



Western Cape
Government

FOR YOU

Minister of Police Oversight and
Community Safety

NCOP: Resourcing of Police in the Western Cape

Mr Reagen Allen

1 November 2022

SAPS powers to determine police resources

- Section 199(1) of the Constitution determines that there should be a single police force, as part of the security services of the Republic, and that it must be structured and regulated by national legislation (S 199(4)).
- Section 205(1) states that the 'national police force' must be structured to function in the national, provincial, and where appropriate, local spheres of government.
- National legislation must establish the powers and functions of the police. The objects of the police are to prevent, combat and investigate crime, to maintain public order and secure the inhabitants of the Republic, their property and uphold and enforce the law (S 205(3)).
- The resourcing of the police lies with the National Commissioner and the Provincial Commissioner in terms of S 11 and 12 of the SAPS Act.
- The National Commissioner must determine the fixed establishment and the number and grading of posts, as the numerical strength of the police; and must organize the Service at the national level into components, units or groups.
- At the Provincial Level, the Provincial Commissioner determines organisation of the Service and establishes and maintains police stations and units. S 12(3) states that a 'Provincial Commissioner shall determine the distribution of the strength of the Service under his or her jurisdiction in the province.
- The Provincial Executive does not have any powers of resource allocation in the province.

Western Cape litigation on police resource allocation

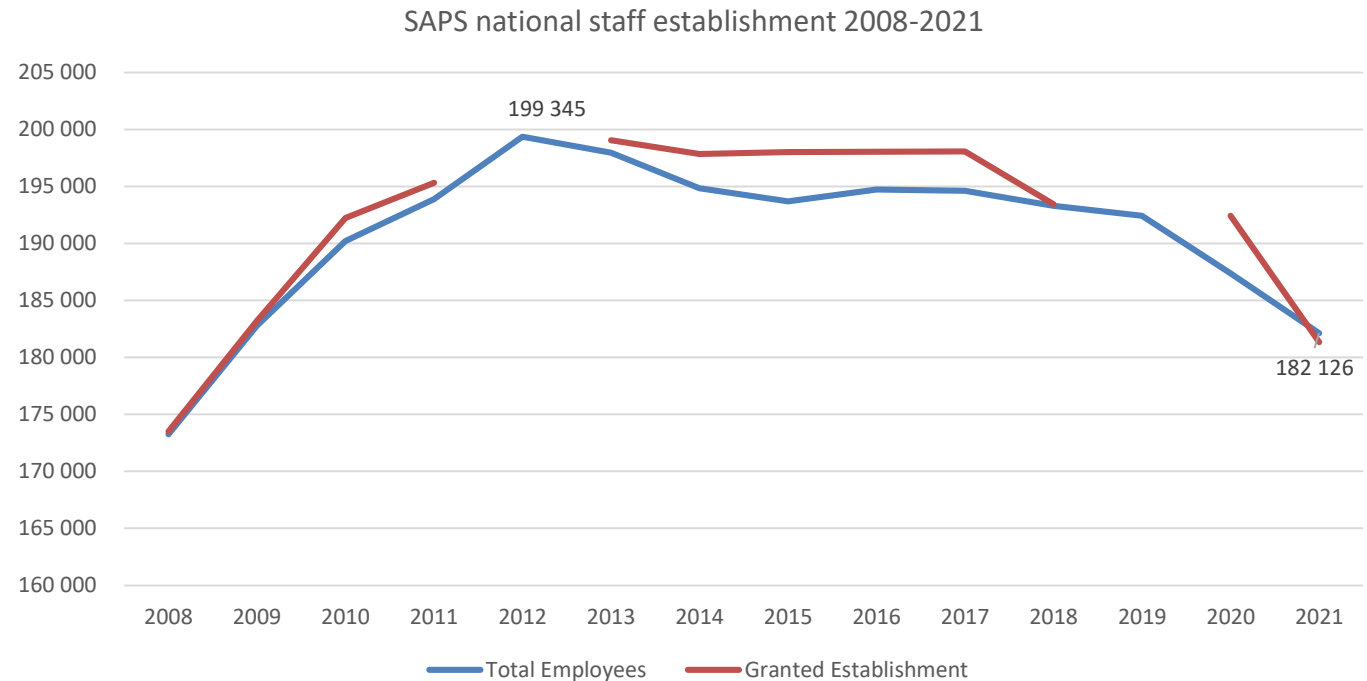
- Police resources are allocated using the Theoretical Human Resource Requirement (THRR), a formula used to determine the strength of components at a national and provincial level.
- In 2014 the Khayelitsha Commission of Inquiry – established by the Premier of the WC – noted inconsistencies in the application of the THRR, and coupled with budgetary constraints, found that the poorest areas which experienced the highest levels of crime, often were most poorly resourced.
- In *Social Justice Coalition and others v Minister of Police and Others* (2018), the Equality Court found that both the allocation of police human resources as well as the system used by SAPS (governed by the THRR policy) in order to determine this allocation unfairly discriminates against black and poor people on the basis of race and poverty in the Western Cape.
- The Minister of Police Oversight and Community Safety is the 4th respondent in this case.
- Following the judgement on the merits, the court ordered the parties to determine a way forward with regards to the remedy.
- After failing to set down the case for hearing, the Applicants approached the Constitutional court. The CC dismissed their application and referred the matter back to the Equality Court, where it is now.
- The court has not yet heard the second phase of the matter to determine a more fair and equitable system. Pleadings are currently before court setting out arguments for both parties.

