

DOMESTIC VIOLENCE REPORT TO PARLIAMENT

FOR THE PERIOD

JULY TO DECEMBER 2004

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1. INTRODUCTION

This is the ninth report produced by the Independent Complaint Directorate (ICD). The report seeks to present a factual analysis of cases of non-compliance with the Domestic Violence Act (DVA) by members of the South African Police Service (SAPS) and the recommendations made to address same. The type of cases of non-compliance with the DVA covered in this report include failure to effect warrants of arrest, failure to advise complainants of options (e.g failure to advise complainant to lay a criminal charge, or apply for a protection order or both), failure to assist complainants, failure to furnish a subpoena, and failure to serve a protection order. The highest number of these cases was received in the Western Cape with a total of number of 16. North West recorded the second highest number of cases of non-compliance with a total of 14 followed by Gauteng with a total of 13, Limpopo and Northern Cape recorded 09 cases each. Only 06 cases were recorded by Free State, followed by Mpumalanga with a total of 04 cases. KwaZulu Natal recorded 02 cases for this period. Lastly, Eastern Cape recorded a nil return. It is, however, interesting to note that while a total of 69 cases of non-compliance with the DVA were recorded across all provinces, only 04 applications for exemption from internal prosecution were received and dealt with.

Also, this report seeks to highlight various proactive oversight engagements undertaken by the ICD during the period under review with a view to promote compliance with the DVA. These activities were in the form of awareness campaigns, workshops, station visits and station audits. The ICD will continue to embark on these activities to enhance its efforts towards ensuring a successful implementation of the Domestic Violence Act.

2. THE MANDATE OF THE ICD IN RESPECT OF INCIDENTS OF NON-COMPLIANCE WITH THE DOMESTIC VIOLENCE ACT, 116 OF 1998

In terms of the South African Police Service Act 68 of 1995, the ICD is empowered to investigate all cases of misconduct against the SAPS and the MPS. Arguably, the ICD could investigate the SAPS and the MPS in respect of the following category of offences and misconducts:

- I. Where a member kills or causes the death of any person involved with him/her in a domestic relationship such as a spouse.
- II. Where a member commits an offence such as assault, rape, etc. against a person in a domestic relationship with the member, such as a spouse.
- III. Where a member refuses to assist a victim of domestic abuse.

In terms of the Domestic Violence Act 116 of 1998, failure by a member of the South African Police Service to comply with an obligation imposed in terms of this Act or the National Instructions referred to in subsection (3), constitutes misconduct as contemplated in the South African Police Service Act 68 of 1995 and the Independent Complaints Directorate, established in terms of the said Act must forthwith be informed of any such failure reported to the South African Police Service. Furthermore, the ICD must, every six months, submit a report to Parliament regarding the number and particulars of matters reported to it in terms of subsection (4)(a), setting out the recommendations made in respect of such matters.

In essence, the SAPS are obliged to report to the ICD all misconduct cases pertaining to non-compliance with the DVA. The ICD could in turn exempt members where a valid explanation for non-compliance is offered. Where exemption is refused, the ICD could investigate or ask the SAPS to investigate with the ultimate purpose of holding a disciplinary hearing. The ICD's power to investigate incidents of non-compliance with the DVA is derived from the SAPS Act referred to above. Non-compliance is misconduct and the Act empowers the ICD to investigate both offences and misconducts. In other words, non-compliance misconducts are equivalent to misconducts categorized as Class 4 cases by the ICD. While the ICD is moving towards investigating misconducts as well as, non-compliance with DVA also deserves direct investigation by the ICD. In fact, this approach will solve a lot of delays in finalizing non-compliance misconducts by SAPS. Currently, the ICD is merely referring non-compliance misconducts to SAPS for investigation and prosecution.

3. STATISTICS RELATING TO CASES OF NON-COMPLIANCE WITH THE DVA AND THE PARTICULARS THEREOF

3.1 CASES OF NON-COMPLIANCE WITH THE DVA

In terms of the Domestic Violence Act, ICD is obliged to report to Parliament regarding the number of cases of non-compliance with the DVA received and the particulars thereof and also set out how it dealt with recommendations of such matters.

The following statistics relate to cases of non-compliance received from 1 July 2004 to 31 December 2004 and are broken down according to provinces.

3.1.1 GAUTENG

Gauteng received 10 complaints of non-compliance with the DVA. The particulars thereof are as follows:

a. Failure to advise the complainant of options, such as applying for a protection order, laying a criminal charge or both

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004070417	Silverton	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.
2004070151	Eldorado	Circulation of the suspect as a wanted person and disciplinary steps to be instituted against the investigating officer.	The Senior Public Prosecutor made queries for further investigation.
2004080563	Brixton	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.
2004090204	Atteridgeville	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.
2004100170	Rietgat	Case was referred to SAPS for departmental steps to be instituted against the officer.	The Senior Public Prosecutor made queries for further investigation.
2004110227	Hazyview	Case was referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.
2004110501	Brixton	Case was referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.

b. Failure to assist the complainant ,such as finding a suitable shelter obtaining medical treatment ,accompany him/her to collect personal property and seize any dangerous weapons from the abuser

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004090404	Mamelodi	Case referred to SAPS for departmental steps	Still awaiting for departmental steps to be taken against the officer.

		to be instituted against the officer.	
2004110187	Naledi	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still under SAPS investigation.
2004110076	Eldorado Park	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.
2004100271	Tsakane	Case referred to SAPS for departmental steps to be instituted against the officer.	Still awaiting for departmental steps to be taken against the officer.

c. Failure to effect arrest of the Respondent

CCN	POLICE STATION	RECOMMENDATIONS	STUTAS
2004100141	Hammanskraal	Several letters to be sent to the complainant to furnish more information to ICD.	The file was closed due to lack of cooperation from the complainant.
2004100483	Eldorado	Matter referred to SAPS for disciplinary steps to be institute against the officer.	Matter is still pending due to delay of SAPS to institute disciplinary hearing.

