

Greaves IR - Lieutenant Colonel

From: O'Brien Gcabashe <O'Brien.Gcabashe@mactrading.co.za>
Sent: 06 December 2016 11:21 AM
To: Greaves IR - Lieutenant Colonel
Subject: RE: RE ; INANDA CAS 657/11/2015

Thanks and much appreciated!

From: Greaves IR - Lieutenant Colonel [mailto:GreavesI@saps.gov.za]
Sent: 06 December 2016 11:01 AM
To: O'Brien Gcabashe
Subject: RE ; INANDA CAS 657/11/2015

Good Day,

Please find response in regards to above matter.

1. The said docket was perused by BRIG MARION ,PROVINCIAL HEAD: DETECTIVES SERVICES,PHQ:KZN.
2. He instructed that CAPTAIN SINGH OF SAPS, INANDA take over Investigations.
3. All the respective statements was obtained by him with regards to the Investigation.
- 4.The docket was then forwarded to the SENIOR PUBLIC PROSECUTOR,NTUZUMA for decision.
5. THE SENIOR PUBLIC PROSECUTOR DECLINED TO PROSECUTE.HE STATED THAT THERE WERE NO PROSPECTS FOR A SUCCESSFUL PROSECUTION.
6. The previous investigating officer(SGT CHILIZA) was issued with a verbal warning ,as no investigation was carried out for a considerable period.
- 7.You are at liberty to address your concerns with the DEPARTMENT OF JUSTICE.
- 8.This office regards you matter as FINALISED.

KIND REGARDS.

From: GREAVESIR@SAPS.GOV.ZA [mailto:GREAVESIR@SAPS.GOV.ZA]
Sent: 29 November 2016 09:15 AM
To: Greaves IR - Lieutenant Colonel
Subject: Message from KM_C554e

This message is subject to the disclaimer found at.

<http://www.macsteel.co.za/emaildisclaimer.jsp>

May I please have an acknowledgement on receipt of my below mentioned email if you received it.

Regards

O'Brien Gcabashe 072 1014 238

From: O'Brien Gcabashe
Sent: 22 September 2016 03:02 PM
To: govenderc6@saps.gov.za
Subject: FW: RE : INANDA CAS 657/11/2015

Good afternoon Mr Govender

Please refer to my below mentioned copy emails. I have received the new information about this case, it is alleged that the complainant's statement was that the community that stopped the march were lead by their leader, he did not provide the name of the leader, the question is who does not know his own councillor as the said leader is the ward councillor of the area where the complainant resides. If this information is correct, the complainant's intention was to mislead the police so that no arrest could be made.

My main concern is why these suspects were not arrested at the time of an incident? Why is it taking so long for the police to make arrest?

Because of this alleged constructive delay I would request the said docket to be moved away from SAPS Inanda due to the above mentioned reasons.

Your very urgent attention will be much appreciated.

Regards

O'Brien Gcabashe 072 1014 238

From: O'Brien Gcabashe
Sent: 19 September 2016 02:58 PM
To: 'kznprovhead.detserv@saps.gov.za'
Subject: FW: RE : INANDA CAS 657/11/2015

Good afternoon

I am not happy about the investigation of this case since last year November 2015. I should have been the complainant in this case but because the police were leading our march, I then became the witness and other community members. During our march, members of the ANC wearing their T-Shirts and lead by the ward councillor stopped the police who in turn stopped us from carrying on with our march, no arrests were made on the day for unknown reasons, in turn the police opened the case and I became the witness.

There has been a delay in arresting the suspects and I am not clear as to what cause this delay. People are known to us and the police know them very well and they negotiated with them on the day of incident.

Please will you investigate about this matter as soon as you can.

Yours faithfully

O'Brien Gcabashe 072 1014 238

From: O'Brien Gcabashe
Sent: 19 September 2016 02:15 PM
To: 'Inanda-SAPS'
Cc: Divisional Commissioner : Detective Services - Staff Officer; KZN:Inanda Operations Commander; 'salanga@justice.gov.za'
Subject: RE: RE : INANDA CAS 657/11/2015

Good afternoon Col Venketsamy

I want this case to come to its finalization as it is long overdue. I am a witness in this case and also the convener of the march that took place on the said day. Last time I was told the docket has been forwarded to the Prosecutor and that was early this year, what happened after that? I am aware that Col Ndaba is the complainant.

This affected our community who were marching and they need an answer as to why till today no arrest has been made.

I am not happy with your police investigation into this matter at all!