Context: Police resource distribution

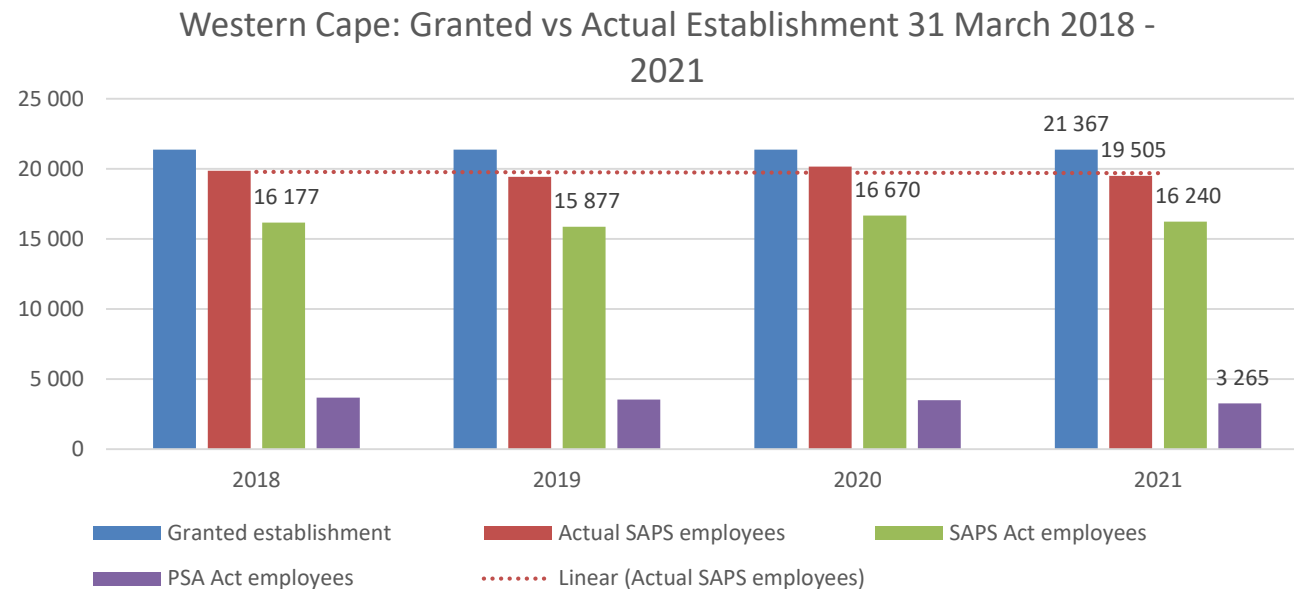
Shortage of human and physical resources in the Western Cape SAPS: The shortage of police resources consistently emerged as one of the policing needs and priorities raised in the Western Cape since 2014.

