

REMARKS BY THE MEC FOR TRANSPORT, COMMUNITY SAFETY & LIAISON, Hon. Willies Mchunu on the KENNEDY ROAD INFORMAL SETTLEMENT ONGOING CRIMINAL ATTACKS ON RESIDENTS

04, October, 2009

THE KWAZULU-NATAL Provincial Government has arrived at a decision to do whatever it takes to resolve the ongoing criminal and violent attacks that threatens the social fiber of residents at the Kennedy Road Informal Settlement. Matters came to head at the weekend of the 26th & 27th September, 2009, when a group of people brandishing an assortment of weapons including assegais, knobkerries, spears and guns attacked and killed two people. Scores of others were injured.

On behalf of the Provincial Government and the people of KwaZulu-Natal, we send our condolences to the families of the deceased. We also send our sympathies to the injured, displaced and traumatized. As we have said before, we intend to and in fact are committed to building a caring society. It, therefore, cannot be that some among us may find joy in terrorizing our people, and, honestly hope that they will literally get away with murder. It won't happen. And, it cannot be allowed to happen.

In keeping with our programme of creating a caring society, the KwaZulu-Natal Provincial Government finds the criminal attack on unarmed residents despicable. We therefore condemn this in strongest terms possible. We believe that it is absurd for any one to impose an illegal or any type of curfew on residents. We want to assure all Kennedy Road residents, that, we stand ready to defend their freedoms including their right to the freedom of association and the freedom of movement.

Those criminals, who are holding the Kennedy Road resident's hostage, must be, and will be arrested without delay. We want all Kennedy Road residents to be as free as any other citizen in a democratic society. All challenges faced by the community shall be addressed through dialogue within properly constituted community structures.

It is a small consolation that some people alleged to have been involved in the attacks are already in custody. Although such arrests and possible convictions will not bring back the dead or rebuild people's livelihoods, it does send a clear message that a small group of bandits cannot be allowed to be a law unto itself. It also says - we value the rule of law. We can confirm that more arrests are imminent as the new police task team takes over the investigations. We do know that the culprits will be found, arrested, and prosecuted without fear, favour or mercy. If you break the law, you must do the time. We will be blind to political persuasion, religious affiliation or class. To us, a criminal is simply that - a criminal – we will therefore treat those criminals who attacked our people here as such.

What Has Been Done Since the Attacks Occurred?

As per the mandate of the Ministry I lead, and, after being informed of the attacks, I immediately visited the area last weekend to assess the situation. After the said visit, I directed further that the Provincial Government Task Team be set up. The Task Team comprised of, the Deputy (now Acting) Provincial Commissioner, Bongani Ntanjana, Head of Department of Community Safety and Liaison, Yasmin Bacus, Ethekewini Municipality Head of Community Participation, Mina Lesoma, Senior Supt. Msomi of Metro Police, Deputy Director Holson Mbhele, of Department of Community Safety & Liaison, responsible for Community Liaison for the Durban Area, and Director Community Policing, Ismael Nxumalo, of the Department of Community Safety & Liaison.



The team was tasked with arranging a stakeholder meeting. The meeting was indeed held on Monday, 28 September, 2009 at 10h00 in the Kennedy Road Community Hall. The purpose was to hear from community structures with regard to their own understanding of what led to the criminal attack. The intention was to establish the root causes of the weekend attacks, and, to formulate a plan of action. The Team presented its report on Wednesday this week. In its Report, the team found as follows:

Task Team Findings:

- The weekend mob attack was a criminal act.
- There is no CPF Sub Forum in Kennedy Road that works with the police in terms of crime prevention initiatives.
- The majority of community structures and ordinary residents had lost confidence in the ability of the SAPS Sydenham Police Station's to deal decisively with crime in the area.
- It was alleged that criminal cases reported to the local police station are never investigated.
- There were serious allegations that some Police Members through act or omission were in cahoots with a group known as, "The Forum". This group is alleged to have operated as a law unto itself – terrorizing the community in the name of fighting crime.
- The Food Parcels distribution system is another cause for concern. It seems that this has caused divisions in the community.
- The distribution mechanism seems to be outside the structures of the relevant government department, but, rather handled at a local level by a singular group that uses Food Parcels selectively.
- There were some isolated cases of political intolerance in the area.
- That, a curfew had been imposed on residents. It forced residents not to cook, watch TV, or walk around after seven at night.



- That, there was a great concern about taverns in the area, and the impact it had on the community.

Together with the attendees at the stakeholder meeting, the Task Team agreed on a way forward as follows:

Way Forward

- The SAPS Provincial Commissioner's Office will set up a Special Police Task Team to hunt down the criminals who were involved in the weekend attacks. This Task Team shall exclude the police officers from the Sydenham Police Station.
- "The Forum," appears to have no legal standing within the parameters of constitutionally mandated structures to deal with crime. Accordingly, the Team felt that the "Forum" was therefore an illegal structure. Hence, it cannot continue to operate as a crime fighting instrument of government.
- The curfew, (where residents were bared from performing normal activities after seven at night) allegedly imposed on the residents by "the Forum" was illegal, and against society's morals. It was found to be inconsistent with the values of a democratic society, and therefore, the curfew was lifted with immediate effect.
- Due to the simmering tensions post the weekend attacks, it was agreed to place the Kennedy Road Informal Settlement under 24-hour policing by teams from Provincial Public Order Policing Unit, and Durban Metro Police.
- Ethekwini Municipality has to investigate ways of improving lighting in the area that will include installing floods lights.



