



POLICY BRIEF

Violent crime on farms and smallholdings in South Africa

Johan Burger

Farm attacks and farm murders are a contentious topic in South Africa. Claims have been made that the criminal attacks on farms are a deliberate form of white – specifically Afrikaner – genocide. But are farm dwellers and particularly white Afrikaans farmers the target? Or are these crimes part of a bigger picture of escalating brutal violence countrywide? Are statistics accessible and accurate so as to paint a true landscape of violent crime in rural South Africa?

Key findings

- ▶ Farm attacks and farm murders have increased in recent years in line with the general upward trend in South Africa's serious and violent crimes.
- ▶ These violent crimes against people living and working on farms share similarities with the trio crimes category of house robbery, business robbery and carjacking, which are treated as priority crimes. The police have set up task teams that specialise in investigating and addressing these trio crimes.
- ▶ The unavailability and irregular release of SAPS statistics for farm attacks and murders leads to suspicion about why such information is withheld from the public.
- ▶ Independent monitoring initiatives have led to discrepancies in statistics, casting doubt on the credibility of these figures and making it hard to accurately assess the situation.
- ▶ A dedicated strategy or solution can be effective only if the problem is correctly assessed and understood.
- ▶ Dedicated capacity for intelligence gathering, investigation and prosecution is needed so that those involved in all forms of robbery are brought to justice. This will ensure that all South Africans, including those in the farming community, are safe.

Recommendations

- ▶ Like the trio crimes, farm attacks and farm murders should be treated as a separate crime category; be regarded as a priority crime; and need a particular solution.
- ▶ There should be a dedicated strategy for farm attacks and farm murders that targets the criminal groups responsible – similar to how the trio crimes are managed. This strategy should be used to protect farming communities (all people on farms and smallholdings) and track down the perpetrators.
- ▶ Only the most experienced and skilled people of integrity should be appointed to the intelligence agencies, police and prosecution services.
- ▶ The SAPS should regularly release detailed statistics on rural safety, including farm attacks and murders, in their annual reports.
- ▶ The SAPS should institute a representative sub-committee to the current Rural Safety Priority Committee to establish and agree on the methodology to define and measure farm attacks.
- ▶ The SAPS should appoint another independent committee of inquiry to establish how the circumstances surrounding farm attacks and farm murders have changed since the previous inquiry, and whether the security situation has improved or worsened.
- ▶ This committee should recommend ways to improve rural safety – in particular safety on farms and smallholdings.

Farm attacks and farm murders

The South African Police Service (SAPS) is the official custodian of South Africa's crime statistics. This includes statistics for farm attacks and the various crimes committed during these violent incidents. As a consequence of the special attention given to farm attacks after the 1998 Rural Safety Summit, the SAPS began publishing statistics for farm attacks and farm murders in their annual reports between 2001/2 and 2006/7.

After it stopped publishing these statistics in 2008, agricultural unions such as the Transvaal Agricultural Union of South Africa (TAU SA) began collecting, analysing and publishing their own records of farm attacks and murders. This information is based on reports from TAU SA members and the media which they verify before including it in their records. The civil rights organisation AfriForum also does its own research and regularly publishes statistics on farm attacks and murders.

But statistics from unofficial entities often vary, and their credibility is frequently questioned, so it's hard to accurately assess the extent of the problem. This leads to unsubstantiated claims such as that of a genocide in South Africa – particularly of white Afrikaans farmers.

According to the 2003 report by the Committee of Inquiry into Farm Attacks, between 1991 and 2001 there were 6 122 attacks, resulting in 1 254 deaths. During 2001 alone there were 1 011 farm attacks and 147 people were killed.

During the 2001 attacks there were 1 398 victims of various crimes including murder, rape, robbery, assault and others, of whom 61.6% were white, 33.3% black, 4.4% Asian and 0.7% coloured. According to the TAU SA statistics for the period 1990 to 2017, looking at murder only, a total of 1 938 people were killed. Of these, 1 697 (87.6%) were white and 241 (12.4%) black. The latter figure includes the murder of 137 farmworkers.