SAPS human resource allocation

- THRR is still in place, despite Equality Court ruling in 2018 that HR allocation in the Western Cape discriminated on the basis of race and poverty.
- Nationally, establishment decreased to 182 126 (2020/2021).
- SAPS national police to population ratio of 1:413 - decreasing

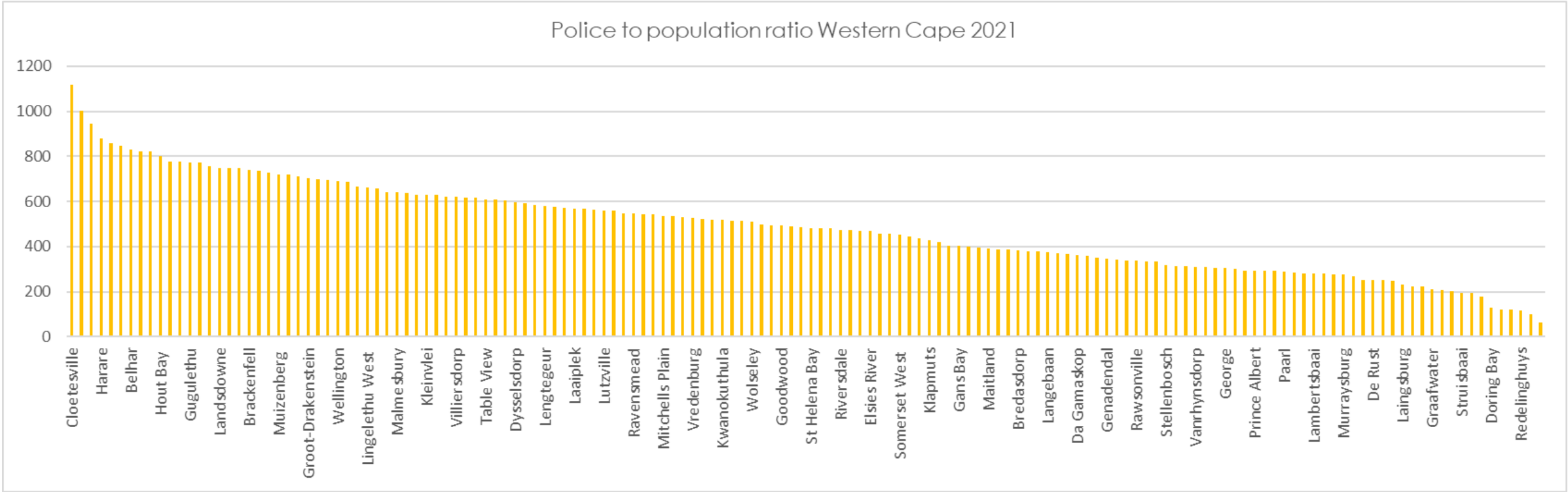


Western Cape police resources



- The granted establishment in the province has remained stable at 21 367.
- The number of actual SAPS officials decreased to 19 505 in 2020/21.
- SAPS Act members decreased to 16 240 in 2021.
- PSA members decreased to 3 265.
- SAPS trained and appointed 1 166 new members in 2019/20.
- Appointed 726 new members in 2020/21.
- Provincial Commissioner has indicated 1 118 SAPS members to be appointed in WC in 2022/23

Police to population ratio



The police to population ratio ranges from 1:1118 in Cloetesville to 1:100 at Cape Town Central. Some of the stations with the highest number of murders have the highest ratios.