Out of 13 cases of non-compliance received by Gauteng, there were no applications for exemption reported. No reported cases of domestic abuse allegedly committed by SAPS members.

3.1.2 WESTERN CAPE

Western Cape received 18 complaints of non-compliance with the DVA. The particulars thereof are as follows:

a. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
04WC 764	Delft	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to SAPS delay to institute the disciplinary hearing.
04 WC 978	Kuilsriver	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Still awaiting receipt of formal application for exemption.
04 WC 1000	Harare	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to SAPS delay to institute the disciplinary hearing.
04 WC 1134	Mitchell's Plain	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Matter is still pending due to SAPS delay to institute the disciplinary hearing.
04 WC 1075	Mitchell's Plain	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption	Still awaiting receipt of formal application for exemption.

		from internal prosecution.	
04 WC 1110	Landsdown	Case was referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to SAPS delay to institute disciplinary hearing.
04 WC 1166	Elesies River	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Matter is still pending due to delay of SAPS to apply for exemption.
04 WC 1187	Robertson	In view of the refusal of the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Matter is still pending due to delay of SAPS to apply for exemption.
04 WC 1192	Ceres	Case was referred to SAPS for departmental steps to be instituted against the officer.	Matter closed as mediated.
04 WC 1093	Beaufort West	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Matter is still pending due to delay of SAPS to apply for exemption.
04 WC 1267	Delft	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to SAPS delay to institute disciplinary hearing.
04 WC 1248	Mitchell's Plain	In view of the refusal by the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Matter is pending due to delay of SAPS apply for exemption.
04 WC 1251	Cape Town	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter delay due to SAPS delay to institute disciplinary hearing.

b. Failure to assist the complainant, such as finding a suitable shelter, obtaining medical treatment , accompany him/her to collect personal property and seize any dangerous weapon from the abuser

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
04 WC 885	Ravensmead	Case referred to SAPS for departmental steps to be instituted against the officer.	Still awaiting for departmental steps to be taken against the officer.
04 WC 1344	Mitchell's Plain	Case referred to SAPS for departmental steps to be instituted against the officer.	Still awaiting for departmental steps to be taken against the officer.

c. Failure to serve the Respondent with the protection order

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
04 WC 1259	Parow	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still delay due to SAPS delay to institute the disciplinary hearing

Out of 18 cases of non-compliance received by Western Cape, there were no applications for exemption reported. No reported cases of domestic abuse allegedly committed by SAPS members.

3.1.3 KWAZULU NATAL

KwaZulu Natal received 2 complaints of non-compliance with the DVA. The particulars thereof are as follows:

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004080046	Tongaat	Case referred to SAPS for departmental steps to be taken against the officer.	In view of SAPS refusal to institute departmental steps against the officer, the ICD is awaiting for receipt of a formal application for exemption from internal prosecution.
2004100606	Greytown	Case referred to SAPS for departmental steps to be taken against the officer.	Case is still being investigated by ICD.

Out of 2 cases of non-compliance received by KwaZulu Natal, there were no applications for exemption.

Reported case of domestic abuse allegedly committed by SAPS members were as follows:

CCN NO	NATURE OF OFFENCE	POLICE STATION	RECOMMENDATION	STATUS
200310558	Assault GBH	Phoenix	Case referred to SAPS for departmental steps to be taken against the officer.	Case is still being monitored by ICD.
2004110445	Attempted murder	Esikhawini	Case referred to SAPS for departmental steps to be taken against the officer.	Case is still being monitored by ICD.
2004120132	Attempted murder	Kokstad	Case referred to SAPS for departmental steps to be taken against the officer.	Case is still being monitored by ICD.

3.1.4 EASTERN CAPE

For the period under review, Eastern Cape office did not receive any complaints of non-compliance with the DVA.

The reported cases of domestic abuse allegedly committed by SAPS members are as follows:

CCN NO	NATURE OF THE OFFENCE	POLICE STATION	RECOMMENDATION	STATUS
2004080452	Physical and emotional abuse	Butterworth	The case referred to the SAPS for investigation.	The officer was found guilty and served with warning.
2004090234	Physical and emotional abuse	Llinge	The case referred to the SAPS for investigation.	The officer has been severed with a notice to appear for disciplinary action.

3.1.5 LIMPOPO

Limpopo received 10 complaints of non-compliance with the DVA. The particulars thereof are as follows:

- a. Failure to assist the complainant, such as finding a suitable shelter, obtaining medical treatment , accompany him/her to collect personal property and seize any dangerous weapon from the abuser

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
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2004070273	Malamulele	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter closed as unsubstantiated.
2004110047	Seshego	In view of the refusal of the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Due to the lack of cooperation from the complainant, case was closed as dismissed.
2004090413	Seshego	In view of the refusal of the SAPS to institution departmental steps, the ICD is awaiting receipt of formal application for exemption from internal prosecution.	Case withdrawn at complainant 's request.
2004110286	Moroke	Case referred to SAPS for departmental steps to be instituted against the officer.	The case was closed after the officer had been verbally warned.

b. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
200409166	Mahwelereng	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to apply of exemption of the officer.
2004120363	Polokwane	Case referred to SAPS for departmental steps to be instituted against the officer.	Case was closed as unfounded.
2004100029	Mankweng	Case referred to SAPS for departmental steps to be instituted against the officer.	Member was warned verbally in a disciplinary hearing.
2004110293	Lebowakgomo	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter was closed as substantiated, after the member was warned verbally.
2004070605	Jane Furse	Case referred to SAPS for departmental steps to be instituted against the officer.	Case was closed as dismissed.

