

## **DOMESTIC VIOLENCE ACT (DVA) MONITORING REPORT**

**Report on the status of DVA implementation and compliance by the SAPS from  
April 2024 to September 2024.**



**civilian secretariat  
for police service**

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Department:  
Civilian Secretariat for Police Service  
**REPUBLIC OF SOUTH AFRICA**

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## TABLE OF ACRONYMS

ACRONYM	DESCRIPTION
CSC	Community Service Centre
CSPS	Civilian Secretariat for Police Service
DV	Domestic Violence
DVA	Domestic Violence Act 116 /1998
FORM 1 (DOJ&CS)	Form used to explain remedies available to a complainant reporting a domestic violence incident
EHWP	Employee Health and Wellness Programme
FCA	Firearms Control Act, No 60 of 2000
FPO	Final Protection Order
GBV	Gender Based Violence
IPO	Interim Protection Order
NATIONAL INSTRUCTIONS	DVA National Instruction No 7 of 1999
NGO	Non-governmental organisations
PO	Protection Order
PS	Provincial Secretariats
SAPS	South African Police Service
SAPS 508	A form used to register DVA non-compliance complaints against members
SAPS 508 (a)	Form used for recording DVA incidents
SAPS 508 (b)	DVA register
SAPS Form 1	Form used for recording members that are offenders of DVA
VFR	Victim Friendly Room
VISPOL	Visible Policing
DISCIPLINARY CODES	
DS1	Remedial steps after initial interview (not serious)
DS2	Verbal warning after initial interview (not serious)
DS3	Written warning (not serious)
DS4A	Departmental investigation (serious): still under investigation
DS4B	Departmental investigation (serious): guilty (state sentence)
DS4C	Departmental investigation (serious): not guilty
PROVINCES	
EC	Eastern Cape
FS	Free State

<b>GP</b>	Gauteng
<b>KZN</b>	KwaZulu-Natal
<b>LP</b>	Limpopo
<b>MP</b>	Mpumalanga
<b>NC</b>	Northern Cape
<b>NW</b>	North West
<b>WC</b>	Western Cape

## 1. INTRODUCTION

Domestic violence in South Africa is a significant and prevalent challenge, impacting individuals across various cultures and communities. The country reportedly has one of the highest rates of gender-based violence (GBV) globally, and domestic violence is a large factor of this broader problem.

According to the crime statistics released by the South African Police Service (SAPS) for the first quarter of 2024/25 financial year, the number of women and children who have been reported murdered and those that suffered assault with intent to cause Grievous Bodily Harm (GBH) had increased as compared to the previous financial years. The number of murders reported in quarter 1 of 2023/24 was 1188 and 1280 for the same period in 2024/25, for assault GBH the number of cases reported was 14304 in quarter 1 of 2023/24 and 15353 for the same period during the current financial year.

The country has made noteworthy efforts by putting in place legislation and policies to protect the rights of all South African citizens against all forms of domestic violence. One of the pieces of legislation that have been put in place is the Domestic Violence Amendment Act (DVA) 116 of 1998 as amended by Domestic Violence Amendment Act 14 of 2021. A victim of domestic violence as defined in the DVA does not only refer to women or married people who are or have been in domestic relations but it is comprehensive to include any person who is in a domestic relationship with another through marriage, a romantic or intimate relationship, sharing a place of residence, family ties, and parental responsibility irrespective of gender and age.

The DVA places several obligations on government as a whole and specifically the SAPS regarding its implementation and specific services that should be rendered to victims of domestic violence. These obligations have consequences should the SAPS members fail to implement them properly. Section 18(4)(a) of the DVA makes it a misconduct, as contemplated in the SAPS Act, for a SAPS member who fails to comply with the obligations placed by the DVA or the National Instruction on Domestic Violence. According to this Section, all cases of identified non-compliance by SAPS members should be reported to the Civilian Secretariat for Police Service (CSPS).

The CSPS is mandated by the Civilian Secretariat for Police Service Act, 2011 (Act No. 2 of 2011) to monitor and evaluate the SAPS' compliance with the DVA and make

recommendations to the police service on disciplinary procedures and measures with regard to non-compliance. Furthermore, in line with Section 18(5)(c) of the DVA, the CSPS is obligated to submit reports to Parliament on SAPS non-compliance with the DVA every six months. In putting this mandate to effect, the CSPS in collaboration with the Provincial Secretariats (PS) conduct police station monitoring visits in order to assess compliance to and implementation of the DVA by the SAPS at police station level. The focus of the monitoring visits is on regulatory compliance to the DVA by police stations.

Between April and September 2024, the CSPS, in collaboration with Provincial Secretariats (PS), conducted 243 oversight visits to police stations. These visits focused on stations identified as having insignificant compliance levels (49% or below) according to the police station census findings. Based on these assessments, the CSPS assisted the SAPS in the development of improvement plans for 230 police stations to address non-compliance issues. The improvement plans serve as a framework to monitor the implementation of recommendations and track performance improvements over time. Additionally, information on non-compliance management was received from SAPS and evaluated as part of the oversight process.

## **2. OBJECTIVE**

The objective of the report is to provide information on the status and management of non-compliance by the SAPS management. The report details findings of oversight visits conducted by the CSPS and PS to monitor implementation of the DVA. The report also presents an analysis of data on the implementation of DVA as per the SAPS records.

## **3. SCOPE**

This report focuses on monitoring of implementation of the DVA between April and September 2024 by the CSPS and PS. The report also covers information collected by the SAPS during the same period. The 2023/24 Police Station Census findings outlined that no police station in the country was found to be at 100% compliant to the DVA and NI. To improve the level of compliance, the CSPS and PS assisted the SAPS in drafting improvement plans for 230 police stations during quarter 1 of the reporting period and at 243 stations during quarter 2. Furthermore, the oversight visits

undertaken at 243 stations in quarter 2 included collection of data using the Domestic Violence Act monitoring tool.

The findings in this report are limited to 243 police stations visited during the reporting period. A break-down of number of the police stations visited per province is shown in figure 1 below. The figure shows that KwaZulu-Natal (KZN) has the highest number of police stations visited with (72), followed by Gauteng (GP) with 42 and Free State (FS) with 35 police stations. The two provinces which visited the least police stations are Mpumalanga (MP) with 5 and Northern Cape (NC) with 9.

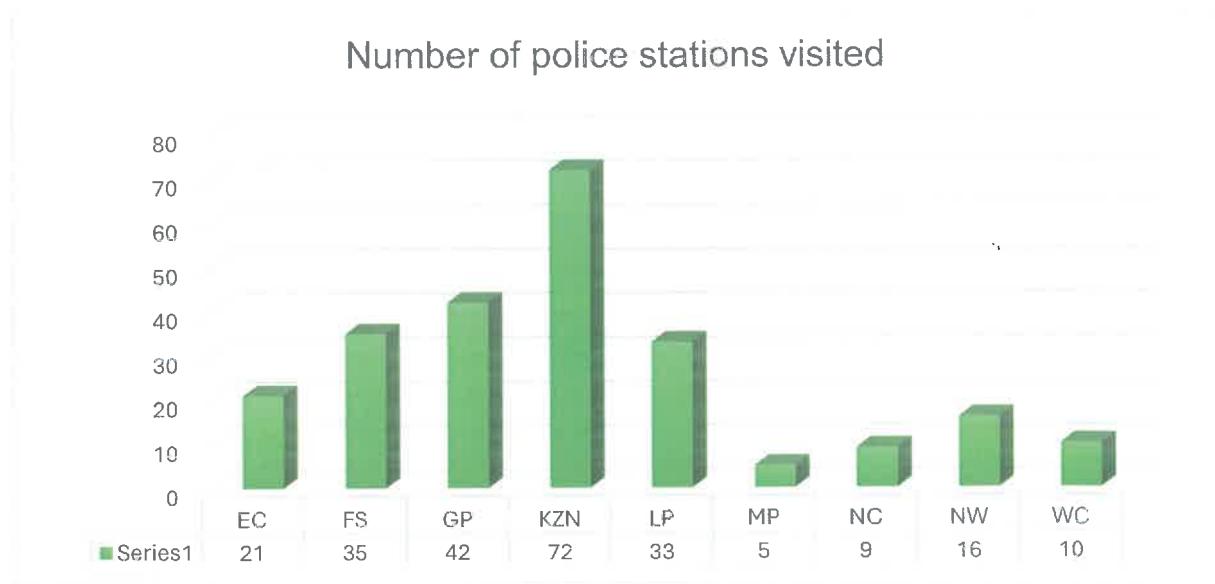


Figure 1: Number of police stations visited

#### 4. PREVALENCE OF DOMESTIC VIOLENCE (DV)

Figure 2 below shows the total number of domestic violence incidents and cases reported for the period under review. Upon reporting an incident of domestic violence, victims are notified of the remedies or rights available to them, one of those is the right to open a criminal case against the alleged perpetrator. There were 17374 incidents of domestic violence reported and out of the total number of incidents reported, 9 750 criminal cases were opened between April and September 2024 at the 243 visited police stations.

