

ANNUAL REPORT

2017/2018



We develop the South African Agricultural Industry.
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CENTRE OF EXCELLENCE

Rural Safety



Kobus Breytenbach

Kobus Breytenbach served as chair of the Rural Safety Centre of Excellence, supported by Boeta du Toit as deputy chair and Uys van der Westhuijzen as executive committee member. Kobus Visser is the head of this centre.

The centre's activities are focussed on security aspects that have an impact on the personal safety of members of the farming community as well as on general criminality.

The centre facilitates Agri SA's task to influence policy, legislation and programmes relating to the safety and security of farming communities and the rural environment.

The centre's activities are supported by the police, defence

force, correctional services, the National Prosecuting Authority (NPA) and the Institute for Security Studies (ISS), which regularly attend centre meetings and provide inputs during discussions.

POLICE MATTERS

The centre dealt with various aspects relating to policing during the report year, including the following:

- **Discussion with the minister of police**

On 20 September 2017, an Agri SA delegation met with the minister of police to discuss shortcomings in the effective implementation of the Rural Protection Strategy, the deployment of vehicles and reservists, as well as the resource requirements of rural police stations. A task team was then appointed to translate the outcome of the discussion into an action plan.

With the appointment of the new national commissioner of police, it was decided that the Rural Protection Strategy should be reviewed and that the findings of the task team should be incorporated into the revised strategy.

- **Firearm legislation**

To ensure that the firearm renewal process proceeds as smoothly as possible, everyone whose licences expire should start with the process at least 90-days before the expiry date. The validity period of a competency certificate is linked

to the longest-applicable firearm licence. During the discussion with the minister of police he was requested to consider an amnesty period for those who fail to comply with the 90-day period within which licences have to be renewed. This request was not supported, because of the appeal case the police was involved in.

During his budget debate, however, the minister confirmed an amnesty date aimed at removing illegal firearms from society.

- **White Papers on Policing and Safety & Security respectively**

Both white papers were accepted by the cabinet in April 2016. The civil secretariat of police are in the process of developing implementation plans for both white papers. The secretariat is also developing a Crime and Violence Prevention Strategy in line with the White Paper on Safety and Security. In terms of the White Paper on Policing, policy is being developed for community policing forums, the National Policing Board Framework, a discussion document on the establishment of a single police service and research on the demilitarisation and professionalisation of policing. Agri SA will respond to these policies after both have been developed and released for commentary.

- **Reservist policy framework**
A well-functioning reservist system,

backed by appropriate training, is a prerequisite for the agricultural community's involvement therein. In the revised Rural Protection Strategy emphasis is placed on the important role that reservists will play to give momentum to the implementation of the strategy. Farmer members have shown interest in participating in this, therefore problems relating to the implementation thereof should be addressed as soon as possible.

Persons who wish to be considered as reservists will be subjected to strict criteria and will be recruited from and deployed within the communities where they live, whether for functional policing or specialised operational support. Reservists form an important element of rural protection, therefore Agri SA will continue to liaise with the police at the highest level with regard to the effective development and implementation of the system to make it accessible to farmer members.

- **Sector policing**

Sector policing serves as vehicle for the police to promote community involvement in crime fighting and prevention. Research on the possible impact of sector policing on crime fighting has been completed but the national commissioner of police has not yet released the results. The commissioner was asked to release the research results and to provide Agri SA with a copy thereof.

- **Regrouping of police clusters**

The purpose of regrouping the police clusters was to determine whether the police had met the objective of policing, to identify specific implementation problems that occur at a station and whether it would be dealt with as part of the process. The police are currently monitoring and evaluating the cluster strategy implemented. The police were asked to provide feedback at the next meeting regarding progress made with implementation of the new strategy.

- **Land invasions**

The Black First, Land First (BFLF) and Economic Freedom Fighters (EFF) are the main organisations involved in actions that lead to land invasions. In many cases people are brought in from elsewhere to participate in illegal activities. The local communities are not in favour of land invasions. Both organisations manipulate parliament's decision to go ahead with expropriation without compensation at local level in order to initiate unlawful occupation of land.