The SAPS, TAU SA and others all use the same definition for farm attacks (referred to in the National Rural Safety Strategy as 'acts of violence against the farming community'):

Acts of violence against person/s on farms and smallholdings refer to acts aimed at person/s residing on, working on or visiting farms and smallholdings, whether with the intent to murder, rape, rob or inflict bodily harm. In addition, all acts of violence against the infrastructure and property in the rural community aimed at disrupting legal farming activities

as a commercial concern, whether the motive/s are related to ideology, land disputes, land issues, revenge, grievances, racist concerns or intimidation, are included.¹

With regards to attacks or incidents on farms, TAU SA doesn't have the same ground coverage as the SAPS, and therefore cannot capture all attacks that occur. The inclusion of smallholdings is of course in itself a complicating factor, since it is impossible to accurately determine how many smallholdings are involved in 'legal farming activities as a commercial concern'.

The challenge for those recording these attacks and murders is to ensure that only those smallholdings that fall within this definition are included for statistical purposes.

Statistics from unofficial entities vary and their credibility is frequently questioned

The South African Human Rights Commission 2014 report titled Safety and Security Challenges in Farming Communities found the following regarding the definitions of farms and smallholdings:

According to the SAPS RSS [Rural Safety Strategy] a farm is defined as 'an area of land and its buildings used for agricultural and livestock purposes, including cattle posts and rural villages where subsistence farming takes place'. Additionally, smallholdings are defined as 'an agricultural holding that is smaller than a farm, excluding smallholdings where no agricultural activities take place and that are predominantly residential'.

The area of concern ... [is] in the fact that in the classification of what constitutes a 'farm attack and/or murder' it is inclusive of the term smallholdings, which as explained previously, where there is no agricultural activity, are predominately residential, and are situated in peri urban areas. The majority of respondents would prefer to have statistics that were inclusive only of farms.

The Commission acknowledges these concerns about the definitions, but also acknowledges that rural safety is a concern and a fundamental right for all. ... It is ... the position of the Commission that the recording of crimes should accurately reflect the nature of the crimes, and that this should be done efficiently to ensure that investigations are conducted to the highest standards.²

Table 1 shows SAPS and TAU SA statistics on farm murders and attacks over a period of 17 years.

Table 1: List of farm attacks and murders, SAPS and TAU SA since 2001/2

Period		Murders		Attacks/incidents	
SAPS	TAU SA	SAPS	TAU SA	SAPS	TAU SA
2001/2	2002	140	119	1 069	229
2002/3	2003	103	89	903	145
2003/4	2004	88	115	773	116
2004/5	2005	82	55	694	82
2005/6	2006	88	46	636	82
2006/7	2007	86	60	794	94
2007/8	2008	-	79	-	184
2008/9	2009	-	71	-	152
2009/10	2010	-	64	-	115
2010/11	2011	71	48	665	96
2011/12	2012	56	53	514	174
2012/13	2013	59	59	567	231
2013/14	2014	57	61	517	279
2014/15	2015	60	64	490	318
2015/16	2016	49	71	446	369
2016/17	2017	66	82	478	423
2017/18	June 2018	62	33	561	206

Note: The SAPS uses financial years and TAU SA calendar years. The SAPS did not make statistics available for 2008 to 2010.

The SAPS collects data on attacks and murders on farms and smallholdings. However, from 2007/8 they stopped releasing their figures without explanation. This resulted in confusion and a feeling in some quarters that they were hiding the true extent of the problem.

In 2014 the SAPS presented updated figures to the SA Human Rights Commission hearings on safety in farming communities, and in early 2017, in reply to a question in parliament, they also released the statistics for 2016/17.

In May 2018, again in response to a question in parliament, Police Minister Bheki Cele provided the statistics for farm attacks and farm murders from 2012/13 to 2017/18.

While the two sets of figures differed somewhat, the latest figures presented to parliament are contained in the table above.