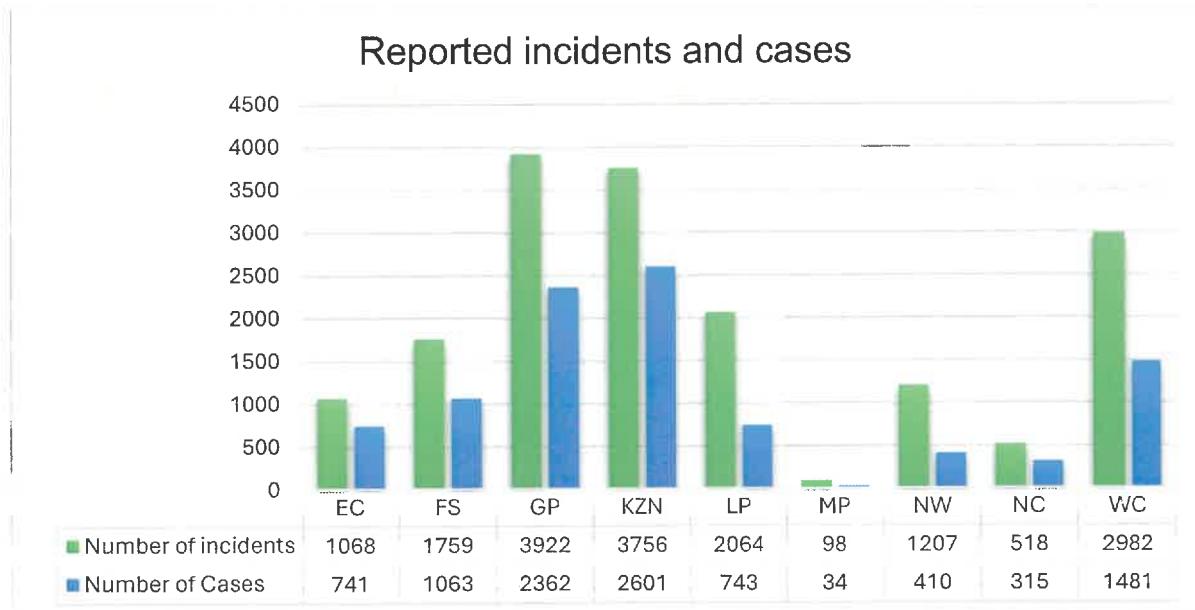


Figure 2: Number of reported cases

The figure 2 above reflects the number of incidents and cases reported per province at the 243 visited stations. KZN recorded the highest number of cases reported with 2601, however this high number recorded could be attributed to the fact that, more police stations were visited as compared to other provinces. It is followed by GP with 2362 and WC with 1481. MP and NC were the provinces that had the least number of cases reported with 34 and 315 cases respectively. There is a concern with cases that are withdrawn at court by complaints as well as cases which are closed as undetected shown in the figure 3 below.

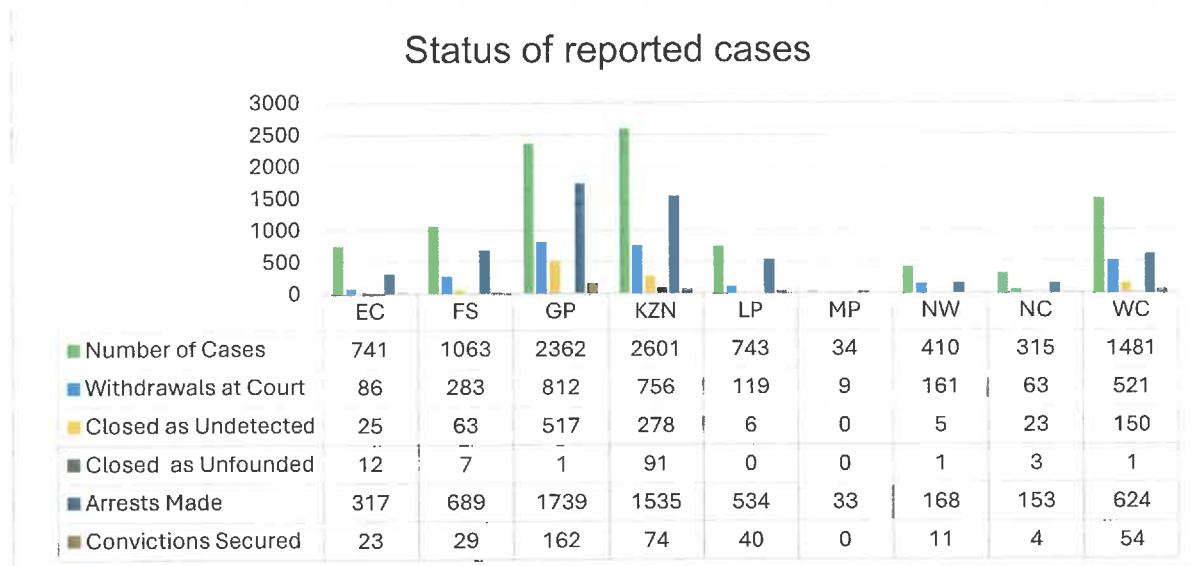


Figure 3: Status of cases reported

Figure 3 above shows the status of cases reported for the period under review. From the 9750 cases reported, 2810 cases were withdrawn at court by the complainant due to lack of interest to proceed with the case claiming that they have forgiven the perpetrator. Some cases are withdrawn due to insufficient evidence and some are withdrawn due to delays in obtaining medical report from the hospital. Alternative Dispute Resolution (ADR), mediation and victims' financial dependency on perpetrators are some of the reasons cases were withdrawn at court. This is a challenge as SAPS put together resources and efforts to address the scourge of domestic violence and to allow justice to be served to victims of crime. However, such efforts seemed to be overlooked through the actions taken by victims through withdrawal of cases.

Additionally, there were 1067 cases that were closed as undetected. These are cases where suspects were not traceable due to relocation to unknown address or them residing in informal settlement. Due to lack of cooperation and disappearance of the complainant, some dockets were closed. In essence, it is not possible for any case of domestic violence to be closed as undetected due to the nature of the crime that happens between people who know each other. To that end, the CSPS has previously brought this anomaly to the attention of SAPS which is in the process of identify a more relevant term for describing these cases.

## **5. NON-COMPLIANCE BY SAPS MEMBERS**

According to section 23 (b) of the DVA, failure by a member of the SAPS Service to comply with an obligation imposed in terms of this Act or the national instructions constitutes misconduct as contemplated in the SAPS Act, 1995, and the CSPS must be informed immediately of any such failure reported to the SAPS.

Unless an exemption has been granted by the CSPS, the Station Commander is expected to institute disciplinary action against such a member. The first form of non-compliance is when SAPS members fail to comply with the DVA by not fulfilling the administrative obligations (administrative non-compliance) as outlined in the National Instructions and in the DVA. The second form of non-compliance is failure by a SAPS member to provide the required service as prescribed by both the DVA and the National Instructions (operational non-compliance). This type of non-compliance is

identified when members of the public complain about the unsatisfactory service they received from the police station, the non-compliance is also identified by the CSPS during oversight visits.

### 5.1. Non-compliance reported based on SAPS records

As required by section 18(5)(d) of the DVA, the SAPS has the responsibility to submit a consolidated report of non-compliance cases reported to the CSPS for submission to parliament. Table 1 below provides a summary of reported non-compliance against SAPS members according to information received from SAPS Vispol National office.

Table 1: summary of non-compliance based on SAPS records

Categories	EC	FS	GP	KZN	LP	MP	NC	NW	WC	Types of non-compliance	Total
Failure to complete SAPS 508(a) and 508(b)	0	19	0	9	2	0	0	5	6	Administrative	41
Failure to record DV incidents in the Occurrence Book or Pocket Book	0	1	0	0	0	0	0	0	0	Administrative	1
Failure to file/register Protection Order	0	0	0	1	0	0	0	0	0	Administrative	1
Failure to assist a complainant to open a case	0	1	0	0	0	0	0	0	0	Operational	1
Failure to serve a Protection Order within prescribed time	0	0	0	0	0	0	0	0	11	Operational	11
Failure to render a satisfactory service to the victim	0	3	0	0	0	0	0	0	0	Operational	3
Failure to report a DV incident where a member is involved	0	2	0	0	0	0	0	0	0	Operational	2

Total number of complaints received	0	26	0	10	2	0	0	5	17	-	60
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As reflected in the table above, there are members who still fail to comply with the obligations as outlined in the DVA and National Instruction. The high number of non-compliance is clear evidence that there are still gaps in the implementation of DVA at police stations. Of concern is the emerging growing number of operational non-compliances reported. For the period under review, a total number of 60 incidents of non-compliance were reported from 5 provinces namely FS, KZN, LP, NW AND WC. The other four provinces reported zero (0) non-compliances. The highest number of non-compliance was reported in FS with 26 cases, followed by WC with 17 cases and KZN with 10 cases.

Administrative non-compliance continues to be a concern, as it is the most type of non-compliance reported with 43 non-compliance incidents reported. For the reporting period, the administrative non-compliance incidents include 41 cases of failure to complete SAPS 508(a) form and 508(b) register, this is a major concern as these are the main documents at police station level for implementation of DVA. Administrative non-compliance, such as failing to complete required registers, goes beyond a simple lapse in paperwork. These registers are essential for ensuring accountability, transparency, and proper case management. When they are not completed, critical information about victims, incidents, and follow-up actions may be lost or overlooked. This can lead to delays in justice, failure to provide timely support to victims, and ineffective implementation of the Act. Failure to record DV incidents in the Occurrence Book or Pocket Book and failure to file or register protection order involved one (1) case each. Failure to fully comply with the DVA and NI administrative obligations such as completing the relevant registers and forms when an incident is reported raises a lot of question on the efficiency and effective service rendered to complainants. Recording and filling of protection orders, recording of reported incidents in the OB and the pocketbook is important as they assist with safekeeping of the information that can be used in resolving complaints and in the court of law should a need arise.

For the reporting period, SAPS recorded 17 incidents of operational non-compliance, where 11 were for failure to serve a Protection Order within the prescribed time, three

(3) were for failure to render a satisfactory service to the victim, two (2) were for failure to report a DV incident where a member is involved and one (1) for failure to assist a complainant to open a case. Poor response to victims may affect the trust between the police and the members of the community.

Paragraph 17(1) of the National Instruction indicates that disciplinary proceedings must be instituted in line with SAPS Discipline Regulations for any obligation as outlined in terms of the DVA or National Instructions. It should be noted that, it is the responsibility of the commander of a member to institute disciplinary proceedings against such member who failed to comply with an obligation imposed in terms of the Act or the National Instruction. Where the commander is of the opinion that disciplinary proceedings should not be instituted against such member after investigation, the commander must apply to the Civilian Secretariat for Police Service for exemption.

