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# SOUTH AFRICA

## Economic, Social and Cultural

## root causes of violence,

## including torture and cruel, inhuman and degrading treatment

## A report

## to the United Nations Committee Against Torture

Contents

Introduction and executive summary

I.    Economic and social overview
          Economic policy
          Income distribution, poverty, and employment
          Privatisation
          Education
          Health and social grants
          Water, sanitation and electricity
          Housing
          Land
          Culture


II.   Violence in South Africa
          Violent crime
          Police
          Prisons
          Vigilantism
          Violence against women and children
          Gang violence
          Other types of violence

Annex:    Violence and police violence in South Africa; Analyses and graphic presentation
              of statistical data
      A.    Violence in general
      B.    Police violence; descriptions of victims
      C.    Police and prison violence; descriptions of those responsible

**Introduction and executive summary**

This report seeks to assist the Committee Against Torture in reviewing the report of South Africa by providing information on some of the elements affecting the relationship between failures to enjoy economic, social and cultural rights and violence in South Africa over the past ten years. Action against torture and cruel, inhuman and degrading treatment can best be undertaken in light of the root causes affecting the whole spectrum of violence, from domestic and community violence to the extremes of torture and other forms of ill-treatment that are directly within the Committee's mandate.

It also seeks to respond to the call by the High Commissioner for Human Rights "…for further efforts to promote integrated strategies for the promotion and protection of human rights, moving away from a rigid categorization of rights to a comprehensive understanding that can better achieve improvements in the enjoyment of all human rights by all."[1]

The information contained in this report is taken from the OMCT publication *"Attacking the Root Causes of Torture: Poverty, Inequality and Violence, An Interdisciplinary Study"*. The study was prepared for the International Conference "Poverty, Inequality and Violence: is there a human rights response?" organized by OMCT in Geneva from 4 to 6 October 2005. It is based on information provided by the Human Rights Institute of South Africa and the ILO's People's Security Survey (PSS) carried out in South Africa.

The South Africa government which was democratically elected in 1994 was faced with the twin challenges of establishing an effective democratic system and responding to the enormous economic and social developmental issues within the country. Much progress was made during this period; institutional segregation was eliminated, universal suffrage recognized, property rights extended, access to education and employment increased and constitutional rights enshrined. South Africa's Constitution guarantees socio-economic rights to all citizens in accessing employment, housing, health, food, water, land, social security, education, freedom of culture, religion and language, and children's rights. It also instructs the state to take legislative and other measures to ensure the progressive realization of these rights within its available resources.

Economically, many of South Africa's sectors rank today among the best in the world. Nevertheless, it is clear in South Africa that numerous social and economic problems, many of which originated during the apartheid era, persist today. And, although civil and political rights extend to all citizens, socio-economic rights do not. South Africa's poverty and inequality are profound and its unemployment rates extremely high. Income inequality in South Africa is among the highest in the world. This has a clearly visible impact on violence and the victims of violence, including torture and other forms of ill-treatment. While the situation is dramatically different from the institutionalized violence, poverty and discrimination of the apartheid regime, there remain many areas of challenge for the democratic government of South Africa.

The violence dealt with in this report includes violent crime, police violence, violence in prisons, vigilantism, violence against women and children, gang violence, taxi-related

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[1] Ms. Louise Arbour, Preface *Attacking the Root Causes of Torture: Poverty, Inequality and Violence, An Interdisciplinary Study* OMCT Geneva 2006

violence, violence on farms and "muti killings". One of the most devastating legacies of *Apartheid* has been the formation of a 'culture of violence' within South African society. A past filled with political violence and state-sponsored violence has resulted in a contemporary, democratic South African society that is characterised by high and unacceptable levels of violent crime. Because crime and politics have been closely linked in South Africa's past, the use of violence for political and personal aims has become endemic in South African society.

Police statistics and victim surveys also suggest a link between social deprivation, race and risk of victimisation. Victim surveys conducted from 1997 to 2000 show that the poor, the majority of whom are black and coloured and living in townships, are more at risk of being victims of interpersonal violent crimes as well as violent property crimes like robbery. By comparison, wealthy people living in the suburbs are most at risk of property crimes, in particular vehicle theft and burglary. The trend is clear to see; African/black people are more likely to be a victim of violence than any other ethnic group.

Although the South African government has introduced significant reforms in the police, inappropriate and excessive use of force by some police officials remain a serious human rights issue. While in practice common assaults by police far outnumber more serious assaults, statistics indicate that victims of less serious assaults are highly unlikely to be reported. The high number of deaths, particularly in police custody, is worrying. All in all, while there have been significant improvements in the conduct of police officials in the new democratic South Africa, the propensity to violence of some members of the police did not simply disappear. The problem of police brutality has continued, although at a lower level than in the past.

Most prisons do not meet international standards, and prison conditions do not always meet the country's minimum legal requirements. Overcrowding remains a serious human rights issue and threatens the health and living conditions of prisoners and obstructs rehabilitation efforts. Figures show that the prevalence of violence in prisons is still at an unacceptable level. Abuse and assault of prisoners are both physical and sexual.

The Annex presents graphically information on from the ILO PSS survey on violence according to the gender, income and ethnicity of the victim. It also presents graphically information from the Human Rights Institute of South Africa on deaths caused by police forces, their location, the gender and ethnicity of the victim, information on violence by military personnel and information on deaths in prison. Factors such as income, ethnicity, gender and age have a clear relation to victimisation and will be key to developing strategies and actions aimed at reducing violence, in particular against the poor and marginalised.

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## I.    Economic and social overview

*Economic policy*

1.    Before the 1990s, the economic system in South Africa was sharply divided between two completely separate worlds:  one resembling the first world; the other, the third world.  Disparities of wealth, income, and opportunities created vast inequalities among people. The Government elected in 1994 was faced with the twin challenges of establishing an effective democratic system and responding to the enormous economic and social developmental issues within the country. Much progress was made during this period; institutional segregation has been eliminated, universal suffrage recognised, property rights extended, access to education and employment increased and constitutional rights enshrined.

2.    The South African Constitution guarantees socio-economic rights to all citizens in accessing employment, housing, health, food, water, land, social security, education, freedom of culture, religion and language, and children's rights. It also instructs the state to take legislative and other measures to ensure the progressive realisation of these rights within its available resources.

3.    Economically, many of South Africa's sectors rank today among the best in the world. It is the financial centre of the African continent, has the largest economy in southern Africa and an extensive supply of natural resources. Internationally, South Africa has formed multilateral economic ties with the World Trade Organisation (WTO), the United Nations Conference on Trade and Development (UNCTAD), the Cairns Group, and the World Economic Forum. South Africa is also a member of the African Union and the South African Development Community. Its foreign economic policy is based on the principle that economic recovery in South Africa is inextricably linked with recovery on the continent.[2] South Africa has also been at the forefront of the New Partnership for Africa's Development (NEPAD), an African-driven organisation that seeks trade and partnerships with other countries in the world based on the principles of respect, dignity, and accountability.

*Income distribution, poverty, and employment*

4.    Nevertheless, it is clear in that numerous social and economic problems, many of which originated during the apartheid era, persist today: although civil and political rights extend to all citizens, socio-economic rights do not.[3] South Africa's poverty and inequality are profound and its unemployment rates extremely high. Income inequality in South Africa is among the highest in the world with the richest 10 percent of people receiving 47 percent of income, and the poorest 20 percent receiving only 3 percent of income. In Gauteng, the richest, most urban province, people earn six times more than people in the Northern Province, the poorest and most rural province.[4] More than 72 percent of the rural population and 40 percent of the population generally earn less than US$2.50 a day.[5] The Congress of South African Trade Unions (COSATU) stated in July 2001:

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[2] Membership in the South African Development Community consists of the following countries: Angola, Botswana, Democratic Republic of the Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. Source: Burger, Delien, ed. "Chapter 12: Economy." *South Africa Yearbook 2002/03*. Government Communications (GCIS). STE Publishers: Yeoville, Johannesburg, 2003.  http://www.gov.za/yearbook/2002/economy.htm. Accessed on October 30, 2003.
[3] Burger, Delien, ed. "Chapter 15: Justice and Correctional Services." *South Africa Yearbook 2002/03*. Government Communications (GCIS). STE Publishers: Yeoville, Johannesburg, 2003. http://www.gov.za/yearbook/2002/economy.htm. Accessed on October 30, 2003. p. 386.
[4] Family Health International. *Socio-economic Overview: South Africa.* http://www.fhi.org/en/HIVAIDS/Publications/manualsguidebooks/corrhope/corrsoc.htm. Accessed on November 3, 2003.
[5]  Family Health International. *Socio-economic Overview: South Africa.* http://www.fhi.org/en/HIVAIDS/Publications/manualsguidebooks/corrhope/corrsoc.htm. Accessed on November 3, 2003.