TAU SA only started its own independent monitoring process in 2008, after the SAPS stopped publishing the statistics. The data before that year was collected retrospectively and for this period there is probably an undercount compared to SAPS stats. TAU SA claims that their figures in relation to the more serious attacks where residents or workers have been seriously injured or killed are fairly accurate.

2007/8

WHEN SAPS STOPPED
RELEASING REGULAR
DATA ON FARM ATTACKS
AND MURDERS

The reason the SAPS stopped releasing statistics for farm attacks and farm murders in 2008 was revealed at the 2014 Human Rights Commission hearings. In his submission before the commission, Dr Chris de Kock, a retired major general and head of the SAPS's Crime Information Analysis Centre (CIAC) at the time the decision was taken, argued that statistics should not be kept in relation to farm murders and attacks for the following reasons:

This is because of the cost of independent databases being high, and the role of auditing of the crime statistics. Additionally, the other issue preventing 'farm attacks and murders' being recorded is that they do not have their own crime category; it is solely reliant on the police station sending the information to the SAPS CIAC independently of the other crime recording systems of the SAPS. Also, should an independent database be kept for farm attacks and/or murders, and then all other crimes, such as attacks on the elderly, xenophobia, femicide, LGBTI community, and the killing of children for 'muti' independent databases need to be kept.³

However the commission – in acknowledging the difficulties relating to definitions and the capturing of statistics – also noted that rural safety was a concern, so 'the recording of crimes should accurately reflect the nature of the crimes and ... this should be done efficiently'.

Ideally, all figures gathered by the police should be regularly released or made available on request. If there are shortcomings with the data, then the SAPS must indicate what these are when releasing statistics.

But not providing information that's in their possession and that is of public interest only leads to mistrust. This in turn undermines the potential for building constructive partnerships between the SAPS and various sectors of society to collectively address public safety concerns.

SAPS leaders must understand the importance of building public trust in the police if they are to play an effective role in improving public safety. One way of doing this is by convening open forums where data of interest to those working towards public safety is presented and critically analysed for its usefulness. This should be done at least annually. Only when information is released in good faith can partnerships built on trust and shared values be effective.

Farm violence vs. other similar crimes

Farm attacks are relatively similar to attacks in urban areas, such as house or business robberies (both of which are sub-categories of 'robbery with aggravated circumstances').

The differences largely relate to the geographical location of the target. Unlike urban areas, farms and smallholdings are much more isolated and removed from immediate police or other security services, including close neighbours. This relative isolation provides attackers with more time and freedom to commit crimes against their victims, which are often extremely violent, including the gratuitous use of torture.

An average of 60 house robberies are reported to the police daily in South Africa, and during the 2016/17 financial year a total of 22 343 incidents were reported. House robberies have increased in all provinces except Limpopo. On average, 22 house robberies are reported in Gauteng alone every day.

Farm attacks are relatively similar to attacks in urban areas, such as house or business robberies

The 2017 Victims of Crime Survey revealed that 151 279 home robberies took place in 2016/17, almost seven times the number recorded by the police. These armed robberies are particularly traumatic for victims as they take place in the home while family members are present. The 2017 survey found that housebreaking and home robberies were the most feared crimes in South Africa. The brutality of many of these robberies is regularly covered by the media.

The only possible comparison between farm attacks and house robberies is through a trend analysis relating to incidents (Figures 1 and 2). Since the numbers for murder during house robberies are not separately available, the trend for farm murders can only be compared to the national murder trend (Figures 3 and 4).

In the absence of SAPS statistics for farm attacks and farm murders for the three years preceding 2010/11, the graphs start at this point. The comparison is somewhat skewed by the fact that the SAPS uses financial years and TAU SA calendar years.

The graphs in Figures 2 and 4, representing data from the SAPS and TAU SA, appear a little erratic for reasons already explained, but although there are clear differences in the numbers, the trend lines for both farm attacks and farm murders show an upward curve.

In this regard the TAU SA trends are more gradual and more consistent. The upward trends also correspond with the gradual increases South Africa is experiencing regarding murder and house robberies since 2011/12. In fact this upward trend reflects the position of six of the seven sub-categories of aggravated robbery, with bank robberies the only exception.