Regards
O'Brien Gcabashe

From: Inanda-SAPS [<mailto:INANDA-SAPS@saps.gov.za>]
Sent: 19 September 2016 11:57 AM
To: O'Brien Gcabashe
Cc: Divisional Commissioner : Detective Services - Staff Officer; KZN:Inanda Operations Commander; 'salanga@justice.gov.za'
Subject: RE: RE : INANDA CAS 657/11/2015

Good day

1. Kindly note that INANDA CAS 657/11/2015 is still under investigation
2. Colonel Ndaba is the complainant in this matter.

Colonel S Venketsamy
Inanda SAPS
TEL : 031 510 9603
FAX : 031 510 9924
CELL: 079 500 0288
EMAIL: INANDA-SAPS@saps.org.za

BACK TO BASICS

TOWARDS A SAFER TOMORROW

#CrimeMustFall



From: O'Brien Gcabashe [<mailto:O'Brien.Gcabashe@mactrading.co.za>]
Sent: 19 September 2016 08:29 AM
To: Inanda-SAPS
Cc: Divisional Commissioner : Detective Services - Staff Officer; KZN:Inanda Operations Commander; 'salanga@justice.gov.za'
Subject: RE: RE : INANDA CAS 657/11/2015

Good morning

This is a reminder again. I wish to raise a concern that I am not happy that your office failed even to acknowledge my email. I urgently need the progress report as soon as you can.

Regards

O'Brien Gcabashe 072 1014 238

From: O'Brien Gcabashe
Sent: 16 September 2016 08:16 AM
To: 'INANDA-SAPS@saps.gov.za'
Cc: Rikhotso Nkhensani - Lieutenant (RikhotsoN@saps.gov.za); ndabae@saps.gov.za; 'salanga@justice.gov.za'
Subject: RE : INANDA CAS 657/11/2015

Good morning

As you are aware that I am one of the witnesses on the above mentioned case kindly provide me with the progress report. I was also the convener of the march that was disrupted on the day. My main concern is why the suspects were not arrested on the same day? As a result of this we never issued our memorandum.

I would appreciate if this report be given to me **before the end of today**.

Your very urgent attention will be much appreciated.

Yours faithfully

O'Brien Gcabashe 072 1014 238

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Report in terms of Standing Order (General) 101 5(3).

COMPLAINT REFERENCE NUMBER: []

1. Date on which the complaint was received: 2016-09-29

2. Particulars of the complainant

Title: MR Identity Number / Passport Number: []

Initials: O Surname: GCABASHI

Tel Number (Home): 031 9132729 Tel Number (Work): []

Fax Number: [] Cellular Number: 0721014238

Email Address: OBRIENGCABASHI@mabradling.co.za

Physical Address: 187818 PHOZA MLOSHI INANDA

Code: []

Postal Address: []

Code: []

3. Particulars of the Officer who interviewed the complainant (in person)

Persal number:

0616144-8

Rank:

COLONEL

Initials:

TA

Surname:

MADONSELA

Tel Number (W):

0315098615

Cellular Number:

0795000313

Fax Number:

0315098614

Email Address:

madonsela.ta@saps.gov.za

Name of Business Unit / Cluster / Station / Unit & Physical Address:

NTUZUMA SADS
TINTSHINTSHO ROAD
NTUZUMA

Code:

4036

4. Date, time and place where the interview was held.

(The interview must be done immediately in person by an Officer and not by telephone).

Date:

2016-00-16

Time:

14:00

Place:

UMZI NYATHI
INANDA

5. Should the complainant not have been interviewed the reason for this must be furnished in full:

N/A

6. Nature, classification and place of origin of the complaint:
(Include the Station, CAS number, name and contact details of investigating officer of all case docket
involved)

The complainant is not happy with the progress of Inanda CAS 65/11/2015 Public Violence. The investigating officer is D/Sgt NA Cheliza

7. Summary of the facts relating to the complaint

The complainant had applied for authority to hold a march to deliver a memorandum and it was granted. He alleges that whilst marching a rival group led by councillor Shibi had stopped their march that was led by the police. Police failed to arrest the group.

8. Concise report on all issues identified and investigation conducted to address the complaint.
(Specific case docket perused, interviews conducted, statements taken, instructions given, evidence obtained, etc.)

It was established that the delay in the progress of the investigation was caused by the late submission of the statement of Major General Chirwa

9. Feedback that was conveyed to the complainant. (Everything concerning the complaint / case docket)

The case docket has been sent back to court for SPP's decision and that the complainant will be kept informed of the progress.