> In socio-economic terms the legacy of apartheid remains entrenched and, with the massive loss of jobs in the past decade, even appears to be worsening. Wealth is still concentrated in a white minority…The number of people living in poverty is staggering. Almost half of the population lives in poverty, including many of the employed – the "working poor." Unemployment and underemployment are on the rise as more jobs are shed and people rely on survivalist activities to make ends meet. The complex nature of the transition emerged in deeply contradictory government policies.[6]

5.      Ten years after the ending of apartheid, enormous wealth disparities are still visible despite the country's progress in numerous economic areas. COSATU points out that "while Africans make up 76 percent of the population, their share of income amounts to only 29 percent of the total. Whites, at less than 13 percent of the population, take away 58.5 percent. According to the National Report on Social Development 1995-2000, 61 percent of Africans are considered poor compared to just one percent of whites.  The percentage of people living below US$1 a day between 1990 and 1999 was 11 percent.

6.      Unemployment remains an enormous challenge for the Government. Unemployment in 1999 was 23.3 percent and 22.5 percent in 2002 and the unemployment rate for Africans is 42.5 percent compared to 4.6 percent for whites. Applying a wider definition of unemployment to include people actively looking for work raises these figures to 36.3 percent in 1999 and 37.3 percent in 2002. The South Africa Survey 2002/03 cites that among the 11 million people between the ages of 16 and 30 in South Africa, approximately 52 percent are unemployed. About 50 percent of these unemployed people are considered on the periphery of the job market with limited opportunities for attaining formal sector employment. Moreover, government data demonstrates a strong correlation between education levels and unemployment rates. This creates a culture of pessimism among young people who often turn to other methods of survival, such as crime, drugs, and prostitution. Unemployment, with its inherent links to poverty, crime, and HIV/AIDS, continually threatens to erode investor confidence in the country.

7.      Reportedly, 1.1 million jobs were created between 1996 and 1999, but these positions were primarily informal and low-paying. In contrast, more than 400,000 jobs in the formal sector were eliminated. In manufacturing, for example, many jobs have been eliminated as a result of factors such as privatisation and mechanisation.

8.      To address the social and economic problems in the country after the historic elections in 1994, the ANC Government implemented a system of reform designed to expand the economy, reduce poverty, and create jobs. Known as the Reconstruction and Development Programme (RDP), it endeavoured to meet the basic needs of citizens, democratise the state and society, build the economy, and develop human resources. The RDP focused on achieving higher socio-economic standards in housing; electricity; land reform; social security and social welfare; water; health care; job creation through public works; and education and training.

9.      Persistent fiscal problems, currency devaluation and low investor confidence, however, led to the adoption in 1996 of a five-year plan known as the Growth, Employment and Redistribution (GEAR) programme. Macroeconomic in scope, GEAR was designed to work alongside the RDP to reduce government spending and inflation rates and increase private investment, growth, job opportunities and redistribution. Economic variables, such as gross domestic product, inflation and budget deficit, show volatile results in South Africa following the implementation of both the RDP and GEAR. Governmental explanations for this point to a weakened international economy, a decline in the primary sector, and a slowdown in the manufacturing sector.

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[6]  Knight, Richard. "South Africa: Economic Policy and Development." July 2001. http://richardknight.homestead.com/files/sisaeconomy.htm. Accessed on October 18, 2003.

10.    Opponents to GEAR's policies, such as COSATU, claim that the programme has not achieved its original goal of creating employment, redistributing income, and enhancing social and economic prospects for the disadvantaged populations. COSATU also argues that GEAR's strict targets and fiscal spending cutbacks directly conflict with the need to reduce poverty and enhance equality.

*Privatisation*

11.    The Government, in its more recent attempts to reduce spending and restructure,  privatised numerous state-owned enterprises including, most detrimentally, those related to the provision of basic, essential services. International organisations such as the World Bank and the International Monetary Fund have even linked their funding to the signing of privatisation agreements in areas such as water, education, and health care. Unfortunately, the devastating, often irreversible effects of privatisations on the implementation of socio-economic rights are realised too late.

*Education*

12.    According to South Africa's Government Communications (GCIS), the Government's total non-interest expenditure on health, education, welfare, housing, and other social services over the past ten years increased from 52.9 percent to 58.3 percent.[7] In the area of education, government statistics report that overall enrolment in schools increased from 150,000 in 1999 to 280,000 in 2002. Gross primary school enrolment remained steady between 1995 and 2001 at 95.5 percent. Gross secondary enrolment in 2001 was 85 percent, an increase of 15 percent since 1992.

13.    The male adult literacy rate was 82 percent in 1990 and 86 percent in 2000, compared to 80 percent and 84 percent for females. Government statistics cite literacy rates within the general population of 83 percent in 1996 and 89 percent in 2001. Within the 15 to 24 year age bracket, government data demonstrate that literacy rates increased from 83 percent in 1996 to 96 percent in 2001, and matriculation pass rates increased from 54 percent to 69 percent during the same period.

*Health and social grants*

14.    Public expenditure on health as a percentage of GDP was 3.2 percent between 1990 and 1998. After 1994, the Government implemented a free health care policy for women and children under the age of six. As a result, immunisation rates increased from 63 percent in 1994 to 72 percent in 2002, resulting in the elimination of deaths from measles and a decrease in deaths from polio. Infant mortality, however, increased from 40 per 1,000 births in 1991 to 45 in 1998.

15.    Life expectancy figures vary greatly depending on the source. According to the Southern African Regional Poverty Network, life expectancy at birth in 2002 was estimated at 45.2 years for men and 45.7 years for women. United Nations Development Programme data states that life expectancy in 1995 was 65 years and 52 years in 2000. Medical Research Council life expectancy data was 57 years in 1995 and 55 years in 2000.[8] World Bank information cites life expectancy in 2002 to be 46 years.

16.    At the end of 2001, approximately 20.1 percent of adults between the ages of 15 and 49 were living with HIV/AIDS. These numbers translate into 5,000,000 adults and children. Of this, 2,700,000 are women and 250,000 are children between the ages of 0 and 14. In this same age bracket, 660,000 children have been orphaned due to AIDS. Among women aged 15-24, the HIV prevalence rate is 25.6 percent. AIDS-related deaths in 2001 were approximately 360,000.

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[7] Burger, Delien, ed. *Pocket Guide to South Africa 2003*. First edition. Government Communications (GCIS). STE Publishers: Yeovile, Johannesburg, 2003.  http://www.gcis.gov.za/docs/publications/pocketguide.htm. Accessed on November 5, 2003,
p. 11.
[8] Southern African Regional Poverty Network. *Annual Profile – South Africa. Africa Economic Research*. Economics Division – Africa Research. January 2003.
http://www.sarpn.org.za/documents/d0000243/P234_South_Africa.pdf. Accessed on November 1, 2003.

17.    The publication *ANC Today* states that the number of people who received governmental social grants increased from 2.6 million people in 1994 to 6.8 million in 2003. During this same period, spending on social grants increased from R10 billion to R34.8 billion.

*Water, sanitation and electricity*

18.    Government statistics cite that the proportion of people with access to clean water increased from 60 percent in 1996 to 85 percent in 2001, an increase of nine million people. In 1994, only 970,000 households in rural areas could access water; by 2003, an additional 1.6 million households received water access. In 1994, four million households in urban areas could access water; this had increased by 1.7 million by 2003. In the area of sanitation, 49 percent of homes in 1994 had access to sanitation which increased to 63 percent in 2003. Water and sanitation expenditures between 1995 and 2003 was R5 billion. Access to electricity between 1995 and 2000 increased from 63.5 percent to 71.7 percent. These statistics, however, do not paint an accurate picture of just how accessible or inaccessible this water really is. Water and service quality, infrastructure, payment methods, service cut-offs, and the distance that people must travel to the water source are just some of the many obstacles to accessibility not visible in these statistics.

*Housing*

19.    The Government approved approximately two million housing subsidies between 1994 and 2001 with women receiving nearly half of these subsidies. Between 1994 and 2003, over six million people received housing as a result of the subsidies.

*Land*

20.    Land redistribution is an important aspect of the Government's goal to alleviate poverty. The government cites that since 1994, the land redistribution programme transferred 1.8 million hectares to nearly 140,000 households. Of these transfers, 80 percent occurred between 1997 and 2002. By December 2002, government compensation to people forcibly removed from their homes totalled R1.2 billion. Nevertheless, these statistics do not account for problems occurring during the provision of compensation, such as instances where legalities have obstructed the payment of compensation after forced removals.

*Culture*

21.    A report by the Swedish Foundation for Human Rights states that cultural rights in South Africa "are the least developed of the rights contained in the constitution." Before the end of apartheid in 1994, only an exclusive minority participated in arts and culture leaving most South Africans unable to access these opportunities. Today, in a country as culturally diverse as South Africa, it is imperative to both recognise and preserve cultural rights. With 11 official languages and a variety of religions, traditions, and racial backgrounds, South Africa is indeed a plural society. After 1994, the Department of Arts and Culture created an education programme to train people in cultural industries such as arts, crafts, film, music, and events. The purpose of training and education programmes is to promote the involvement of more people and to diversify arts and culture.

22.    To achieve these goals, the Department works with numerous other bodies such as the Department of Home Affairs, the Film and Publication Board, the National Arts Council, and the National Cultural History Museum. Legislation such as The National Heritage Council Act, 1999 (Act 11 of 1999) creates frameworks for coordinating archives, museums, heritage resources, geographical names, and libraries, advising on policy, fundraising, and promoting projects internationally.

