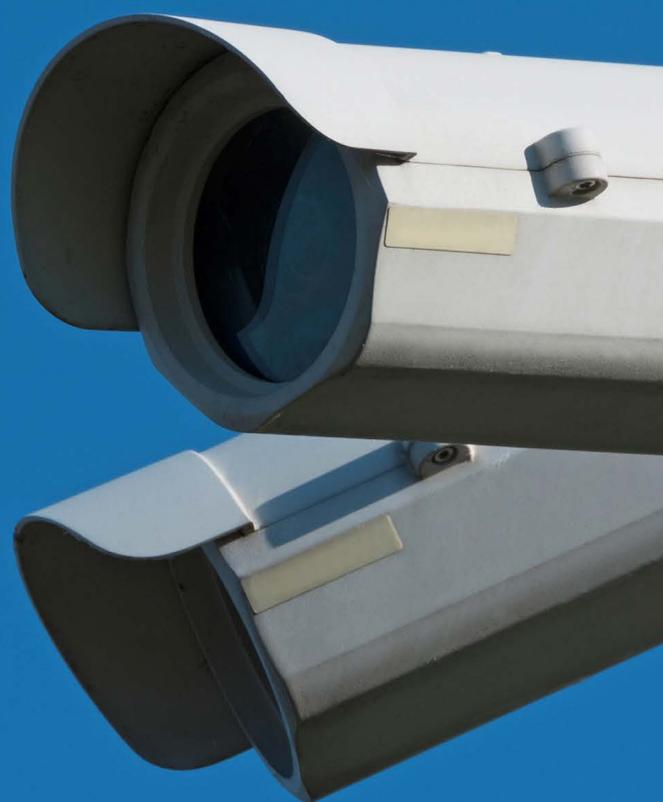


ANNUAL REPORT

2018/2019



We develop the South African Agricultural Industry.
Ons ontwikkel die Suid-Afrikaanse Landbou Industrie.



CENTRE OF EXCELLENCE
Rural Safety



Tommie Esterhuysen

Tommie Esterhuysen served as chair of the Centre of Excellence, supported by Joe Scholtz as deputy chair and Uys van der Westhuijzen as third executive committee member. Kobus Visser served as functionary.

The serious safety threat, which includes farm attacks and murders, as well as general criminality experienced by the farming community, makes it imperative for Agri SA and its provincial organisations to attend to these matters on a continuous basis. It remains the government's responsibility, however, to keep all citizens safe, but given the current security situation, the farming community is playing a greater role to safeguard themselves as well as the community.

The Centre of Excellence's activities are therefore aimed at security aspects that have an impact on the farming community's personal safety, as well as at general criminality.

The Centre of Excellence facilitates the influence that Agri SA exerts on policy, legislation and programmes relating to the safety and security of farming communities and the rural environment.

The activities of the Centre of Excellence are supported by the South African Police Service (SAPS), the South African National Defence Force (SANDF), Correctional Services, the National Prosecuting Authority (NPA) and the Institute for Security Studies (ISS), which regularly attend and provide inputs at the Centre of Excellence meetings.

POLICE MATTERS

The Centre of Excellence dealt with various policing aspects during the reporting period, including the following:

Conversation with the National Commissioner of Police

The National Commissioner of Police and his senior management team attended the first meeting of the centre. On this occasion, he discussed the police's turnaround strategy and said rural safety was one of the focus areas of the strategy. The police strive to create a safe rural environment by 2030 so that they can fulfil their constitutional responsibilities. He acknowledged

the farming community's contribution to the national economy, as well as the role they play in rural safety via their well-organised structures.

Through improved policing, the police want to help create safe rural areas for economic development so that the farming community can continue making its contribution to the economy, food security and stability in the country. Implementation of an effective reservist system, the reactivation of rural specialist units and the provision of resources to rural police stations are all elements that the Centre of Excellence supports on an ongoing basis as part of the turnaround strategy.

Firearm legislation

According to media reports, the police intend to amend sections 13 and 14 of the Firearm Control Act, which will mean that self-defence under these sections will no longer be a valid reason for owning a firearm. According to information received from the police, they do not have an official position in this regard.

During a discussion with the National Commissioner of Police, he was informed of the lack of feedback received by members in appeal cases. Although the Appeal Board falls under the direct supervision of the minister of police, the police undertook to bring this problem to the attention of the Appeal Court. Problems that were experienced in this regard were pointed out to the Commissioner and have in the meantime been resolved.