Table 2: Departmental steps taken and outcomes

Categories	EC	FS	GP	KZN	LP	MP	NC	NW	WC	Total
DS1: Remedial Steps (after initial interview – Not serious)	0	10	0	2	0	0	0	0	4	16
DS2: Verbal warning (after initial interview)- Not serious	0	2	0	2	0	0	0	3	3	10
DS3 Written warning (Not serious)	0	8	0	0	2	0	0	0	0	10
DS3A Final Written warning	0	1	0	0	0	0	0	0	0	1
DS4A: Departmental Investigation (Serious) Under investigation	0	3	0	6	0	0	0	2	9	20
DS4B: Departmental Investigation (Serious): Guilty State Sentence	0	0	0	0	0	0	0	0	1	1
DS4C Departmental Investigation (Serious): Not Guilty	0	2	0	0	0	0	0	0	0	2
Application for exemption	0	0	0	0	0	0	0	0	0	0
Exemption granted	0	0	0	0	0	0	0	0	0	0
<b>Total number of complaints received</b>	<b>0</b>	<b>26</b>	<b>0</b>	<b>10</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>17</b>	<b>60</b>

Table 2 above presents the departmental steps taken by station commanders to address the non-compliance reported. SAPS initiated disciplinary proceedings for all members with departmental steps taken. There were 20 members subjected to DS4A,

two (2) members who were subjected to DS4C and one (1) member was subjected to DS4B, which are serious misconduct that requires departmental investigation. The outcome of the DS4A is pending as they are still under investigation, for DS4C it was a not guilty judgment and for DS4B it was guilty with state sentence. One (1) member was subjected to DS3A and issued with a final written warning. The remaining 36 incidents were considered non-serious and steps taken range from remedial steps DS1 with 16 members, verbal warning DS2 and DS3 written warning with 10 members each.

It is commendable that for all the non-compliance reported, the SAPS managed to initiate disciplinary actions against all of them. This is an indication that SAPS makes efforts and continue to properly manage to initiate disciplinary proceedings on members who failed to comply with the DVA and the NI. The increasing rate of serious misconduct is deeply concerning, as it undermines public trust in law enforcement and raises questions about accountability and the effectiveness of internal oversight mechanisms. Addressing this trend requires urgent reforms, stricter enforcement of ethical standards, and transparent disciplinary processes to restore confidence in the police service.

## **5.2. Non-compliance reported based on police station visits**

### **5.2.1. Regulatory compliance levels**

Regulatory compliance refers to the adherence to laws, regulations, guidelines, and specifications relevant to an organization or industry. Companies, government agencies, and other organizations must follow these rules to ensure ethical behaviour, protect public interest, avoid legal consequences, and maintain credibility and trust.<sup>1</sup> Regulatory compliance is connected to operational integrity and public trust across industries, serving as a framework to ensure organizations operate responsibly and lawfully.

Regulatory compliance assesses the police station's level of compliance as outlined in the National Instruction (7/1999) Amended by Consolidation Notice 06 of 2023. The compliance levels are informed by the following:

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<sup>1</sup> Source: Gunningham, N. (2011). *Compliance and enforcement in environmental regulation*. Regulatory Policy Program Working Paper RPP-2011-21, Harvard Kennedy School.

- a) Availability of documents in the Community Service Centre (CSC) and in the patrolling vehicles used to attend to complaints as per Section 6(5-6) of the National Instruction
- b) Completion of relevant incident forms and registers
- c) Record keeping, maintenance of registers and proper filing of relevant documents (forms, protection orders and warrant of arrest)
- d) Submission of relevant monthly returns; and

The regulatory compliance levels are distributed in four (4) levels as follows:

- a) Level 1: Full compliance which is equivalent to 100%
- b) Level 2: Significant compliance which is equivalent to 70-99%
- c) Level 3: Partial compliance which is equivalent to 50-69% and
- d) Level 4: Insignificant compliance which is equivalent to 49% and below.

Table 3: Breakdown of compliance levels

Province	Number of stations visited	Full compliance	Significant Compliance	Partial Compliance	Insignificant Compliance
EC	21	0	21	0	0
FS	35	0	23	12	0
GP	42	0	34	8	0
KZN	72	0	54	17	1
LP	33	0	14	16	3
MP	5	0	0	3	2
NC	9	0	5	3	1
NW	16	0	6	8	2
WC	10	0	5	5	0
<b>Grand Total</b>	<b>243</b>	<b>0</b>	<b>162</b>	<b>72</b>	<b>9</b>

The table 3 above shows a picture of provincial status with regards to compliance to DVA and NI. As shown above, of the 243 police stations visited, none was found to be fully compliant (100%). However, it should be noted for the period under review that, the majority of the police stations (162) achieved significant compliance, followed by (72) police stations which achieved partial compliance and lastly (9) police stations achieved insignificant compliance. This is an indication that more needs to be done to assist police stations to fully comply to all relevant prescripts.

## 6. RECORD KEEPING

### 6.1 Availability of relevant registers and forms

According to National Instruction (NI) 7/1999 paragraph 6 (5 (a-e)) and (6(a-c)), the station commander must ensure that relevant registers and forms are always at the CSC and the patrolling vehicles at all times, the availability of the relevant forms and registers at the CSC and patrolling vehicles gives surety that victims are assisted accordingly, and that their incidents are correctly captured and recorded. Considering the recent amendment of the DVA, Regulations and National Instruction, it is important to ensure that updated documents are utilised for efficient service to the victims of domestic violence. The figure 4 below describes the findings at 243 visited police stations in relation to availability of registers at the CSC.

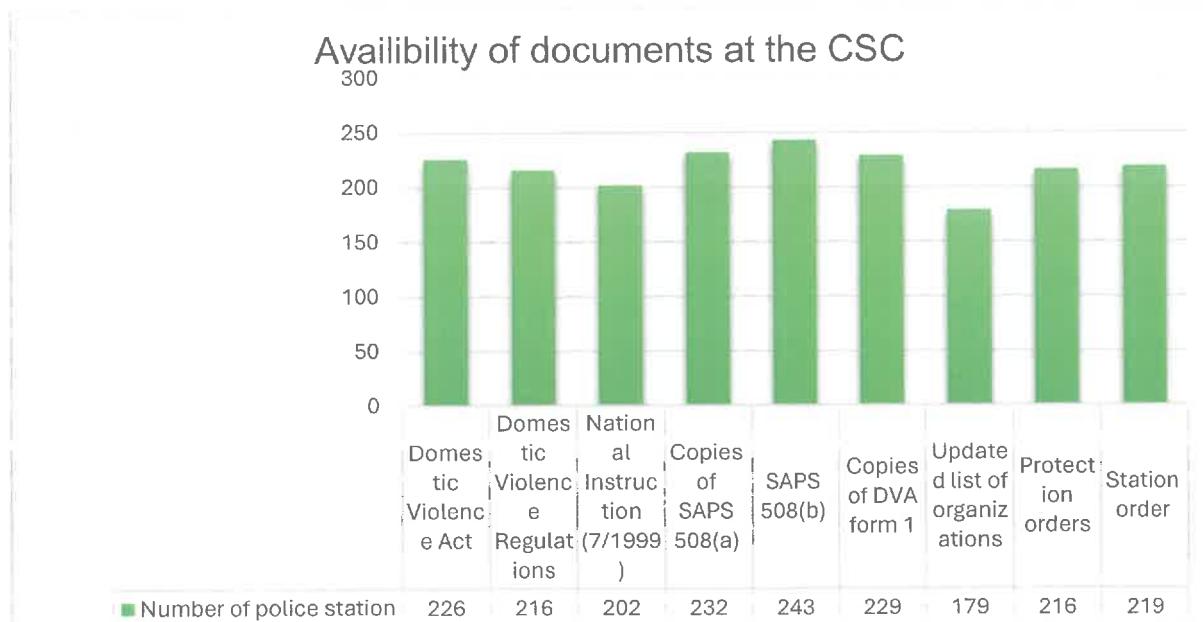


Figure 4: Availability of documents at the CSC

Most of the stations had relevant registers and forms in place as outlined in the DVA and NI. It should be noted that, though most stations have registers and forms in place, there are stations which still do not have relevant registers and forms in place. The importance of having these documents is for members to easily refer to legislative/policy documents when dealing with and assisting domestic violence victims at the CSC and ensuring that incidents are recorded in the relevant and correct registers and forms. As shown on the figure above the copies of the DVA were available at 226 police stations, Domestic Violence Regulations at 216 and NI at 202 of police stations. It should be noted that these are the primary guiding documents,

which ensure that all regulatory requirements are adhered to. As depicted in the figure above not all police stations have copies of these documents, which is a concern. However, it should be noted that, as part of the monitoring process by the Secretariat, during oversight visits, affected police stations were provided with relevant forms and prescripts for better compliance and ensuring that victims are assisted correctly.

SAPS 508(a), which is an incident form that must be completed for every reported incident of domestic violence regardless of where it was reported, either at station or outside the police station premises was found in 232 police stations. Particulars of every incident reported regardless of outcome must be recorded in the SAPS 508(b) register. The register was available in all 243 police stations visited. The SAPS 508 (a) form and 508 (b) register are the main record keeping points of domestic violence, as they feed into each other, in the sense that every incident must appear on both regardless of the outcome. Should there be a complaint of any kind regarding an incident of domestic violence, the two documents will be a point of departure of investigation. Therefore, this highlights the importance of all police stations to keep proper records.

Form 1 is a form containing information on remedies, rights and options available to victims of domestic violence which must be explained to all victims upon reporting an incident. This is to ensure that the needs of all victims are comprehensively met. The form was found in 229 of the police stations as reflected in figure 3 above.

According to section 6 (3) & (4) of the NI, the station commander must compile a list of the relevant organisations, as well as information relating to hospitals, ambulance services and medical practitioners that may be utilised to provide medical treatment to complainants and referring them for counselling and other support services. The list must be updated at least once every six months. The importance of updating the list is to ensure that relevant service providers are still operating within the police station precinct to assist with medical and psychosocial support. The list was available in 179 of the police stations. This is concerning as every police must have the updated list in order to effectively assist victims and refer them to relevant organisations for psychosocial support and assist them in getting a shelter when a need arise.

Over and above the prescribed documents that must always be at the CSC, as per the DVA and NI, police stations keep other documents such as Provincial Order, return of

service and A1 statement form, Mental Health Care Act, Child Justice Act, Older Persons Act, provincial instruction, form 2 and 3, Probation Officer list and training manual on domestic violence. This is commendable as these documents support and assist in the implementation of domestic violence.

According to subsection 6 (b) & (c) of the NI, the station commander must ensure that a copy of Form 1 and SAPS 508(a) are at all times available in every police vehicle used to attend to complaints. The figure 5 below presents the rate of compliance in relation to availability of documents in patrolling vehicles.

