



community safety &  
liaison

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### **MEDIA ALERT**

TO : ALL MEDIA  
DATE : 06 JUNE 2013  
ATTENTION : NEWS EDITORS/REPORTERS AND PR WIRE

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**EXECUTIVE STATEMENT ON ALLEGED MISCONDUCT OF MEMBERS  
OF SAPS AMANZIMTOTI AND UMLAZI POLICE STATIONS  
PRESENTED TO THE KZN LEGISLATURE BY MR T W MCHUNU  
MEC FOR TRANSPORT, COMMUNITY SAFETY AND LIAISON  
KWAZULU-NATAL ON  
05 JUNE 2013**

Madam Speaker and Honourable Members allow me to table the executive statement on alleged misconduct of members of SAPS at Amanzimtoti and Umlazi Police Stations on 20 May 2013 at about 16h00 in terms of Rule 100 of the Standing Rules of the KwaZulu- Natal Legislature.

### **BRIEF BACKGROUND**

The MEC for Transport, Community Safety and Liaison received a report to the effect that some members of the Amanzimtoti Police Station and TRT members from Umlazi allegedly stormed a vehicle repair workshop in Amanzimtoti and reclaimed a Police member's vehicle without paying for it.

### **SUMMARY**

It is alleged that during December 2012, Warrant Officer SL Boya of Amanzimtoti took his private vehicle to Barry's Auto Clinic at Amanzimtoti for repairs. He was quoted for R25 000-00 for the repairs, which he accepted. Work began on the

vehicle. The work was completed in January 2013. Warrant Officer SL Boya then paid R8 000-00 and was informed that a fee of R 300-00 a day will be charged for storage, to which he agreed. After 120 days the owner of the workshop informed Warrant Officer SL Boya that he is now going to hand the matter over to his attorneys and he is going to sell the vehicle to recover his costs. Warrant Officer then paid the owner for repairs undertaken, but did not pay the storage fees.

It is alleged that at about 16h00 on 20 May 2013 Warrant Officer SL Boya arrived at the said address with eight other police members (uniformed) in three marked police vehicles. While the manager Mr Colleen Peter Ballard was on the phone to the owner of the workshop informing him that police officials were at his premises, Warrant Officer Boya opened the roller door, which was closed. A tow truck (private) was driven into the workshop and towed the vehicle out of the garage.

On enquiry with the Provincial Commissioner, Lt General BM Ngobeni she responded as follows:

1. The Provincial Commissioner has been made aware of the misconduct that has been committed by the members from the above mentioned Police Stations;
2. Warrant Officer SL Boya was on duty and using state vehicle when he proceeded to Barry's Auto Clinic and forcefully removed his private vehicle without Mr Barry's consent;
3. All other Police officers were on duty and were not authorised by their Commanders to give support or assist Warrant Officer Boya to retrieve his vehicle from Barry's Auto Clinic. Their mere presence at Barry's Auto Clinic extremely intimidated Mr Collen Ballard which enabled them to fulfil their actions.
4. A CCTV footage was obtained and the vehicles which were used were identified as follows:

- SAP BRZ 434 B Mercedes Benz Vito belonging to Umlazi TRT;
- SAP BRZ 328 B BMW belonging to Umlazi TRT;
- SAP BSW 293 B Nissan Hardbody belonging to SAPS Amanzimtoti;
- SAP BSN 074 B Toyota Hi-Lux belonging to SAPS Amanzimtoti;

- SAP BST 478 B Nissan Hardbody belonging to SAPS Amanzimtoti; SAPS members who are drivers of these vehicles were also identified. Some from Umlazi TRT and some from Amanzimtoti police station.

5. A criminal case has been opened as per Amanzimtoti CAS 294/05/2013 house breaking business premises and intimidation.
6. Lt Colonel Govender has been appointed to investigate the alleged misconduct in terms of the SAPS Disciplinary Regulations.
7. Once the SAPS Departmental investigation has been finalised, the disciplinary steps will be instituted against the members involved.

## **CONCLUSION**

Madam Speaker and the Honourable Members, I table this executive statement on the misconduct of members of SAPS at Amanzimtoti and Umlazi TRT because we are against any sort of criminality and intimidation in our Province regardless of who conducts it. The MEC and the Department condemn these illegal actions in the strongest possible terms. We have also brought this report before this House with a view of getting you to debate this state of affairs. Honourable Members, we hope to get your support and inputs as well as that of the wider society in all its formations in addressing these illegal actions especially by members of SAPS.

We also commend the prompt actions of the Provincial Commissioner, Lt General BM Ngobeni in dealing with this matter. The MEC has further directed that the matter be referred to the Independent Police Investigative Directorate as well. The Department of Community Safety and Liaison will also monitor the processes to ensure that proper action is taken in this matter.

Ends.

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