Reservist policy framework

The Centre of Excellence remains of the opinion that a well-functioning reservist system, supported by appropriate training, is a prerequisite for the involvement of the farming community. The revised Rural Safety Strategy – which must still be announced – emphasises the important role that reservists will play to give momentum to the implementation of the strategy. Farmers are interested in participating, but problems with the implementation thereof must be resolved as soon as possible.



The police have appointed a task team to consider changes to the existing concept. These include aspects such as dividing the practical training period of reservists into modules so that members do not have to be away from their farms for long periods, as well as attention to recruitment challenges and auditing of existing reservists. In terms of training, the revised curriculum was approved and is currently being evaluated as a pilot project. Provincial organisations were provided with relevant information regarding the recruitment of reservists, which was set to commence on 1 April 2019.

Regrouping of police clusters

The new cluster strategy was implemented as from 1 November 2018 with a view to determining whether the police were achieving their policing objectives and to deal with implementation problems as part of the process. The strategy has resulted in the number of clusters being reduced and the combination thereof into area structures. A national steering committee is busy evaluating the implementation of the strategy and the police will be asked to share their findings at a Centre of Excellence meeting later in the year.

Land invasions

Threats of farm invasions remain a source of concern for the farming community. The Centre of Excellence,

together with Agri SA's provincial organisations, will ensure that the police instructions for dealing with trespassing and land invasions are implemented strictly according to policy. To assist members to interpret the policy and police instructions, an information document was approved and distributed to provincial organisations. The document also provides members with guidelines on how to deal with farm invasions.

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The South African Local Government Association (Salga) was requested to take note of the local authorities' responsibility to inform the police immediately of any land invasion incident. If such invasions are not dealt with promptly, they have the potential of spilling over to adjacent farming areas, with negative implications for the landowners. A further request has now been addressed to Salga to discuss this matter.

RURAL SAFETY

Rural Safety Strategy

During the reporting year, the existing Rural Safety Strategy was revised. A working group of the Centre of Excellence considered inputs provided by Agri SA's provincial organisations, after which commentary was finalised for submission to the police. Following the Rural Safety Summit hosted by the department of agriculture, forestry and fisheries, further work was done on the strategy, after which the police's strategic management aligned the strategy with other national police strategies. Besides strategic attention to farm attacks and stock theft, the focus was broadened to include the destruction of farm infrastructure as a focus area. The Centre of Excellence is satisfied that the vast majority of the committee's recommendations have been accommodated in the revised strategy.

The National Commissioner of Police invited Agri SA to assist the police in finalising the revised Rural Safety Strategy and to become involved in arrangements for the launch thereof. Expectations are that the strategy will be launched in the North West province early in the second part of the year once the minister of police has approved a date for the launch.

Agreement with AfriForum

The agreement with AfriForum makes provision for the establishment of communication channels, the elimination of duplication and an undertaking not to create competing structures where local security structures already exist. It remains the Centre of Excellence's position that there should be a greater degree of cooperation at grassroots level to deal effectively with rural

safety without destroying existing structures. A meeting took place with AfriForum during the reporting year, where attention was given to the more effective flow of communication, especially with grassroots structures. AfriForum was informed that the involvement of the police in crime prevention operations at local level was a prerequisite for members' participation.

Farm access protocol

The Rural Safety 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 accepted as suitable for this purpose. During the election year, the committee confirmed the stringent and consistent application of the farm access protocol and asked members to ensure that the protocol is applied, especially during this period.

Crime asset recovery account

The Centre of Excellence discussed the Prevention of Organised Crime Act (POC Act), which 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 available to law enforcement departments where application can be made for funding of specific items. The National Prosecuting Authority (NPA), at the request of the committee, made pro forma documentation available according to which the police can apply for funding from this account. Such documentation was distributed to all provincial organisations for further attention.

Second-hand Goods Act and Criminal Justice Amendment Act, 2015

The department of justice and legal section of the police were asked to consider amendments to the Criminal Justice Act as well as the Second-hand Goods Act in order to combat the negative effect of the increase in the destruction of farm infrastructure. The police, who are responsible for the Second-hand Goods Act, were also asked to include farm infrastructure such as irrigation equipment and iron poles under schedule one of the Act. The police were also requested to cancel the



registration of scrap metal dealers who are repeatedly found guilty of offences in terms of the act so that they no longer have an opportunity to operate a scrapyards. The police, in conjunction with the national secretariat of police, are considering amendments to the act, while the Centre of Excellence has addressed a written request to the police for consideration.