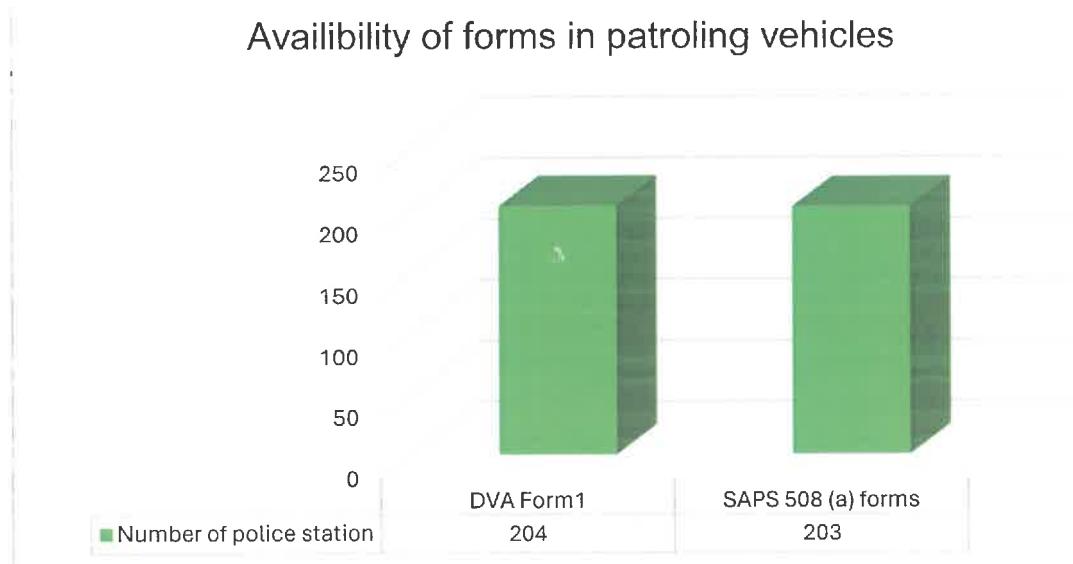


Figure 5: Availability of forms in patrolling vehicles

DVA form 1 was found in patrolling vehicles of 204 police stations and SAPS 508(a) was found in patrolling vehicles at 203 police stations. Over and above the prescribed documents, updated list of organisations, National Instruction, domestic violence guidelines, DVA 116 of 1998 as amended, A1 statement form, DVA Regulations and accident forms (J88) were found in the patrolling vehicles in some of the police stations. This is a commendable practice as this will assist members to easily refer to legislative documents in moments of doubt while attending to complaints outside the police station. There are some stations that do not have the relevant documents in the patrolling vehicles due to negligence and lack of knowledge by members as they did not allude to any reasons for not having the documents in the vehicles as expected. The unavailability of the relevant legislative documents in the patrolling vehicles may result in non-compliant actions.

## 6.2 Record keeping of non-compliance information

Non-compliance refers to the failure of law enforcement officers to adhere to established policies, legal standards, ethical guidelines, or orders. This occurs in various forms, including misconduct, neglect of duties, failure to follow procedures, or a disregard for accountability measures. Non-compliance can have serious implications, not only for the officers involved but also for public trust, safety, and the integrity of the justice system<sup>2</sup>.

According to Section 23 (b) of the DVA, failure by SAPS members to comply with the duties or any obligations as imposed in the DVA and National Instruction constitutes misconduct. The Station Commander is expected to institute disciplinary action against such a member unless an exemption has been granted by the CSPS. The National Instruction further requires the Station Commander to register such cases on the SAPS 508 register and submit monthly returns of non-compliance cases received.

The types of non-compliance cases with the DVA addressed in this report include the following:

- a) Failure to fully record an incident on SAPS 508 (a), in the domestic violence register SAPS 508(b) and the OB.
- b) Failure to sign the SAPS 508(a) form
- c) Failure to assist a complainant in opening a criminal case.

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<sup>2</sup> Reiner, R. (2010). *The politics of the police*. Oxford University Press.

## Availability of SAPS 508

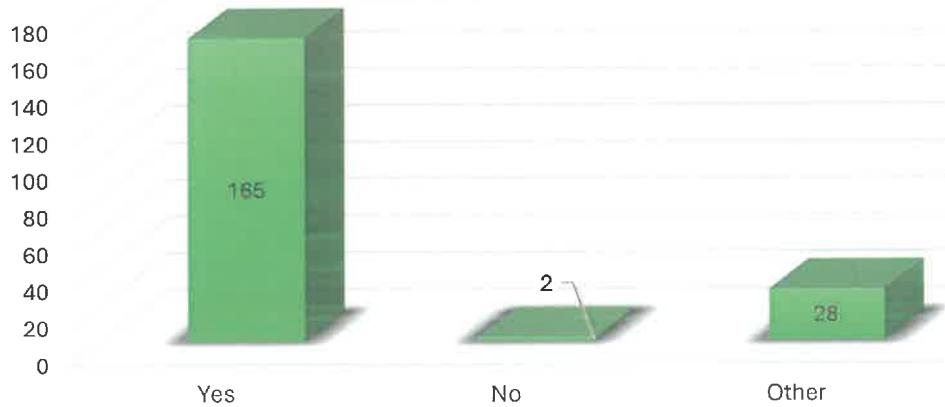


Figure 6: Availability of SAPS 508

As shown in the figure 6 above, the SAPS 508 was found in 165 police stations of the 243 visited and in 28 police stations, it was found that they utilize other methods such as a separate file to record details of members who failed to comply with the DVA and NI for the period under review. The SAPS 508 form was found in the majority of the police stations. This is a positive indication of progress in the management of non-compliance by the station management. However, it remains a concern with the stations that are not keeping any records of members who have failed to comply, as it paints a picture that members will never be disciplined should they commit non-compliance.

### 6.3 Non-compliance by members identified through oversight visits

Table 4: Non-compliance by members

Province	Police station	Number of members	Nature of non-compliance	Disciplinary steps taken	Outcomes
FS	Mangaung	3	Administrative: member failed to complete 508(b) correctly and no OB entry.	Yes	DS2
	Kagisanong	1	Operational: complainant was not satisfied with the way the member handled the matter, and	No	No steps

			they alleged that the member was intoxicated		
KZN	Folweni	2	Administrative: failure to record the dv incident in the saps 508(b) register and compiling of the individual files	No	No steps
LP	Magatle	2	Administrative: failure to complete date and time of the incident on 508(a)	Yes	DS2
WC	Macassar	1	Operational: fails to attend to a domestic violence complaint	No	No steps
	Maitland	4	Administrative: failure to register case related to DVA on SAPS 508(a), (b) and OB	Yes	DS1 DS2
	Delft	1	Operational: failed to assist a complainant by opening a criminal case	No	No steps
Total	7	14	-	-	-

As reflected in the table above, for the period under review, there were 14 members identified for non-compliance from seven (7) police stations in five (5) provinces, namely FS, KZN, LP and WC. Of the 14-non-compliance reported, 11 were administrative non-compliance and three were operational. As with the SAPS records, administrative non-compliance remains the most commonly reported type of non-compliance.

The administrative non-compliances were identified from the following police stations, namely, Mangaung (FS) with three (3) incidents, Folweni (KZN) with two (2) incidents, Magatle (LP) with two (2) incidents and Maitland (WC) with four (4) incidents. Operational non-compliance was reported in the following police stations, Kagisanong (FS) with one (1) incident and Macassar and Delft (WC) reported one (1) incident each. Disciplinary proceedings were initiated in nine (9) of the 14 non-compliances identified and all cases have been finalized with members subjected to DS1 and DS2 respectively.

It should be noted that all the non-compliance recorded on table 4 above, were found in the records at police stations and were never communicated to the CSPS for recommendations on disciplinary processes to be initiated nor was there any application for exemption received for the said incidents. This is non-compliance to section 18(4)(b) of the DVA which makes it a requirement that for all the non-compliance reported, the SAPS should report such to the CSPS for recommendations on what steps should be taken.

For the reporting period, no member was found to have re-offended, this is a good sign that, members are gradually improving with compliance to all the relevant prescripts. Furthermore, this can also be an indication that, measures put in place at police stations are yielding positive results.

## **7. SAPS MEMBERS AS PERPETRATORS OF DOMESTIC VIOLENCE**

The core objective of the South African Police Service as per Section 206 of the Constitution is to prevent, fight and investigate crime, to maintain public order, to protect and secure the people of the Republic and their property, and to uphold and enforce the law. Despite, having this responsibility to serve and protect, some SAPS members were found to be perpetrators of domestic violence. The DVA requires that a domestic violence offender should be subjected to the same process irrespective of whether they are a police official or not.

Furthermore, according to the NI on Domestic Violence, a commander who have been informed accordingly must take steps to consider the placement of the member where

he or she will not be dealing with complainants of domestic violence and further investigate whether an official firearm may be issued to the member or not.

### 7.1 Members as offenders of domestic violence according to SAPS records.

Table 5 below reflects the number of members who were reported to be offenders of domestic violence from all the police stations in the country for the period under review.

Table 5: Number of members who are alleged DV offenders and firearm seized according to SAPS records

Provinces	Number of members who are identified as DV alleged perpetrators (SAPS 508c)	Number of firearms seized (108) and private
Eastern Cape	10	7
Free State	91	40
Gauteng	28	18
KwaZulu-Natal	19	13
Limpopo	7	7
Mpumalanga	1	0
Northern Cape	2	0
North West	4	4
Western Cape	75	18
<b>Total</b>	<b>237</b>	<b>107</b>

As shown in table 5 above, there were 237 members reported as offenders of domestic violence, with the highest reported in FS with 91 members, followed by WC with 75 members and GP with 28 members. The provinces with the least number of members reported is MP with one (1), followed by NC with two (2) and NW with four (4) members. The records do not show whether disciplinary proceedings were initiated against the members who were reported as offenders of domestic violence.

The firearms Control Act (FCA) 60 of 2000 requires a section 102 inquiry to be conducted to determine the fitness to carry a firearm of a member reported to be an offender of domestic violence. It is not clear whether the section 102 enquiry was conducted for the 107 firearms that were seized. Out of the 107 seized firearms, five (5) are private firearms and the rest are state firearms allocated to members as part of personal inventory. It should be noted that a total number of 135 members who were reported as offenders were not in possession of official firearm.

## 7.2 Members as offenders of domestic violence according to station visits

Table 6 below presents the number of members that were identified as offenders of domestic violence during the oversight visits to stations.

