on April 28, 2010; ▪ Interviewed Capt Muthurwana (Mrs. JG); ▪ She was deployed to the station since May 2005 (as Inspt Support Services); ▪ Not familiar with the problems and recommendations as alleged in the Ntshole Report; ▪ However, claimed that there were no problems at the station; ▪ Explained that everyone was working well – had the full cooperation of all staff members; ▪ They don't have a problem at the station. ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station;

Station	Allegations (per Ntshole Report)	Recommendations (as per Ntshole Report)	Monitoring Findings
6. Louis Trichardt	<p>Please Note: The allegations made for this station is similar to that of Messina & Maake—these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station Commissioner made decisions on his own ▪ White community do not want to be served by black officers, want to be served by white officer ▪ Community service centre and cell guards duties are allocated to black officials ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officers ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and member of public ▪ Car reserved for the senior white personnel 	<p>Specific recommendations for station</p> <ul style="list-style-type: none"> ▪ Relocation of the head of logistic must be done ▪ Finalization of current racial case against the Head of the Child Protection unit must be treated as matter of agency ▪ Area and Provincial commissioner must provide support to the Station commissioner ▪ Number of white official must be increase at the station as Station save large white population 	<p>Please Note: Name change – Louis Trichardt is now known as Makhadu Station.</p> <ul style="list-style-type: none"> ▪ Station visited: May 05, 2010 ▪ Interviewed Col (Mr.) Ramovha – appointed to the station in July 2001; ▪ Appointed as Acting Station Commander in April 2009; ▪ Appointed 'full' Station Commander in Jan 2010; ▪ Has not experienced any racial problems / tensions at the station; ▪ Interacts with all managers and Head of Sections – has not detected any problems, etc. ▪ The station is culturally diverse – many whites included; ▪ Not familiar with the allegations and recommendations as stated in Ntshole report ▪ Can recall one incident involving a white lady – however, the case was withdrawn and matter closed. ▪ The most serious problem that he is experiencing is with the Courts – Racial tension is evident and this has been his biggest challenge.

Station	Allegations (as per Ntshole Report)	Recommendations (as per Ntshole Report)	Monitoring Findings
7. Maake	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt— these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station Commissioner made decisions on his own ▪ Area Office is biased against personnel from the former Lebowa administration thus limiting chances of promotion for them as Shangaans were appointed to promotion posts (tension between Shangaans and Bapedi – Shangaans viewed as spies) ▪ White officer do not want to share the kitchen/ toilets/ office with black ▪ Area Office perceived as ethnic in nature ▪ Community service centre and cell guards duties are allocated to black officials ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officer ▪ Black officer shared office with black ▪ Station commissioner is harsh, moody or scolds members in front of colleagues and member of public 	<p>Specific recommendations for stations</p> <ul style="list-style-type: none"> ▪ Integration process must be accelerated to ensure that all races and ethnic groups are represented in all levels of branches ▪ Community awareness must be done in the station ▪ The station Commissioner must consult with the management and be team player 	<ul style="list-style-type: none"> ▪ Station visited May 03, 2010 ▪ Interviewed Col SJ (Mr.) van Schalkwyk and Col LN (Mrs.) Ngobeni. ▪ Col Schalkwyk has been at the station since 2001; ▪ Col Ngobeni became Support Service Head in April 2010; ▪ Col Van Schalkwyk claimed that he is serving largely a 'black' community and that there are very few white in the area [most of the white farmers have left the area] ▪ Not familiar with the allegations and recommendations as stated in Ntshole report ▪ Both Col's indicated that there is no racial tension at the station and they receive the full support of all staff members. ▪ Confirm that Station Management team has changed substantially since 2002; ▪ Has the full support of all his staff - they work as a 'collective' ▪ Community awareness on Racism, Ethnicity and Tribalism are conducted