- EtheKwini Municipality shall without delay clear bushes and plantation that may impinge on the work of the police.
- All crime shall be reported to the newly established Special Police Task Team.
- A special focus will be placed on proliferation of illegal taverns. All legal taverns shall operate within the law including operating hours.
- The Department of Community Safety and Liaison through its Directorate for Community Policing, shall convene further stakeholder talks with a view to encourage dialogue, and further assist the community to set up a crime fighting structure that is within the law.
- The Department of Social Department shall investigate the distribution of Food Parcels in the community and ensure that the process is fair, legal and managed by lawful agents of the state.

Where are we Now?

I am happy to report that the new police task team as agreed in that first stakeholder meeting has now been set up. The SAPS leadership will give a detailed report in this regard – shortly. The eThekwini Municipality has begun its investigation into improving lighting in the area. The Department of Community Safety & Liaison is already on the ground with its Communities-in-Dialogue Programme to encourage dialogue and to assist this community in setting up a proper and legal crime fighting structure.

We also note that at least eight suspects believed to be responsible for the weekend attacks are behind bars.



Police are working around the clock to ensure successful prosecution, and will be arresting more people if their investigations so demand.

View of the Provincial Government

It is the firm view of this government that in dealing with crime and criminals, we shall be blind to political persuasions, religious affiliations or friendship. Crime is holding us in a “hostage” situation. We can neither falter nor fail.

To win a war against crime, we must have a clear target – a list of known “alleged” criminals in our communities, report all crimes to the police, and in turn, the police must investigate thoroughly and diligently. Such a list shall be given to the police to investigate, and ensure successful arrests and prosecution. It is easy to develop such a list because criminals live in communities with us. It is my earnest appeal that in all wards/communities - we must develop a database of all known “alleged” criminals in our localities, and give such to the police. The Provincial Department of Community Safety & Liaison, including its political head (current MEC) are here to monitor closely if the police investigate these “alleged” criminals, and where appropriate effect arrests. The police shall report progress to all people who report crime, and to the victims of crime – this we expect and deserve. We need to know the progress of police investigations or lack thereof. As part of our duty, we will ensure a greater monitoring of police work in the province. We urge communities to partner with us.

Criminals must be dealt a heart-breaking blow – they must be must isolated by all of us. Communities must not buy stolen goods. A war against crime is winnable. Evil can never be allowed to triumph over good, Together We Can Indeed Do More. We are now in a stage wherein a people’s fight against crime and criminals must be unleashed.



ALLEGATIONS OF POLICE INEPTITUDE, ANC COMPLICITY, ETHNICITY, AND XENOPHOBIA

1. ANC COMPLICITY

There has been allegations made through the media by some among us that the attacks were ordered or at the very least occurred after a tacit approval of the ANC. I may not speak on behalf of the ANC. However, not a single person has come forward to lay an official complaint in this regard. I may hasten to add that it is inconceivable that a party that leads government may act in such a manner that is inconsistent with the constitution. Be that as it may, we remain committed to investigating any claims that may bring peace, and order to our people. I want to assure all our people that as soon as credible information is presented to us, an investigation will be launched.

2. POLICE INEPTITUDE

At the first community stakeholder meeting, allegations of police ineptitude were raised. Allegations included possible neglect of duty, complicity in crimes, and failure to act in the best interest of the community. We view these allegations in a very serious light. South African Police Service is our first and last line of defense against crime, criminals and corruption. As an interim measure, a new police task team has been ordered to investigate the infamous weekend mob attack. The team will also investigate other crimes, allegedly reported to the local police, but, not investigated. The allegations of police complicity in the matter are receiving attention at the highest levels of police management and government. Our police service shall be and must be beyond reproach.



3. ETHNICITY AND XENOPHOBIA

As a matter of principle, the entire ANC-led Government rejects any ethnicity and xenophobia as a basis for any mobilisation, let alone attacks. So, the allegations that the weekend mob attacks might have had an ethnic slant are noted. At this stage there is no official information backing such claims. Nonetheless, if this did indeed happen, we condemn it, in no uncertain terms.

Equally, xenophobic attacks are unlawful, unacceptable and totally go against the grain of our society's moral foundation. Again, at this stage there is no official information suggesting that the attacks were xenophobic in nature. If any new information comes to light suggesting otherwise, we will investigate fully. As a matter of principle, we reject any forms of discrimination.

WHAT DOES THE KENNEDY ROAD WEEKEND ATTACK MEANS TO US

We want to warn against people who want us to give crime a fancy name. The ongoing criminal attacks committed against our people here is a callous, and cowardly assault on civilians. It is our duty, to find the culprits. We shall do so. Once, found, no matter the motive, they shall face the full might of the law. We must guard against sugar-coating. We must refuse to give crime any other name – except its proper name – “crime” against our people.

Ends.