The department of justice was requested to broaden the scope of the Criminal Justice Amendment Act to include irrigation equipment as essential infrastructure and food production as a basic service. The broadening of the act, if approved by the department and accepted as an amendment by parliament, could result in heavier penalties for persons convicted of these crimes. The department has prepared a submission for consideration by the minister for possible law amendments.

The cost of crime

During the reporting period, a survey to determine the cost of crime for agriculture was conducted in collaboration with Unisa. A report was then compiled, which indicated that seven out of 10 commercial farmers who participated in the survey had experienced crime in some form or other during 2017. The survey also revealed that approximately a third of commercial farming units had experienced an increase in crime incidents over the past three years. The results confirmed the Centre of Excellence's concern over the level of crime experienced by commercial farmers.

According to the study, the total direct cost of agriculture-related crime amounted to R5,45 billion, with a total replacement cost of R2,28 billion. The total agriculture-related cost amounted to R7,7 billion. The study also showed that the theft of livestock was at the top of the list of crimes, followed by theft of farm infrastructure, theft of farm implements and equipment, theft of game and lastly robbery. The study further revealed that approximately 40% of commercial farming units had installed security equipment in 2017 at an average cost of R115 000 each and a total cost of R1,9 billion.

The information obtained from the survey was also used as motivation for the proposals for amendments to the Second-hand Goods Act and the Criminal Justice Amendment Act.

Functioning of priority committees

At the request of the Centre of Excellence, the police issued instructions regarding the functioning of priority committees at various levels. The instructions provide priority committees with guidelines with regard to, among others, chairmanship, the content of an agenda, and the type of aspects that must be dealt with during meetings. Feedback from provincial organisations indicates that priority committees generally function well and that problems are dealt with on an ongoing basis at local level.

Erosion of grassroots security structures

During the reporting year, the Centre of Excellence dealt with the erosion of grassroots security structures by organisations involved in urban areas with the provision of safety and security services. These organisations are now moving out to offer similar services to rural communities, which has resulted in conflict and the destruction of organised agriculture's local security structures. This could jeopardise the implementation of the Rural Safety Strategy and undermine the actions taken by provinces when the police are excluded at that level. The Centre of Excellence has warned that people must be constantly on guard against organisations with a political mandate or those that are established for personal gain.



R5,45 billion

Direct cost

R2,28 billion

Replacement cost

TOTAL CRIME RELATED COSTS

R7,72 billion

Agreement between Agri SA and Fidelity ADT

Agri SA has entered into a partnership with Fidelity ADT to provide a range of services and products to its members and the rural community in an attempt to address the high level of farm attacks and agriculture-related crime. Through Fidelity, a rural client is able to share in the company's considerable experience and knowledge made available through the provision of a more integrated safety and security service. The success of the agreement depends on the cooperation of provincial organisations, farmer associations, farm watches and local security companies.

Various submissions have already been made in the Northern Cape, Free State and Eastern Cape on how Fidelity's services and products can be used to improve rural safety. The partnership will strive to make a greater contribution towards a safe rural environment and to respond to the security needs of rural farming communities.

Election protocol

The Centre of Excellence has been working with the Independent Electoral Commission (IEC) since 2006 to afford the IEC orderly access to farms for voter training and the establishment of voting stations. Agri SA had as early as December 2018 met with the IEC to discuss a protocol for the 2019 election. This discussion was followed by a letter in which Agri SA clearly stated its views. In the absence of a final protocol for 2019, the Centre of Excellence maintained the following position for implementation by members, namely that members should:

- Provide the IEC and its agents with reasonable access to farming areas to conduct their work in terms of voter registration and training;
- Allow voters an opportunity to attend political meetings in public venues as arranged by the political parties;
- Allow the IEC and its agents to access venues to be used as registration and voting stations, where appropriate; and

- Ensure that farm visits take place in accordance with the farm access protocol.