SAPS to population ratio

Name of Station	2018	2019	2020	2021
Harare	811	884	801	879
Samora Machel			722	778
Gugulethu	683	710	700	773
Kraaifontein	689	707	688	721
Delft	756	778	703	711
Khayelitsha	580	596	560	628
Philippi	530	579	539	594
Mfuleni	583	540	534	583
Nyanga	721	761	525	559
Mitchells Plain	523	494	488	535
Bishop Lavis	513	543	500	535
Atlantis	493	507	461	515
Philippi East	396	423	361	398
Cape Town Central	86	91	89	100
City of Cape Town	517	533	526	549
Western Cape Province	345	365	350	378
South Africa	375	383	400	413

- The SAPS to population ratio of the country is 1:413. This has got worse in the 4 years. However, the ratio for the WC is 1: 378, which has also decreased.
- The WC ratio excludes the specialised units.
- The 13 priority stations have a higher ratio than for the province, and the majority have a higher ratio than the City overall.
- The top 5 murder precincts record some of the highest police to population ratios: Khayelitsha, 628; Delft, 711, Nyanga, 559; Kraaifontein, 721; and Harare, 879.
- These ratios highlight the necessity of revising the THRR to ensure that stations with the highest levels of series crimes are adequately resourced.
- DoCS oversight visits to Athlone, Atlantis, Gugulethu and Harare police stations between October and December 2019 to assess vacancy rates, found that all four visited stations had a concerning vacancy rate at VisPol. Athlone and Atlantis had a vacancy rate of 18% and 11% respectively.

Top 10 Western Cape police stations with the highest counts of murder, 2018/19 - 2020/21

POLICE STATION	2018/19	% CONTRI-BUTION	2019/20	% CONTRI-BUTION	DIFF 2018/19-2019/20	% DIFF 2018/19-2019/20	2020/21	% CONTRI-BUTION	DIFF 2019/20-2020/21	% DIFF 2019/20-2020/21
Khayelitsha	221	12.70%	251	14.80%	30	13.60%	265	14.76%	14	5.58%
Delft	247	14.10%	265	15.60%	18	7.30%	224	12.48%	-41	-15.47%
Nyanga	289	16.60%	185	10.90%	-104	-36.00%	203	11.31%	18	9.73%
Kraaifontein	151	8.60%	137	8.10%	-14	-9.30%	196	10.92%	59	43.07%
Harare	166	9.50%	162	9.50%	-4	-2.40%	189	10.53%	27	16.67%
Philippi East	185	10.60%	156	9.20%	-29	-15.70%	183	10.19%	27	17.31%
Mfuleni	154	8.80%	165	9.70%	11	7.10%	172	9.58%	7	4.24%
Gugulethu	155	8.90%	157	9.20%	2	1.30%	145	8.08%	-12	-7.64%
Samora Machel	30	1.70%	106	6.20%	76	253.30%	115	6.41%	9	8.49%
Mitchells Plain	148	8.50%	115	6.80%	-33	-22.30%	103	5.74%	-12	-10.43%
2020/21 Top 10 precincts total	1 746	43.94%	1,699	42.74%	-47	-2.70%	1,795	46.65%	96	5.65%
Provincial Murder Total	3,974		3,975		1	0.03%	3,848		-127	-3.19%
The top 10 police station murder proportion to the province	43.90%	In 2018/19, the top 10 precincts accounted for 43.9% murders.	42.70%	In 2019/20, the top 10 police precincts accounted for 42.7% of the total provincial murders			In 2020/21, the top 10 police precincts accounted for 46.6% of the provincial murders			

Provincial initiatives to increase police resourcing

The province is taking the following initiatives to increase the resources allocated to the Province