Private persons are increasingly reporting incidents of land invasion which, in most cases, involves land belonging to mining companies of the state. The centre is of the opinion that land invasions are the result of irresponsible political and populist utterances and that it has a negative effect on agriculture. Trespassing on unoccupied or unused land usually leads to land

invasions, with a negative ripple effect on safety in the surrounding agricultural area.

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At Agri SA's request, the police in March 2017 issued guidelines and in July of the same year a National Instruction 7 of 2017 that provided police with guidance on how to deal effectively with trespassing and land invasions. It also provides guidelines for farmer members on how to raise such matters with the police.

- **Vehicle shortages**

The availability of vehicles at station level remains an ongoing issue of debate because experiences at local level differ from those at national level. Complaints are regularly received that vehicles are not available at station level because of the lengthy turnaround time for repairs and services.

When discussions are held at national level, the police confirm that sufficient serviceable vehicles are available, but there seems to be a communication gap in this regard between station level and head office. The centre welcomed the audit that the police

intended to conduct on resource requirements at station level as it could give a better indication of the availability of vehicles.

RURAL PROTECTION

Rural Safety Strategy

The Rural Safety Strategy has been in effect since July 2011. The time had come for the strategy to be reviewed and, in the process, Agri SA as well as the centre was approached for inputs. The strategy acknowledges that the government regards safety and security of rural communities as a priority. The seriousness of the ongoing acts of violence against the rural community, high levels of stock theft and destruction of infrastructure is also acknowledged in the strategy. An objective of the strategy is to create a safe rural environment and maintain food security.

The centre provided the police with written commentary regarding the strategy as well as the implementation plan that must support it. The new approach was lauded as an important step in the right direction for implementing the strategy more effectively. The police were requested to develop a sub-strategy in collaboration with Agri SA, which would be applicable to all farming areas and specifically address their unique security situation.

Agreement with AfriForum

An agreement was reached with AfriForum that makes provision

for the creation of communication channels, the elimination of duplication and an undertaking not to establish competing structures. The centre monitors the implementation of the agreement and provincial affiliates were asked to apply it to manage their relationship with AfriForum at local level.

Notwithstanding the agreement, various affiliates found that AfriForum continued to create competing structures at local level, although this is expressly prohibited in the strategy. Agri SA holds discussions with AfriForum from time to time to deal with these and other issues.

Protocol for farm access

The Rural Protection Strategy stipulates that a protocol for access to farms may be applied to promote rural safety. Agri SA's protocol in this regard is widely seen as suitable for this purpose. During the report year amendments were made to the protocol, which included a section on access to border farms by the defence force.

Crime forfeiture account

The centre discussed the Prevention of Organised Crime Act (Poc Act) and how it makes provision for a Crime Asset Recovery Account (Cara) managed by a committee consisting of the departments of justice, police and finance. The fund is at the disposal of law enforcement state departments, where application

can be made for funding for specific items.

To be considered for allocations from the fund, a comprehensive request must be submitted with details regarding the intended use thereof. The request is then submitted to the cabinet for consideration and the approved funds must be reserved for the purpose stated in the request. The cabinet must also be provided with feedback on the use thereof. Since the inception of the Cara fund, only three allocations from the fund have been approved. It appears, however, that departments are hesitant to apply because they could encounter problems if their own budgets are not fully utilised and they need to apply for additional funding.

Second-hand Goods and Criminal Justice Amendment Act, 2015

The police's legal department was asked to incorporate irrigation equipment as well as fencing material such as iron rods under schedule 1 of the Second-hand Goods Act. According to the police, they and the Civil Secretariat of Police were in the process of reviewing various aspects of the act, as well as schedule 1 thereof. During a joint discussion with the police, the department of justice and the NPA, Agri SA's request for information on the abovementioned items was favourably received. The revised legislation, when it becomes available, will be forwarded to Agri SA for further inputs.