Station	Allegations (as per Ntshole Report)	Recommendations (as per Ntshole Report)	Monitoring Findings
8. Northam	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt- these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station commissioner make decisions on his own ▪ Management is divided and do not work as a unit ▪ The concerns of staff members are not addressed adequately ▪ White officers do not want to share the kitchen/ toilets/ office with black ▪ Community Service Centre and cell guards duties are allocated to black officials ▪ Managers discriminate against staff ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and member of public 	<p>Specific recommendation for station</p> <ul style="list-style-type: none"> ▪ The station Commissioner must improve his approach towards members and management 	<ul style="list-style-type: none"> ▪ Station was visited on May 19, 2010; ▪ Interviewed Col Schmitz – has been at the station for the past 16 years; ▪ Was appointed as Station Commander In 2005; ▪ Not aware of Ntshole Commission of Enquiry; ▪ Present at interview: Capt Sebakang [Head: Detectives] and Capt Kgoshiyadra – has been at the station since May 2001; ▪ Not familiar with the allegations and recommendations as stated in Ntshole Report; ▪ However, claimed that they are not experiencing any problems; ▪ They have a mixed staff – everyone cooperates and share responsibilities to ensure that the station is run effectively.

Station	Allegation [as per Nshole Report]	Recommendations [as per Nshole Report]	Monitoring Findings
<p>9. Pietersburg</p>	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt— these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ Station commissioner make decisions on his own ▪ Management is divided and do not work as a unit ▪ The concerns of staff members are not addressed adequately ▪ Managers discriminate against staff. ▪ White officer do not want to share the kitchen/toilets with black ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officer ▪ Black officers shared office with blacks ▪ Station Commissioner is harsh, moody or scolds members in front of colleagues and member of public 	<p>Please Note: Recommendations as per Provincial Office [no details provided]</p> <p>No specific recommendation indicated for station. But general recommendation were monitored at the station</p>	<p>Please Note: Station name has changed to POLOKWANE</p> <ul style="list-style-type: none"> ▪ Interviewed Brig NJ (Mrs.) Siviulia -- she was appointed to the station in June 2009; ▪ Previously served at Makhado Station; ▪ Confirmed that there was no tension between the various racial groups at the station; ▪ Was not familiar with the allegations and recommendations at the station during 2001/2002; ▪ Team building exercises are conducted on a regular basis -- the Provincial Office (SAPS) assist in these exercises. ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station; ▪ Confirm that Station Management team has changed substantially since 2002; ▪ Has the full support of all his staff - they work as a 'collective' ▪ Community awareness on Racism, Ethnicity and Tribalism are conducted

Station	Allegation (as per Ntshole Reports)	Recommendations (as per Ntshole Report)	Monitoring Findings
10. Tzaneen	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt— these are general perceptions and have been clustered to include several stations.</p> <ul style="list-style-type: none"> ▪ White officer do not want to share the kitchen toilets with black ▪ White community do not want to be served by black officer, want to be served by white officer ▪ Community service centre and cell guards duties are allocated to black officials ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officer ▪ Station commissioner is harsh, moody or scolds members in front of colleagues and member of public 	<p>Please Note: Recommendations as per Provincial Office [no details provided]</p> <p>No specific recommendation indicated for station. But general recommendation were monitored at the station</p>	<ul style="list-style-type: none"> ▪ Visited station on May 03, 2010 ▪ Interviewed Brig Shingange; ▪ Was appointed to the station since February 2009; ▪ Before that he was in Polokwane; ▪ There were several station Commanders at the station since 2001/2002; ▪ These Included: Gen Ngovheni; Col Sekwela; Brig Mboweni; & himself. ▪ Not familiar with the allegations and recommendations as stated in Ntshole report ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station; ▪ Said that there were VhaVenda speakers at his station; ▪ Receives good cooperation from all members of his staff; ▪ There are no racial or tribal tensions at his station. ▪ Community awareness on Racism, Ethnicity and Tribalism are conducted