23.    Numerous arts and cultural organisations have also been created to enhance and promote cultural rights such as the National Heritage Council, the South African Heritage Resources Agency, and the National Arts Council. Legacy projects to preserve symbolic representations of South Africa's past also exist such as the Women's Monument, the Anglo-Boer/South African War of 1899, the

Battle of Blood River/Ncome Project, the Nelson Mandela Museum, the Constitution Hill Project, Khoisan Project, and the Freedom Park Project.

24.    The Government has also established arts and culture education and training, cultural tourism, cultural industries growth strategy, arts festivals, theatre, music, dance, visual arts, photography, architecture, rock art, crafts, design, literature, film, museums and monuments, archives and heraldry.

## II.    Violence in South Africa

25.    One of the most devastating legacies of apartheid has been the formation of a 'culture of violence' within South African society. A past filled with political violence and state-sponsored violence has resulted in a contemporary, democratic society that is characterised by high and unacceptable levels of violent crime. Because crime and politics have been closely linked in South the past, the use of violence for political and personal aims has become endemic in South African society. Other aspects of violence in South Africa, including the impact of poverty and economic difficulties on violence are dealt with above in Chapter 1, section 9 and Appendix C, and in Chapter 2.

26.    In response to high levels of crime in general, vigilante justice and mob justice have been on the increase. Furthermore, high levels of crime have also contributed to severe problems in the criminal justice system. The slow decrease of the crime rate, and more arrests made by the police, has resulted in an increase in the backlog of criminal court cases, which in turn has resulted in the constant growth of prison overcrowding. In a nutshell, violent crime has become the biggest public concern in contemporary South Africa.

*Violent crime*

27.    South Africa has some of the highest rates of violent crime in the world[9] Between April 2003 and March 2004, the police recorded about 872,866 violent crimes.[10]For most South Africans, particularly the poor, this is not a recent phenomenon. Extreme levels of inequality and decades of political conflict have produced a society prone to violent crime. Evidence indicates that crime rates in black townships have been high for years, but that racial segregation largely shielded whites from its effects. The wearing down and then collapse of apartheid boundaries allowed violent crime to move out of the townships and into the suburbs, where it is more likely to be recorded.[11] Violent crime as categorised in the official South African Police Service (SAPS) statistics include various offences that differ from each other in terms of type and seriousness.

28.    For the purposes of this chapter, individual crime types have been divided into two categories:[12]
   • *Interpersonal violent crime*: murder, attempted murder, serious assaults (or assault with the intent to cause grievous bodily harm or assault GBH), common assaults and rape.
   • *Violent property crime*: these include all categories of robbery, i.e. robbery with aggravating circumstances (armed robbery, car hijacking etc.) and common robbery.

29.    Of all the violent crime types recorded by the SAPS, murder is the only one that shows a constant declining trend. Over the period 1994/1995 to 2003/2004, the national murder rate decreased by 23.7 percent. In contrast to the declining number of murders, all other interpersonal violent crime has slowly been rising over the same period. Nationally, attempted murder has increased by 12.2 percent, serious assaults by 20.6 percent, common assaults by 40.3 percent and rape by 17.8 percent.

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[9] M Sibusiso, *Prevention is better than cure: Addressing violent crime in South Africa*, Institute for Security Studies (ISS), Published in SA Crime Quarterly, No.2, November 2002, p.1 or Visit http://www.iss.org.za/pubs/CrimeQ/No.2/2Masuku.html.
[10] Visit http://www.saps.gov.za/statistics/reports/crimestats/2004/_pdf/crimes/rsa_totals03_04_new.pdf.
[11] A Louw & M Shaw, *Stolen Opportunities: the impact of crime on South Africa's poor*, Institute for Security Studies (ISS) Monograph Series, No.14, July 1997. pp. 5 - 9.
[12] M Sibusiso, o op. cit.

30.    Violent property crime has also slowly been rising over the period 1994/1995 to 2003/2004.[13] Nationally, recorded robbery with aggravating circumstances increased by 57.6 percent over this period, while recorded common robbery increased by a staggering 192.6 percent.[14]

31.    It is widely acknowledged that crimes such as assault and rape are generally under-reported by the public, and sometimes under-recorded by the police. Various South African victim surveys have shown that over 50 percent of these crime types go unreported. As a result, there is a strong possibility that many of the increases reflected in the SAPS crime statistics are not in actual fact an increase in the occurrence of these crimes, but are most probably the result of higher reporting rates.[15] Nevertheless, levels of violent crime in South Africa remain extremely high, especially compared to other countries. For example, in 1999, a third of all crimes recorded by the police in South Africa were violent in nature. In the United States, which is considered to be a relatively violent society, 15 percent of recorded crimes were violent in that year, while about 6 percent of recorded crimes in the United Kingdom were violent in nature.[16]

32.    At least 90 percent of violent criminals in South Africa get away with their transgressions. The low conviction rates encourage violent crime.[17] Only 5.7 percent of violent crimes reported to the police had resulted in convictions, while a further 4.4 percent were still being tried two years later. The rate of acquittals was at 5.4 percent, while the number of cases withdrawn was 9.8 percent of those reported.

33.    Police statistics and victim surveys also suggest a link between social deprivation, race and risk of victimisation. Victim surveys conducted from 1997 to 2000 show that the poor, the majority of whom are black and coloured and living in townships, are more at risk of being victims of interpersonal violent crimes as well as violent property crimes like robbery. By comparison, wealthy people living in the suburbs are most at risk of property crimes, in particular vehicle theft and burglary.[18]

*Police*

34.    Although the South African government has introduced significant reforms in the police, inappropriate and excessive use of force by some police officials remain a serious human rights issue.[19] According to reports of the Independent Complaints Directorate (ICD),[20] between April 1997 and March 2002, a total of 4,644 cases involving police use of force or brutality were recorded. Of

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[13] At the time of writing the final draft of this report, the SAPS published their 2004/2005 national statistics on various crimes. According to these statistics, over the period 2003/2004 to 2004/2005, all recorded interpersonal violent crime, except for rape, have shown a decrease. Recorded violent property crime has also shown a decrease over the same period.
Visit http://www.saps.gov.za/statistics/reports/crimestats/2005/_pdf/area/rsa_total.pdf.

[14] Visit http://www.saps.gov.za/statistics/reports/crimestats/2004/categories.htm. and click on the relevant category.

[15] T Leggett, *Improved Crime Reporting: Is South Africa's crime wave a statistical illusion?* South African Crime Quarterly 1 (1), July 2002, pp. 7 – 9.

[16] M Sekhonyane & A Louw, *Violent Justice: Vigilantism and the State's Response*, Institute for Security Studies (ISS) Monograph Series, No.72, April 2002, p.11.

[17] South African Law Commission, *Research Paper 18: Conviction Rates and Other Outcomes of Crimes Reported in eight South African Police Areas*, 2003.

[18] M Schonteich & A Louw, *Crime in South Africa: A country and city profile*, Institute for Security Studies (ISS) Paper 49, April 2001.

[19] Human Rights Watch, World Report on South Africa 2005.
http://hrw.org/english/docs/2005/01/13/safric9886_txt.htm.

[20] The ICD is a government department that was established in April 1997 to investigate complaints of brutality, criminality and misconduct against members of the South African Police Service (SAPS) and Municipal Police Services (MPS). It operates independently from the SAPS in the effective and efficient investigation of alleged misconduct and criminality by SAPS members. http://www.icd.gov.za/about/brochure.htm.

these cases, 2,351 were deaths as a result of police action (excluding deaths in custody), while the remaining 2,293 cases were recorded complaints of non-fatal assaults. The category breakdown for the recorded non-fatal assaults was as follows: 221 were torture, 1,610 were assault with the intent to cause grievous bodily harm (or assault GBH) and attempted murder and 462 were common assault. ICD figures for serious assaults by the police consistently outnumber figures for less serious assaults by a factor of 4 to 1. Although in practice common assaults by police far outnumber more serious assaults, the ICD statistics indicate that victims of less serious assaults are highly unlikely to report these to the ICD. [21]

35.    According to the ICD's 2002/03 annual report, of the 311 deaths as a result of police action, 294 were caused by shootings. The report does not, however, indicate how many of these shootings were illegal and how many were legitimate.[22] In general, according to various ICD reports, shootings usually account for more than 80 percent of all deaths by police action.

36.    The high number of deaths, particularly in police custody, is worrying.[23] According to ICD records, between April 2001 and March 2004, there were 765 deaths in police custody.[24] The ICD reports listed sub-categories under deaths in police custody, which included natural causes, suicide, injuries in custody, injuries prior to custody and possible negligence. On average, 50 percent of deaths in police custody were as a result of natural causes, implying that "the deceased either became ill or was already ill when they were taken to police custody". A study on custody-related deaths found that some deaths could have been avoided if the police had acted, by for example, providing immediate medical attention.[25] According to the South African Police Service (SAPS) website, several deaths in custody, as well as deaths as a result of police action, have been found to have occurred as a result of negligence and wrongful action by members of the Service.[26]

37.    All in all, while there have been significant improvements in the conduct of police officials in the new democratic South Africa, the propensity to violence of some members of the police did not simply disappear. The problem of police brutality has continued, although at a lower level than in the past.[27] Two video recordings - one in 1999 showing members of the Johannesburg Flying Squad assaulting hijacking suspects, another in 2000 showing members of the North East Rand Dog Unit using their dogs to repeatedly savage three Mozambican men – clearly illustrated this problem, and many other examples exist.