Figure 1: House robberies trend, SAPS data

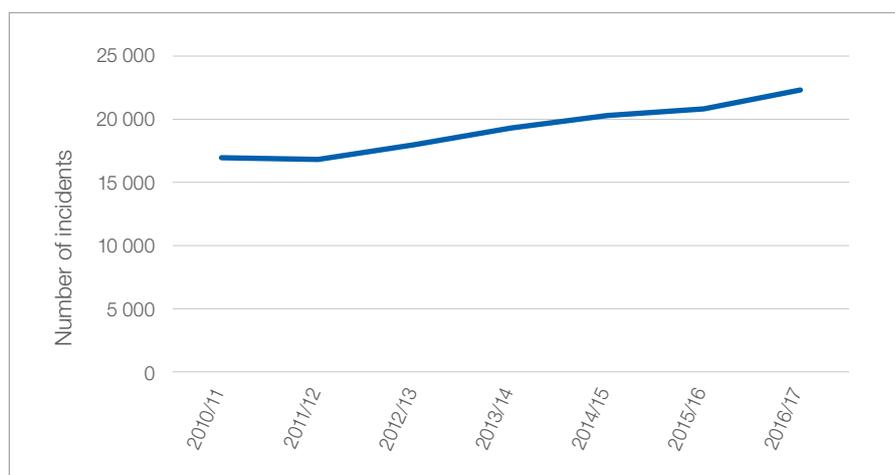
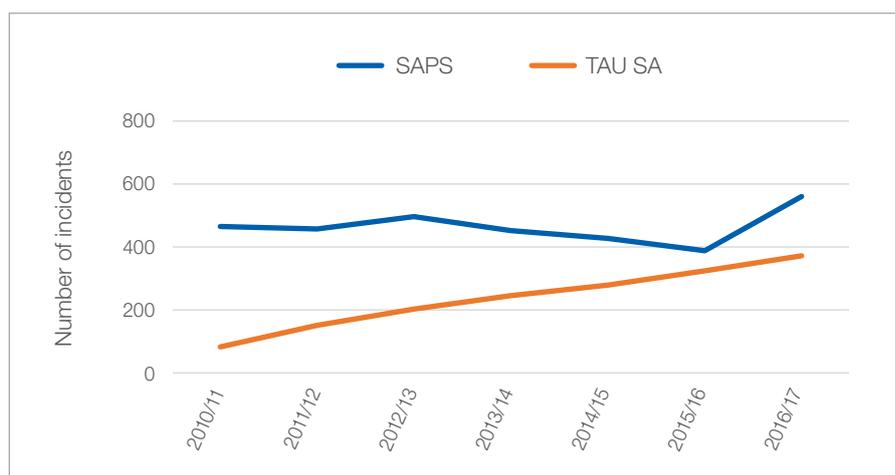


Figure 2: Farm attack trends



33.3%

INCREASE IN
HOUSE ROBBERY
SINCE 2011/12

The percentage increase for farm attacks and farm murders is not included as it will differ and fluctuate, and will depend on whose data is used. But the trends do appear to show corresponding increases with general crime trends. For example, aggravated robbery in general increased by 39.9% in the past five years since 2011/12, while house robbery, as a specific sub-category, increased by 33.3%. During the same period murder increased by 22.3%.