Out of 10 cases received by Limpopo, there were no applications for exemption.

Reported cases of domestic abuse allegedly committed by SAPS members were as follows:

CCN NO	POLICE STATION	NATURE OF OFFENCE	RECOMMENDATION	STATUS
2004070273	Malamulele	Intimidation	Case referred to DPP for prosecution.	The case is pending in court.
200409166	Mahwelereng	Intimidation and crimen injuria	Case referred to court for prosecution.	The case is pending in court.
2004100073	Vuwani	Intimidation	Case referred to DPP for prosecution.	Matter closed as unsubstantiated, due to complainant's lack of cooperation.

3.1.6 MPUMALANGA

Mpumalanga received 04 complaints of non-compliance with the DVA. The particulars thereof are as follows:

a. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004080357	Piet Retief	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter still pending due to delay of SAPS to institute a departmental hearing or forward the progress report.
2004100407	Tonga	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter still pending due to delay of SAPS to institute a departmental hearing or forward the progress report.

2004100196	Tonga	Case referred to SAPS for departmental steps to be instituted against the officer.	Case is still being monitored by ICD.
2004110587	Dennilton	Case referred to SAPS for departmental steps to be instituted against the officer.	Matter still pending due to delay of SAPS to institute a departmental hearing or forward the progress report.

Out of 04 cases of non-compliance received by Mpumalanga, no applications for exemption were reported.

3.1.7 NORTH WEST

North West received 14 complaints of non-compliance with the DVA. The particulars thereof are as follows:

a. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004060274	Mabopane	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004070178	Mabopane	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.
2004070403	Temba	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004090075	Batharos	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.
2004100101	Mmabatho	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004100379	Klerksdorp	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.
2004100373	Wolmaranstaad	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004100298	Wolmaranstaad	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004100290	Mabopane	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004110312	Temba	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004110267	Mabopane	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004110470	Mmabatho	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing
2004120198	Wolmaranstaad	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	Member found guilty and fined R100 suspended for 12 months.
2004090400	Mabopane	Case referred to the SAPS for investigation and disciplinary action to be instituted against the officer.	File closed as dismissed.

Out of 14 cases of non-compliance received by North West, there was no application for exemption reported. There are no reported cases of domestic abuse allegedly committed by SAPS members.

3.1.8 FREE STATE

Free State received 10 complaints of non-compliance with DVA. The particulars thereof are as follows:

a. Failure to assist the complainant, such as finding a suitable shelter, obtaining medical treatment, accompany him/her to collect personal property and seize any dangerous weapon from the abuser.

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004060583	Heidedal	Case referred to the SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.
2004080378	Wepenaar	Case referred to the SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.

b. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004060227	Batho	Case referred to the SAPS for departmental steps to be instituted against the officer.	Matter is still pending due to delay of SAPS to institute a disciplinary hearing.
20040220255	Bethulie	Case referred to the SAPS for departmental steps to be instituted against the officer.	Case closed as unfounded.
2004010135	Thabong	Case withdrawn by the complainant.	Case closed as withdrawn.

c. Failure to serve a protection order on the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
200410135	Seloshesha	Case referred to the SAPS for departmental steps to be instituted against the officer.	The officer was warned verbally and the protection order was served the following day.

Out of 06 cases of non-compliance received by Free State, there were no applications for exemption reported. There were no reported cases of domestic abuse allegedly committed by SAPS members.

3.1.9 NORTHERN CAPE

Northern Cape received 09 complaints of non-compliance with the DVA. The particulars thereof are as follows:

a. Failure to effect arrest of the Respondent

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004080159	Galeshewe	Case referred to SAPS for investigation.	Matter was closed due to lack of cooperation from the complainant.
2004080175	Galeshewe	Case was investigated by the ICD.	Case was closed as unsubstantiated.
2004080545	Kagiso	Case withdrawn by the complainant.	Case was closed as withdrawn.
2004090087	Kagiso	Case was referred to SAPS for	Case closed as unfounded.

		investigation.	
2004090543	Galeshewe	Case was investigated by the ICD.	Case was closed as unsubstantiated.
2004100281	Kagiso	The case monitored by ICD.	Case closed as withdrawn.
2004100584	Kagiso	The case referred to SAPS for investigation.	Case closed as unfounded.

b. Failure to assist the complainant, such as finding a suitable shelter, obtaining medical treatment , accompany him/her to collect personal property and seize any dangerous weapon form the abuser

CCN NO	POLICE STATION	RECOMMENDATION	STATUS
2004080095	Kimberly	Case referred to SAPS for investigation.	Case closed as unsubstantiated.
2004090543	Warrenton	Case referred to the SAPS for departmental action to be instituted against the officer.	Case closed as unsubstantiated.

Out of 9 cases of non- compliance received by Northern Cape, there were no applications for exemption from internal prosecution.