38.    Factors that have contributed to the continuation of police brutality include the increase in violent crime, along with a decline in the effectiveness of the criminal justice system. This has contributed to a perception that relying on the mechanisms of the justice system is likely to be ineffective and, as a result, that 'self-help' measures are called for. Thus, the apparent growth of vigilantism in South African society in general, has been paralleled by a growth of 'police vigilantism'. Although police motivation has changed from 'fighting communism' to 'fighting crime', the style of policing has not necessarily changed much. In cases of abuse, black people, and particularly marginalised black groups, most notably foreigners, have continued to be the primary

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[21] See D Bruce, *Gripes or Grievances? What the Independent Complaints Directorate statistics tell us (or not)*, Centre for the Study of Violence and Reconciliation, Published in SA Crime Quarterly No. 4, June 2003, p. 3-5 or visit http://www.iss.org.za/pubs/CrimeQ/No.4/5ICD.html.

[22] T Masuku, *Numbers that count: National monitoring of police conduct*, Centre for the Study of Violence and Reconciliation, Published in SA Crime Quarterly No. 8, June 2004, p 6.

[23] Human Rights Watch, World Report on South Africa 2005, op. cit.

[24] ICD Annual Reports 2001/02, 2002/03 and 2003/04. http://www.icd.gov.za/reports

[25] BD Bhana, Custody related deaths in Durban, South Africa (1998 - 2000), *American Journal of Forensic Medicine and Pathology*, 24 (2), June 2003.

[26] Visit http://www.saps.gov.za/crime_prevention/death_in_custody/background.htm.

[27] D Bruce, *New Wine from an Old Cask? The South African Police Service and the Process of Transformation*, Centre for the Study of Violence and Reconciliation, Paper presented at John Jay College of Criminal Justice, New York, 9 May 2002, pp. 13 – 15.

victims.[28] According to the United States Department of State, incidents of police harassment and attacks against foreigners in South Africa have continued to be a major concern. This happened especially during coordinated police raids of areas where foreign (African) nationals resided. According to hearings held on xenophobia, by the South African Human Rights Commission, foreigners are often mistreated and discriminated against by police. The situation is worsened by corruption within the Department of Home Affairs and the South African Police Service.[29]

*Prisons*

39.     Most prisons do not meet international standards, and prison conditions do not always meet the country's minimum legal requirements.[30] Overcrowding remains a serious human rights issue and threatens the health and living conditions of prisoners and obstructs rehabilitation efforts.[31] As of January 31, 2005, 187,446 prisoners were being held in facilities that should accommodate only 113,825. This means that on average prisons have an occupation rate of 164 percent[32] As a result, prisoners are often required to sleep in shifts, because of a lack of space.[33]

40.     It is not surprising that both inmates and officials become frustrated and consequently channel their frustration via aggressive or violent behaviour. According to the Department of Correctional services, between 1 April 1999 and 31 March 2003, the total number of assaults in South prisons was 11,736. Of these, 2,369 cases of assault were 'warden on prisoner', while 9,367 cases were 'prisoner on prisoner'. According to the Office of the Inspecting Judge[34], statistics on assault are not always reliable as some inmates fear reprisals if they report an assault on them by a fellow prisoner or a warden.[35] According to the Office of the Inspecting Judge, between 1 April 2003 and 31 March 2005, 5,527 complaints have been received from prisoners regarding 'member/warden on inmate assault'.[36] During the same period, 5,552 complaints have been received from prisoners regarding 'inmate on inmate assault'. These figures show that the prevalence of violence in prisons is still at an unacceptable level.

41.     Abuse and assault of prisoners are both physical and sexual. According to press reports, some detainees awaiting trial contracted HIV/AIDS through rape. Regarding sentenced prisoners, there are instances where juveniles are held with adults. In these situations, youths are vulnerable to sexual exploitation, including rape. The natural death cases in South Africa's prisons have increased by 500 percent since 1995 and continue to grow. Keeping in mind that 90 percent of natural deaths in South African prisons are AIDS-related, sexual assault and rape literally means a death sentence.[37]

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[28] D Bruce, *New Wine from an Old Cask? The South African Police Service and the Process of Transformation*, op. cit.
[29] United States Department of State, South Africa Country Report on Human Rights Practices 2004, p. 4 and 15. Released by the Bureau of Democracy, Human Rights and Labor, 28 February 2005 or visit http://www.state.gov/g/drl/rls/hrrpt/2004/41627.htm.
[30] Ibid.
[31] Human Rights Watch, World Report on South Africa 2005, op. cit.
[32] South African Department of Correctional Services website, Statistics.
Visit
file:///C:/Documents%20and%20Settings/Users3/Local%20Settings/Temporary%20Internet%20Files/Content.IE5/8LANCDQR/Basic%2520Info%2520Jan%25202005%5B1%5D.ppt#276,2,Slide 2.
[33] United States Department of State, op. cit., p. 5.
[34] The Office of the Inspecting Judge, formally known as the Judicial Inspectorate of Prisons, is an independent statutory body established to monitor the conditions in prisons and the treatment of prisoners. It appoints Independent Prison Visitors to visit prisoners and, should there be complaints, try to have them resolved.
[35] T Leggett, A Louw, M Schonteich & M Sekhonyane, *Criminal Justice in Review 2001/2002*, ISS (Institute for Security Studies) Monograph Series, No. 88, November 2003, p. 57.
[36] Judicial Inspectorate of Prisons, Annual Report 2003/04, p.13 and Annual Report 2004/05, p. 6 or Visit http://judicialinsp.pwv.gov.za/Annualreports/2004a.pdf. and http://judicialinsp.pwv.gov.za/Annualreports/annualreport2005.asp.
[37] United States Department of State, op. cit., p.4.

42. The Jali Commission of Inquiry was appointed on 8 August 2001 to investigate allegations of corruption, crime, mismanagement, violence and intimidation in the Department of Correctional Services. The Commission revealed and exposed the following transgressions by staff members[38]:

- Gross negligence
- Accepting bribes
- Receiving money for delivering goods (such as: drugs, firearms, alcohol as well as the selling of juveniles to older hardened criminals for sex)
- Assault
- Sodomising juveniles
- Murder of a whistle-blower
- Assistance with escapes
- Unlawful release of prisoners

*Vigilantism*

43. There is great public concern in South Africa regarding the capacity of the criminal justice system to deal with the high level of crime, and instances of vigilante justice reflects this concern.[39] The vigilante problem is hard to quantify, but the largest and most recent survey conducted in 1999 in the Eastern Cape found that one in 20 people said they had personally been involved in vigilante activity and every fifth person said they would consider becoming involved.[40]

44. The problem with vigilantism is that it not only leads to an increase in the overall crime level, but it also influences how the Government responds to crime in general, and most importantly, it undermines the rule of law. The two most notorious vigilante groups in South Africa are without a doubt People Against Gangsterism and Drugs (or PAGAD) in the Western Cape and Mapogo-a-Mathamaga (commonly referred to as 'Mapogo') in the Limpopo province. The activities of both these groups have seen an increase in gang related violence in the case of PAGAD, and many instances of assault in the case of Mapogo.[41]

45. Numerous court cases involve members of PAGAD. There are hundreds of cases under investigation against suspected members of PAGAD and scores of trials pending based on charges that include murder, attempted murder, possession of explosives and unlicensed firearms, armed robbery and conspiracy to commit murder.[42]

46. On the other hand, Mapogo allegedly has more than 90 branches and 50,000 members throughout the country, including offices in at least nine cities. Mapogo is known for targeting persons they suspected of property crimes against their members, torturing suspected criminals as well as beating persons with clubs and whips.[43]

47. The key concern about vigilante groups is that they often use violent means to illicit confessions and mete out punishment. This approach to policing and justice is in total opposition to the functioning of the formal criminal justice system and threatens the rule of law – the foundation of any democracy. Instead of reducing crime, vigilante activities add to the workload of the police and courts. For

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[38] M Sekhonyane, *Showing its teeth: The Jali Commission on prison corruption*, Institute for Security Studies, Published in SA Crime Quarterly No.2, November 2002, p.2 or Visit http://www.iss.org.za/pubs/CrimeQ/No.2/6Sekonyane.html.
Also visit http://www.dcs.gov.za/Annualreport/DCS%20Annual%20Report%202003.pdf.
[39] United States Department of State, op. cit., p.6.
[40] M Schonteich, *Justice versus Retribution: Attitudes to punishment in the Eastern Cape*, ISS Monograph Series, No. 45, February 2000.
[41] M Sekhonyane & A Louw, *Violent Justice: Vigilantism and the State's Response*, op. cit.
[42] United States Department of State, op. cit., p.3.
[43] Ibid.

example, vigilantes have assaulted alleged criminals, dropped them off at police stations and then refused to testify in court as a witness to the alleged crime.[44]

