

DOMESTIC VIOLENCE ACT (DVA) MONITORING REPORT

**Report on the status of DVA implementation and compliance by the SAPS
from April 2017 – September 2017.**



**civilian secretariat
for police service**

**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
DVAT	Domestic Violence Act Monitoring Tool
FORM 1 (DOJ&CS)	Form used to explain remedies available to a complainant reporting a domestic violence incident
FPO	Final Protection Order
IPO	Interim Protection Order
IPID	Independent Police Investigative Directorate
NATIONAL INSTRUCTIONS	DVA National Instruction No 7 of 1999
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 2	Form used for recording DVA non-compliance
SAPS Form 1	Form used for recording members that are offenders of DVA
SCM	Supply Chain Management
VEP	Victim Empowerment Programme
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

EXECUTIVE SUMMARY

The Civilian Secretariat for Police Service (CSPS) is mandated, in terms of Section 6(c and d) of the Civilian Secretariat for Police Service Act, (No. 2 of 2011), herein referred to as the CSPS Act to monitor and evaluate the police service's compliance with the Domestic Violence Act, (No 116 of 1998), herein referred to as the DVA. The CSPS Act further mandates the CSPS to make recommendations to the police service on disciplinary procedures and measures with regard to non-compliance with the DVA which is aligned to Section 18(5) (c) of the DVA. This section obliges the CSPS, (as amended in terms of Sec 36 of the *Independent Police Investigative Directorate (IPID) Act. NO. 1 of 2011*) to submit a report every six months to Parliament regarding the number and particulars of matters reported to it in terms of members that fail to comply with the objects of the DVA and its National Instructions.

In fulfilling its mandate the CSPS together with the Provincial Secretariats (PS) has to conduct quality assessments on DVA compliance and identify problem areas for intervention in order to improve the service rendered by the South African Police Service (SAPS). Furthermore, the CSPS through the Compliance Forum liaise with SAPS at both National and Provincial Level in order to access information on details of members that have failed to comply with the DVA and National Instruction, No 7/1999 (DVA National Instruction). The main objectives are to monitor how SAPS is handling disciplinary processes with regard to these cases of non-compliance, and further report to the Parliament.

This report covers DVA compliance and implementation by SAPS with regard to police stations monitored and details of members that failed to comply with the DVA from 01 April to 30 September 2017. The compliance levels presented in this report are based on quality assessments conducted through oversight station visits whereby a DVA monitoring tool is administered to assess how well the station is complying with the obligations imposed by the DVA and the National Instructions. The report also presents the status of DVA non-compliance by SAPS members as reflected in the reports received from SAPS Provincial Offices.

During this reporting period, two hundred and ninety three (293) police stations were visited and a total of 69 non-compliances were identified from six (6) provinces which are Free State (34), Limpopo (8), Mpumalanga (4), Northern Cape (1), North West (16) and Western Cape (6). The remaining three (3) provinces did not have any records of non-compliance. A total of thirty six (36) members were reported as domestic violence offenders from the 293 police stations visited.

From the 293 police stations visited, 52% were rated at significant compliance level, 30% rated at partial compliance and 18% rated at non-compliance level. Provinces with the highest average compliance level on police stations visited were North West (NW) with an average compliance level of 93% from twenty (20) stations followed by

Gauteng (GP) with 91% from twelve (12) stations and Western Cape (WC) with 77% from nine (09) stations. None of these provinces had a station that was rated at non-compliance level. The lowest performing police stations were found in; Northern Cape (NC) with 60% of the fifteen (15) police stations visited rated at non-compliance level, Limpopo (LP) with 33% of the fifty four (54) stations rated at non-compliance, KwaZulu-Natal (KZN) with 19% of the thirty six (36) stations visited and Free State (FS) with 16% of the fifty five (55) stations visited rated at non-compliance level.

The functionality of the Victim Friendly Rooms (VFR) was rated at an average of partial compliance (50%), for the police stations visited during the period under review. This was based on assessing compliance as stipulated in the Victim Empowerment National Instruction No. 2 of 2012. In 66% of the police stations visited, all protection orders received were served within two months. There were 18 % of the stations that had not served all the protection orders received within two months, and in 9% of the stations visited there were no records of protection orders received and served .

The findings indicate that in 91% of the police stations there were female police members deployed in all shifts, while in 6% of the police stations female members were deployed in some of the shifts but not in all the shifts due to shortages of female members in police stations. In all the 304 police stations visited, it was reported that all members in the core components, i.e. VISPOL and Detectives have received training on Domestic violence and victim empowerment.

SECTION 1: INTRODUCTION

1.1. INTRODUCTION

The Domestic Violence Act, 1998 (Act No.116 of 1998) herein referred to as DVA, places a number of obligations on the South African Police Service (SAPS) and other state departments with regard to its implementation. The DVA is aimed at providing victims of domestic violence with the maximum protection from domestic abuse.

The Civilian Secretariat for Police Service (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 with the DVA. This is done through conducting police station monitoring visits (herein referred to as monitoring visits) and engagements with civil society organisations. Furthermore, in line with Sec 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.

1.2. OBJECTIVE

The objective of the report is to provide information on the status of DVA implementation, compliance by the SAPS and the management of non-compliance by the SAPS management.

1.3. SCOPE

In assessing compliance level, the CSPS together with the Provincial Secretariats (PS) conducted a combination of announced and unannounced monitoring visits at two hundred and ninety three (293) police stations across the country during the period 01 April - to 30 September 2017. The scope of the monitoring visits focused on looking at both regulatory/ administrative and operational compliance on the implementation of the DVA by SAPS members¹.

The report covers information on members that have failed to comply with the DVA and National Instructions as supplied by the SAPS and discovered through station visits. The report also provides information of members that have been recorded as offenders of the DVA.

¹ Regulatory or administrative Compliance – compliance to administrative obligations, e.g. record keeping
Operational Compliance – compliance that relates to rendering service delivery, e.g. service of protection orders



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The monitoring visits were also focussed at identifying challenges with the implementation of the DVA by police stations and to equip the police stations with information on how compliance and implementation can be improved.