The department of justice was also asked to include food production as a 'basic service to the public' and irrigation systems as 'essential infrastructure' in the respective definitions in the act. According to feedback received from the department of justice, Agri SA's request had been referred to the state advisors dealing with the matter. During the said discussion, there was understanding for Agri SA's request, but supplementary information was needed as motivation for the minister of justice's consideration of the request. In the process, provincial affiliates were approached to assist with the relevant information.

Community Safety Forums

The Community Safety Forums (CSFs) are responsible for facilitating a multi-sectoral government approach to the safety of the community. The CSF's approach is broader than that of the Community Policing Forum (CPF) in that it includes departments in the JCPS cluster.

The CPF is limited to the police stations' jurisdiction and focusses on policing and related matters, while the CSF follows a more inclusive approach and plays a broader role. The CSF's objective was to include all safety-related matters affecting the relevant community, which makes people feel safer on the streets and in their homes and workplace. The initial purpose of the CSF was to attend to all matters

which could not be addressed through traditional policing. The police were requested to include organised agriculture as part of civil society in the strategy.

Cost of crime

The Agri SA board made funds available for research into the cost of crime for agriculture. Research conducted in this regard by Statistics SA in 2002 can be used as basis to determine how the picture had changed up to 2017. Unisa's Bureau for Market Research was contracted to conduct research in this regard. Information was gathered electronically, and the questionnaires were distributed with the help of provincial affiliates. After completion of the study, Unisa will make a report on their findings available to Agri SA.

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CORRECTIONAL SERVICES

At the end of 2015, the minister appointed a task team to investigate and make recommendations regarding a new revised parole system. In January 2017, the task team presented the minister with recommendations which were discussed with the existing parole boards in April 2017. After certain amendments were made, the recommendations

were again submitted to the minister in June 2017. The minister then referred the matter to the National Council for Correctional Services (NCCS) for advice.

Any changes to the parole system will probably require amendments to legislation. Consultation in this regard will take place with all interest groups in accordance with prescribed procedures. The proposed legislation must also be published in the Government Gazette for public consultation.

The centre was informed that the contracts of current parole boards expire at the end of June 2018 and that these posts would be advertised. Expectations were that new parole board members would be appointed as from 1 July 2018.

NATIONAL PROSECUTING AUTHORITY

The National Prosecuting Authority (NPA) informed the centre that 87 state prosecutors had received training at the college during the past year to deal with stock theft cases. This produced good results in the courts. Training was also provided to five state prosecutors from Botswana.

With regard to in-service training, the NPA said there was no national instruction stipulating that the NPA must provide training. However, this would depend on cooperation within each province. The NPA was acknowledged for the training offered to state prosecutors

and the success this had already achieved in various provinces.

FARM ATTACKS

The Rural Protection Strategy, which relates to all violence against persons living on farms and smallholdings as well as persons visiting these premises, forms the basis for gathering farm attack statistics. This includes crimes such as murder, rape, robbery and causing bodily harm. Additional hereto it also includes all destruction of farm infrastructure and property with the intent to disrupt legitimate agricultural activities. Against this background, farm attack statistics include not only crimes against commercial farmers but also smallholding

owners involved in farming activities, emerging farmers, farm workers and their family members and visitors.

During the period 2001/2002 the highest incidence of farm attacks in history was recorded, namely 1 069. The highest incidence of murder (153) was recorded during the period 1997/1998.