*Violence against women and children*

48.     Violence against women and children is widely recognised as a serious concern.[45] South Africa has one of the highest per capita rates of reported rape in the world.[46] Between April 2003 and March 2004, 52,733 rapes and attempted rapes were reported to the police. This is equal to a rape ratio of 113.7 per 100,000 of the population.[47] A study conducted in 1999 found that the incidence of rape for women aged between 18 and 49 years was 1,300 per 100,000 women.[48]

49.     Studies that seek to identify the actual level of violence and abuse have documented levels of between 19 percent and 40 percent.[49] These figures correlate with estimates of coercive sex.[50] In general, studies have found violence in relationships to be so widespread that men and women often accept coercive and even violent sex as 'normal'. As an example of this, research in urban Gauteng found that more than a quarter of women (27 percent) and nearly a third of men (31 percent) agreed that forcing someone you know to have sex with you is never seen as sexual violence.[51]

50.     In general, South African research on violence against women emphasises that:[52]
- Domestic violence is a common phenomenon.
- The range of abuses that women experience is wide, and includes physical, sexual, psychological and economic abuse, as well as stalking, forced isolation in the home and other controlling behaviours.
- Most cases of domestic violence and rape are not reported to the police: only 1 out of 35 rapes are reported.[53]
- Even when domestic violence and rape are detected by the criminal justice system, the perpetrator frequently goes unpunished: only 5 percent of rape cases reported to the police between April 2003 and March 2004 resulted in a conviction.[54]

51.     South African research on violence against women has estimated the following:[55]
- One in two women have a chance of being raped in their lifetime.
- Less than two percent of reported rapes are false.
- One in four women are in abusive relationships.
- A woman is killed every 6 days by her intimate male partner.
- 85 percent of rapes are gang rapes: A woman is more likely to be raped by 3 to 30 men than a single rapist.

52.     Violence against children, including domestic violence and sexual abuse, remains widespread. Between February 2002 and June 2003, the police reported 21,494 cases of rape of children, not including attempted rape. According to various observers, these figures

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[44] M Sekhonyane & A Louw, *Violent Justice: Vigilantism and the State's Response*, op. cit.
[45] Human Rights Watch, World Report on South Africa 2005.
[46] Commission on Gender Equality: 2004.
[47] Visit http://www.saps.gov.za/statistics/reports/crimestats/2004/categories.htm. and click on the category: rape.
[48] R Jewkes et al., *'He must give me money, he mustn't beat me': Violence against women in three South African provinces*. Pretoria: CERSA (Women's Health) Medical Research Council, 1999.
[49] Ibid.
[50] Department of Social Development's Progress Report, March 2002, pp. 18 – 22.
[51] CIETafrica and Southern Metropolitan Local Council, Gauteng, 2000.
[52] S Bollen, L Artz, L Vetten & A Louw, *Violence against women in metropolitan South Africa: A study on impact and service delivery*, ISS Monograph Series, No.41, September 1999, pp. 5 – 6.
[53] United States Department of State, op. cit., p.11.
[54] Ibid.
[55] Visit www.powa.co.za/Display.asp?ID=2.

represented a small percentage of the actual incidents of child rape, because most cases involved family members and were not reported. Between 1994/1995 and 2002/2003, reported cases of child abuse[56] have increased by 56.3 percent In 2002/2003, 4,798 cases of child abuse were reported to the police.[57] Of great concern is the low conviction rate for rape and child abuse.[58]

53.     South African research on violence against children has estimated the following:[59]
- A child is abused every 8 minutes.
- A child is raped every 24 minutes.
- A child is assaulted every 14 minutes.
- One in four girls and one in five boys under the age of 16 years have been sexually abused.
- 50 percent of 26,000 Johannesburg high school students interviewed believed that forced sex is not sexual violence.
- In one township all girls (mean age of 16.4 years) participating in the research had had sexual intercourse. 33 percent said their first experience was rape or forced sex. 66 percent said they had experienced sex against their will.
- The rape graph increases sharply from 3 to 25 year old girls and peaks at girls aged 8 to 11 years.

54.     According to a Human Rights Watch study conducted in South Africa in 2001, sexual violence is rampant schools. Sexual abuse and harassment of girls by both teachers and other students is. Girls who encountered sexual violence at school were raped in toilets, in empty classrooms and hallways, and in hostels and dormitories. Girls were also fondled, subjected to aggressive sexual advances and verbally degraded at school. Some researchers attribute the increase in sexual violence against girls to a belief gaining credibility in some communities that sexual intercourse with a young virgin can "cleanse" HIV-positive men or men with AIDS of the disease. Justice officials in Kwazulu-Natal province, for example, are concerned that the myth may be promoting an increase in child rape cases. Furthermore, because young women and girls are commonly believed to be less likely to be infected with HIV/AIDS, they run an increased risk of sexual harassment on their way to and from school. Girls have been abducted and sexually assaulted on route to school.[60]

*Gang violence*

55.     South African gangs usually form in communities that are characterised by limited economic activity, inadequate infrastructure, poor education and high rates of illiteracy and unemployment.[61] Although gang violence and criminal activity do occur on a national level, it is most common in the Western Cape. In this province, gangs have become much more developed and sophisticated in their methods of attack, business operations and organised structures, compared to anywhere else in the country.[62] Official estimates put the number of

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[56] Refers to physical abuse only.
[57] South Africa Survey 2003/2004, p. 407.
[58] United States Department of State, op. cit., p.13.
[59] Visit www.powa.co.za/Display.asp?ID=2.
[60] Human Rights Watch, *Scared at school: Sexual violence against girls in South African schools*, 2001 or visit http://www.hrw.org/reports/2001/safrica/.
[61] A Dissel, Youth, Street Gangs and Violence in South Africa in *Youth, Street Culture and Urban Violence in Africa*, proceedings of the international symposium held in Abidjan, Ivory Coast, pp. 405 – 411, 5 – 7 May 1997.
[62] I Kinnes, *From urban street gangs to criminal empires: The changing face of gangs in the Western Cape*, ISS Monograph Series, No. 48, June 2000, p. 7.

gangs on the Cape Flats[63] at approximately 130, with a combined membership of about 100,000.[64] A major concern is the high level of crime that gangs bring into the Cape Flats area. It is estimated that gangs cause up to 70 percent of all crime on the Cape Flats. This includes high levels of violent crime. Gangs are responsible for high levels of burglaries, car hijackings and muggings – crimes that regularly result in violence and murder.[65]

56.    Gangs are also connected with drug dealing and prostitution, and children are the main victims. Gangs target schools for selling drugs and are also known to coerce or kidnap young girls for use in the sex trade. According to a study conducted by the Institute for Security Studies, "street gangs are no longer characterised by youngsters who hang around the streets of local communities to 'defend' the community from rival gangsters. They have developed into organised criminal empires."[66]

57.    Violence between gangs and vigilantes has been brutal over the years. Vigilantes are known to target gang leaders for execution. While this strategy seemingly assists the vigilantes in achieving their short-term objectives, it also sets the scene for younger and more ruthless gang leaders to inherit the leadership. This usually results in a higher incidence of violence within the community as the creation of a new leadership hierarchy sets the scene for new ascendancy battles.[67]

*Other types of violence*

58.    Violent taxi associations called 'mother bodies' are behind most of the violence that has come to be associated with the industry.[68] According to the Commission on Taxi Violence, the taxi industry is managed in a mafia style.[69] A culture of lawlessness, where hit men reign supreme and a licensing body is filled with corruption, is of great concern. According to the Commission, the prevalence of hit squads is singled out as the main cause of violence in the taxi industry.[70]

59.    The incidence of violent crime on farms and smallholdings is a cause for great concern. Farm attacks seem to be a phenomenon unique to South Africa. Although violent crimes do occur on commercial farms elsewhere in the world, violent crimes during farm attacks have been singled out for special attention in South Africa because of the sensitivity and the scale of the issue.[71] There is widespread concern among white farmers that they are targeted for racial and political reasons. However, according to police and academic studies of farm

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[63] The Cape Flats is a large, flat area of housing projects built in Cape Town, during the Apartheid era, to house the Coloured community. This is an extremely poverty-stricken region with high unemployment and likewise, high levels of gang activity.

[64] Well-known gangs such as the Americans, the Hard Livings, the Sexy Boys, the Junky Funky Kids and the Mongrels have become powerful and large on the Cape flats. Most areas of the Cape flats have cells of these larger gangs. The Americans gang, which is the largest, is believed to have as many as 5,000 members.

[65] A Standing, The threat of gangs and anti-gangs policy: Policy discussion paper, Occasional Paper 116, August 2005 or visit  http://www.iss.co.za/pubs/papers/116/Paper116.htm.

[66] I Kinnes, op. cit., p. 2.

[67] Ibid, p. 9.

[68] J Dugard, From Low Intensity War to Mafia War: Taxi violence in South Africa (1987 - 2000), *Violence in Transition* Series, Vol. 4, May 2001 or visit http://www.csvr.org.za/papers/papvtp4.htm.

[69] The Commission on Taxi Violence investigated taxi violence in the Western Cape. The report was published on 6 September 2005.

[70] Visit http://allafrica.com/stories/200509060795.html.