Table 6: Number of members who are alleged DV offenders

Province	Police station	No. of offenders	Seizure of firearm(s)		S102 Inquiry conducted		Outcome of S102 inquiry	
			Yes	No	Yes	No	Pending	Finalized
EC	Punzana	1	0	1	0	0	0	0
	Dimbaza	1	1	0	0	1	0	0
	Mdantsane	1	0	0	0	0	0	0
FS	Zamdela	1	0	0	0	0	0	0
	Petrusburg	1	1	0	1	0	1	0
	Hertzogville	1	0	0	0	0	0	0
	Kagisanong	3	0	0	0	0	0	0
KZN	Chatsworth	1	0	0	0	0	0	0
	Bergville	1	1	0	0	0	0	0
	Madadeni	2	1	0	1	0	1	0
LP	Siloam	1	1	0	1	0	1	0
	Seshego	3	3	0	1	2	1	0
WC	Worcester	3	2	1	2	1	2	0
TOTAL		13	20	10	2	6	4	6

As presented by the table above, there were 20 members who were identified to be offenders of domestic violence from 13 police stations in five (5) provinces. FS had the highest number of members identified with six (6) members from four (4) police stations. From two (2) police stations, four (4) members were identified in LP and in KZN four (4) members were identified from three (3) police stations.

Out of the 20 members reported, ten (10) firearms were seized from ten (10) members and six (6) section 102 inquiries were held and outcomes were still pending during the visits. Not being in possession of SAPS 108 and private firearm was given as the reason for non-seizure of firearms from the remaining ten (10) members. It has been observed from previous reporting periods that not all section 102 enquiries are finalized, this is a concern as members have access to book firearms in and out while on duty.

## 8 Members as victims of domestic violence

Crime does not only affect the disadvantaged, the poor and the unemployed members of the community. Members of the police service can also be victims of domestic violence as much as there are members who are perpetrators. While much focus is placed on police officers as offenders, it is equally important to recognize that they can be vulnerable to domestic abuse due to the complex dynamics of their professional and personal lives. Addressing this issue requires a supportive, stigma-free environment for the affected members.

The report provides figures of members who have been identified as victims of domestic violence based on SAPS records and through oversight visits. It should be noted that figures reported based on SAPS records provides a picture on all police stations whereas those obtained through oversight visits are limited to 243 police stations visited, as a result a comparison cannot be made.

### 8.1 Members as victims of domestic violence according to SAPS records.

During the reporting period, the SAPS indicated that 106 members were reported as victims of domestic violence across all nine (9) provinces as shown in figure 7 below.

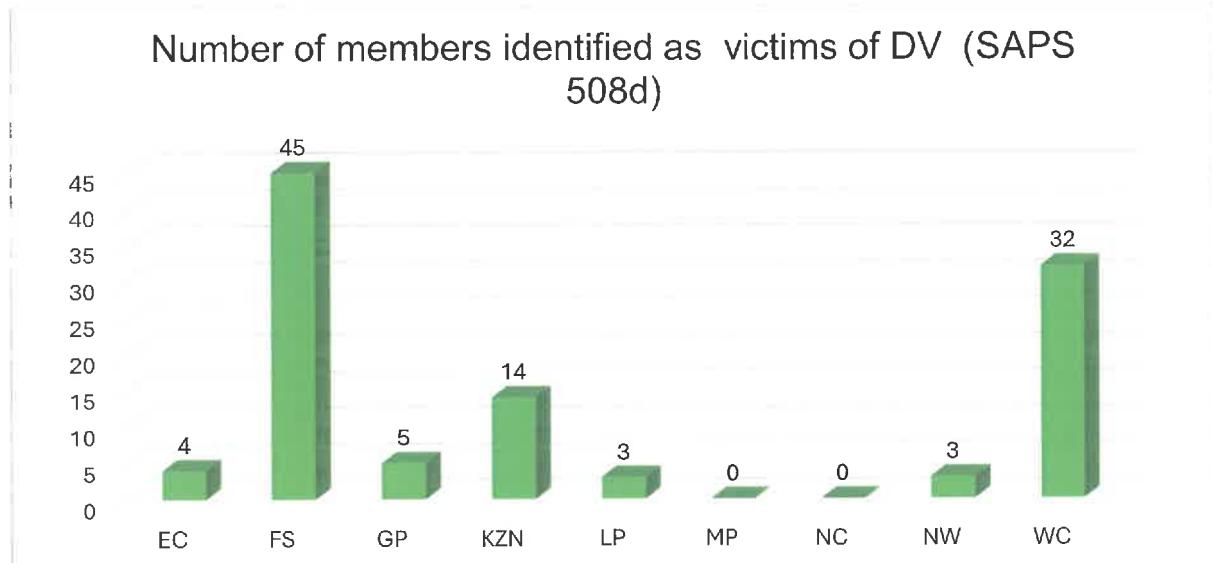


Figure 7: Members as victims of domestic violence (based on data reported by SAPS)

As illustrated in figure 7 above, there are three provinces with the most members reported, namely FS with 45, followed by WC with 32 and KZN with 14 members. The provinces with the least members reported are NW and LP with three (3) members each, followed by EC with four (4) members. There were no members reported as victims of domestic violence during the reporting period in MP and NC provinces. There is an overall decline in the members reported as victims of domestic violence as compared to the previous reporting period. This is a good sign and calls for SAPS to continue supporting all members reported as victims of domestic violence.

## 8.2 Members as victims of domestic violence as identified during station visits

The table 7 below shows the number of members that have been identified as victims of domestic violence, for the period under review, during the station visits.

Table 7: Members as victims of domestic violence

Province	Name of police station	Number of members	Number and gender of the member	
			Male	Female
Free State	Kagisanong	1	0	1
Kwa-Zulu Natal	Madadeni	2	1	1
	Margate	1	1	0
	Umzinto	1	0	1
Limpopo	Thohoyandou	1	0	1
	Sebayeng	1	0	1
Western Cape	Macassar	1	1	0
Total		7	3	5

There were eight (8) members who were identified to have been victims of domestic violence between the period April-September 2024. These were identified during the oversight visits from Seven (7) police stations across four (4) provinces. Of the eight (8) members, three (3) were males and five (5) were females. KZN recorded the most members with four (4), followed by LP with two (2) members. WC and FS each recorded one (1) member respectively. All members were offered support though

referral to the Employee Health and Wellness and advised to apply for protection order as the rights available to them as victims of domestic violence.

## 9. DVA IMPLEMENTATION AND COMPLIANCE

### 9.1 Inspections

All records relating to domestic violence incidents must be inspected in accordance with the existing prescripts. This includes first level inspection by the Relief Commander which needs to be conducted in accordance to Standing Order 225 Clause (3) paragraph (2) which states that the Relief Commander must conduct first level inspection on all registers and books in the CSC during each shift. The second level inspection needs to be conducted in accordance with National Instruction 13 of 2016 which states that the Station Commander or delegated officer should conduct second level inspection on all registers. When conducting these inspections, Commanders should make note of every non-compliance identified and make an entry in the Occurrence Book for the affected member to rectify.

Figure 8 below shows the level of inspections of registers and number of police stations conducting such inspections.



Figure 8: Inspections

As shown in the figure above, 214 police stations conducted first level inspections and 227 conducted second level inspections. Other inspections which are mostly conducted by district and provincial officials as and when they visit the stations were conducted in 24 of the police stations visited. It is commendable that the majority of

police stations are conducting inspections because stations will be able to identify non-compliance, in particular administrative non-compliance.

## 9.2 Frequency of inspections

According to Standing Order 256 paragraph 5(g), Relief Commanders must conduct first level inspections on all registers and books at the CSC during each shift. This will assist in early detection of any non-compliance and the relevant members will be able to correct the mistakes identified. NI 2/2015 and NI 13/2016 prescribes that second level inspection should be done monthly by Station Commanders. The figure below illustrates the frequency of inspections.

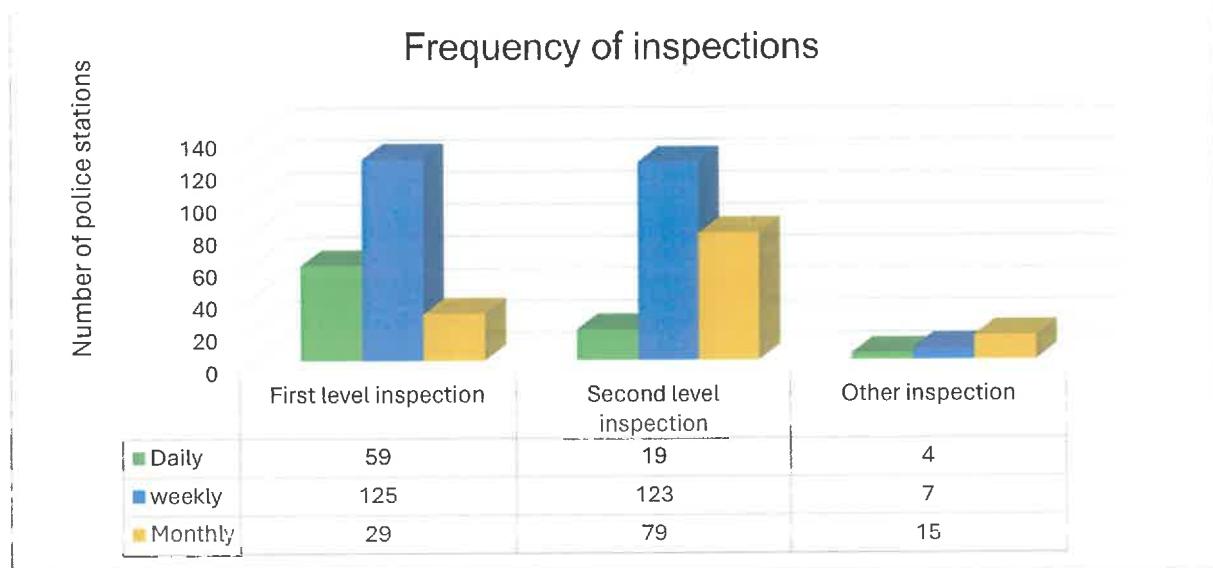


Figure 9: Frequency of inspections

As shown in figure 9 above, 59 police stations conduct daily first level inspections. Moreover, in most of police stations (125) the first level inspection is conducted weekly, which is in contravention of the standing order 256(G). The downfall of non-adherence to the standing order is that the stations stand a great chance to miss non-compliance and addressing it immediately. The second level inspection as conducted by station commanders or delegated Officers is mainly done on monthly basis, however majority of police stations (123) conduct weekly inspections by station commanders even though the prescribed frequency in the NI 2/2015 and NI 13/2016 is monthly for station commanders. The frequency on other inspections conducted by either the district or provincial office is done monthly in majority of the police stations.