SECTION 2: NON COMPLIANCE

1.1. FAILURE BY MEMBERS TO COMPLY WITH THE DVA AND NATIONAL INSTRUCTIONS

In terms of the DVA, failure by SAPS members to comply with the duties as outlined in the DVA and National Instruction constitute misconduct. The Station Commander is expected to institute disciplinary action against such a member unless an exemption has been granted by the CSPS². The National Instruction further requires the Station Commander to submit monthly returns of non-compliance cases received and to register such cases on the SAPS 508 Register.

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

- a) Failure to keep a copy of the protection order after it has been obtained from court;
- b) Failure to properly record in a domestic violence register (SAPS 508); and
- c) Failure to assist a complainant.

1.1.1. Non-compliance Identified through police station visits

Table 1 below provides details of non-compliance by members that was identified during visits to the 293 police stations. From the 293 police stations visited, a total of 69 non-compliances were identified from six (6) provinces which are Free State (34), Limpopo (8), Mpumalanga (4), Northern Cape (1), North West (16) and Western Cape (6). The remaining three (3) provinces (EC, GP and KZN) did not have any records of non-compliance during this reporting period.

Table 1 : Non-compliance identified through station visits

NAME OF PROVINCE	TOTAL NUMBER OF NON-COMPLIANCE REPORTED	DISCIPLINARY PROCEEDINGS INITIATED	APPLICATIONS FOR EXEMPTION	EXEMPTIONS GRANTED
EASTERN CAPE	0	0	0	0
FREE STATE	34	34	0	0
GAUTENG	0	0	0	0
KWAZULU NATAL	0	0	0	0
LIMPOPO	8	8	0	0
MPUMALANGA	4	4	0	0
NORTHERN CAPE	1	1	0	0
NORTH WEST	16	16	0	0
WESTERN CAPE	6	1	1	1
TOTAL	69	64	1	1

There were sixty (64) disciplinary proceedings initiated out of the sixty nine (69) non-compliances identified. Out of these 69 non-compliances, 67 were related to administrative non-compliance whereby the members failed to properly document and maintain the records as obligated in the National Instruction 7 of 1999 (Annexure A).

² Section 18 (4) (b) – Domestic Violence Act (116 of 1998)



There were two (2) non-compliances that related to poor service delivery and were from NC (failure to provide service) and from WC (failure to arrest a perpetrator). Only one application for exemption from disciplinary processes was submitted in the Western Cape and it was granted by the Provincial Secretariat. In the five (5) incidents where disciplinary proceedings were not instituted, the matters are still under investigation.

1.2. MEMBERS AS OFFENDERS OF DVA

During this reporting period, thirty six (36) members were reported as domestic violence offenders from the 293 police stations visited. In terms of the DVA a domestic violence offender should be subjected to the same process irrespective of whether they are a police official or not. Furthermore, the Firearms Control Act, 60 of 2000, stipulates that a person against which a Final Protection Order (FPO) has been issued in terms of the DVA may be declared unfit to possess a firearm by the Registrar irrespective of their occupation. This, therefore implies that for every reported DV incident where there is a FPO issued, a section 102 inquiry must be conducted to determine a person's fitness to possess a firearm.

Table 2 : Members as offenders of DV

PROV	POLICE STATIONS	NUMBER OF MEMBERS	IPO	FPO	FIREARMS SEIZED	SEC 102 INQUIRY	DISCIPLINARY PROCEEDINGS	OUTCOMES
FS	Jacobsdal	1	1	0	0	0	1	Complainant withdrew the case
	Fouriesburg	1	0	1	1	1	1	Member declared unfit to possess a firearm
	Batho	2	2	0	0	1	0	No disciplinary steps taken
	Brandfort	2	1	0	0	0	0	No disciplinary steps taken
	Park Road	13	3	0	10	10	0	Pending finalisation of Sec 102 inquiry
LP	Tubatse	1	0	1	1	1	1	Pending finalisation of disciplinary process
	Jane Furse	1	0	1	1	0	1	Pending finalisation of disciplinary process
MP	Evander	1	0	0	1	0	0	No disciplinary steps taken
NW	Vryburg	4	4	0	3	2	0	1 member did not have firearm No disciplinary steps taken in all matters
	Khuma	1	1	0	1	0	1	Pending finalisation of disciplinary process
	Boiketong	1	0	0	0	0	0	Member did not have firearm No disciplinary steps taken
	Ikageng	2	0	0	0	2	0	Both matters were withdrawn
NC	Williston	1	0	1	0	0	1	Member received a written warning
	Windsorton	1	0	0	1	0	0	No disciplinary steps taken Matter still under investigation
WC	Nyanga	1	0	0	0	0	1	Member received final written Did not have a firearm
	Gugulethu	3	0	0	0	0	3	2 members did not have firearms Disciplinary pending finalisation
	Khayelitsha	1	0	0	0	0	0	No disciplinary steps taken
TOT AL		37	12	4	19	17	10	



Out of the total of 36 members reported to have been domestic violence offenders, there were 11 disciplinary processes initiated by the management of police stations concerned and 19 firearms seized. Park Road police station in the FS had the highest number of members who had been reported as offenders of DV with thirteen (13). There are no records of any of the 3 members being subjected to disciplinary proceedings. Section 102 inquiries were conducted in 15 cases and there was only one (1) member, from the Free State province (Fouriesburg SAPS) who was declared unfit to possess a firearm after the Section 102 inquiry was conducted. There were six (6) members that neither had SAPS 108 firearms nor private firearms hence there were no seizures in these incidents. These members were from the following stations, 1 in Vryburg and 1 in Boitekong (FS), 2 in Gugulethu, 1 in Nyanga and 1 in Khayelitsha (WC). The case of one member in Gugulethu was still under investigation during the time of visit, however the member failed to attend the disciplinary process and this affected finalisation.



SECTION 3: REGULATORY COMPLIANCE

3.1. COMPLIANCE LEVELS PER PROVINCE

Regulatory compliance assesses the police station's level of compliance as set out in the National Instruction. These include the following:

- a) Checking the availability of documents in the Community Service Centre (CSC) and in the vehicles used to attend to complaints as per section 3(5 a-e) of the National Instructions;
- b) Record keeping with specific reference to maintenance of registers and proper filing of documents (forms and protection orders);
- c) Submission of relevant monthly returns; and
- d) Accessibility and maintenance of the Victim Friendly Room (VFR).