[71] D Mistry, *Ploughing in resources: The investigation of farm attacks*, Published in SA Crime Quarterly, No. 6, December 2003, p.7 or visit http://www.iss.org.za/pubs/CrimeQ/No.6/Mistry.pdf.

attacks, the perpetrators apparently are common criminals motivated by financial gain. In the majority of cases the perpetrators were not farm workers.[72]

60.	Between 1997/1998 and 2002/2003, there were 5,020 farm attacks in South Africa. During this period, 771 people (farmers, farm workers and members of their families) were murdered, whites being the primary targets (60 percent), followed by Africans (33 percent).[73]

61.	Regarding the human rights situation on farms, little progress has been made in the post-apartheid era. According to the Commission of Inquiry into Farm Attacks, "in recent years reports of farmers brutality towards their workers, shocking employment and living conditions on farms, child labour and the ongoing murders of farmers have dominated South African media, giving a clear message that all is not well in the farming and agricultural sector." The Commission's report showed that a pattern of human rights abuses on farms exists. The Commission did not, however, claim that these problems were universal.[74]

62.	Muti killing refers to the killing, especially of children, to get hold of body parts for the purposes of traditional African healing. Although no official statistics are available on muti killings, the SAPS estimates that there are between 150 and 300 such killings each year in South Africa.[75]

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[72] Summary of the Report of the Committee of Inquiry into Farm Attacks, 31 July 2003. Released by the SAPS on 26 September 2003 or visit http://www.iss.co.za/CJM/farmrep/farmsummary.pdf.
[73] South Africa Survey 2003/2004, p. 404 – 406.
[74] Visit http://www.afrol.com/articles/10486.
[75] United States Depeartment of State, op. cit., p. 3.

Annex
Violence and police violence in South Africa
Analyses and graphic presentation of statistical data

## A.    Violence in general

Question:   In the past 12 months, were you personally ever a victim of any kind of violence?

**Figure 1.38    Victims of violence by gender**



Whether victim of any violence in past 12 months (by gender)

Only a slightly higher proportion of males than females were victims of some form of violence in the past 12 months. The vast majority of respondents answered 'no' to being a victim of violence.

**Figure 1.39    Victims of violence by income**



Whether victim of violence in past 12 months (by income group)

Despite large differences in the number of respondents from the lower and higher income levels, it is reasonable to suggest that the PSS survey respondents represented the extremely unequal income distribution of South Africa. Figure 1.39 shows that more people (in absolute terms) from the lowest income group experienced violence than that from other income groups.
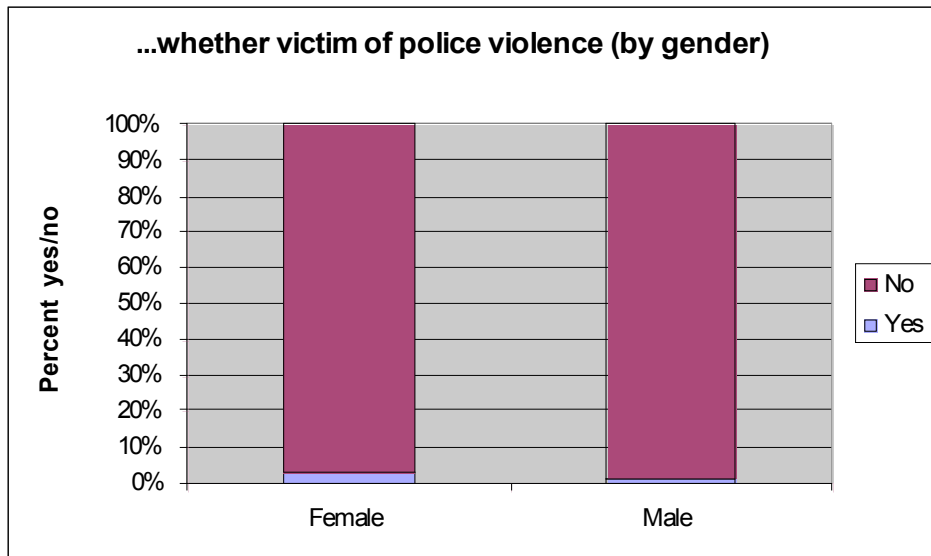
**Figure 1.40    Victims of violence by ethnicity**
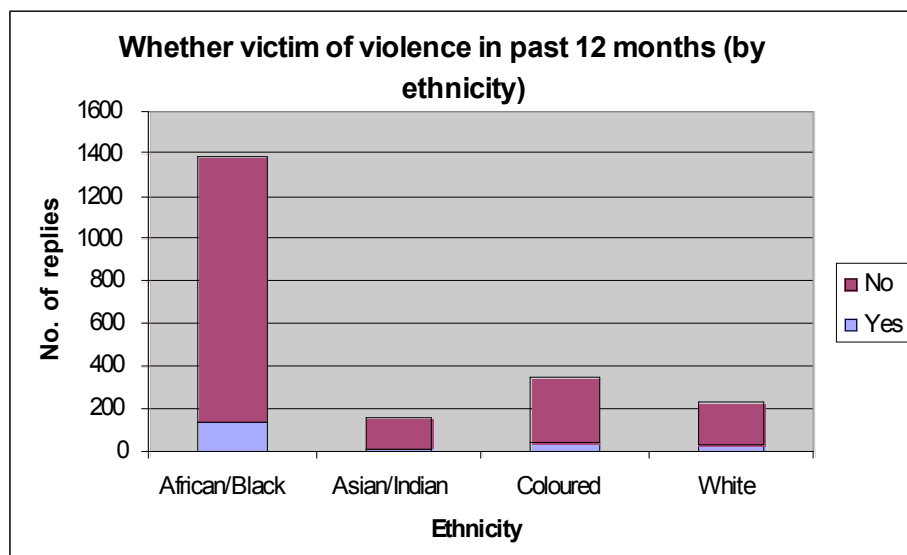


The trend is clear to see, where African/black people are more likely to be a victim of violence than any other ethnic group.
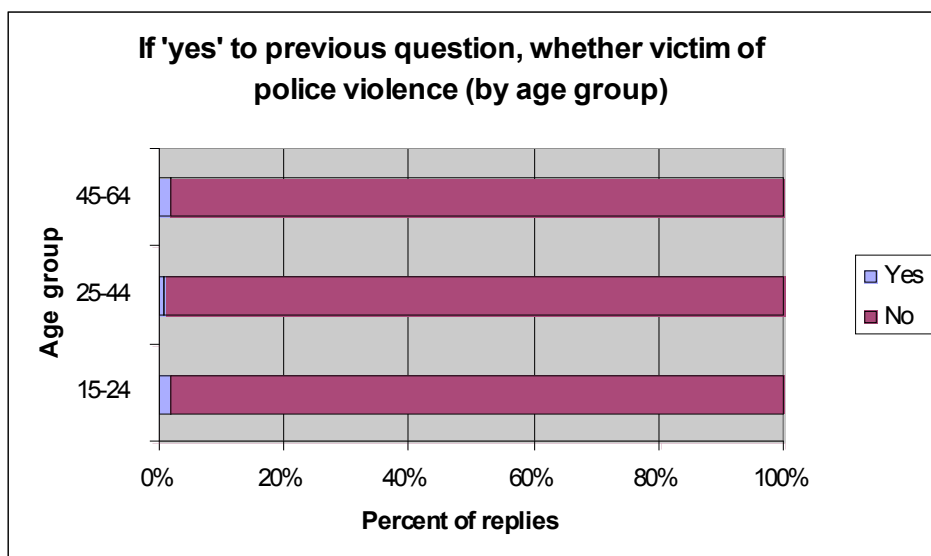
**B.    Police violence; descriptions of victims**

**Figure 1.46        Victims of police violence by gender**



Unlike the general trend of victimisation, proportionally more females were victims of police violence than males.