Reported cases domestic abuse allegedly committed by SAPS members, were received during this period, are as follows:

CCN	NATURE OF OFFENCE	POLICE STATION	RECOMMENDATION	STATUS
2004090050	Common assault	Warrenton	Case was withdrawn by the complainant.	Case was closed as withdrawn.
2004110353	Common assault	Koopmansfontein	Case referred to the SAPS for departmental action to be instituted against the officer.	Case closed as unsubstantiated.

4. (DVA) AWARENESS CAMPAIGNS

The following awareness campaigns were either organized or attended by ICD on invitation:

PROVINCE	DATE	VENUE	AUDIENCE	ICD ROLE
Gauteng	08 August 2004	Department: Sports and Recreation	People Against Human Abuse	Presentation on DVA and National Instruction
	09 August 2004	Standard Arena, Johannesburg	Community	Address community on ICD mandate and DVA
	29 August 2004	Orange Farm	Community	Address community on ICD mandate and DVA
	28 September 2004	Khutsong	Khutsong Community	Presentation on DVA and National Instruction
	29 September 2004	Mamelodi	Mamelodi Community	Presentation on DVA and National Instruction

	30 November 2004	Johannesburg Correctional Centre	Female Inmates	Presentation about the ICD mandate, DVA and National Instruction
	02 December 2004	Mamelodi Community Hall	Mamelodi Community and SAPS	Address SAPS and the community on ICD mandate and DVA
KwaZulu Natal	22 November 2004	ICD KZN Office	SAPS, Advice Desk for the Abused and ICD	Conduct DVA awareness campaign
	26 November 2004	Holiday Inn Marine Parade	ICD, SAPS, CPF and community	Conduct DVA awareness campaign
	30 November 2004	Imbali Center, Edendale	Imbali Community, SAPS and CPF	Presentation on ICD mandate, DVA and National Instruction
	03 December 2004	KZN Blind Society, Umbilo	Natal Blind Society and ICD	Presentation ICD mandate and DVA
	07 December 2004	Umgababa	Umgababa Community , SAPS and CPF	Address of SAPS and the community on DVA
	09 December 2004	Glendale	Glendale Community, SAPS and CPF	Presentation on ICD mandate, DVA and National Instruction
North West	14 July 2004	Lebotlwane	Lebotlwane Community	Address of the community on mandate of ICD and DVA
	15 July 2004	Skulpadfontein	Skulpadfontein Community	Conduct DVA community outreach
	29 September 2004	Haartebeesfontein	Tigane Community	Conduct DVA community outreach
	02 October 2004	Wolmaranstad	Barolong Community	Address of the community on ICD mandate
	02 November 2004	Ikageng	Ikageng Community	Conduct DVA community outreach
	25 November 2004	Odi stadium	Mabopane Community	Address of the community on ICD mandate and DVA

Limpopo				
	27 September 2004	Ga-Molepo Tribal Hall	Department of Social Welfare, SAPS, Public Protector and Statistics SA	Address the community on the mandate ICD and DVA
	28 September 2004	Apel Community Hall	Public Protector, SAPS and Statistics SA	Presentation on ICD mandate, DVA and National Instruction
	29 September 2004	Tshakuma Tribal Kraal	Public Protector Departments of Health, Statistics SA and Social Welfare	Presentation on the role of ICD in terms of DVA
	30 September 2004	Makuvha Community Hall	Public Protector and Statistic SA	Address the community on the ICD mandate and DVA
	25 November 2004	Vhembe Municipality	ICD, Department of Justice and Network on Violence Against Women	Address the community on the mandate of ICD and DVA
	29 November 2004	Vhembe , Phiphidi Mosanda	Department of Justice, Office of the Premier, Network on Violence Against Women, SAPS and Public Protector	Conduct DVA community outreach
	30 November 2004	Capricorn, Ga-Matlala, Ipopeng One Stop Centre	SAPS and South African Human Rights Commission	Presentation of ICD mandate and DVA
	02 December 2004	Waterburg, Bela Bela Community Hall	Justice Department, SAPS, Network on Violence Against Women and Community	Conduct DVA community outreach
	06 December 2004	Mopani Mokwakwaila Community Hall	SAPS and Modjadji Community	Conduct DVA community outreach

Eastern Cape	04 August 2004	Middledrift	Community	Conduct DVA awareness campaign
	21 September 2004	Maluti	Community, Traditional Leaders and SAPS	Address of the SAPS and the community on role of ICD in terms of DVA
	28 September 2004	Ntanbankulu	Community ,SAPS and CPF	Presentation of ICD mandate and DVA
Northern Cape	27 September 2004	Keimos	ICD, SAPS, South African Human Rights Commission, Xharai Municipality and Community	Conduct DVA community outreach
	28 September 2004	Kakamas High School	ICD, Kai Garib Municipality, SAPS, South African Human Rights Commission, and Community	Conduct DVA community outreach
	29 September 2004	Augrabies	ICD, Kai Garib Municipality, SAPS, South African Human Rights, and Community	Address of the community and the SAPS on the role of ICD in terms of the DVA
Western Cape	26 November 2004	Dagamaskop Mossel Bay	SAPS, Community Police Forum and Community	Presentation on ICD mandate and DVA
	26 November 2004	Worcester Female Correctional Centre	Inspecting Judge and Female Inmates	Presentation on ICD mandate and DVA
	02 December 2004	Pollsmoor Female Correctional Centre	Inspecting Judge and Female Inmates	Presentation on mandate of ICD as far as DVA is concerned

Two provinces did not organize any DVA Community Outreach programmes, namely:

- Mpumalanga; and
- Free State.