10. The reaction of the complainant to the information in paragraph 8 and 9 must be noted comprehensively.

11. Was the complaint founded or unfounded (mark with an x):

Founded: Unfounded:

12. Is any misconduct suspected and if so, a recommendation regarding such misconduct.

No there is no misconduct on the part of the investigating officer as he could not have forced his superior to submit his statement

12.1 In cases where criminal/disciplinary steps are considered, full details thereof must be stated, i.e. Discipline Register Number; Peral number; Initials and Surname; Station and CAS number, Charges instituted, etc.

Discipline Register Number:										
Peral number (of accused member):										
Rank:										
Initials (of accused member):										
Surname (of accused member):										
Station of accused member:										
Province:										
Station where case was opened:										
CAS number:										

N/A



Charges instituted:

N/A

12.2 Non-compliance relating to the Domestic Violence Act. Specific note must also be taken of the provisions in National Instruction 7/1999 paragraph 13 which state that: "In terms of the Domestic Violence Act, a failure by a member to comply with an obligation imposed in terms of the Act or this National Instruction constitutes misconduct. Disciplinary proceedings must therefore be instituted in accordance with Discipline Regulations against a member who fails to comply with an obligation imposed in terms of the Domestic Violence Act or this National Instruction].

Departmental steps instituted: (Mark applicable box with an X):	Yes	No
Discipline Register number:		
Persal number (of accused member):		
Rank (of accused member):		
Initials (of accused member):		
Surname (of accused member):		
Station (of accused member):		
Province:		
Description of incident:		

N/A

13. Any other proposed corrective measures not previously reported.

The investigating officer should keep the complainant updated with the progress of the investigation

14. Recommendation as to what measures may be taken to avoid similar complaints in future:

The group commander of the member must monitor the progress of the investigation and assist him when he needs assistance.

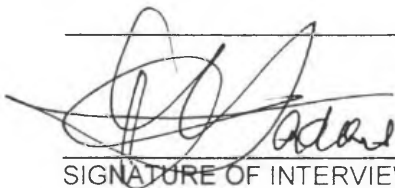
15. Is the complainant satisfied / ~~not~~ satisfied?

16. Did the complainant sign a "Confirmation of Attendance to a Complaint (Annexure A)" certificate and is it attached?

Yes: No:

If No, state reason:

N/A

 J. A. MADON
SIGNATURE OF INTERVIEWING OFFICER

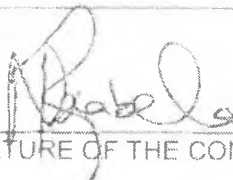
Date: 2016-10-20
Time:

17. Certificate by the Commander

I. Peral number 0606105-2 Rank Major-General

Initials and Surname BB NXABELA

certify that I am satisfied that the investigation has been conducted properly and that the report is acceptable.

 MAJOR-GENERAL
SIGNATURE OF THE COMMANDER BB NXABELA

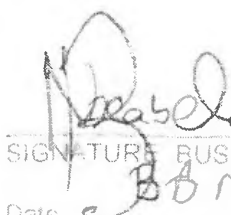
Date 2016-10-20
Time 19:00

18. Certificate by the Business Unit Commander

I. Peral number 0606105-2 Rank MAJ GENERAL

Initials and Surname NXABELA BB

certify that I am satisfied with the investigation conducted into the matter steps taken to resolve the complaint and the feedback provided to the complainant

 MAJOR-GENERAL
SIGNATURE BUSINESS UNIT COMMANDER
BB NXABELA

Date
Time

19. Certificate by the Head of the Business Unit Commander

I Persal number 0606105-2 Rank MAJ GENERAL

Initials and Surname NXABELA BB

certify that I am satisfied that the investigation has been conducted properly and that I have officially informed the complainant of the outcome thereof

 BB Nxabela - GENERAL
SIGNATURE HEAD OF THE BUSINESS UNIT COMMANDER

Date
Time

BB NXABELA
2016-10-21.
19:00

Continue of folio paper if space is insufficient

Annexure A

CONFIRMATION OF ATTENDANCE TO A COMPLAINT

O'BRIEN FALAKHO GCABASHU (full names and surname), ID number 630 919 568 085, residing at PHOLA MUSHU ; INANDA 1878/8
 telephone number (home) (work) 031- 913 2729, cell number 072 1014 238, hereby confirm that the complaint I have lodged with the South African Police Service has been resolved to my satisfaction* / ~~dissatisfaction~~*

In case of dissatisfaction, the following constitute the basis of my dissatisfaction:

N/A

Signed on 20 day of October 2016 at INANDA (place)

Signature of complainant

Witness signature (Initials and surname and signature)

MSWENI M A (Initials and surname and signature)

* Delete which are not applicable.