- WCG transfer payment for the establishment and maintenance of the Law Enforcement Advancement Programme (LEAP) in 2020
- Transfer payments to local municipalities for the establishment & maintenance of K9 units
- Continued oversight over police stations and the allocation of policing resources.
- Policing needs and priorities engagements & reports recommendations
- Continued engagement with the Provincial Commissioner to recruit and realign SAPS resources where they are most needed.
- Monitoring and evaluation of LEAP and K9 units
- Advocacy for the devolution of policing powers to the province

Law Enforcement Advancement Project (LEAP)

WCG in partnership with City of Cape Town recruits, trains & deploys additional law enforcement capacity in key murder hotspots

Total LEAP Members (1 261)

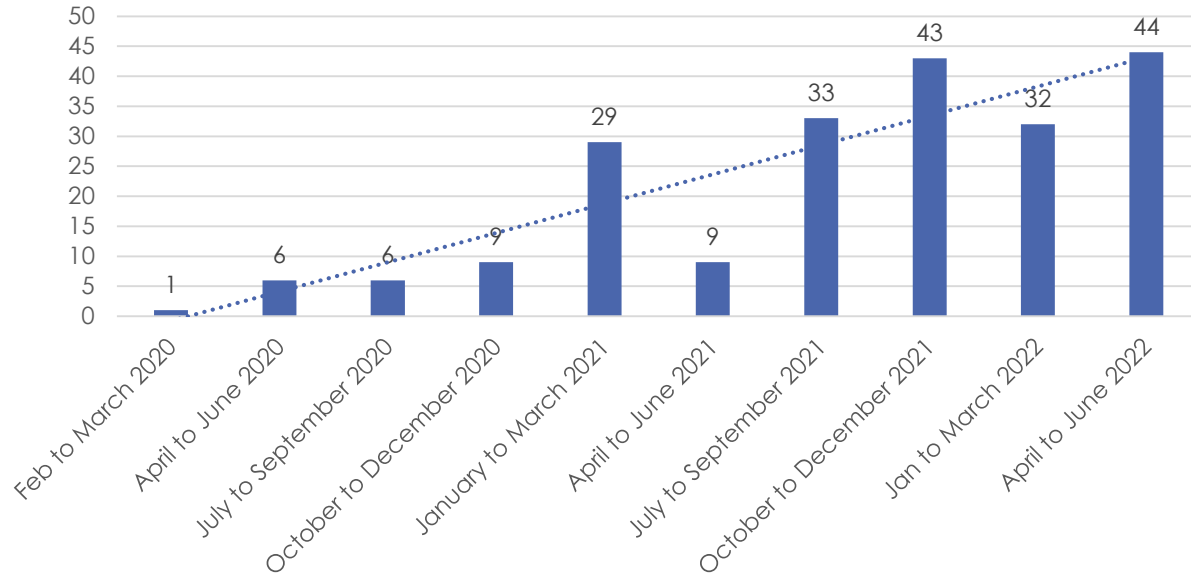
- 977 law enforcement officers (hotspot areas)
- 107 Inspectors (Operational Supervision)
- 63 deployed at the armouries / operational support
- 57 law enforcement officers in Reaction Teams
- 57 law enforcement officers in training

Where are they deployed?