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

- a) Level one is full compliance which is equivalent to 100%;
- b) Level two is significant compliance which is equivalent to 70 - 99%;
- c) Level three is partial compliance which is equivalent to 50 - 69%; and
- d) Level four is non-compliance which is equivalent to 49% and below.

Table 4 below reflects the number of police stations per various levels of regulatory compliance.

Table 3 : Compliance levels per province

PROVINCE	TOTAL NUMBER OF STATIONS VISITED	FULL COMPLIANCE (100%)	SIGNIFICANT COMPLIANCE (70% - 99%)	PARTIAL COMPLIANCE (50% - 69%)	NON-COMPLIANCE (49% and below).
EC	67	0	37	24	6
FS	55	0	31	15	9
GP	12	0	11	1	0
KZN	36	0	15	14	7
LP	54	0	11	25	18
MP	25	0	17	3	5
NW	20	0	18	2	0
NC	15	0	0	6	9
WC	9	0	7	2	0
TOTAL	293	0	147	92	54

A total of 293 police stations were visited of which majority at one hundred and fifty eight (148) of the stations achieved significant compliance level while ninety two (92) police stations achieved partial compliance level. A total of fifty four (54) police stations were found to be at a non-compliance level. Out of the nine provinces, only three



provinces, i.e. GP, NW and WC did not have police station that fell within the non-compliance level with NW having only two (2) out of twenty (20) police stations visited fall on partial compliance. LP had the highest number of police stations that fell within the non-compliance level with eighteen (18). It was followed by FS and NC with nine (09) each and KZN with seven (07).

3.2. COMPLIANCE LEVELS PER POLICE STATION

Table 5 below shows the list of police stations visited and the levels of compliance per police station based on regulatory compliance variables, record keeping and implementation of the DVA by SAPS members. Out of the fifty four (54) police stations that rated within the non-compliance level, nineteen (19) achieved below 40%. The lowest performing of the 19 being; Hibberdene (9%) in KZN, Carnavon (13%) in NC, Kimberly (17%) in NC, Impendle (25%) in KZN and Petrusburg (FS) and Libode (EC) both rated at 26%.

Table 4: Compliance levels per station

Police station	%	Compliance level	Police station	%	Compliance level
EASTERN CAPE					
Mbizeni	93%	Significant Compliance	Sterkstroom	76%	Significant Compliance
Kwazakhele	93%	Significant Compliance	Mount Road	74%	Significant Compliance
Venterstad	92%	Significant Compliance	Kwadwesi	73%	Significant Compliance
Jansenville	92%	Significant Compliance	Alexandria	72%	Significant Compliance
Msobomvu	89%	Significant Compliance	Floukraal	72%	Significant Compliance
Queenstown	89%	Significant Compliance	Seven Fountains	72%	Significant Compliance
Uitenhage	88%	Significant Compliance	Mtata Central	71%	Significant Compliance
Hankey	88%	Significant Compliance	Tamara	71%	Significant Compliance
Jeffrey's Bay	87%	Significant Compliance	Komga	71%	Significant Compliance
Rossouw	87%	Significant Compliance	Whittlesea	70%	Significant Compliance
Willowmore	86%	Significant Compliance	Afsondering	70%	Significant Compliance
Grahamstown	86%	Significant Compliance	Steynsburg	67%	Partial Compliance
Tsolo	85%	Significant Compliance	Addo	67%	Partial Compliance
Mlungisi	85%	Significant Compliance	Hofmeyr	65%	Partial Compliance
Kwanobuhle	85%	Significant Compliance	Kenton on sea	64%	Partial Compliance
Elands Height	84%	Significant Compliance	Madeira	64%	Partial Compliance
Ida	84%	Significant Compliance	Mqanduli	62%	Partial Compliance
Kirkwood	84%	Significant Compliance	Mtontsasa	59%	Partial Compliance
Alice	81%	Significant Compliance	Qumbu	58%	Partial Compliance
Mzamba	80%	Partial Compliance	Dodrecht	58%	Partial Compliance
Mt. Frere	79%	Significant Compliance	Kwa-Ndengane	58%	Partial Compliance
Lusikisiki	79%	Significant Compliance	Ilinge	58%	Partial Compliance
Beacon Bay	77%	Significant Compliance	Lukholweni	57%	Partial Compliance
Maletsuwi	77%	Significant Compliance	Tyefu	55%	Partial Compliance



Police station	%	Compliance level	Police station	%	Compliance level
New Brighton	76%	Significant Compliance	Centane	55%	Partial Compliance
Matatiele	76%	Significant Compliance	Cofimvaba	54%	Partial Compliance
Thornhill Ciskei	53%	Partial Compliance	Chungwa	51%	Partial compliance
Nemato	53%	Partial Compliance	Vulindlela	49%	Non Compliance
Molteno	53%	Partial Compliance	Bridge Camp	48%	Non Compliance
Riebeeck East	52%	Partial Compliance	Bell	48%	Non Compliance
Hlababomvu	52%	Partial Compliance	Cala	46%	Non Compliance
Engcobo	52%	Partial Compliance	Kei Bridge	33%	Non Compliance
Ngqeleni	51%	Partial Compliance	Libode	26%	Non Compliance
FREE STATE					
Viljoenskroon	95%	Significant Compliance	Clocolan	71%	Significant Compliance
Selosesha	93%	Significant Compliance	Roadside	71%	Significant Compliance
Rosendal	91%	Significant Compliance	Theunissen	70%	Significant Compliance
Phuthaditjhaba	89%	Significant Compliance	Dealesville	69%	Partial Compliance
Navilsig	89%	Significant Compliance	Kestell	69%	Partial Compliance
Koffiefontein	88%	Significant Compliance	Bloemspruit	69%	Partial Compliance
Parkroad	88%	Significant Compliance	Hertzogville	68%	Partial Compliance
Warden	88%	Significant Compliance	Edenville	67%	Partial Compliance
Marquard	88%	Significant Compliance	Vrededorf	67%	Partial Compliance
Heidedal	87%	Significant Compliance	Verkeerdevlei	65%	Partial Compliance
Fouriesburg	85%	Significant Compliance	Excelsior	64%	Partial Compliance
Lindley	85%	Significant Compliance	Allanridge	63%	Partial Compliance
Jacobsdal	85%	Significant Compliance	Vierfontein	61%	Partial Compliance
Dewetsdorp	83%	Significant Compliance	Heilbron	61%	Partial Compliance
Batho	83%	Significant Compliance	Bothaville	61%	Partial Compliance
Henneman	83%	Significant Compliance	Heuningspruit	60%	Partial Compliance
Viljoensdrif	82%	Significant Compliance	Winburg	55%	Partial Compliance
Garlepdam	81%	Significant Compliance	Vanstadensrus	51%	Partial Compliance
Brandfort	80%	Significant Compliance	Wesselsbron	49%	Non Compliance
Arlington	76%	Significant Compliance	Tweespruit	49%	Non Compliance
Tweeling	76%	Significant Compliance	Tumahole	48%	Non Compliance
Tierpoort	76%	Significant Compliance	Reddersburg	46%	Non Compliance
Boshof	75%	Significant Compliance	Philippolis	46%	Non Compliance
Ladybrand	74%	Significant Compliance	Goedemoed	42%	Non Compliance
Vrede	74%	Significant Compliance	Cornelia	41%	Non Compliance
Ficksburg	73%	Significant Compliance	Smithfield	34%	Non Compliance
Boithuso	72%	Significant Compliance	Petrusburg	26%	Non Compliance
Wanda	71%	Significant Compliance			
GAUTENG					
Bolpatong	97%	Significant Compliance	Sharpeville	89%	Significant Compliance
Vanderbijlpark	96%	Significant Compliance	Evaton	88%	Significant Compliance
Meyerton	91%	Significant Compliance	De Deur	88%	Significant Compliance