### 9.3 Serving of protection orders

According to the DVA National instruction, an interim protection order together with certified copies of the application and any supporting affidavit that accompanied the application and record of the evidence, should be served on the respondent personally, as soon as possible, but no later than 24 hours. It is important to serve the interim protection order within the prescribed times because as long as a protection order remains unserved, the complainant may be in danger. An interim protection order is only in force and may be enforced once it has been served to the respondent.

Police stations were assessed on their ability to receive, record and serve protection orders. In assessing this area, registers were perused to check the number of PO received, served, and not served. The assessment further looked into the reasons for not serving the PO and those that were served after 24hours. A total of 230 police stations visited indicated that they receive copies of interim PO. Figure 10 below presents the number of protection orders received per province.

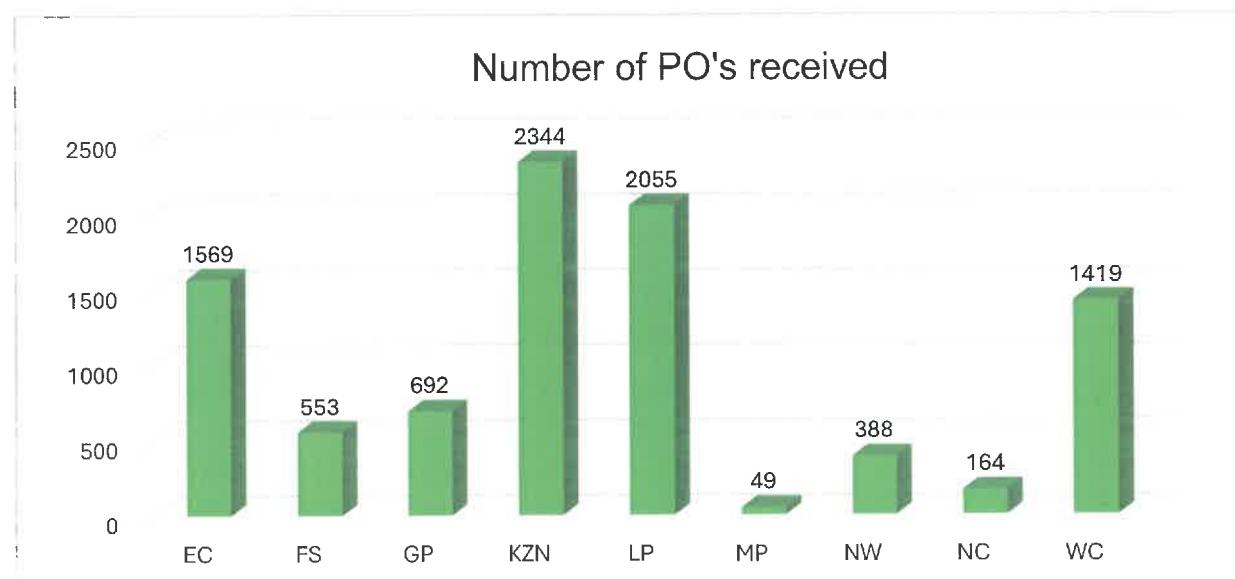


Figure 10: Number of protection orders received

As shown in figure 10 above, the province that received the highest number of interim protection orders is KZN with 2344, followed by LP 2055 and EC with 1548. The provinces with the least interim protection orders are MP with 49 and NC with 164.

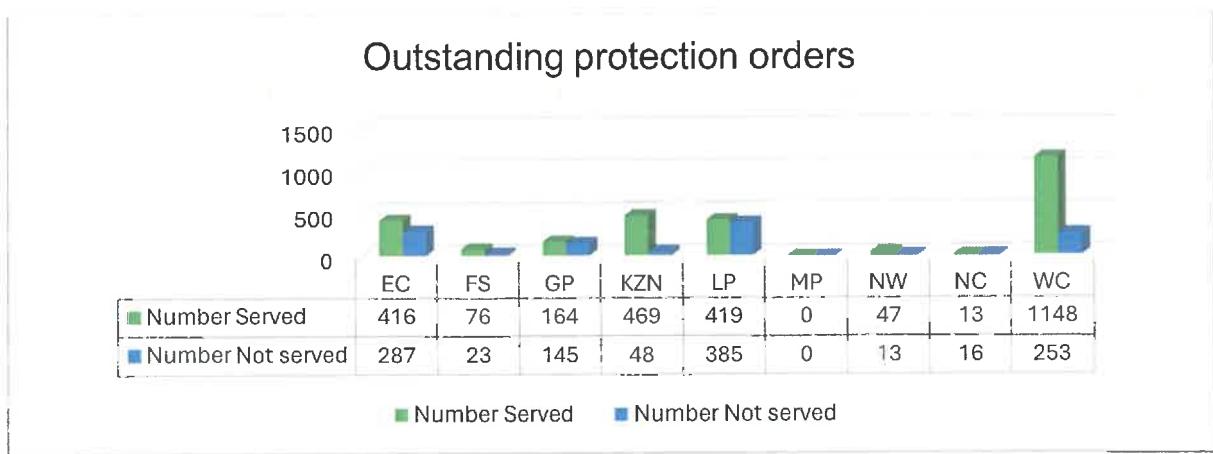


Figure 11: Police stations with outstanding protection orders

It is important to serve all protection orders received by the police station, however 48 stations did not serve all interim protection orders. As reflected on figure 11 above, the province with the highest number of protection orders not served is LP with 385, followed by EC with 287 and WC with 253. NW, NC and FS are the provinces which had the least number of protection orders not served. It was indicated that the lack of timeous serving of protection orders was due to respondents change of address, shortage of vehicles, the vastness of the policing precinct, the respondent working outside the province and the court recording incorrect details of the respondent such as address, identity number and contact number. This calls for necessary resources to be deployed as well as change in strategy for effective serving of protection orders. Moreover, there is a need for the relationship between police stations and the courts to be strengthened.

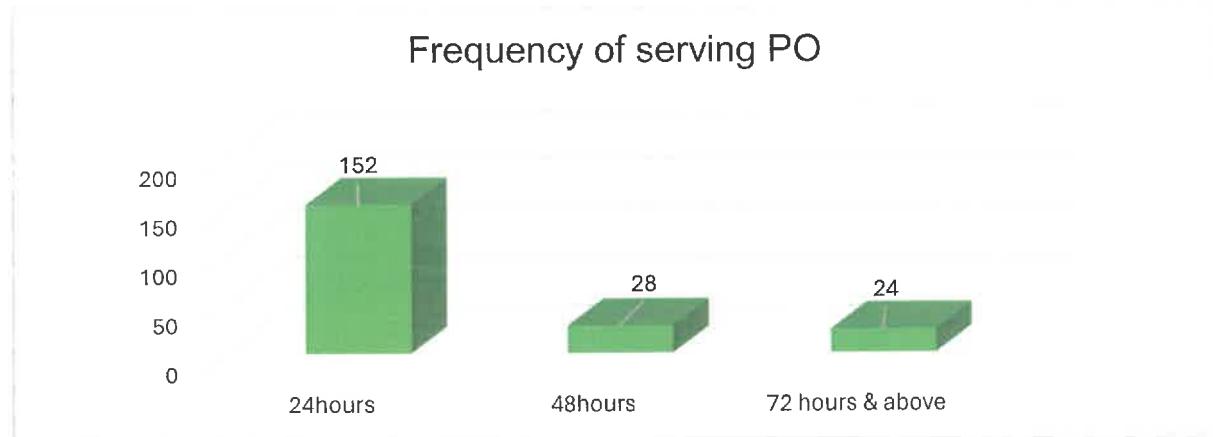


Figure 12: Frequency of serving PO

As reflected in figure 12 above, the majority of stations (152) served the interim protection order received within 24 hours. The shortage of vehicles, delays in tracing respondents and the unavailability of the respondents at the given address are the main reasons stated by the stations where protection orders were served beyond 24 hours. Moreover, there are still stations where the serving of protection orders is the responsibility of the DV Coordinator alone and due to other responsibilities performed by the Coordinator, interim protection orders are not served within the prescribed time.

#### 9.4 Availability of private interviewing space

The Victim Empowerment National Instruction requires that every police station must have a designated Victim Room (VFR) to interview victims of domestic violence in private. Should the police station not have a VFR, arrangements should be made to interview the victim in private, by using the interviewing cubicles or any other available office. Availability of a private interviewing space was assessed in line with the Victim Empowerment National Instruction No 2 of 2012. It should be noted that all the 243 police stations visited had a private interviewing space for victims.

The figure 13 below shows the type of private interviewing space available at police stations.