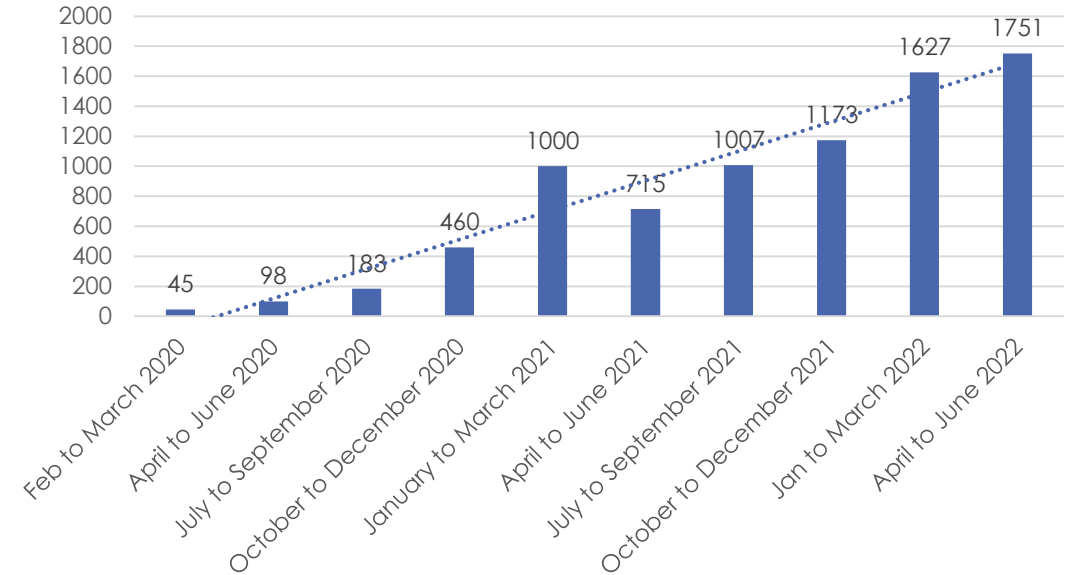
- **Permanent deployment in 15 high-crime policing precincts –**
 - **10 top murder police precincts –** Delft, Gugulethu, Harare, Khayelitsha, Kraaifontein, Mfuleni, Mitchells Plain, Nyanga, Philippi East, and Samora Machel
 - **Other high-crime areas –** Atlantis, Bishop Lavis and Philippi (*Hanover Park*)
- **Reaction unit** has been **randomly deployed** to **stabilise violence flare-ups –** Elsiesrivier, Grassy Park (Ottery), Manenberg and Steenberg.

LEAP key visible policing actions (end of June 2022)

Number of Firearms



Total Arrest made by LEAP



Pre- 01 July 2021
(Feb 2020 – Jun 2021)

Post- 01 July 2021
(Jul 2021 – Jun 2022)