**Figure 1.47    Victims of police violence by age**



Those who answered yes to being a victim of police violence mainly fall into the lowest and highest age groups (15-24 and 45-64).
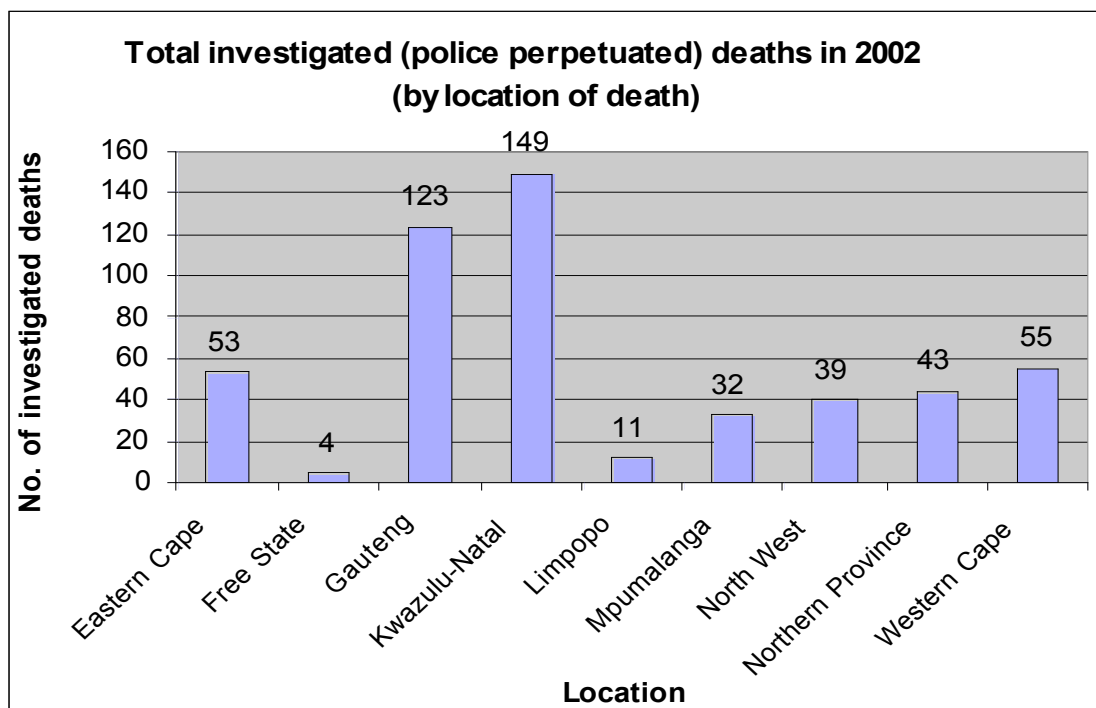
**Figure 1.48    Victims of police violence by ethnicity**
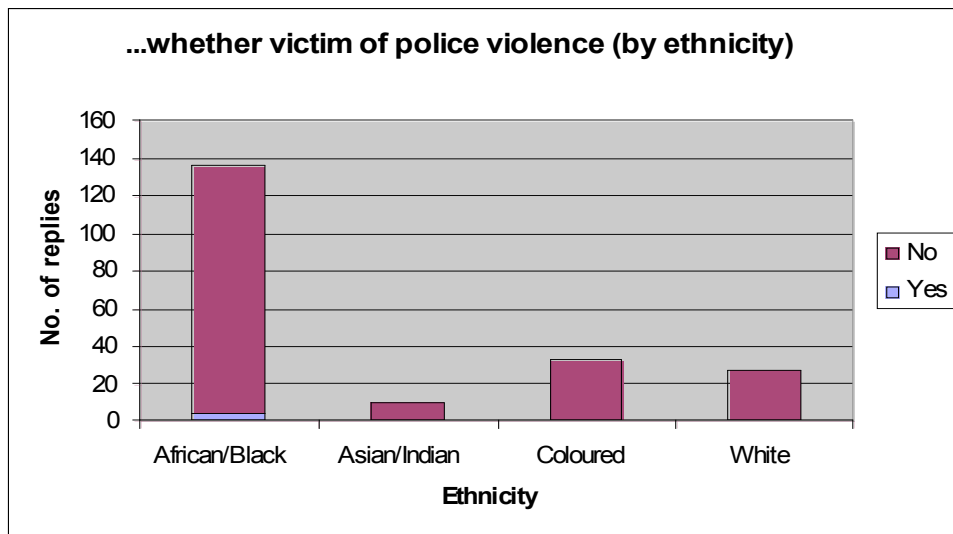


Only African/Black people answered 'yes' to being a victim of police violence, whilst there were no victims among other ethnic groups.
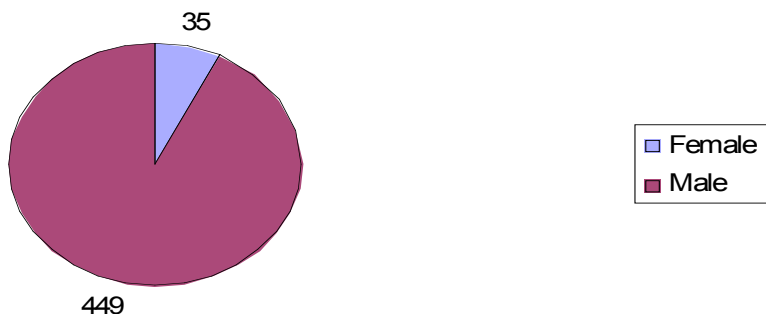
## C. Police and prison violence; descriptions of those responsible

*State Violence in South Africa (Human Rights Institute of South Africa – HURISA)*
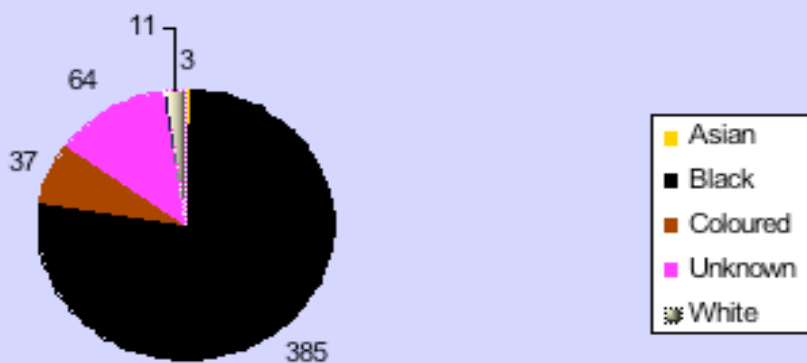
The Independent Complaints Directorate (ICD) is responsible for investigations into SAPS (police) members as the perpetrators of various criminal activities.

**Total investigations into police officers as perpetrators of the following deaths in 2002 (ICD* cases)**

No. of investigated deaths

| Description of death | No. |
|---|---|
| Beaten to death | 50 |
| Bled to death | 3 |
| Natural causes | 69 |
| Other causes | 33 |
| Poisoning | 1 |
| Shot with firearm | 273 |
| Strangulation | 21 |
| Suffocation | 1 |
| Suicide | 42 |
| Tortured | 1 |
| Struck by police vehicle | 12 |

**Total investigated (police perpetuated) deaths in 2002 (by location of death)**

No. of investigated deaths

| Location | No. |
|---|---|
| Eastern Cape | 53 |
| Free State | 4 |
| Gauteng | 123 |
| Kwazulu-Natal | 149 |
| Limpopo | 11 |
| Mpumalanga | 32 |
| North West | 39 |
| Northern Province | 43 |
| Western Cape | 55 |

**Investigated (police perpetuated) deaths in 2002
(by gender of victim)**

35

449

- Female
- Male

**Investigated (police perpetuated) deaths in 2002
(by victim's ethnicity)**

11
3
64
37
385

- Asian
- Black
- Coloured
- Unknown
- White

| Description of death | Victim's ethnicity | | | |
|---|---|---|---|---|
| | Asian | Black | Coloured | White |
| Beaten to death | 1 | 32 | 7 | 0 |
| Bled to death | 0 | 3 | 0 | 0 |
| Natural causes | 0 | 50 | 5 | 3 |
| Other causes | 0 | 26 | 0 | 3 |
| Poisoning | 0 | 1 | 0 | 0 |
| Shot with firearm | 1 | 223 | 9 | 1 |
| Strangulation | 0 | 11 | 6 | 3 |
| Suffocation | 0 | 1 | 0 | 0 |
| Suicide | 0 | 30 | 6 | 1 |
| Tortured | 0 | 1 | 0 | 0 |
| Struck by police vehicle | 1 | 5 | 4 | 0 |

| | Victim's gender | |
|---|---|---|
| | Female | Male |
| Beaten to death | 1 | 48 |
| Bled to death | 0 | 3 |
| Natural causes | 6 | 57 |
| Other causes | 3 | 29 |
| Poisoning | 0 | 1 |
| Shot with firearm | 16 | 247 |
| Strangulation | 4 | 17 |
| Suffocation | 0 | 1 |
| Suicide | 1 | 36 |
| Tortured | 0 | 1 |
| Struck by police vehicle | 4 | 7 |