5. WORKSHOPS

5.1 GAUTENG

During August 2004, Gauteng office in conjunction with the Department of Community Safety conducted workshops in various Gauteng Area Commissioner's offices. These workshops included both Station and Area Commissioners after it was discovered that most of the SAPS senior members did not understand the Domestic Violence Act. Hereunder, are the dates and areas in which the said workshops were held:

03 August 2004	Area Commissioner's office: East Rand
04 August 2004	Area Commissioner's office: Johannesburg
05 August 2004	Area Commissioner's office: North Rand
06 August 2004	Area Commissioner's office: Pretoria
10 August 2004	Area Commissioner's office: Soweto
11 August 2004	Area Commissioner's office: Vaal Rand
12 August 2004	Area Commissioner's office: West Rand

Again on 11 November 2004 the Gauteng office was invited to two Domestic Violence workshops which was organised by SAPS in Johannesburg and Soweto Area Commissioner's offices. In both workshops an ICD representative made a presentation on the mandate of ICD as far as the DVA is concerned. Another workshop was held on 29 November 2004, Johannesburg Mayoral Offices. In this regard the ICD was invited to address the community and the SAPS about DVA and National Instruction.

5.2. NORTH WEST

On 30 November 2004, North West Office conducted a workshop in Rustenburg at SAPS Marico. Another workshop was held, on 02 December 2004, in Mafikeng, at SAPS Molapo. Lastly, on 07 December 2004, a workshop was held in Potchestroom, at SAPS Mooi River. The purpose of these workshops was to present about the ICD mandate as far as the DVA is concerned and to discuss about problems encountered by SAPS regarding implementation of DVA.

5.3 WESTERN CAPE

On 30 November 2004, Western Cape office conducted a workshop at the Place of Shelter for Abused Women. The purpose of this workshop was to celebrate the launch of the 16 Days of Activism. The workshop was attended by the SAPS and the community.

5.4 NORTHERN CAPE

On 10 December 2004, Northern Cape office conducted a workshop in Springbok, at Area Commissioner's office. The theme of this workshop was to train the SAPS about the implementation of DVA and the National Instruction.

The following provincial offices did not conduct any DVA workshops during this period:

- Limpopo;
- Mpumalanga;
- Free State;
- KwaZulu Natal;and
- Eastern Cape.

6. PROACTIVE OVERSIGHT

The following audits were conducted by various ICD provincial offices at police stations to check compliance with National Instructions.

6.1 GAUTENG

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
12 July 2004	Rosebank	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> Registers were not properly completed; No copies of warrants of arrests were found nor recorded although arrest were made; Victim Empowerment Centre not arranged properly for the victims. 	Recommendations were made to the Station Commissioner to remedy the shortcomings.
16 July 2004	Jeppe	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> No copies of Protection orders were found nor recorded; No list or register of domestic violence incidents and complaints against members. 	Recommendations were made to the Station Commissioner to remedy the shortcomings.
21 July 2005	Rietgat	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> They were still using a draft of the National Instruction; The 508(b) register was not properly completed; There were no copies of protection orders and warrant of arrests recorded. 	Recommendations were made in place to the Station Commissioner to remedy the shortcomings.
21 July 2004	Soshanguve	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> The station had no copy of the National Instruction at the Community Service Centre; There were no copies of protection orders and warrant of arrests filed. 	The ICD gave specific indications of what mechanisms to be put in place to remedy the identified shortcomings.
26 July 2004	Sunnyside	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> There were no copies of the DVA and National Instruction at the Community Service Centre; No station orders; No list of service providers. 	Recommendations were made to the Station Commissioner to remedy the shortcomings.
28 July 2004	Ivory Park	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> Domestic Violence Act placed in the Community Service Centre was not complete; Station still using a draft of the National Instruction. 	The ICD gave specific indications of what mechanisms to be put in place to remedy the identified shortcomings.
28 July 2004	Tembisa	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> Domestic Violence Act placed in the Community Service Centre was not complete; Station still using a draft of the National Instruction. 	The ICD gave specific indications of what mechanisms to be put in place to remedy the identified shortcomings.

09 December 2004	Vosloorus	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> • No copy of station orders in place; • SAPS 508(b) not completed properly; • Copies of 508 (a) were not available; • No copies of Protection orders were found nor recorded; • No copy of station orders; • No list or register of domestic violence incidents and complaints against members. 	The ICD gave specific indications of what mechanisms to be put in place to remedy the identified shortcomings.
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6.2 WESTERN CAPE

DATE	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATION
27 August 2004	Oudtshoorn	Inspection of DVA forms and registers	<ul style="list-style-type: none"> • Registers were updated and full compliance with the DVA. 	ICD recommended that more training be identified for the members.
28 August 2004	Pacaltsdorp	Inspection of DVA forms and registers	<ul style="list-style-type: none"> • Registers were updated and full compliance with the DVA. 	ICD recommended that more training be identified for the members.
23 November 2004	Delft	Inspection of DVA forms and registers	<ul style="list-style-type: none"> • Registers were updated and full compliance with the DVA. 	ICD recommended that more training be identified for the members.