Police station	%	Compliance level	Police station	%	Compliance level
Vereeniging	90%	Significant Compliance	Sebokeng	85%	Significant Compliance
The Barrage	90%	Significant Compliance	Kliprivier	77%	Significant Compliance
Orange Farms	90%	Significant Compliance	Vaal Marina	69%	Partial Compliance
KWAZULU NATAL					
Glencoe	95%	Significant Compliance	Upper Tugela	62%	Partial Compliance
Helpmekaar	93%	Significant Compliance	Ndwedwe	62%	Partial Compliance
Hatlingspruit	93%	Significant Compliance	Besters	59%	Partial Compliance
Ntuzuma	88%	Significant Compliance	Glendale	59%	Partial Compliance
New Ark	87%	Significant Compliance	Thornville	56%	Partial Compliance
Ntambanana	86%	Significant Compliance	Margate	55%	Partial Compliance
Weenen	82%	Significant Compliance	Bayview	55%	Partial Compliance
Nongoma	82%	Significant Compliance	Ematimatolo	54%	Partial Compliance
Utrecht	81%	Significant Compliance	Hillcrest	51%	Partial Compliance
Mzinto	81%	Significant Compliance	Mondlo	51%	Partial Compliance
Mkuze	81%	Significant Compliance	Marrianhill	47%	Non Compliance
Van reenen	77%	Partial Compliance	KwaDabeka	45%	Non Compliance
Umbumbulu	77%	Significant Compliance	Ulundi	41%	Non Compliance
Kwamashu	76%	Significant Compliance	Wartburg	41%	Non Compliance
Prestbury	69%	Partial Compliance	Kokstad	38%	Non Compliance
Mooi River	68%	Partial Compliance	Impendle	25%	Non Compliance
Charlestown	63%	Partial Compliance	Hibberdene	8%	Non Compliance
Evatt	63%	Partial Compliance			
LIMPOPO					
Musina	96%	Significant Compliance	Mankweng	63%	Partial Compliance
Naboomspruit	86%	Significant Compliance	Lulekani	62%	Partial Compliance
Pienaarsrivier	83%	Significant Compliance	Saamboubreg	62%	Partial Compliance
Villanora	78%	Significant Compliance	Vaalwater	59%	Partial Compliance
Tomburke	77%	Significant Compliance	Tshilwahusiku	59%	Partial Compliance
Senwabarwana	77%	Significant Compliance	Marble	59%	Partial Compliance
Jane Furse	74%	Significant Compliance	Tzaneen	58%	Partial Compliance
Dorset	72%	Significant Compliance	Sekhukhune	55%	Partial Compliance
Roedtan	71%	Significant Compliance	Levubu	55%	Partial Compliance
Makhado	70%	Significant Compliance	Morebeng	53%	Partial Compliance
Rankinpass	70%	Significant Compliance	Rakgoatl	53%	Partial Compliance
Tubatse	69%	Partial Compliance	Ritavi	53%	Partial Compliance
Tinmyne	68%	Partial Compliance	Bobobedu	52%	Partial Compliance
Northam	67%	Partial Compliance	Zaaiplaas	49%	Non Compliance
Dwaalboom	67%	Partial Compliance	Lebowakgomo	49%	Non Compliance
Sekgosese	66%	Partial Compliance	Ohrighstad	48%	Non Compliance
Tshamutumbu	66%	Partial Compliance	Waterpoort	48%	Non Compliance
Malipsdrift	65%	Partial Compliance	Letsitele	47%	Non Compliance
Modjadiskloof	65%	Partial Compliance	Maleboho	47%	Non Compliance