Station	Allegations [as per Ntshole report]	Recommendations [as per Ntshole Report]	Monitoring Findings
11. Giyani	<p>Please Note: The allegations made for this station is similar to that of Messina & Louis Trichardt- these are general perceptions and have been clustered to include several stations.</p> <p>There was no evidence of racism, ethnicity and tribalism but general allegations was checked viz.</p> <ul style="list-style-type: none"> ▪ Station commissioner make decisions on his own ▪ White officer do not want to share the kitchen/ toilets/ office with black ▪ White community do not want to be served by black officer, want to be served by white officer ▪ Community service centre and cell guards duties are allocated to black officials ▪ Detective section are allocated for white officials ▪ Special unit allocated to white officer ▪ Black officer shared office with black ▪ Station commissioner is harsh, moody or scolds members in front of colleagues and member of public ▪ Car reserved for the senior white personnel 	<p>Please Note: Recommendations as per Provincial Office [no details provided]</p> <p>No specific recommendation indicated for station. But general recommendation were monitored at the station</p>	<ul style="list-style-type: none"> ▪ Visited the station on May 04, 2010 ▪ Interviewed Col Espach; ▪ Was appointed to station In April 2005; ▪ Currently he is 'acting' - this position is 'rotated' with Col Mulaudzi [has been at the station since 2009] ▪ Confirmed that there are no racial tensions at the station; ▪ At present the station has a 'mixed' (diverse) staff complement and everybody contributes to the effective running of the station; ▪ Receives good cooperation from all members of his staff ▪ Community awareness on Racism, Ethnicity and Tribalism are conducted ▪ Not familiar with allegations and recommendations as stated on Ntshole report

Station	Allegations (as per Ntshole report)	Recommendations (as per Ntshole Report)	Monitoring Findings
12. Warmbad	<p>Please Note: According to the Ntshole Report, there was no specific evidence of Racism, Ethnicity and Tribalism at this station but general allegations relating to the overall management of the station was checked.</p>	<p>No specific recommendation indicated for station. But general recommendation were monitored at the station</p>	<ul style="list-style-type: none"> • Station visited on the 20 May 2010. • Cluster Commander Mr. Homan CJ and Station Commissioner Ms. Kheswa were interviewed. • Cluster Commander Mr. Homan CJ was deployed to the station since 2009. • Station Commissioner Ms. Kheswa was deployed in the station since January 2010. • They explained that they are not familiar with the allegations as stated in Ntshole Report. • They further explained that cooperation in the station is good. • They are working as a team and at present the station has mixed (diverse) staff members. • They added that racism, ethnicity and tribalism do not exist in the station.

6. Analysis / Comments

Based on the findings indicated above, we can confirm that transformation processes were undertaken at the stations. In fact transformation is a continuous programme for SAPS Provincial Office.

The Station Management teams, as they were constituted in 2002, have changed. In many cases, it can be directly linked to the recommendations of the Ntshole Report.

At present, all the stations that were visited have a mixed [diverse] staff complement such as White and black. [Vhavenda, Shangaan, Bapedi] and everybody contributes to the effective running of the stations and they are working as team.

All the participants confirm that racial prejudice and ethnic differences are things of the past. Our visits to the station confirm that much has been done in all affected police stations.

It would appear, on the surface that Racism, Tribalism and Ethnic tensions have reduced and many transformative initiatives by SAPS are still happening in order to correct the racial and gender imbalances of the past.

7. Conclusion and Recommendations

In terms of the findings, it is confirmed that the Stations Management team on the affected stations has changed and SAPS have their own internal monitoring mechanisms and training programme on aspects of change / diversity management [such as leadership and attitude] etc

Therefore it is recommended that:

- If there are any other racial and ethnic issues affecting SAPS service delivery in the Limpopo follow up Research Project / Research Survey on Impact of Racism, Ethnicity and Tribalism must be conducted or commissioned.
- Monitoring process by research unit on the implementation of recommendations as per completed research project must be conducted immediately, e.g. 3 month after the completed research project report submitted to the participants.
- In conclusion we recommend that this matter be closed and if there are other racial and ethnic issues, these should be treated separately.

Calcutta Police Station was also mentioned in the Report. However, it no longer form part of Limpopo Province. When the negotiations were made, Calcutta formed part of Limpopo. At the time, these were the names used for the police stations. Many names has changed, e.g. Warmbaths is now known as Bela; Messina – Musina; Pietersburg – Polokwane; etc.