6.3 KWAZULU NATAL

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
8 July 2004	Kwa Mashu	Compliance with DVA	<ul style="list-style-type: none"> • A victim friendly facility is available, however the volunteers are only available on Mondays. • Registers were not properly completed. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
9 July 2004	Durban Central	Compliance with DVA	<ul style="list-style-type: none"> • The Victim friendly facility is of a very high standard however there was no list of agencies available at the Community Service Centre; • 508 (a) and (b) registers were found to be incomplete. 	ICD made a recommendation to the Station Commissioner that vehicles must be allocated to deal specifically with Domestic Violence related cases and the staff members based in the control room be trained on the DVA. Registers be monitored regularly.

6 July 2004	Inanda	Compliance with DVA	<ul style="list-style-type: none"> The station is under construction and the Victim friendly facility consist of a bare office; All domestic violence complaints are not being recorded; The list of agencies was not available; Lack of commitment by the Station Commissioner. 	ICD recommended that departmental steps should be instituted against those senior members who lack of commitment to their responsibilities. Training for staff members was necessary.
23 July 2004	Newlands East	Compliance with DVA	<ul style="list-style-type: none"> During inspection the 508 (a) register reflected only one case; The victim friendly facility is of a high standard and the volunteers are available on a 24 hour basis. 	The ICD made a recommendation to the Station Commissioner to remedy all identified shortcomings.
6 August 2004	Kwa Dukuza	Compliance with DVA	<ul style="list-style-type: none"> The Victim friendly facility is very well equipped; No 508 (a) and (b) registers; however an informal register is kept. 	The ICD made recommendation to the Station Commissioner to address the identified problem relating to registers and that registers be monitored regularly.
13 August 2004	Verulam	Compliance with DVA	<ul style="list-style-type: none"> Members presented lack of training in respect of DVA. 	ICD made a recommendation to the Station Commissioner that training of all members on an urgent basis.
2 September 2004	Cato Manor	Compliance with DVA	<ul style="list-style-type: none"> A victim friendly care centre is available with volunteers on call for 24 hours; Full compliance with DVA. 	None
3 September 2004	Berea	Compliance with DVA	<ul style="list-style-type: none"> Lack of training especially to the SAPS clerks who deal with interdicts; Full compliance with DVA. 	ICD made a recommendation to Station Commissioner that training be organized for the civilian staff.
3 September 2004	Umbilo	Compliance with DVA	<ul style="list-style-type: none"> Members presented lack of training in respect of DVA. 	ICD made a recommendation to the Station Commissioner that training be organized for members as a matter of urgency.
8 September 2004	Chatsworth	Compliance with DVA	<ul style="list-style-type: none"> The Crisis Centre is completely inadequate and comprises a single office; Complaints of non-compliance in terms of the DVA were not being properly addressed. 	The ICD made a recommendation to the Station Commissioner to remedy identified shortcomings.
8 September 2004	Maydon Wharf	Compliance with DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None

9 September 2004	Point	Compliance with DVA	<ul style="list-style-type: none"> The DVA registers and forms were not properly completed. 	The ICD made a recommendation to the Station Commissioner to remedy all identified shortcomings.
10 September 2004	Umhlali	Compliance with DVA	<ul style="list-style-type: none"> Members presented lack of training in respect of DVA. 	ICD made a recommendation to the Station Commissioner that training be organized for members as a matter of urgency.
10 September 2004	Glendale	Compliance with DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
10 September 2004	New Ark	Compliance with DVA	<ul style="list-style-type: none"> All members have been trained on the Domestic Violence Act. There is full compliance with the DVA. 	None
12 October 2004	Bayview	Compliance with DVA	<ul style="list-style-type: none"> The most glaring shortcoming is the lack of a victim friendly facility This is due to a shortage of space at the station; There also was no list of shelters available at the station; A further cause of concern is that of the four shifts operating, and one shift does not have a female members. 	ICD made a recommendation to the Station Commissioner that shortcomings identified must be rectified without delay as it is hampering service delivery.
12 October 2004	Greenwood Park	Compliance with DVA	<ul style="list-style-type: none"> The station is well equipped with a Victim Friendly facility; The members are educated on a regular basis during station lectures on the compliance of DVA; The CPF and volunteers assist with victims; There is a dedicated member to deal with DVA cases. 	Reservists and volunteers require lectures on the DVA.

6.4 Eastern Cape

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
26 August 2004	Ntabankulu	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> The Domestic Violence registers were in order and were updated by members; All forms, station orders and the Acts were available. 	None

7 September 2004	Debenek	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Domestic Violence registers and reports properly filed and in order; Registers checked on a regular basis by commanders. 	None
7 September 2004	Middledrift	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> The 508 register was not in the Station as one member had taken it out whilst going to serve a protection order. 	Station Commissioner advised that all registers must be kept at the Community Service Centre at all times so that other members can have access to them.
22 September 2004	Cambridge	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
22 September 2004	Duncan Village	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
22 September 2004	Buffalo Flats	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
24 September 2004	Nu 1Mdantsane	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
24 September 2004	Inyibiba	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Full compliance with the DVA. 	None
24 September 2004	Vulindlela	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> There were no registers available and no system in place; The Station was not complying with the provisions of the National Instruction. 	ICD made recommendations to the Acting Station Commissioner to remedy all identified shortcomings, within period two months.
9 November 2004	Mqanduli	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Registers were not properly completed. 	ICD made recommendations to the Station Commissioner to remedy identified shortcoming.
10 November 2004	Lusikisiki	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> The station is not complying with provisions of the DVA and National Instruction. 	ICD made recommendations to the Station Commissioner to remedy identified shortcoming. Training of members in respect of DVA was identified as one of the areas which needed urgent attention.
16 November 2004	Elliotdale	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> The member dealing with Domestic Violence complaints was not available; Other members were not too 	ICD made recommendations to the Station Commissioner to remedy identified

			sure as to what is their responsibility in terms of the DVA and National Instruction.	shortcoming. DVA training should be attended by all the SAPS members.
16 November 2004	Nqgeleni	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> The station was complying with DVA and National Instruction. 	None
17 November 2004	Ngangelizwe	Inspection for Domestic Violence complaints and compliance with the DVA	<ul style="list-style-type: none"> Registers not fully completed. Not all the forms were available at the station. 	ICD made recommendations to the Station Commissioner to remedy identified shortcoming.