Figure 3: Murder trend, SAPS data

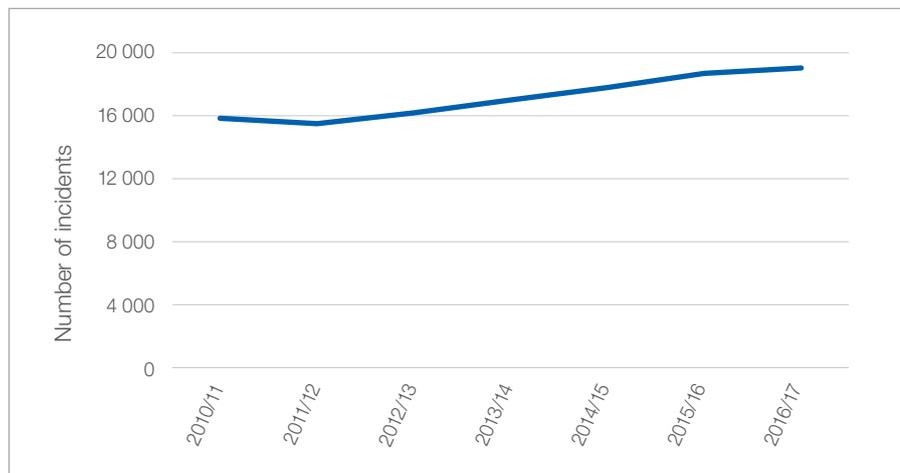
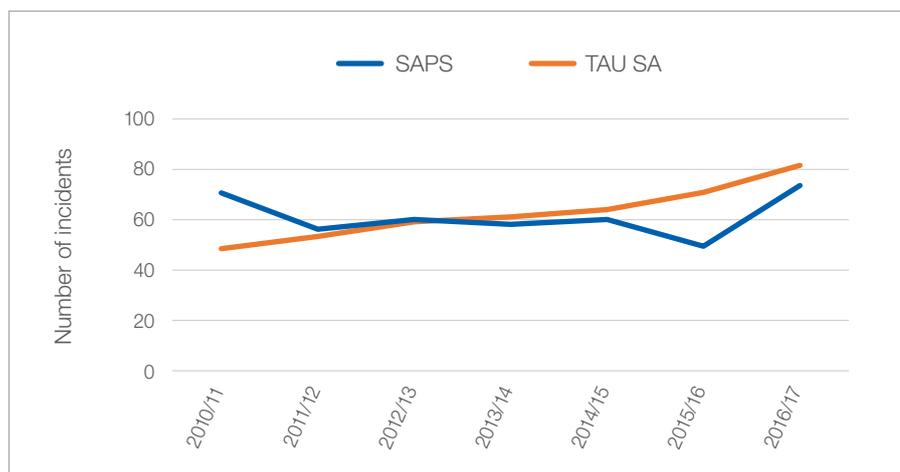


Figure 4: Farm murder trends⁴



The available data shows that South Africa has been experiencing a serious increase in organised violent robberies across the board. Since 2012, this type of crime has increased by over 39% and affected people across the country. In this situation, the SAPS is not likely to protect farms only given their remote locations and the resources required.

Increases in farm attacks and murders correspond with increases in house robberies and murder in general

Ideally, the criminal justice system will orient itself towards identifying and holding those who commit robberies and trade in stolen goods accountable. If specific intelligence capacity, experienced investigators and prosecutors were dedicated to ensuring that those involved in all forms of robberies ended up in prison, all South Africans, including those in the farming communities, would be safer.

39%

INCREASE IN ORGANISED VIOLENT ROBBERY SINCE 2012

Government's stance on farm attacks

The South African government has always given attention in some form to calls from organised agriculture to implement measures to curb farm attacks. The first concrete steps in this regard were taken by former president Nelson Mandela when he called for and attended the Summit on Rural Safety and Security on 10 October 1998.

SAPS claims to have implemented the rural safety strategy at 845 of the 879 rural police precincts

In his speech, Mandela expressed the government's concerns with the crime situation on farms, among other things:

This is first and foremost a summit for action against crime, in particular the killings and violence against members of the farming community.

The government deplores the cold-blooded killings that have been taking place on the farms in the past few years. While killings on farms, like crime in general, have been a feature of South African life for many decades, the incidents of murder and assault in farming areas have increased dramatically in recent years.

Beyond the immediate human suffering, lack of security and stability in our rural and farming community causes serious disruption to our economy. It threatens to bring reduced growth or production, loss of wages and profits and in time unemployment. It brings the spectre of deepening poverty, and potential social instability and upheaval.

Mandela was obviously concerned with the high levels of crime in general, but he also acknowledged that the 'killings and violence' against members of the farming community were a special concern, including their consequent socio-economic impact.