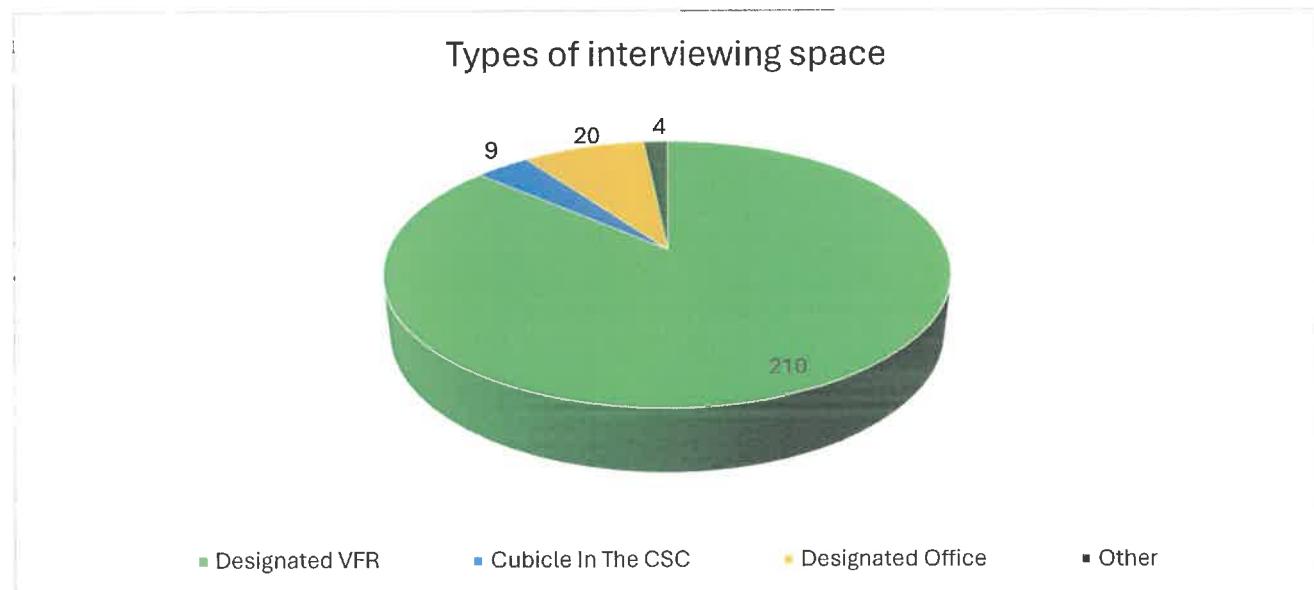


Figure 13: Availability of interviewing space

As shown in the figure above, the majority of police stations (210) had a designated victim friendly room. Followed by 20 stations with a designated office. Nine (9) police stations use cubicles in the CSC and four (4) police stations use any other space

available in times of need. This is praiseworthy, as it shows that victims of domestic violence are afforded privacy when reporting domestic violence at the police station, this act has a potential of encouraging other victims to come forward to report knowing that they will be afforded privacy. The utilization of any other available space to interview victims is due to limited office space.

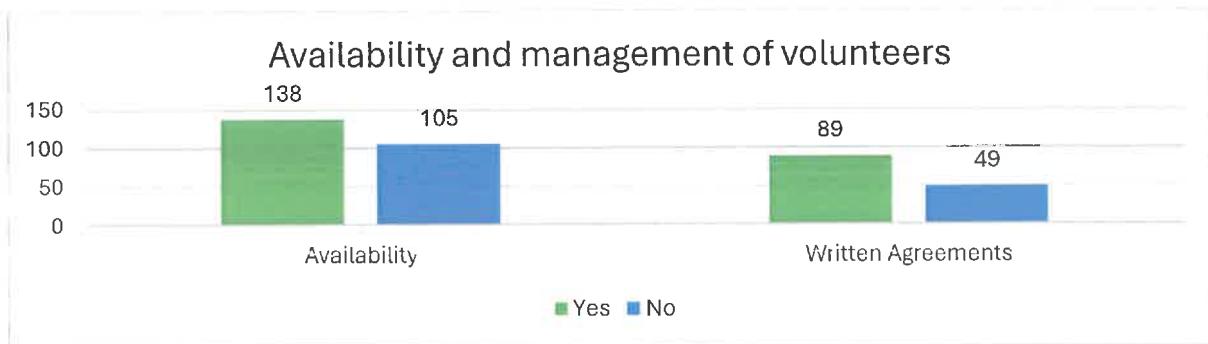


Figure 14: Availability of volunteers at VFR

Figure 14 above illustrates the availability of volunteers at the VFR. Of the 210 (86%) police stations with VFR, 138 indicated that they have volunteers. Of the 138 stations with volunteers, 89 had written agreements with the organisations managing them such as the Department of Social Development, non-profit organisations and NGO'S in the policing precinct, and 49 had no written agreements. Volunteers who are directly from the community and not from any organisation, are managed by the station through the Vispol commander, domestic violence coordinator and chairperson of the community policing forum.

### 9.5 Availability of female members

The availability of female members on every shift at a police station is important in several ways such as for promoting a balanced, effective, and community-oriented police service. This practice not only addresses gender diversity but also enhances the ability of the police to respond to a wider range of crimes reported at the station. Moreover, the presence of female members improves the handling of gender-sensitive cases.

The findings in figure 15 below illustrates that 97% (235) of police stations visited had female members deployed in all shifts. The 3% (8) of the police stations, from EC, FS and LP, did not have females deployed in all the shifts. This can be due to lack of personnel and that the stations are small, at a captain level, and located in the rural

areas. One of the key priorities of the Departmental six-point plan of response to Gender Based Violence is the availability of female members in all shifts in a police station. The main objective is to provide opportunity for victims who would prefer to be assisted by a female police officer. Figure 15 below illustrates the ability of police stations to have a female police official in all shifts.

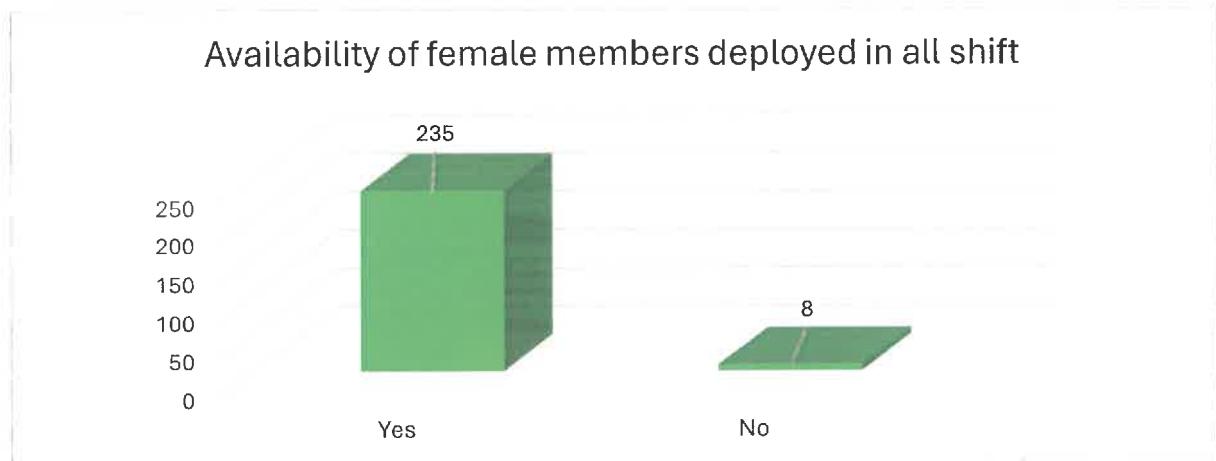


Figure 15: Availability of female members deployed in all shifts.

## 9.6 Support services

Police station's access to shelters, social workers, and medical treatment is important in addressing different needs of domestic violence victims. These services not only ensure immediate safety but also provide the emotional and medical support necessary for long-term recovery and empowerment. A police station that facilitates these resources becomes an important support for victims and promoting trust in the fight against domestic violence.

According to domestic violence National Instruction Clause 9(2)(c), a member must assist the complainant to find suitable shelter or make arrangements for the complainant to find suitable shelter and obtain medical treatment. Figure 16 below shows the total number of stations that had access to social workers, shelter or places of safety and health facilities.

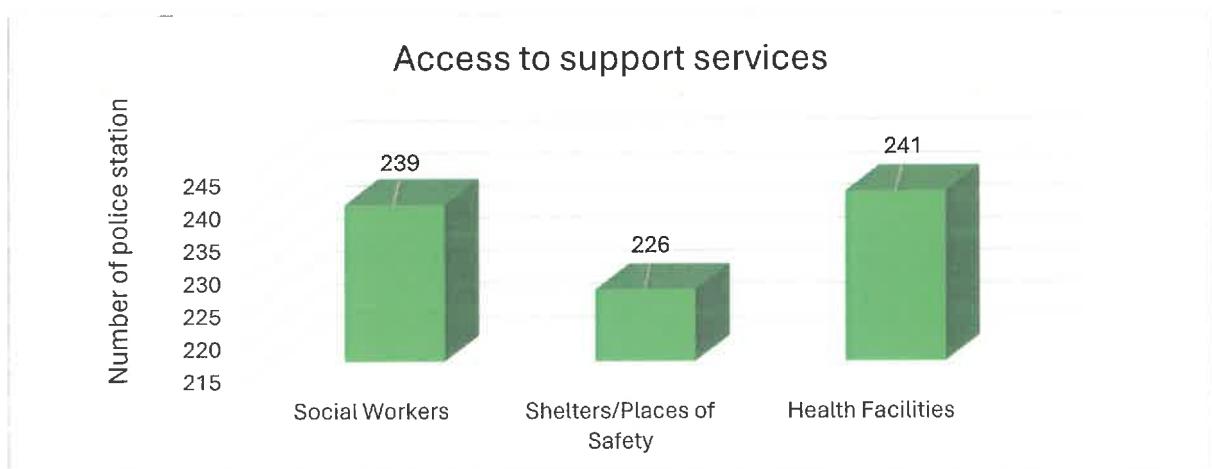


Figure 16: Access to support services

As reflected on the figure above, majority of police stations 239 (98%) had access to social workers and those without access 4 (2%) was due to non-availability of NGOs in the area providing social work services. This is worrisome, because should a victim be in need of such services, the station will not be able to assist. The other challenge is that for most of the stations that have access, the services are only available during office hours.

Shelters or places of safety are accessible to 226 (93%) of the stations visited. For the stations without access to shelters, victims are transported to their relatives around surrounding towns for shelter. Majority 241 (99%) of the police stations have access to health facilities should there be a need for medical attention.

## 9.7 Access to sign language interpretation

In order for the SAPS to effectively and efficiently provide assistance to the victims of domestic violence, it is important that police stations be equipped with different support services to cater for victims of domestic violence from all walks of life. Amongst the support services checked, the monitoring visits explored whether police stations have access to sign language interpretation. According to the NI, all police officers should assist victims of domestic violence in the language they know and understand. It is therefore important that police station should have access to sign language interpretation. The findings are illustrated in figure 17 below.