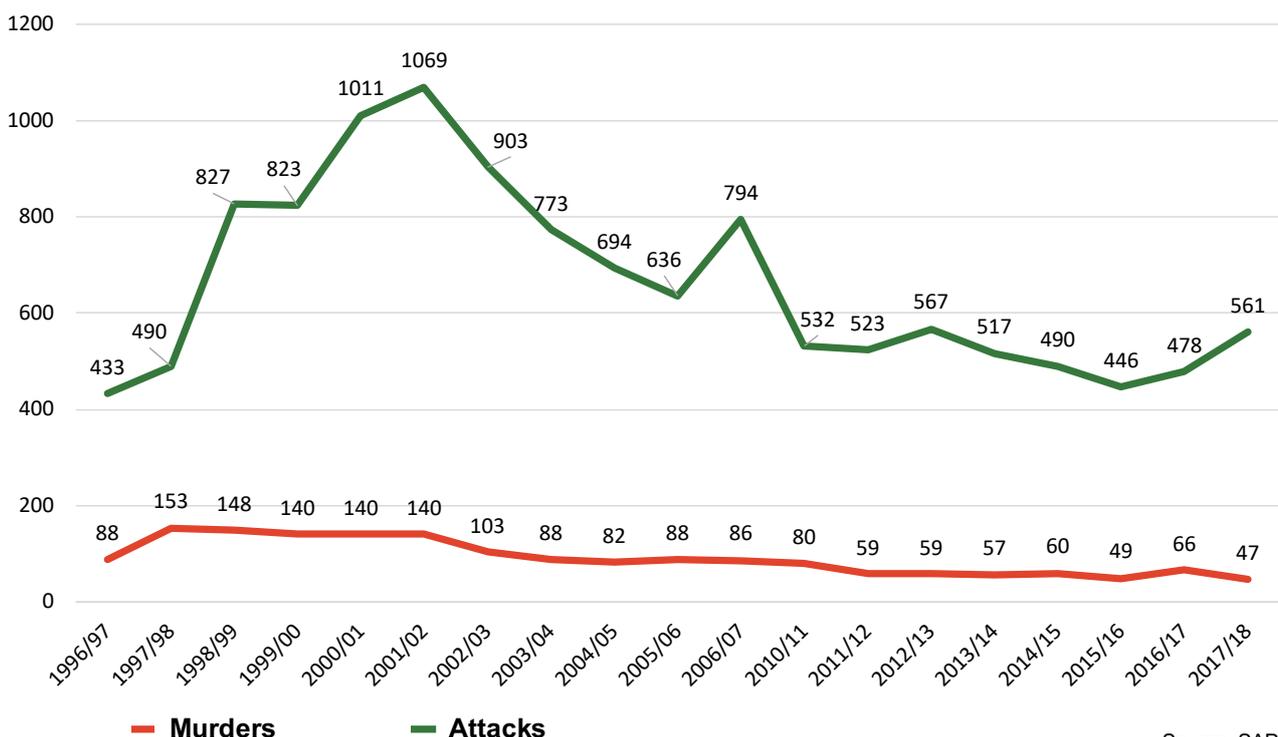
When the statistics for the past six years, as presented to parliament by the police, are viewed more closely, it appears that farm attacks and murders had declined on a year-to-year basis. Over the past 19 years since 1996/1997, 12 567 farm attacks and 1 730 murders occurred, with an average of 661 attacks and 91 murders per year.

The figures present a clear picture of the magnitude of farm attacks and the security threat the farming community faces on a daily basis.

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Farm Attacks and Murders

National comparison: 1996/1997 – 2017/2018



Source: SAPS

STOCK THEFT

• Stock Theft Unit's activities

According to the National Stock Theft Unit, most cattle were stolen in KwaZulu-Natal, the Free State and North West. Most sheep were stolen in the Eastern Cape, Free State and Northern Cape.

Five of the flashpoint police stations are in the Eastern Cape, three in KwaZulu-Natal and one each in Mpumalanga and the Free State.

The following information was shared with the centre:

- Appropriate sentences are imposed for stock theft offences in some provinces, while in others suspended sentences are handed down, which are not in line with the seriousness of the offence committed. This aspect is raised continually with the National Prosecuting Authority;
- With regard to rhino poaching, a decline was recorded in 2017. However, concerns were raised regarding increases in the Free State, Northern Cape, North West and especially in KwaZulu-Natal;
- In the Kruger National Park, game rangers have been successful in preventing rhino poaching;
- An increase in elephant and lion poaching was also recorded on 2017, with an escalation in lion poaching

occurring particularly in the Free State. Authorisation was given for a certain number of lions to be exported annually and at this stage lions are killed largely for muti purposes;

- In the past valid permit-holders sold rhino horns, only to open a case of poaching with the police afterwards. After action was taken in this regard, there was a drop in this type of practice; and
- Most stock theft cases constitute ordinary crime. No recent analysis is available to determine whether this takes place on an organised basis.