Police station	%	Compliance level	Police station	%	Compliance level
Bulgerivier	64%	Partial Compliance	Masisi	46%	Non Compliance
Cumberland	64%	Partial Compliance	Tshitale	45%	Non Compliance
Gravelotte	64%	Partial Compliance	Mokwakwaila	45%	Non Compliance
Waterval	63%	Partial Compliance	Matlala	43%	Non Compliance
Mecklenburg	43%	Non Compliance	Nebo	38%	Non Compliance
Botlokwa	42%	Non Compliance	Hlogotlou	37%	Non Compliance
Leboeng	41%	Non Compliance	Mogwadi	35%	Non Compliance
Alldays	39%	Non Compliance	Mara	30%	Non Compliance
MPUMALANGA					
Delmas	86%	Significant Compliance	Trichardt	73%	Significant Compliance
Grootvlei	85%	Significant Compliance	Piet Retief	72%	Significant Compliance
Emzinoni	82%	Significant Compliance	Charl Cilliers	71%	Significant Compliance
Kriel	82%	Significant Compliance	Ngodwana	70%	Significant Compliance
Embalenhle	81%	Significant Compliance	Balfour	67%	Partial Compliance
Standerton	80%	Significant Compliance	Secunda	66%	Partial Compliance
Evander	76%	Significant Compliance	Bethal	56%	Partial Compliance
Elukwatinini	76%	Significant Compliance	Blinkpan	49%	Non Compliance
Amersfoort	76%	Significant Compliance	Leslie	47%	Non Compliance
Middleburg	76%	Significant Compliance	Kinross	43%	Non Compliance
Waterval Boven	75%	Significant Compliance	Sheepmor	41%	Non Compliance
Mmamethlakhe	74%	Significant Compliance	Greylingstad	37%	Non Compliance
Vaalbank	74%	Significant Compliance			
NORTHERN CAPE					
Belmont	65%	Partial Compliance	Witdraai	43%	Non Compliance
Sutherland	63%	Partial Compliance	Kanoneiland	38%	Non Compliance
Komaggas	60%	Partial Compliance	Mothibistad	37%	Non Compliance
Richmond	56%	Partial Compliance	Jan Kempdorp	36%	Non Compliance
Upington	55%	Partial Compliance	Galeshewe	33%	Non Compliance
Kleinzee	53%	Partial Compliance	Kimberley	17%	Non Compliance
Britstown	45%	Non Compliance	Carnarvon	13%	Non Compliance
Boetsap	44%	Non Compliance			
NORTH WEST					
Bloemhof	94%	Significant Compliance	Madikwe	83%	Significant Compliance
Hartbeespoortdam	93%	Significant Compliance	Ikageng	81%	Significant Compliance
Lomanyaneng	92%	Significant Compliance	Sannleshof	81%	Significant Compliance
Vryburg	92%	Significant Compliance	Wolmaranstad	76%	Significant Compliance
Tlhabane	92%	Significant Compliance	Ganyesa	74%	Significant Compliance
Letlhabile	89%	Partial Compliance	Kanana	72%	Significant Compliance
Lichtenburg	89%	Significant Compliance	Zeerust	71%	Significant Compliance
Boitekong	88%	Significant Compliance	Taung police station	61%	Partial Compliance
Khuma	87%	Significant Compliance	Itsoseng	58%	Partial Compliance
Jouberton	86%	Significant Compliance			

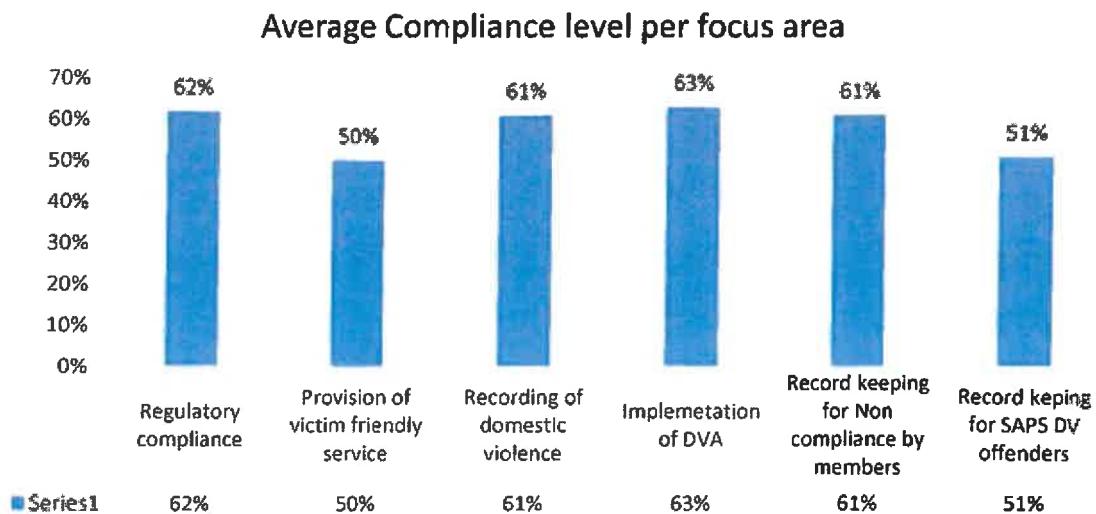


Police station	%	Compliance level	Police station	%	Compliance level
Coligny	85%	Significant Compliance			
WESTERN CAPE					
Mitchells Plain	92%	Significant Compliance	Oudtshoorn	86%	Significant Compliance
Paarl-East	91%	Significant Compliance	Saldanha	85%	Significant Compliance
Bishop Lavis	87%	Significant Compliance	Nyanga	76%	Significant Compliance
Gugulethu	71%	Significant Compliance	Khayelitsha	61%	Partial Compliance
Grassy Park	66%	Partial Compliance			

3.3. COMPLIANCE LEVEL PER FOCUS AREA

The figure below illustrates the level of compliance in relation to the various focus areas namely; regulatory compliance, VFR, recording of domestic violence and implementation of the DVA.

Figure 1: Average compliance level per focus area



Implementation of DVA rated the highest level of compliance at an average of 63% followed by the regulatory compliance at an average of 62%. In assessing the implementation of DVA, questions were posed to members exploring the different steps that should be followed when assisting a person reporting a domestic violence incident. The aim was to assess whether members have an understanding of how to properly implement DVA in line with the requirements for providing service to victims as explained in the DVA and National Instruction (7 of 1999). The findings show that members have a fairly good understanding of implementation of the DVA. An average of three (3) members per police station was interviewed. Provision of victim friendly services rated at an average of 50%. This area assessed the 24hr accessibility of the VFR, resourcing in line with the minimum standards outlined in the Victim

Empowerment National Instructions, No.2 of 2012 and the availability of documents that should be at the VFR as references when assisting victims.