6.5 LIMPOPO

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
13 September 2004	Mokopane	Checking the registers, compliance with DVA and interviewing members	<ul style="list-style-type: none"> The Station Commissioner informed us that, he has never gone for training on DVA; Registers are all available but are kept locked up in a safe and they are not in order; Four members were interviewed and only two of them went for training, most of members interviewed never read the DVA; The station has a Trauma Centre which found to be informative and victim friendly and is open 24 hours; There is a unit at the station that deals specifically with protection orders and domestic violence victims. 	ICD made a recommendations to the Station Commissioner that training or lecture needed for all members, including the Station Commissioner herself and registers be accessible at all times.
13 September 2004	Tinmyne	Compliance with DVA and interviewing members	<ul style="list-style-type: none"> The Station Commissioner and all her members were conversant with the DVA; There was no separate rooms to interview the traumatized complainants; Some of the shifts changes do not have female members. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
15 September 2004	Mahwelereng	Compliance with DVA	<ul style="list-style-type: none"> Though the members at this station have never been to a formal DVA training, they are conversant with their obligations in terms of DVA; The rooms used to interview domestic violence and sensitive complainants are not informative nor victim friendly; There is always a female member with every shift change at the station; 	Training or lecture needed for the members and rooms for interviewing sensitive complainants should be organized.

			<ul style="list-style-type: none"> • There is a Victim Empowerment Centre structure at the station but it is not utilized as a result of sewerage blockage that the structure has caused. 	
15 September 2004	Naboomspruit	Compliance with the DVA	<ul style="list-style-type: none"> • The registers are kept at the Community Service Centre and every member seems to know where they are kept for purpose of reference; • Registers were checked and they were found to be in order; • There is a room used for purpose of interviewing victims of domestic violence and rape. 	ICD made recommendations to the Station Commissioner to organize lectures for the members in order to improve the with DVA compliance and standard of service to the community.
16 September 2004	Belabela	Inspection of registers and of compliance with the DVA and National Instruction.	<ul style="list-style-type: none"> • Registers were found to be in order; • There is no Victim Empowerment Centre, but only a room where they interview sensitive complainants; However, this room is not victim friendly and it is not utilised as ICD staff observed a member interviewing a complainant in the Community Service Centre; • The Community Service Centre Commander was interviewed and he was not professional as he was not giving ICD staff full attention; • There is no female member with every shift change. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
16 September 2004	Modimolle	Compliance with DVA	<ul style="list-style-type: none"> • The station has a check list for DVA and the person who signs it; signed that everything is in order. But when ICD staff checked the contents of the registers, it was found that, the registers were not in order; • The station does not have a Victim Empowerment Centre and sensitive complainants are not given privacy; • Not all members are sent for training, only a few are repeatedly sent for training; • The station commissioner was not found at the station though an appointment was made with her. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.

6.6 MPUMALANGA

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
22 July 2004	Nelspruit	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> No station orders in place; Registers were not properly completed. 	ICD made recommendations to the Station Commissioner to urgently arrange DVA training for the members.
22 July 2004	Kanyamazane	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction DVA Audits & Cell inspection	<ul style="list-style-type: none"> The members did not know of what was expected of them in respect of DVA. 	ICD made recommendations to the Station Commissioner to urgently arrange DVA training for the members.
15 September 2004	Kinross	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction DVA Audits	<ul style="list-style-type: none"> Members alleged that they did not receive any training relating to DVA. 	ICD made recommendations to the Station Commissioner to urgently arrange DVA training for the members.
15 September 2004	Delmas	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> Registers were not properly completed. No sufficient staff to assist the complainants. 	ICD made recommendations to the Station Commissioner to urgently arrange DVA training for the members.
11 November 2004	Belfast	Inspection of registers for Domestic Violence complaints and compliance with the DVA and National Instruction	<ul style="list-style-type: none"> Members presented lack of DVA training. Registers were not available. 	ICD made recommendations to the Station Commissioner to urgently arrange DVA training for the members.

6.7 North West

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATIONS
09 July 2004	Lomanyaneng	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Not all registers are kept. 	Recommended workshop on DVA.
13 July 2004	Mmabatho	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
19 July 2004	Mafikeng	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
15 September 2004	Itsoseng	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Not all registers are kept. 	Recommended workshop on DVA.
16 September. 2004	Lichtenburg	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
22 September 2004	Rustenburg	Inspection of occurrence	<ul style="list-style-type: none"> Registers not properly 	Recommended

		book, 508 and 508(b) registers	completed.	workshop on DVA.
21 September. 2004	Tlhabane	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
06 October 2004	Phomolong	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
07 October.2004	Phokeng	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
19 October 2004	Temba	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
19 October 2004	Makapanstaad	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
20 October 2004	Ga-Rankuwa	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
21 October 2004	Mothotlung	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
21 October 2004	Brits	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.
22 October 2004	Lethabile	Inspection of occurrence book, 508 and 508(b) registers	<ul style="list-style-type: none"> Registers not properly completed. 	Recommended workshop on DVA.