Submission to portfolio committees

During November 2018, the Centre of Excellence had an opportunity to make a presentation to a joint session of the portfolio committees of police and agriculture, forestry and fisheries. During the presentation, the portfolio committees were informed of the negative impact that farm attacks and other crime have on the farming community. The revision of the Rural Safety Strategy was welcomed, and it was emphasised that a well-functioning priority committee system as well as an accessible reservist system formed the basis for the strategy. Agri SA once again undertook to cooperate with the police for the purpose of promoting rural safety.

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National Non-Ferrous Crime Combatting Committee

The chair and functionary of the centre represent Agri SA in the Non-Ferrous Crime Combatting Committee. During one of the committee's meetings, a presentation was made on the effect and impact that theft and the destruction of farm infrastructure have on agriculture. A request was also made for a special inquiry into the theft of cellular phone tower batteries. The police are currently busy with special projects at grassroots level to address this matter.



CORRECTIONAL SERVICES

The minister of correctional services intends to conduct a review of the existing parole system, and the department has made recommendations in this regard to the minister. Feedback from the minister regarding the revision of the parole system is awaited.

The contracts of the current parole boards expired at the end of July 2018. New contracts were concluded with members of the parole boards, which came into effect on 1 March 2019 for a period of three years. Members of organised agriculture who wish to participate in the activities of a parole board can apply to the presiding officer. The police are also closely involved in parole boards and receive good support and cooperation.

NATIONAL PROSECUTING AUTHORITY

The National Prosecuting Authority (NPA) is continuing with training for state prosecutors in dealing with stock theft cases, but its limited budget makes it difficult to do so. This remains an ongoing process with which the NPA will continue as soon as the budget has been sorted out. The appointment of new state prosecutors has also been delayed due to budget shortages, especially against the backdrop of an increasing number of state prosecutors leaving the NPA's service.

STOCK THEFT

According to the National Stock Theft Unit, the provinces most affected by stock theft are the Eastern Cape, Kwa-Zulu-Natal and the Free State. The following information regarding stock theft was shared with the committee:

- 30 police stations contribute to the highest incidence of stock theft in the country;
- There has been an increase in the number of stolen animals being recovered;
- The number of convictions has increased further, and more cases were reported during the past year than in the previous year; and
- Various perpetrators were sentenced to effective imprisonment during the year, some up to 15 years.

The following aspects were highlighted:

- Some stock theft units are experiencing a shortage of night vision equipment, but no requests in this regard have been received by the Stock Theft Prevention Forum or the National Stock Theft Unit;
- It is important to allocate analysts to investigate the links between syndicates and organised crime when it comes to stock theft. The police said they were in the process of creating such capacity within the unit for organised crime and that various projects had been registered to investigate stock theft cases;
- Some stock theft units are challenged by a shortage of vehicles and manpower. However, it is the stock theft coordinator's responsibility to determine additional requirements and to deal with this via the appropriate channels;
- There are various cases where a J-543 was issued but then withdrawn again in court. A docket should be opened for repeat offenders so that they can be prosecuted. The matter was discussed during a station commander meeting; and
- Farmers and police stations experience various security challenges along the Lesotho border. These stations should have sufficient capacity to deal effectively with crime within the border area. The needs of police stations should be determined by means of a feasibility study, which will then reveal the needs according to which allocations can be made.

The Centre of Excellence thanked the Stock Theft Unit for the work they do.

DEFENCE FORCE MATTERS

The South African National Defence Force is responsible for the operational area, which includes international borders and the 10 km territory surrounding the border. The international border measures 4 471 km in total and is manned by 15 defence force sub-units, with 2 754 troops deployed along the border.

CLOSURE

The committee used the following extract from the *Sunday Times* of 10 March 2019 to show that the problem will persist if negative behaviour is not addressed:

“Bad behaviour or a culture of impunity is changed or reversed by a strict application of consequences. The burning of universities, for instance, which incidentally started in the North West, has not abated, because there have been no consequences. It was a shock when it happened the first time. We can have as many summits and commissions of enquiry, but we’ll have wasted our time if nobody is finally called to account. Amid all the verbiage about clean-up campaigns, towards assuredly missing: don’t litter. Consequences are what’s missing and leadership to enforce them.”

ACKNOWLEDGEMENTS

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

A special word of thanks was extended to the South African National Defence Force (SANDF), the South African Police Service (SAPS), the National Prosecuting Authority (NPA), correctional services and the Institute for Security Studies (ISS) for their assistance to the committee in its attempt to promote rural safety.