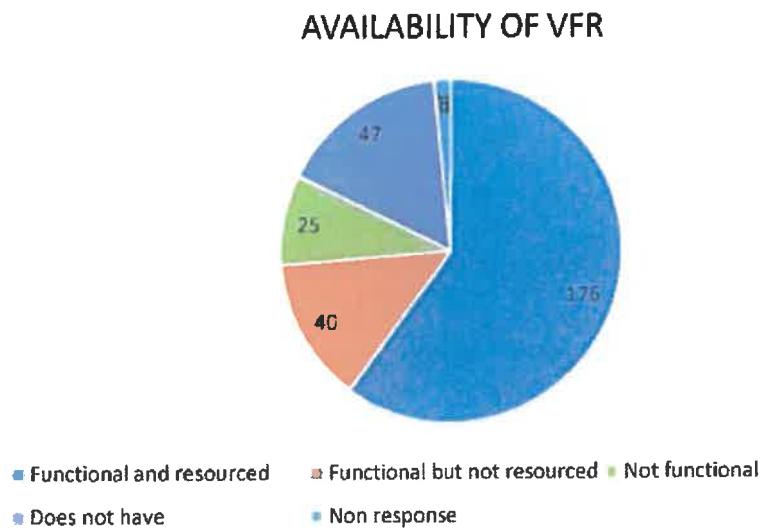
Taking into consideration the level of record keeping for SAPS members that are DV offenders which is at an average of 51%, an inference can be drawn to the low levels of managing this process. Without proper record keeping, it becomes difficult for any organisation to monitor and track progress. This area assessed the methods of record keeping used by the stations and their availability, and the submission of Regulation 12 reports to the Provincial Discipline Management Component for all reported incidents.

3.4. STATUS OF VFR FUNCTIONALITY

The Victim Empowerment National Instruction stipulates that every police station must have a VFR to interview victims of crime in privacy. Should a police station not have a VFR, arrangements should be made to interview the victim in private, by using the interview cubicles or an available office³. Availability and functionality of VFRs in police stations was assessed in line with the Victim Empowerment National Instruction No. 2 of 2012

Figure 2 below provide the status in terms of the availability and functionality of the VFRs.

Figure 2: Availability of VFR



³ Section 8 (2&3) – Victim Empowerment National Instruction, No 2 of 2012



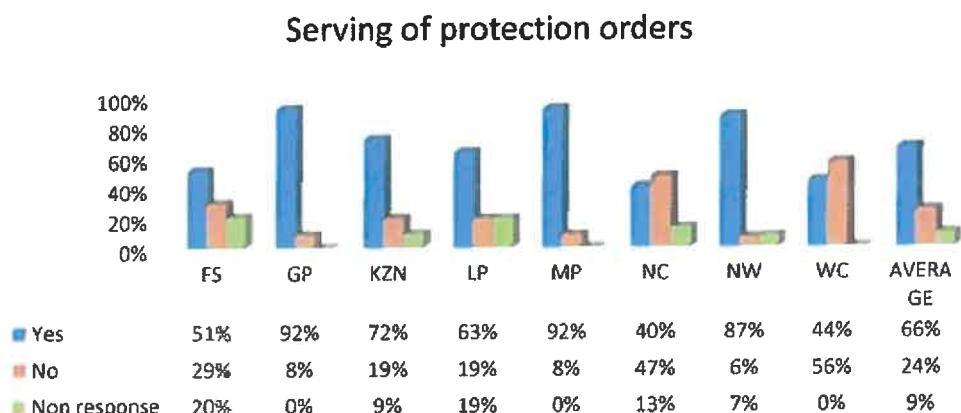
According to the above figure, out of the 293 police stations visited, there was 192 police stations with VFRs that are functional and resourced with 65 stations having VFRs which were functional but not resourced (40) and not functional (20). VFRs that are not functional are used as additional office space by police stations that do not have sufficient office space. GP had 11 stations with VFRs that are functional and resourced out of the 12 visited, WC had 8 out of the 9 stations and NW had 17 out of 20 stations with VFRs that are functional and fully resourced. A functional and resourced VFR indicates that the VFR was open and available for use 24 hours and had resources as stipulated in the National Instruction 2 of 2012. In the three (3) provinces mentioned above, all the police stations visited had VFRs, even though they differed in the level of functionality.

The following provinces had police stations that do not have the VFRs out of those visited; NC (3), FS (13), KZN (6), LP (11), EC (10) and MP (1). When comparing the compliance level and the availability of VFRs in police stations, the trend seems to be similar in the sense that provinces with more non-compliant police stations have more stations that do not have VFRs (*Annexure B*). According to SAPS even though some stations might not have the actual room, they are able to provide a victim friendly service by ensuring complainants are not interviewed at the Community Service Centre, but rather in the offices. However, this is not applicable in all police stations that do not have VFRs.

3.5. SERVICE OF PROTECTION ORDERS BY POLICE STATIONS

Police stations were assessed on the ability to serve Protection Orders (PO) immediately after it is issued as stipulated in the DVA. In assessing this area, records were checked as to whether there were any PO outstanding for longer than two (2) months within a police station. Figure 3 below shows the status of serving PO per province.

Figure 3 : Protection Orders served



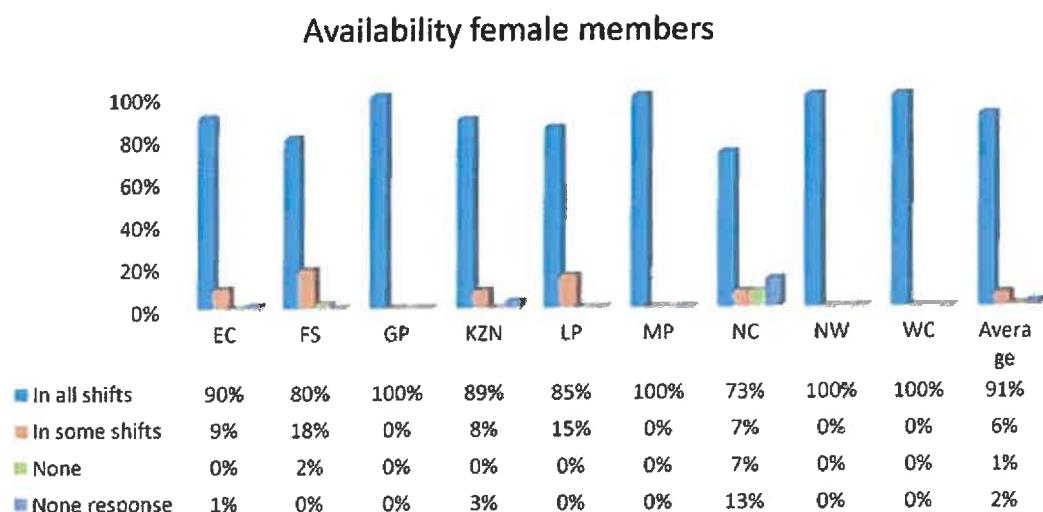


The figure above indicates that in all the provinces, there were some police stations that did not serve POs immediately as obligated by the National Instructions and the DVA. In 66% (194) of the police stations visited, all protection orders received were served within two months. There was 24% (69) of the stations that had not served all the protection orders received within two months (*Annexure C*). In 9% (30) of the stations visited, there were no records of protection orders received (*Annexure D*). One of the challenges with service of protection order is poor communication and cooperation between the local police stations and the local courts. GP (11) and MP (23) both at 92% had the highest rate of service of POs within two months of receipt by the stations and they are followed by NW (87%) and KZN (72%). WC (4) and NC (6) reflected the lowest rate of service of POs with 44% and 40% respectively.