Average No. of Firearms recovered per month
3.5

+359%

Firearm Recovery Rate

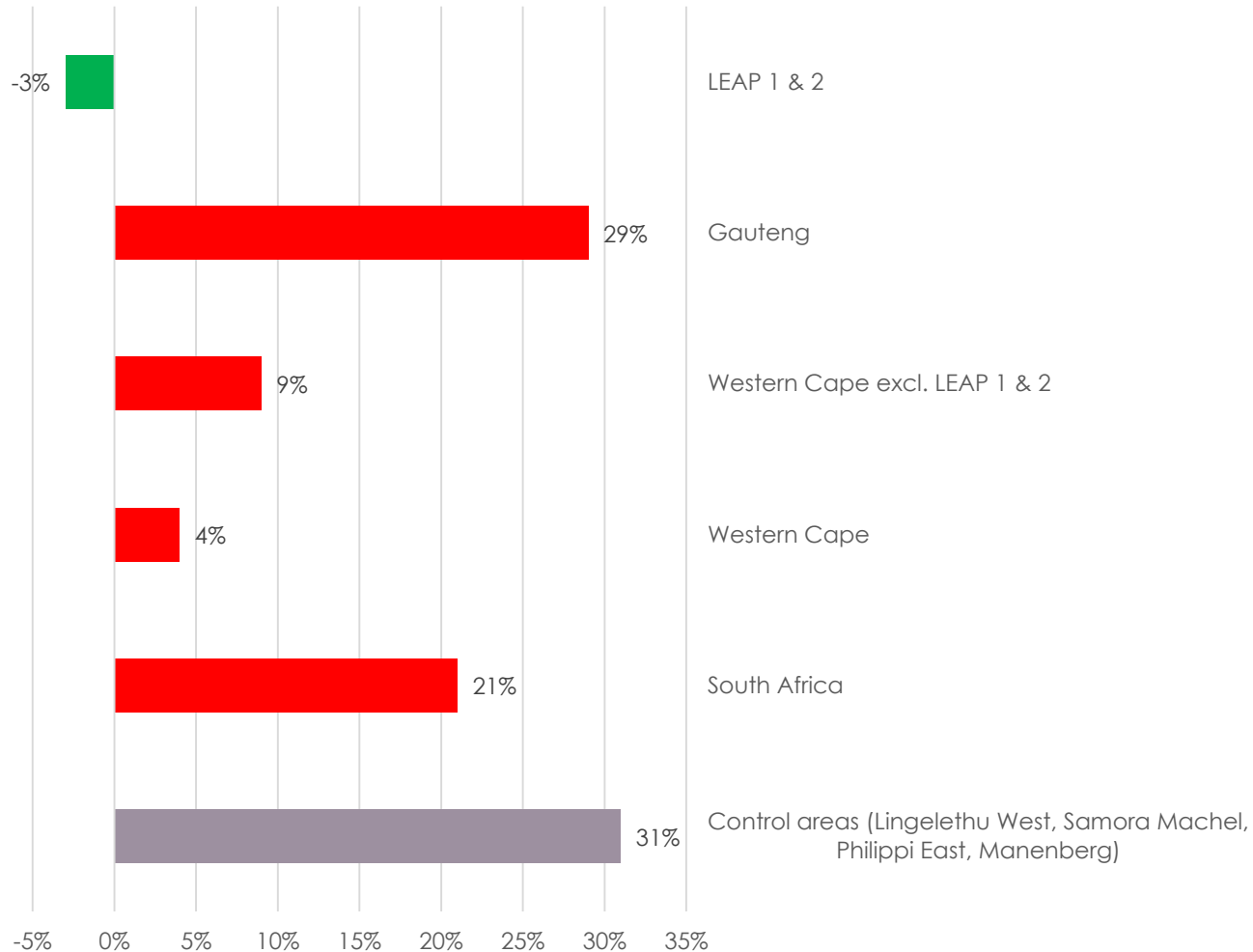


Average No. of Firearms recovered per month
12.7



Total firearms recovered since inception = 212

Murder for Jan-June 2019 with Jan-June 2022 in LEAP areas



The 2021 data is excluded due to the lockdown effect.

Areas, where **LEAP was deployed**, showed an overall **3% reduction in murder** in the period Jan to Jun 2022, when compared with 2019.

During the same period, murder **increased by 21% in the country** and **4% in the Western Cape**.

This clearly indicates that LEAP contributes to reducing murder in the province.

Violent crimes might have been **displaced** to other areas

Support for K 9 Units in local municipalities



City of Cape Town

Supporting since
2001
R1,5 million



Overstrand K9 unit (Overberg District)

**7 officers and 5
dogs**, had an
expenditure of R
2,42 million



• Swartland unit, based in Malmesbury (West Coast District)

- Established in
October 2020
- **9 officers and 9
dogs** and cost R
4,58 million



Mossel Bay (Garden Route District)

Starting in late 2022
R3 million start up
costs

Advocacy for the Devolution of policing powers to the province

- S 206(1) of the Constitution requires the Minister of Police to determine national policing policy after consulting the provincial governments and taking into account the policing needs and priorities of the province.
- S 206(2) states that national policing policy may make provision for different policies in respect of different provinces.
- No clear indication that the annual PNPs of the Western Cape have been taken into account.
- Policy formulation needs to take into account the different challenges of each province.
- Western Cape Government believes the SAPS Act should be amended to assign specific powers to provincial executives.
- There should also be Constitutional Amendments to allow for policing powers to be delegated to the province.
- The Premier of the Western Cape has written to the Minister of Police to amend the legislation, and to expressly acknowledge the roles of provincial and local government in the policy development process.

Thank you

MEC Reagen Allen