**Total offences by police suspect/perpetrator in 2002**

No. of cases vs Description of offences

- Abuse of power: 79
- Assault (common/major): 398
- Attempted murder: 96
- False accusation: 22
- Harassment: 17
- Indecent assault: 6
- False charges: 2
- Rape: 16
- Torture: 32
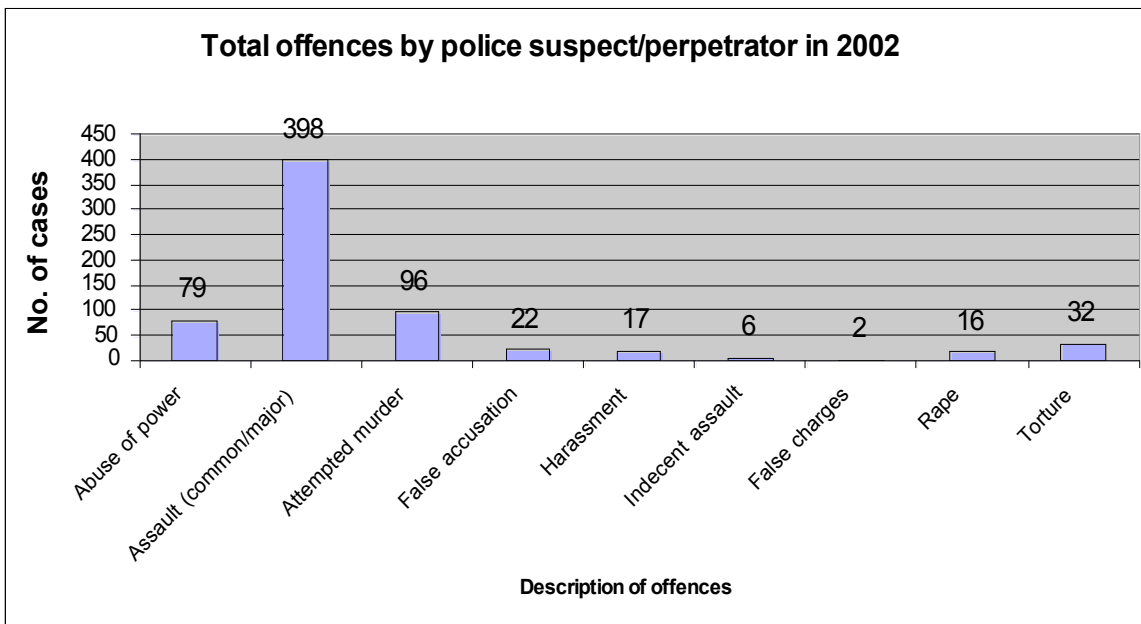
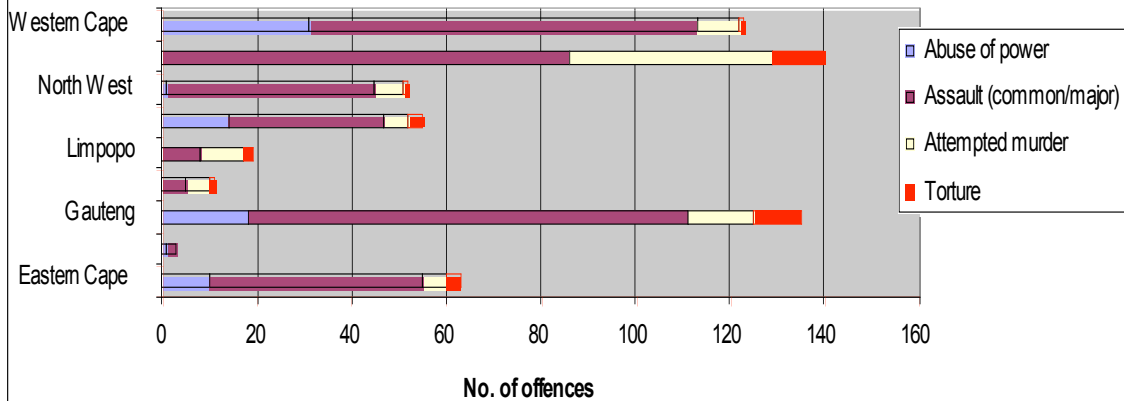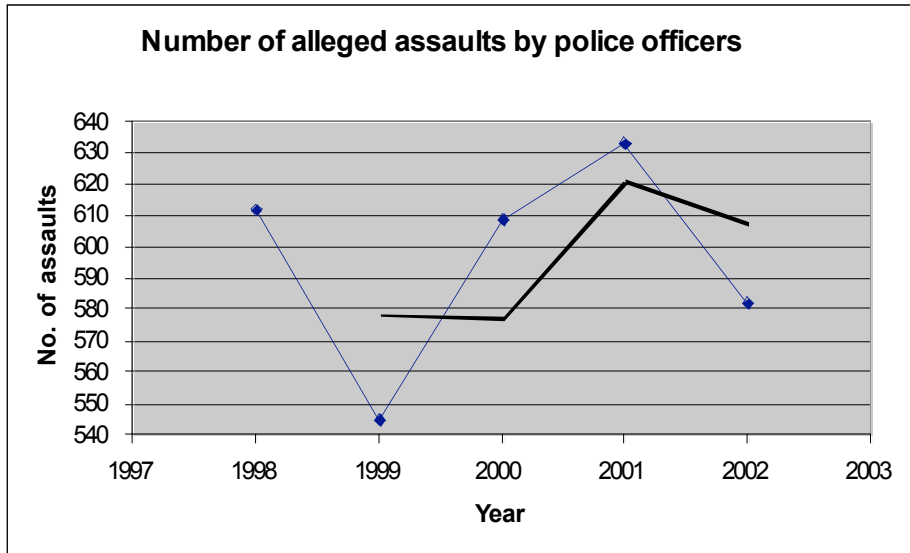Total offences by police suspect/perpetrator (by location of death)
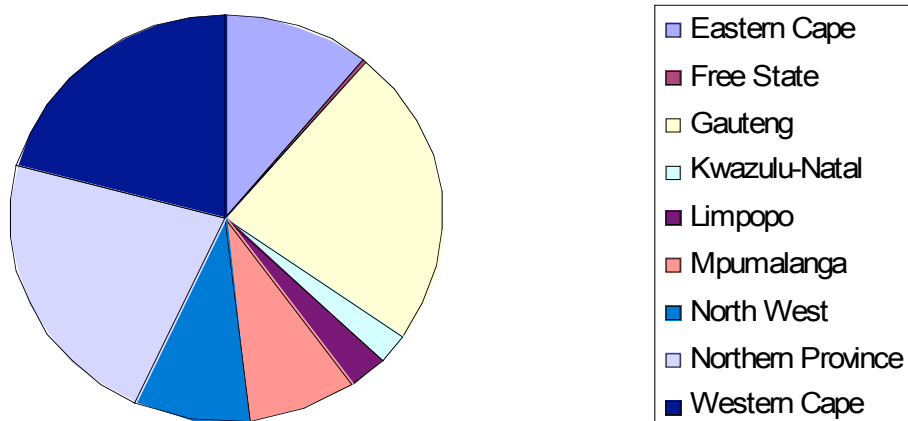


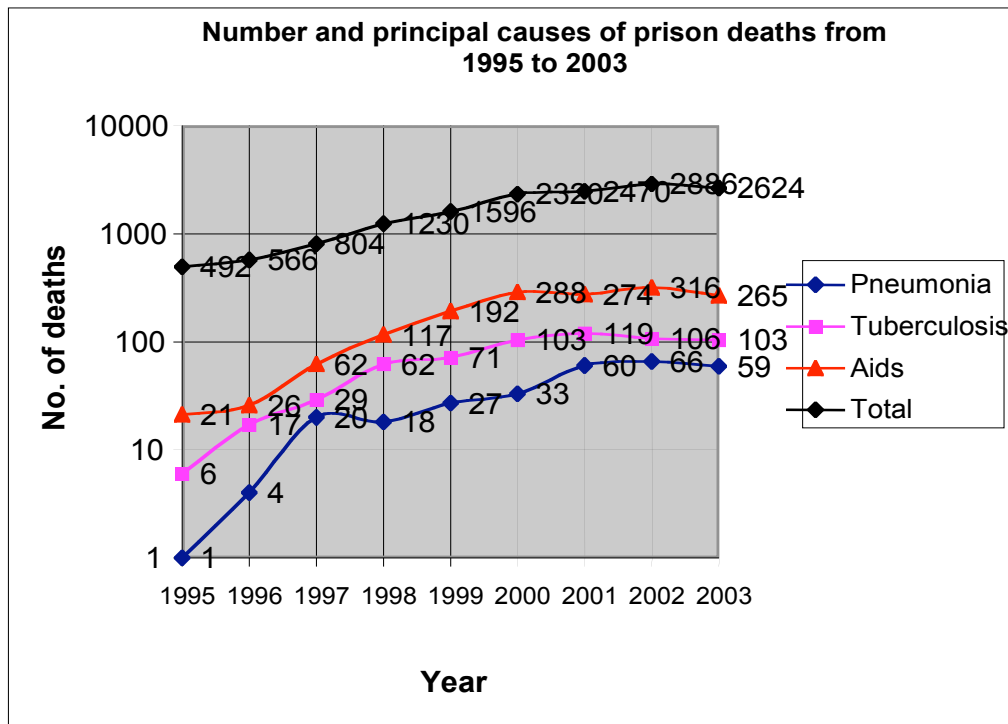Principal offences by police suspect/perpetrator in 2002 by location of death

**Number of alleged assaults by police officers**

**Crimes reported to the Military Police Agency**

| Crime Description | | | Year | | |
|---|---|---|---|---|---|
| | *1998* | *1999* | *2000* | *2001* | *2002* |
| Murder | 0 | 0 | 0 | 1 | 0 |
| Attempted Murder | 22 | 15 | 19 | 16 | 19 |
| Sexual Offences | | 3 | 6 | 4 | 6 |
| Assault - Indecent | | 7 | 4 | 5 | 16 |
| Assault - Common | 298 | 349 | 260 | 261 | 227 |
| Assault - GBH | 46 | 61 | 48 | 51 | 97 |
| Rape | 6 | 12 | 3 | 3 | 4 |
| Attempted Rape | | | 7 | 3 | 4 |

Crime and punishment

| | *1998* | *1999* | *2000* | *2001* | *2002* |
|---|---|---|---|---|---|
| | | | | | |
| Total prison population (adu | 120,474 | 131,062 | 141,002 | 144,172 | 151,775 |
| Total prison population (juvenile) | 21,951 | 24,969 | 26,565 | 26,756 | 28,398 |



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