3.6. AVAILABILITY OF FEMALE MEMBERS PER SHIFTS IN POLICE STATIONS

Various research studies have indicated that victims of gender based violence prefer to be served by a female as this is likely to reduce the risk of secondary traumatisation. With this view in mind an assessment was done to establish whether the SAPS is able to post female members in all shifts within a police station.

Figure 4: Availability of female members in shifts



The findings indicate that in 91% of the police stations visited had female police members deployed in all shifts while in 6% of the police stations female members were deployed in some of the shifts but not in all the shifts due to shortages of female members (*Annexure E*) in police stations. The following provinces have female members in all shifts in all of the police stations visited during this period, GP, MP, NW and WC.

3.7. TRAINING

In all the 293 police stations visited, it was reported that all members in the core components, i.e. VISPOL and Detectives have received training on Domestic violence and victim empowerment. The SAPS offers a five-day DVA Training which also forms part of the Basic Training Programme. In order to assist members who have not yet been called up to attend the five-day DVA training, a three-day workshop on DVA and a one day information sessions are provided.

4. POSITIVE STRIDES

SAPS is displaying willingness to improve its implementation and compliance to the DVA by improving capacitation of its members and implementing the recommendations made by the CSPS. The pace is not as fast as one would expect but there is positive progress. The following indicate such willingness:

- Joining the CSPS in conducting capacity building sessions for the Provincial Compliance Forums. In these sessions the role of SAPS in ensuring compliance is clearly articulated and the management of non-compliance is emphasised.
- At the National Compliance Forum, the CSPS and SAPS have identified two low performing stations which are being mentored to improve their performance. These are Mogwadi in LP and Muden in KZN. These stations are used to pilot this approach of a joint intervention programme to improve compliance and implementation of DVA. In the next years the number of stations will be increased. Provinces have also been advised to adopt a similar approach.
- Co-operation with the CSPS in assisting Plessislaer police station in KZN to develop a community awareness programme as the policing area has been identified to have high rate of gender based violence. The programme will be supported by both CSPS and the SAPS.

5. CONCLUSION

The SAPS is still struggling with ensuring that all members are fully complying with the DVA obligations, however the level of cooperation with the CSPS and the Provincial Secretariats is improving. There are police stations that are performing very poorly, e.g. Helderberg and Impendle in KZN, Carnavon and Kimberly in NC, Petrusburg in FS and Libode in EC, which indicates the need for serious intervention from the SAPS. Provinces like GP, NW and WC continue to show high performance and also need to be supported in order to maintain the good service delivery.



Management of members who have been identified as perpetrators of DV by station commanders remains a challenge for the SAPS. This is reflected by the low number of disciplinary proceedings (11 out of 30) that have been initiated against members. Section 102 enquiries were not conducted as stipulated in the FCA, in some instances where there was a FPO in place. There are police stations that are still not serving POs without delay. It was found that majority of the stations visited (91%) have female officers deployed in every shift at the police stations. This will contribute towards ensuring that the Minister of Police's six point plan on responding to gender based violence is implemented.

6. RECOMMENDATIONS

- 6.1. SAPS needs to closely monitor police stations that are performing poorly and come up with interventions to assist them.
- 6.2. Management of members that are DV offenders needs to be enhanced to ensure that there are consequences for those identified. As custodians of discipline, Station Commanders need to be held accountable for failure to effectively manage this process.
- 6.3. The working relationship between the local courts and police stations needs to be strengthened in order to improve the service of protection orders.
- 6.4. Disciplinary steps should be taken against Station Commanders whose stations are failing to serve protection orders on time without any valid reasons.



ANNEXURES

ANNEXURE B: POLICE STATIONS WITHOUT VFR

NO	PROVINCE	STATION	NO	PROVINCE	STATION
1.	EC	Bridge Camp	36.	LP	Mogwadi
2.	EC	Cala	37	LP	Rakgoadi
3.	EC	Hofmeyr	38.	LP	Hlogotlou
4.	EC	Tyefu	39.	LP	Tshitale
5.	EC	Mtontsasa	40.	LP	Mokwakwaila
6.	EC	Floukraal	41.	LP	Alldays
7.	EC	Kwa-Ndengane	42.	MP	Amersfoort
8.	EC	Dodrecht	43.	NC	Sutherland
9.	EC	Seven Fountains	44.	NC	Witdraai
10.	EC	Matatiele	45.	NC	Britstown
11.	EC	Nemato	46.	NW	Zeerust
12.	FS	Roadside	47.	NW	Ganyesa
13.	FS	Petrusburg			
14.	FS	Verkeerdevlei			
15.	FS	Heuningspruit			
16.	FS	Edenville			
17.	FS	Wanda			
18.	FS	Vanstadensrus			
19.	FS	Philippolis			
20.	FS	Hertzogville			
21.	FS	Tweespruit			
22.	FS	Excelsior			
23.	FS	Goedemoed			
24.	FS	Vredefort			
25.	KZN	Kokstad			
26.	KZN	Thornville			
27.	KZN	Glendale			
28.	KZN	Upper Tugela			
29.	KZN	Marrianhill			
30.	KZN	Van Reenen			
31.	LP	Dorset			
32.	LP	Roedtan			
33.	LP	Tinmyne			
34.	LP	Cumberland			
35.	LP	Mara			