As a result of the summit, the SAPS was instructed to reinforce the implementation of the Rural Protection Plan, which was developed earlier in the year by the SAPS, the South African National Defence Force (SANDF) and organised agriculture.

A core development in this regard was the establishment of the Rural Safety Priority Committee within the National

Joint Operational and Intelligence Structure (NATJOINTS), at national and provincial levels, to oversee and coordinate the implementation of the plan.

But despite the plan's successes, attacks and murders on farms continued, and remained a big concern. During 2001, in response to a request from the agricultural federation AgriSA, safety and security minister at the time Steve Tshwete instructed the national police commissioner to establish the Committee of Inquiry into Farm Attacks. The committee was to:

... inquire into the ongoing spate of attacks on farms, which include violent criminal acts such as murder, robbery, rape, etc., [and] to determine the motives and factors behind these attacks and to make recommendations on their findings.

The committee, chaired by retired advocate Charl du Plessis, tabled its report in parliament in 2003. It found that most of these attacks were committed with the primary motive of committing robbery.

But currently some are questioning the validity of these findings, given the time that had elapsed, and a political environment that is seen as being increasingly hostile to the farming community. Examples are given of prominent political leaders accusing white farmers of having stolen the land and calling for the expropriation of land without compensation to address the injustices of apartheid.

In that same year, then president Thabo Mbeki further complicated matters when he unexpectedly announced in parliament that the Commando System would be phased out over the following six years. The commandos were largely part-time army volunteers responsible for security in their own communities.

The commandos formed the cornerstone of the Rural Protection Plan, so their closure was the plan's death knell. The SAPS was also caught by surprise, but immediately announced alternative structures including a new sector policing model, a new police reservist system and the deployment of the so-called area crime combating units.

The JOINTS priority committee was forced to refocus its attention on efforts aimed at implementing the new structures, but the success of these efforts remains debatable.

A new more inclusive National Rural Safety Strategy was introduced by the SAPS in 2011. It relies heavily on

the alternative structures announced in 2003, but also aims to integrate the safety of farms and smallholdings within broader rural safety considerations, improved communication and cooperation between the various communities, and rural development more generally.

According to the SAPS's 2016/17 annual report, the service has classified 879 of the country's 1 144 police precincts as 'rural or rural-urban mix police stations'. The SAPS claims to have fully implemented the rural safety strategy at 845 of these stations, partially implemented the strategy at 17 stations and at another 17 the strategy has not yet been implemented.

In a media statement on 29 November 2017 by the office of the then police minister Fikile Mbalula, after he met with a TAU SA delegation to discuss the rural safety strategy and the killing of farmers, he said:

... we have agreed that farm killings [are] and must be a priority. We reiterate the spirit of the Freedom Charter, that South Africa belongs to all those who live in it. Police need to create a conducive environment for farmers to produce and ensure food security for all our people.

More recently, on 18 June 2018, agriculture, forestry and fisheries director-general Mike Mlangana said at a summit on farm murders and stock theft that 'this ongoing scourge of criminal attacks in the farming community ... cannot be left unattended'. Then, on 3 July, Police Minister Bheki Cele appointed a new adviser, advocate Lennit Max, to amongst others, give attention to farm attacks and rural crime fighting.

Given the failure of the criminal justice system to effectively address murder and robbery over the past six years, it is unlikely that much headway will be made in ending farm attacks.

Hopefully the New Dawn that President Cyril Ramaphosa has spoken about will see the wholesale rejuvenation of the criminal justice system. The most experienced and skilled people of integrity must be appointed to clean up and lead the intelligence agencies, police and prosecution services. Only then will the vast resources of the state be effectively used to improve public safety.

Conclusion

Farm attacks and farm murders are clearly following the general upward trend in South Africa's serious and violent crimes. This does not necessarily explain all farm attacks or all farm murders, but only that there is some correlation between the trends.

Like the trio crimes category comprising house robbery, business robbery and carjacking, farm attacks and farm murders should be a crime category on their own. Like the trio crimes, they need their own specific solution, and should be regarded as a priority crime.