6.8. Northern Cape

DATE OF AUDIT	POLICE STATION	NATURE OF AUDITS	FINDINGS	RECOMMENDATION
19 July 2004	Colesburg	Check compliance with National Instructions	<ul style="list-style-type: none"> Register 508(a) and 508(b) not completed. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
20 July 2004	Hanover	Check compliance with National Instruction	<ul style="list-style-type: none"> Register 508(a) and 508(b) not available. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
21 July 2004	Richmond	Check compliance with National Instructions	<ul style="list-style-type: none"> Register 508(a) and 508(b) not completed. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
21 July 2004	De Aar	Check compliance with National Instructions	<ul style="list-style-type: none"> Copy of Domestic Violence Act, was not available; Register 508(a) was not available; Register 508(c) improperly completed. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
22 July 2004	Victoria West	Check compliance with National Instructions	<ul style="list-style-type: none"> Register 508(c) not available; Register 508(b) entry was not made in Occurrence Book. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.

13 October 2004	Lime Acres	Check compliance with National Instructions and Cell Inspections	<ul style="list-style-type: none"> • All registers were available and properly completed; • Cells were inspected and we found that female and male doors were wooden and no burglar proofing; • No inmates in the cells; • Women and males have to share one bathroom. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
13 October 2004	Delportshoop	Check compliance with Instructions and Cell Inspections	<ul style="list-style-type: none"> • Registers were available and properly completed; • Occurrence Book was perused and was found corresponding with entries made in DVA registers; • Cell Inspections was conducted, • Security in the cells was tight and safe to inmates; • Conditions in the cells were good; • No inmates were found in the cells. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
13 October 2004	Postmansburg	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> • All registers were available and properly completed. Occurrence Book was inspected and discovered that some spaces were not filled, • Insp Madela who is very knowledgeable with DVA was asked why some spaces in the Occurrence Book were not completed. • She said that she did reprimand some of the members for failure to complete spaces on the Occurrence Book., • Cell Inspections were conducted, • The structure is safe to inmates but its conditions were not good, • Inmates were interviewed and complained that tap where they drink water, stinks; • The cells were not overcrowded. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
13 October 2004	Barkly West	Check Compliance with National Instructions and Cell Inspections	<ul style="list-style-type: none"> • All registers were readily available and correctly completed. • Cells were inspected and found to be safe to inmates, • Three illegal immigrants awaiting trial were interviewed about their treatment and condition of cells; They did not have any complaint ; • The conditions in the cells 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.

			were consistent to human dignity.	
02 November 2004	Fraser burg	Check compliance with National Instructions and Cell Inspections	<ul style="list-style-type: none"> Register 508(a) improperly; Completed; Register 503(c) was not available, Cell Inspection was conducted, Four inmates were found and interviewed, No complaints of abuse were raised, No dangerous or hazardous materials were found, Shoelaces and other strings were removed from detainees. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
03 November 2004	Victoria West	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> All registers were available and properly completed, Cells were inspected and no detainees were available, The conditions in the cells were good. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
03 November 2004	Strydenburg	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> All materials relating to implementation of DVA were available and properly completed, Cell was inspected and found in good condition, There were no detainees. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
03 November 2004	Britstown	Check compliance with National Instruction	<ul style="list-style-type: none"> Register 508(a) and (b) was not updated as well as copy of National Instruction, Cell was inspected and we found one detainee. He was interviewed about the conditions in the cells, The safety of the structure and inmates was good, No complaint of abuse was raised by detainee. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
03 November 2004	Hopetown	Check Compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> Register 508(b) was available, Register 508(a) and 508(c) were not available; National Instruction was not available; Cell was inspected and found five detainees; They were interviewed; No complaint was raised. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
08 December 2004	Campbell	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> Register 508(a) was available and correctly completed; Register 508(b) was available but not regularly updated; Incidents recorded in SAP 10 were not documented at 508(b); Cells were inspected but there were no detainees, The conditions were consistent to human dignity; The cells were safe and good. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.

08 December 2004	Griquatown	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> • Register 508(a) was improperly completed, • Register 508(b) was not up dated, • Cells were inspected and one detainee (Mr Hendricks Kordom) was found on trial but outside the cells moving around like a free man. His shoe laces were not removed. • The tap for drinking water burst and smelt badly. • Matches, newspaper, mirror and broken bottle were found in the cells. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.
09 December 2004	Kenhardt	Check compliance with National Instruction and Cell Inspections	<ul style="list-style-type: none"> • All registers were available and properly completed, • All documents related to implementation of DVA were available, • Cells were inspected and found that they were safe, • There was bad smell in the cell; • No detainees were found. 	ICD gave specific indication of what mechanisms to be put in place to remedy the identified shortcomings.

It should be noted that Free State provincial office did not conduct any audits during this period.

7. CONCLUSION

In conclusion one can still point out , as indicated in the previous DVA report for the period January until June 2004, that the delay in finalization of cases referred to SAPS for investigation and disciplinary action is cause for concern and must be improved. It is common cause that the delay is hampering the effective monitoring of cases by the ICD.

8. GLOSSARY AND ABBREVIATION

DPP : Director of Public Prosecutions
DVA : Domestic Violence Act, 116 of 1998
ICD : Independent Complaints Directorate
MPS : Municipal Police Service
SAPS: South African Police Services