ANNEXURE C: PROTECTION ORDERS NOT SERVED

PROTECTION ORDERS NOT SERVED WITHIN TWO MONTHS					
NO	PROVINCE	STATION	NO	PROVINCE	STATION
1.	EC	Lusikisiki	38.	KZN	Upper Tugela
2.	EC	Cofimvaba	39.	KZN	Umbumbulu
3.	EC	Bell	40.	KZN	Hibberdene
4.	EC	Willowmore	41.	KZN	Ematimatolo
5.	EC	Kenton on sea	42.	KZN	Nongoma
6.	EC	Mtontsasa	43.	KZN	Ulundi
7.	EC	Ngqeleni	44.	KZN	Margate
8.	EC	Kirkwood	45.	LP	Zaaiplaas
9.	EC	Dodorecht	46.	LP	Levubu
10.	EC	Chungwa	47.	LP	Tshilwavhusiku
11.	EC	Nemato	48.	LP	Morebeng
12.	EC	Centane	49.	LP	Botlokwa
13.	EC	Mzamba	50.	LP	Gravelotte
14.	EC	Lukholweni	51.	LP	Lulekani
15.	EC	Mt. Frere	52.	LP	Naboomspruit
16.	EC	Kwadwesi	53.	LP	Nebo
17.	EC	Kwanobuhle	54.	LP	Masisi
18.	EC	Mqanduli	55.	MP	Charl Cilliers
19.	EC	Madeira	56.	MP	Ngodwana
20.	FS	Rosendal	57.	NC	Boetsap
21.	FS	Roadside	58.	NC	Witdraai
22.	FS	Petrusburg	59.	NC	Komaggas
23.	FS	Lindley	60.	NC	Kanoneiland
24.	FS	Jacobsdal	61.	NC	Kimberley
25.	FS	Fouriesburg	62.	NC	Mothibistad
26.	FS	Tierpoort	63.	NC	Britstown
27.	FS	Verkeerdevlei	64.	NW	Kanana
28.	FS	Kestell	65.	WC	Gugulethu
29.	FS	Phuthaditjhaba	66.	WC	Khayelitsha
30.	FS	Koffiefontein	67.	WC	Grassy Park
31.	FS	Wanda	68.	WC	Bishop Lavis
32.	FS	Warden	69.	WC	Mitchells Plain
33.	FS	Vanstadensrus			
34.	FS	Hertzogville			
35.	FS	Bothaville			
36.	GP	Sebokeng			
37.	KZN	Mooi River			



ANNEXURE D: POLICE STATIONS WITH NO RECORDS OF PROTECTION ORDERS

NO	PROVINCE	STATION
1.	EC	Cala
2.	EC	Kwazakhele
3.	FS	Roadside
4.	FS	Tierpoort
5.	FS	Brandfort
6.	FS	Arlington
7.	FS	Kestell
8.	FS	Phuthaditjhaba
9.	FS	Vanstadensrus
10.	KNZ	Mooi River
11.	KZN	Thornville
12.	KZN	Upper Tugela
13.	KZN	Evatt
14.	KZN	Prestbury
15.	KZN	Ndwedwe
29.	MP	Embalenhle
30.	MP	Delmas
31.	MP	Mmamethlake
32.	NC	Galeshewe
33.	NC	Kanoneiland
34.	NC	Kimberley
35.	NW	Kanana
36.	NW	Wolmaranstad
37.	NW	Ikageng
38.	NW	Letlhabile
38.	WC	Saldanha
39.	WC	Gugulethu
40.	WC	Khayelitsha
41.	WC	Grassy Park
42.	WC	Mitchells Plain



ANNEXURE E: POLICE STATIONS WITH FEMALE MEMBERS NOT AVAILABLE IN ALL SHIFTS

NO.	PROVINCE	STATION
1.	EC	Tyefu
2.	EC	Kwa-Ndengane
3.	EC	Jansenville
4.	EC	Hlababomvu
5.	EC	Ilinge
6.	FS	Roadside
7.	FS	Marquard
8.	FS	Boshof
9.	FS	Dealesville
10.	FS	Verkeerdevlei
11.	FS	Arlington
12.	FS	Kestell
13.	FS	Wanda
14.	FS	Warden
15.	FS	Philippolis
16.	FS	Hertzogville
17.	KZN	Charlestown
18.	KZN	Evatt
19.	KZN	Prestbury
20.	LP	Rankinspass
21.	LP	Dorset
22.	LP	Bulgerivier
23.	LP	Cumberland
24.	LP	Villanora
25.	LP	Mara
26.	LP	Waterpoort
27.	LP	Saamboubreg
28.	NC	Boetsap
29.	NC	Sutherland
30.	NC	Kanoneiland

ANNEXURE A: NON-COMPLIANCE IDENTIFIED THROUGH STATION VISITS

POLICE STATION	NATURE OF NON-COMPLIANCE	RECOMMENDATION BY THE CSPS	IF NO RECOMMENDATION MADE – PROVIDE REASONS	WERE DISCIPLINARY PROCEEDINGS INSTITUTED BY SAPS	OUTCOME OF THE DISCIPLINARY PROCESS	APPLICATION FOR EXEMPTION (YES/NO)	OUTCOME OF THE EXEMPTION (GRANTED/NOT GRANTED/PENDING)
Ladybrand	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	No steps taken	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No	
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No	

Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No

Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS2	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Parkroad	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	DS1	No
Senwabarwana	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Senwabarwana	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Senwabarwana	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Senwabarwana	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Senwabarwana	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Modjadiskloof	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Modjadiskloof	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Emzintoni	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Emzintoni	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Emzintoni	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No

Williston	Failure to attend to complainant	None	Matter not reported to the CSPS	Yes	Departmental charge	No
Lichtenburg	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Lichtenburg	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Lichtenburg	Administrative non-compliance	None	Matter not reported to the CSPS	Yes	Verbal warning	No
Gugulethu	Administrative non-compliance	None	Matter not reported to the CSPS	No	Under investigation	No
Gugulethu	Administrative non-compliance	None	Matter not reported to the CSPS	No	Under investigation	No
Gugulethu	Administrative non-compliance	None	Matter not reported to the CSPS	No	Under investigation	No
Gugulethu	Administrative non-compliance	None	Matter not reported to the CSPS	No	Under investigation	No
Gugulethu	Administrative non-compliance	None	Matter not reported to the CSPS	No	Under investigation	No
Gugulethu	Failure to arrest the suspect re: CAS 1022/08/2016.	None	Matter not reported to the CSPS	Yes	No steps	Granted