The police must develop a dedicated strategy to address violent crimes against people living and working on farms and smallholdings, and must specifically target the groups responsible for these crimes. For example the police set up task teams that specialise in dealing with the trio crimes. The same should be done for farm attacks and farm murders.



SAPS MUST REGULARLY
RELEASE STATISTICS
ON FARM ATTACKS AND
FARM MURDERS

The unavailability or irregular release of SAPS statistics leads to suspicion about the reasons for withholding such information from the public. This has contributed to independent monitoring initiatives resulting in different statistics on the problem.

The discrepancies between all these data sources relating to farm attacks and murders cast doubts about the credibility of the statistics and make it difficult to accurately assess the situation. A dedicated strategy or solution can be effective only if the problem is correctly assessed and understood.

The police should set up task teams that specialise in dealing with farm attacks and farm murders

A good point of departure would be for the SAPS to regularly release the statistics on farm attacks and farm murders, along with the other relevant information already in their annual reports. It may also be a good idea to create a coordinating mechanism (as existed before) for this kind of data with independent institutions also involved in monitoring the situation.

Finally, it's been 15 years since the Committee of Inquiry into Farm Attacks released its report on farm attacks, and much has happened since then – for example Mbeki's closing down of the commandos, effectively ending the Rural Protection Plan. The new plan that replaced it, the SAPS's National Rural Safety Strategy, was implemented only in 2011 – leaving a gap of almost eight years.

From farmers' perspective the political landscape has also recently become more hostile, largely as a result of calls by political leaders for more radical land reform. For example the motion by the Economic Freedom Fighters on the expropriation of land without compensation was supported by the ANC and passed by parliament on 27 February 2018. The motion also provides for an amendment of the relevant section (25) of the South African constitution.

Another independent inquiry should be conducted as soon as possible. It must establish whether and to what extent the position of and circumstances around farm attacks and farm murders have changed, and also whether the security situation has improved or deteriorated.

Notes

- 1 South African Police Service, 2011, National Rural Safety Strategy, unpublished report, 11.
- 2 South African Human Rights Commission, 2015, Report of the SAHRC National Investigative Hearing into Safety and Security Challenges in Farming Communities, 15 and 16 September and 6 October 2014, 44. Available at: <https://www.sahrc.org.za/index.php/sahrc-publications/hearing-reports>.
- 3 Ibid., 71.
- 4 Because of the unexplained discrepancies between the figures released by the minister of police in May 2018 and earlier figures, the earlier figures are retained in this graph.

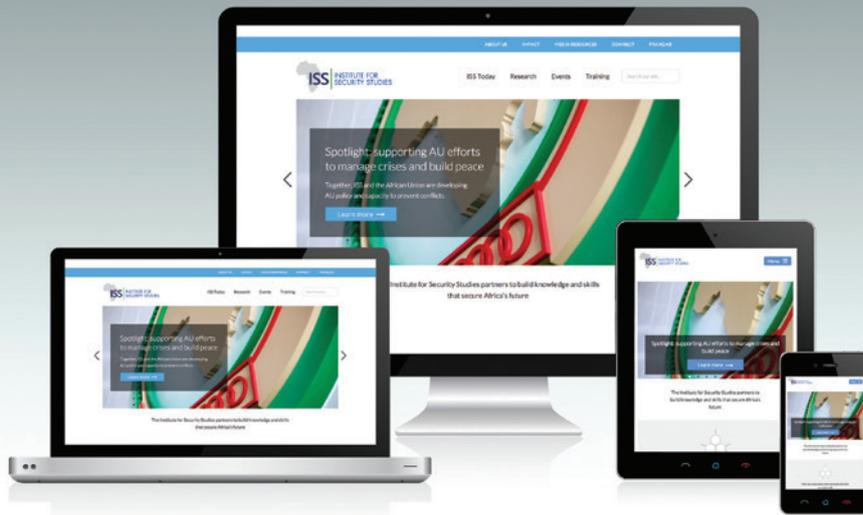
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NUMBER OF YEARS
SINCE COMMITTEE
OF INQUIRY INTO
FARM ATTACKS

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