DEFENCE FORCE MATTERS

The South African national defence force provided the centre with information on their activities at the international border for the period 1 January 2017 to end February 2018.

The following successes were achieved:

- Fifteen sub-defence force units consisting of 2 754 soldiers were deployed at the international border and would be rotated from March to April 2018;
- 15 788 undocumented persons were arrested;
- Illegal goods valued at R23 million were confiscated;
- 29 weapons were recovered;
- 18 tons of dagga valued at R60 million were confiscated;

- In total 1 297 livestock were recovered;
- 164 vehicles were recovered;
- 263 wanted criminals were arrested;
- The defence force is also in the process of deploying mobile packages, including vehicles to the KwaZulu-Natal, Mpumalanga, Limpopo and Eastern Cape border;
- The department of public works is responsible for the infrastructure at the border to enable the defence force to effectively patrol the area. For this purpose, contractors were appointed to implement a system, which consists of fencing, observation posts, patrol routes and mobile deployments;
- The KwaZulu-Natal/Ndumo border will be prioritised because the area was being used to smuggle out stolen vehicles;
- With regard to external operations, the defence force, in conjunction with the Kenya defence force, is actively involved in operations to combat piracy in the Mozambique canal; and
- In the Democratic Republic of the Congo, the 1 143 members of the defence force are involved in Operation Mistral.

Security system

Negotiations are underway with Fidelity regarding a security system for the rural farming community. Discussions focus on the provision of the following services to the farming community:

- Armed response and technical support;
- Monitoring of alarm systems countrywide;
- Tactical intervention teams;
- Specialised services, including armed response, forensic investigations and management of protest marches;
- Tactical aerial support;
- Investigations, taking statements, compiling dockets and liaison with the police and specialist units to ensure that the culprits are arrested and prosecuted;
- Information processing;
- Making specialist investigators available to act on behalf of clients in private prosecutions; and
- Representation of the client in court to assist in opposing bail, the compilation of charge sheets and monitoring of progress made with cases on the court register.

The purpose of the protection system is to incorporate every farm into a home alarm system that can be monitored on an effective basis and from where assistance can be summoned. As soon as the system has been finalised, it will be launched

with the assistance of provincial affiliates.

INTERNATIONAL CRIME CONFERENCE

An international crime conference was held on 27 September 2017 where international speakers from the US, Australia and Kenya made presentations. The conference was arranged by Unisa in collaboration with Agri SA and the Red Meat Producers' Organisation.

Some of the most important aspects identified during the conference were as follows:

- Organised agriculture must continue to play an important role in policy formulation;
- The importance of crime intelligence in preventing farm violence;
- The need for unity within organised agriculture in dealing with the rural crime problem; and
- The establishment of a centre for research into rural crime.

According to the respective presentations it was clear that farmers worldwide are prone to crime. The difference in South Africa, however, was that the farming community also had to contend with farm attacks – something that farmers in the rest of the world do not experience.

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MEETING WITH INTERESTED PARTIES

On 2 November 2017 Agri SA was involved in a meeting of interested parties to discuss the recent spate of farm attacks and to consider possible solutions.

The decisions taken during the meeting included the following:

- The Agri-sector Unity Forum (Asuf) would be requested to appoint an inclusive sub-committee to play a coordinating role which should include representatives of rural inhabitants, service providers and other identified parties;

- The structure must be inclusive and purposefully to meet it;
- The message of the rural inhabitant must be conveyed provincially, nationally and internationally, emphasising the important role that agriculture plays in the economy and rural security and the contribution the sector makes to stability in the country;
- The meeting must be convened and facilitated on an urgent basis; and

- The Agri Securitas Trust Fund should receive the necessary financial support to continue with its activities.

Acknowledgement

Members of the farming community, provincial affiliates as well as security representatives who contribute at various levels to ensure the safety of rural communities deserve acknowledgement and appreciation.

A special word of thank was extended to the South African national defence force (SANDF), the South African police service (SAPS), the National Prosecuting Authority, Correctional Services and the Institute for Security Studies for their support to the centre in its efforts to promote rural safety.