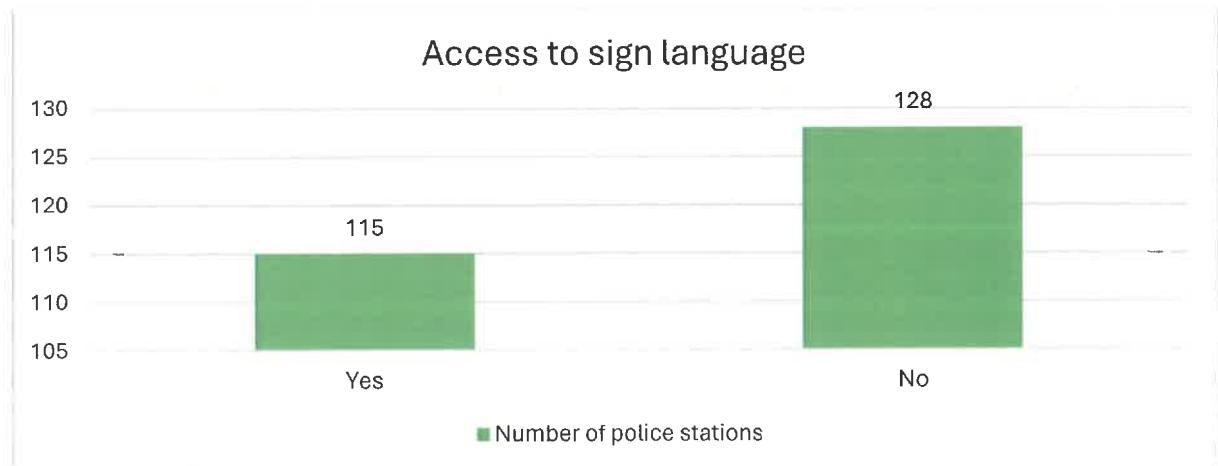


Figure 17: Access to sign language

Not all police stations have access to sign language interpretation as reflected in the figure above. Of the 243 police stations visited 115 (47%) had access to sign language interpretation should a need arise. Majority of the police stations 128 (53%) did not have access to this service. This is concerning as it displays that some police stations are still not equipped and should there be a need for interpretation of sign language the police station might not be able to respond.

## **10.CONCLUSION**

Unsatisfactory implementation of primary prescripts contained in the DVA and NI which are the guiding documents for members is reflected through the continuous high reported number of members who fail to comply either administratively or operationally. As much as SAPS is taking disciplinary action against implicated members, oversight visits have shown that more needs to be done at station level to ensure that all non-compliance cases are identified and reported.

The level of domestic violence in the country is reflected in the high number of incidents reported and cases opened. However, less convictions are secured and most of the cases are closed as withdrawn. Reasons for withdrawal will be investigated by the CSPS in future.

The report shows overall significant compliance by most of the police stations visited, with a few stations with insignificant compliance levels. It is envisaged that continuous monitoring and support by the CSPS and PS will assist the concerned stations to move to significant compliance levels.

## **11. RECOMMENDATIONS**

To improve the level of compliance to the DVA, the following are recommended for implementation by the SAPS:

- 11.1** SAPS to ensure that section 102 enquiry is conducted on all firearms seized and timeous presentation of the outcome.
- 11.2** Continuous capacity building sessions to members at police stations for better compliance to all relevant prescripts.
- 11.3** Continuous capacity building for Relief Commanders, Visible Policing Commanders and Station Commanders on their role on the implementation of the DVA and NI
- 11.4** Continuous empowerment of members on interpretation of sign language.
- 11.5** Intensify measures to deter members from being offenders of domestic violence.

## 12. ANNEXURES

### Annexure A: Names of police stations visited

EC			
MacleanTown	Duncan village	Beacon Bay	Gonubie
Cambridge	Chalumna	Zele	Kidd's Beach
Zwelitsha	Bhisho	Berlin	Vulindlela
Dimbaza	Mdantsane	Jeffrey's Bay	Inyibiba
Thornhill	East London	Punzana	Ndevana
FS			
Tierpoort	Botshabelo	Kagisanong	Allanridge
Rosendal	Parys	Mangaung	Gariepdam
Petrusburg	Springfontein	Steunmekaar	Wanda
Koppies	Tumahole	Viljoensdrift	Petrus Steyn
Aarlington	Vierfontein	Verkeerdevlei	Lindley
Hertzogville	Clarens	Tweespruit	Hennenman
Paul Roux	Senekal	Bronville	Kestell
Zamdela	Kommissiepoort	-	-
GP			
Katlehong North	Vosloorus	Thokoza	Boksburg
primrose	Edenvale	Actonville	Brakpan
Zonkizizwe	meadowlands	Springs	Tembisa
Brixton	Alexandra	Douglasdale	Alberton
Cleveland	Diepkloof	Diepsloot	Bramley
Carletonville	Muldersdrift	Pretoria Moot	Katlehong
Ennerdale	Randfontein	Khutsong	Meyerton
Kliprivier	De deur	Boipatong	Villieria
Welbekend	Soshanguve	Mamelodi East	Ekangala
Sunnyside	Ga-Rankuwa	Pretoria Central	Booysens
Dobsonville	Dube	-	-
KZN			
Newcastle	Madadeni	Osizweni	Utrecht
Mayville	Ntuzuma	Durban Central	Berea
KwaMashu E	Durban North	Newlands East	Inanda
Folweni	Bellair	Brighton Beach	Isipingo
Chatsworth	Montclair	Wentworth	Wasbank
Pinetown	kwadabeka	Nquthu	Dundee
Westville	Highflats	Intsikeni	Swartberg
Bulwer	Umlhlali	Ndwedwe	Himeville
Esikhaleni	Richards Bay	Mtunzini	Gingindlovu
Wembezi	Harding	Margate	Scottburgh
Hibberdene	Melmoth	Eshowe	Sundumbili
Kwambonambi	Ntabamhlophe	Estcourt	Bergville
Ezakheni	Umzinto	South Port	Ladysmith
Plessislaer	Pietermaritzburg	Mountain Rise	Richmond
Jozini	Mkuze	Ezibayeni	Paulpietersburg
Mondlo	Vryheid	Babanango	KwaNdengezi
Boston	Mooi River	Hlabisa	-

LP			
Tzaneen	Seshego	Driekop	Bolobedu
Morebeng	Elandskraal	Polokwane	Sebayeng
Magatle	Gravelotte	Hoedspruit	Zebediela
Senwabarwana	Westenberg	Thohoyandou	Bandelierkop
Rakgoadi	Malipsdrift	Masemola	Roossenekal
Tshilwavhusiku	Mahwelereng	Zaaiplaas	Siloam
Mara	Musina	Malamulele	Vaalwater
Waterval	Dorset	Witpoort	Lephalale
Gilead	-	-	-
MP			
Morgenzon	Tweefontein	Leslie	Trichardt
Badplaas	-	-	-
NC			
Komaggas	Kimberley	Galeshewe	Kakamas
De Aar	Pampierstaad	Kuruman	Kathu
Nababeep	-	-	-
NW			
Jouberton	Itsoseng	Mmabatho	Nietverdiend
Haartebeesfontein	Mahikeng	Makwassie	Lomanyaneng
Potchefstroom	Mooifontein	Cyferskuil	Orkney
Bienslesvlei	Setlagole	Mareetsane	Delareyville
WC			
De Doorns	Klapmuts	Macassar	Groot-Drakenstein
Ashton	Paarl-East	Maitland	Delft
Rawsonville	Worcester	-	-

#### Annexure B: Number of stations without female members deployed in all shifts

province	Name of police station
EC	Zele
FS	Verkeerdevlei
	Steunmekaar
	Kestel
LP	Roossenekal
	Rakgoadi

#### Annexure C: Number of stations with no access to sign language interpretation

EC			
MacleanTown	Beacon Bay	Buffalo Flats	Gonubie
Cambridge	Zele	Zwelitsha	Vulindlela
Dimbaza	Jeffreys bay	Inyibiba	Thornhill
East London	Ndevana	-	-
FS			
Petrus Steyn	Allanridge	Hennenman	Verkeerdevlei
Mangaung	Kommissiepoort	Tierpoort	Botshabelo

Kagisanong	Wanda	Steunmekaar	Parys
Vierfontein	Tumahole	Koppies	Viljoensdrift
Tweespruit	Hertzogville	Hennenman	Aarlington
Lindley	Paul Roux	Senekal	Clarens
Kestell	-	-	-
GP			
Actonville	Douglasdale	Alexandra	Diepkloof
Primrose	Zonkizizwe	Brixton	Cleveland
Alberton	Meadowlands	Bramley	Booysens
Ekangala	Khutsong	Randfontein	Muldersdrift
KZN			
Newcastle	Inanda	Newlands East	Nquthu
Ntuzuma	Dundee	Kwadabeka	Intsikeni
Swartberg	Himeville	Sundumbili	Umhlabi
Ndwedwe	Esikhaleni	Richards Bay	Mtunzini
Gingindlovu	Melmoth	Eshowe	Kwambonambi
Hibberdene	South Port	Mountain Rise	Ezibayeni
Paulpietersburg	Mondlo	Vryheid	Babanango
KwaNdenegezi	Mooi river	Boston	-
LP			
Bandelierkop	Mara	Musina	Malamulele
Waterval	Tshilwavhusiku	Masemola	Roossenekal
Zaaiplaas	Rakgoadi	Seshego	Driekop
Elandskraal	-	-	-
MP			
Badplaas	Tweefontein	Morgenzon	-
NC			
Nababeep	Kathu	Pampierstaad	Komaggas
Kimberley	Galeshewe	-	-
NW			
Itsoseng	Setlagole	Nietverdiend	Mahikeng
Delareyville	Mareetsane	Makwassie	Mooifontein
Cyferskuil	Lomanyaneng	-	-
WC			
Paarl-East	Maitland	Groot-Drakenstein	Ashton
Klapmuts	-	-	-

Annexure D: Police station compliance levels

Province	Total No of stations visited	Full compliance	Significant Compliance	Partial Compliance	Insignificant Compliance
EC	21	0	21	0	0
FS	35	0	23	12	0
GP	42	0	34	8	0
KZN	72	0	54	17	1
LP	33	0	14	16	3
MP	5	0	0	3	2
NC	9	0	5	3	1
NW	16	0	6	8	2
WC	10	0	5	5	0
<b>Grand Total</b>	<b>243</b>	<b>0</b>	<b>162</b>	<b>72</b>	<b>9</b>